

From: "rex" <rex@jsl.nz>
Sent: Sat, 4 Dec 2021 17:09:13 +1300
To: "applications" <applications@npdc.govt.nz>
Subject: 20175 - Curry 24 Te Arei Road West 5 Lot Subdivision Resource Consent Application
Attachments: 20175 - Curry Submitted to NPDC.pdf

Kia ora,

Please find attached a resource consent application for a 5 Lot Subdivision at 24 Te Arei Road West, Sentry Hill on behalf of our client Wayne Curry – Popuanui Chickens Limited.

Ngā mihi

Rex Hurley | Planner | Juffermans Surveyors Ltd
M 027 445 8330
Prospero Place | PO Box 340, Stratford 4332



24 TE ARAI
ROAD, WEST
SENTRY HILL

RESOURCE CONSENT APPLICATION FOR
A 5 LOT SUBDIVISION



BY:



JSL

Juffermans Surveyors Ltd

51 Dawson Street
PO Box 193, New Plymouth 4340
info@juffermans.co.nz

www.juffermans.co.nz



CONTENTS

EXECUTIVE SUMMARY	2
1. THE SUBJECT SITE AND ITS IMMEDIATE SURROUNDINGS.....	3
2. THE PROPOSAL.....	12
3. LEGAL AND PRACTICABLE ACCESS	17
4. EXISTING SERVICES.....	19
5. DISTRICT PLAN ASSESSMENT	21
6. PROPOSED DISTRICT PLAN ASSESSMENT	26
7. OTHER CONSENTS, STATUTORY ACKNOWLEDGEMENTS AND CROSS BOUNDARY MATTERS.....	27
8. PERMITTED BASELINE ASSESSMENT	28
9. WRITTEN APPROVALS AND CONSULTATION	29
10. ASSESSMENT OF ENVIRONMENTAL EFFECTS (Sections 95a, 95B and 104a).....	30
11. NOTIFICATION ASSESSMENT.....	34
12. SECTION 104 ASSESSMENT	37
13. OTHER MATTERS (Section 104(1)(c)	45
14. SECTION 106 CONSIDERATIONS.....	45
16. CONCLUSION.....	46
17. APPENDIX TO INDICES.....	46

APPENDICES

APPENDIX A: Standard Application Form

APPENDIX B: Scheme Plan

APPENDIX C: Certificate of Title

APPENDIX D: Te Ātiawa Consultation Agreement

APPENDIX E: Landscape Visual Impact Assessment

EXECUTIVE SUMMARY

Attached for Councils' consideration under the rules for the New Plymouth District Plan is an application for a Subdivision Resource Consent, on behalf of Wayne Curry (*the Applicant*), to undertake a 5-Lot subdivision of the 7.2ha property at 24 Te Arei Rd – West, Sentry Hill (Lot 4 DP 5842). Lot 4 DP 5842 has not been previously subdivided.

The application is for a subdivision consent. It is proposed to create a total of five lots (inclusive of a balance lot – Lot 1) by way of a single stage subdivision. The purpose of the subdivision is to annex 4 Lots (Lots 2 to 5) from Lot 1 which will allow a balance retention of approximately 4.2ha.

Lots 2, 3, 4 and 5 will be annexed from Lot 1 (for a total of 4 from the original title) which will allow a balance retention of approximately 4.2ha on the original title and the continuation of a viable Poultry farm operation.

Lot sizes on completion shall be:

- Lot 1 – 4.2ha,
- Lot 2 – 7,892m²,
- Lot 3 – 7,523m²,
- Lot 4 – 7,000m², and
- Lot 5 – 6,886m².

The proposal has been assessed as a **Discretionary** activity under the New Plymouth District Council's Operative District Plan 2005, Revised 2014.

The proposal has been assessed as a **Discretionary** activity under the New Plymouth District Council's Proposed District Plan, notified 23 September 2019.

Further details of the proposed subdivision are outlined in Sections 1 to 17 of this document.

In accordance with the Fourth Schedule of the Resource Management Act 1991 we include an assessment of environmental effects corresponding to the scale and significance that the effects of the proposed activity may have on the environment and an assessment of the relevant provisions of any relevant Plan(s).

Rex Hurley

Planner, Juffermans Surveyors Limited (JSL)

(027) 445 8330

APPLICATION FOR RESOURCE CONSENT TO UNDERTAKE A FIVE LOT SUBDIVISION OF 24 TE AREI ROAD - WEST

Applicants:	Wayne Curry
Owners:	Popuanui Chickens Limited
Land Location:	24 Te Arei Road – West, Sentry Hill
Titles:	TNB1/586
Legal Description:	Lot 4 DP 5842
Consent Sought:	Subdivision Resource Consent
Application status:	Discretionary

1. THE SUBJECT SITE AND ITS IMMEDIATE SURROUNDINGS

The subject site is located at 24 Te Arei Road West Sentry Hill, is 7.2ha in size and is comprised of one title (Lot 4 DP 5842, dated 7 June 1967) which has not been previously subdivided.

The site has direct frontage onto Te Arei Road West, is flat to gently undulating in relief and triangular in shape. It consists of vacant pastoral land, a productive poultry farm of 75 to 100,000 birds, supporting amenity sheds, workshop and the applicant's existing dwelling. The poultry and amenity sheds with some pastoral land will be retained as part of Lot 1, the balance lot. The existing dwelling and workshop near the entrance will be retained as part of Lot 5 with a ROW formed in favour of Lot 1 to provide access to Lot 1.

The site is represented in Planning Map D5 and is zoned in the Rural Environment Area as determined by New Plymouth District Council's Operative District Plan (ODP). It is also recognised as being in the Primary Waterbody Overlay of the ODP and the Rural Production Zone and Gas Transmission Pipeline Corridor of the Proposed District Plan, notified September 2019.

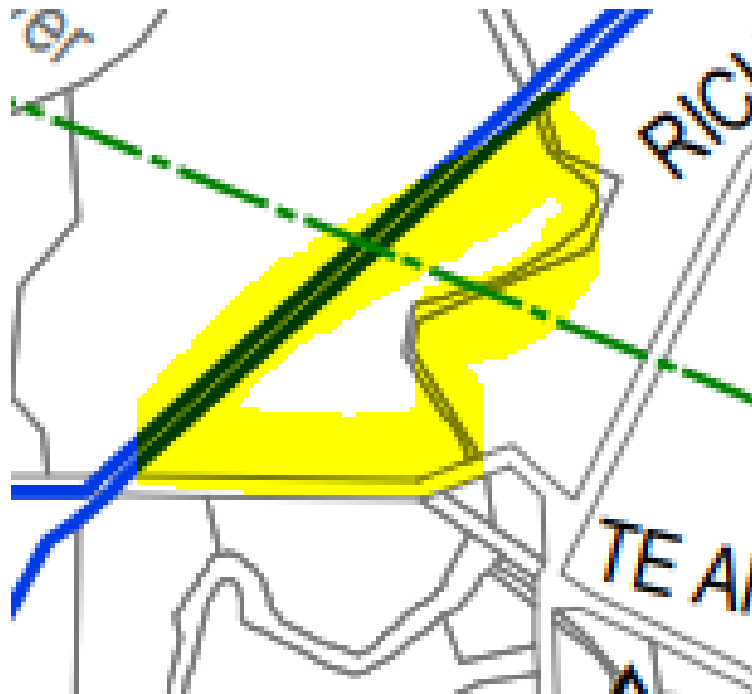


Figure 1: Extract of ODP Planning Map D5. Site boundary outline in yellow.



Figure 2: View north from southwest corner of Lot 2. Note shelterbelt screening view of poultry sheds. Workshop shown on right will be part of Lot 5. Image 15 February 2021.



Figure 3: View south Lot 1. Water tanks, fencing and gates maintaining amenity and character of the rural area. Lots 2, 3 and 4 will be behind the hedge shown behind the stock and shed in camera. Image 15 February 2021



Figure 4: View south down Lot 1 ROW to the existing vehicle crossing point on right. Lot 5 Dwelling behind screen centre left. Post and wire fencing and water troughs maintaining amenity and character of the rural area. To the left can be seen the top of bush laden bank of the Waiongana Stream. Image 15 February 2021



Figure 5: View south from north-western corner Lot 1. Lot 2 can be seen behind the second line of hedging in the far centre distance. Image 15 February 2021



Figure 6: Cattle yard located within Lot 1 maintaining rural character. Image 15 February 2021



Figure 7: Waiongana Stream view north from the gas pipeline easement cutting. Image 15 February 2021

There are no selected land use (HAIL) sites, as identified by Taranaki Regional Council, listed on the property. However, it is an active intensely operated poultry farm used to produce meat chickens.



Figure 8: TRC Land Use Record. Image courtesy of TRC Local Maps, retrieved 22 November 2021.

In the future there is the possibility of the poultry sheds being retired from service and repurposed for other tasks, such as dry storage for baleage, implements etc or some other purpose not related to poultry farming however this application should be considered with the shed's being actively farmed. The future use, retention and/or demolition of said sheds do not form part of this application.

There are currently two active resource consents, issued by TRC, in place upon the property. R2/4131-2 Discharge Permit – Land – Animal Waste and R2/5260 – 2.2 Discharge Permit – Air Odour, both of which expire 1 June 2026. Prior to use as a poultry farm the site was used for rural pastoral production.



Figure 9: 1953 Historical Aerial Survey. Image retrieved 23 November 2021

<https://retrolens.co.nz/map/#/1704090.344692176/5678307.743945678/1704845.7575108793/5678814.139258136/2193/13>.

Currently the site extends northwards away from the road and shares common boundaries with the Waitara railway line to the north-west, Te Arei Road West to the south and the Waiongana Stream to the east. The primary natural gas supply pipeline to Auckland, for which Easement 9293519.2 dated 28 March 2013 exists, crosses the site east to west between the primary poultry sheds of Lot 1.

The Waiongana Stream is recognised as a priority waterbody within the ODP and a significant waterbody within the Proposed District Plan. It is also identified under the Statutory Acknowledgement rights of Te Ātiawa. The Waiongana Stream is largely fenced and has some areas of vegetation which have been allowed to regenerate naturally with native species. A registered esplanade strip exists on the true right bank opposite the applicant site.



Figure 10: View South from north-eastern corner Lot 1. Bush clad Waiongana stream banks meandering from the left to the middle of the picture. Image 15 February 2021.



Figure 11: View northeast across Waiongana Stream regenerating bush to either side. A formal esplanade strip exists on the true east bank of the awa. Image 15 February 2021.

Te Arei Road West is a dual laned 'local' road with a posted speed limit of 100 km/h which has grass and gravel berms with stormwater managed by grass swales. It is lined by 11kV Overhead Power lines, an embedded water main and telecommunication cables run through the berm beside the proposed site.



Figure 12: View East from Lot 2. Note: Residential amenity in the form of 11kV Overhead power line, Watermain and Telecommunications embedded in berm. Image 15 February 2021.



Figure 13: Telco buried sign opposite 24 Te Arei Rd West access point. Image courtesy of Google Maps January 2014.

The vacant pastoral land on the site is used to graze the applicant's stock as shown in Fig 5, page 5 above. The applicant also lives on site utilising the existing dwelling in proposed Lot 5.

The aerial photograph below accurately shows the current use of the site. The four long buildings in the centre and upper right of the picture are the poultry sheds, which may be retired from service at some point in the future. The large shed opposite the Lot 5 dwelling shown at '24' is used as a multi-purpose workshop and will be retained as part of Lot 5.



Figure 14: General use of site. Site boundary outlined in blue. Image courtesy of TRC Local Maps Retrieved 10 Feb 2021.

The surrounds are mostly rural pastoral farming, interspersed with some smaller rural lifestyle lots. Of interest to this application are the rural lifestyle lots and newish dwellings located at 10 Te Arei Road and 232 Richmond Road. Both of the rural lifestyle lots have been consented with no visual mitigation provided and are within the distance requirement from an operational poultry shed of 25000+ birds. This distance is stipulated as 100m within NPDC ODP Rule Rur 30/31. 10 Te Arei Road is within 101m and 232 Richmond Road 85m, whereas the existing dwelling on proposed Lot 5 is 126m.

7km to the west is the suburb of Bell Block, 2.9km south the township of Lepperton and 6.1km to the north is the township of Waitara.



Figure 15: View south to Rural farming located across the road at 39 Te Arei Road – West. Image 15 February 2021



Figure 16: View east across the Waiongana Stream to Rural Living Lot at 10 Te Arei Rd - West. Image 15 February 2021



Figure 17: Distance from poultry sheds to existing consented rural lifestyle allotments.

2. THE PROPOSAL

The application is for a subdivision consent. It is proposed to create a total of five lots (inclusive of a balance lot – Lot 1) by way of a single stage subdivision. The purpose of the subdivision is to annex 4 Lots (Lots 2 to 5) from Lot 1 which will allow a balance retention of approximately 4.2ha. It is also proposed to create a 5m wide riparian strip along the west bank of Waiongana Stream, a Priority Waterbody which forms the eastern boundary of Lots 1 and 5, as a full registered esplanade strip already exists on the true right bank.



Figure 18: Proposed Subdivision

SUBDIVISION

Lot 1 – Is the balance lot of the proposal. It is trapezoid in shape extending eastwards away from the Waitara Railway to the Waiongana Stream with an approximate total area of 4.2ha. The Lot consists of vacant pastoral land, a productive poultry farm of 4 sheds containing 75 to 100,000 bird during production and supporting amenity sheds.

In the future there is the possibility of the poultry sheds being retired from service and repurposed for other tasks, such as dry storage for baleage, implements etc or some other purpose not related to poultry farming however this application should be considered with the shed's being actively farmed. The future use, retention and/or demolition of said sheds do not form part of this application.

There is no intent that a dwelling be constructed upon this Lot and to ensure this it proposed that a covenant be placed upon the title stipulating this as a no build area for the purposes of a residential dwelling.

Lot 1 will continue to be served by the existing vehicle crossing point at 24 Te Arei Road West. However, this will become a shared vehicle crossing point with Lot 5 with a right of way being formed upon lot 5 in the favour of Lot 1. It is anticipated the current configuration of the access ways to Lots 1 and 5 will satisfy the standards outlined in Appendix 23(a) and 23(d) as currently exists so therefore no alterations will be necessary to what exists currently.

Given the rural character of the surrounding area, it is proposed to protect the existing shelter-belts lining both the current production site and what will become the common boundary between Lots 1, 2, 3 and 4. This is to ensure privacy and to contribute to the maintenance of the rural character through preventing the domination of the rural landscape by restricting the views of any future dwellings or ancillary buildings on the proposed site. The retention of the shelter belts will also provide provision to negate visual impact effects of shed farming on Lots 2, 3 and 4. Provision should be included to allow for maintenance and pruning.



Figure 19: View north to Shelterbelt 2 Screening 3 Sheds behind. Image 15 February 2021

Given the requirement to recognise the Statutory Acknowledgement of Te Ātiawa rights with regards to the Te Ātiawa Claims Settlement Act 2016 and therefore their rights of kaitiaki over the Waiongana Stream and tributaries, it is proposed to create a 5m wide riparian strip planted with native species along the true west bank of Waiongana Stream which adjoins the eastern boundary of existing Lot 1.

Lot 2 is triangular in shape, Lots 3 and 4 are rectangular. They will have a total area of 7,892m², 7,523m² and 7,000m² respectively. Each will extend northwards from Te Arei Road to a common boundary with Lot 1 defined by the existing shelter belt as shown in Figure 20 below.



Figure 20: View northeast from Lot 2. Proposed shelterbelt common boundary shown in centre of image. Image 15 February 2021.

Each of the lots are vacant pastoral land, which being flat or gently undulating in contour suggest each lot will to be able to sustain any future dwelling and ancillary buildings in accordance with the standards outlined in Appendix 22.1. An engineering report will be provided prior to s224 to confirm that each site complies with such requirements.

Lot 4 is crossed by an 11kV spur line supplying power to Lot 1 (as shown in Figure 21 below). It is proposed that as a consent notice an easement to convey electricity is put in place in the same manner as the gas pipeline in Lot 1.



Figure 21: View southwest over Lot 4. 11kV spur middle Image 15 February 2021

Lots 2, 3 and 4 will have road frontage to Te Arei Road - West at the south-western corner of the site therefore, access to the lots will be via this location.

There are currently no formed vehicle crossings for these lots however, one will be formed and constructed to the standards stipulated in NPDC ODP 2015 Appendix 23, acknowledging both the standards outlined in Appendix 19 and the loop accessway to 39 Te Arei Rd, when plans for a new dwelling on each new lot are prepared.

There are significant lines of sight, in excess of 160m in both directions due to the straight alignment and gentle gradient of the roadway.

As with Lot 1 given the rural character of the surrounding area, it is proposed to protect the existing shelter-belt lining what will become the common boundary between Lots 1, 2, 3 and 4. This is to ensure privacy and to contribute to the maintenance of the rural character through preventing the domination of the rural landscape by restricting the views of any future dwellings or ancillary buildings on the proposed site. The retention of the shelter belt between Lot 1 and the rural residential lots will also provide provision to negate visual impacts from Lot 1 on Lots 2, 3 and 4. Provision should be included to allow for maintenance and pruning.

It is also proposed to provide visual mitigation along the roadside of Lots 2, 3 and 4 through the installation of a double line of screening trees 3m in width reaching 1.8m in height within five years.



Figure 22: View south down Te Arei Road. Lot 5 behind hedge to right of image Image courtesy of Google Maps May 2008.

Lot – 5 is triangular in shape extending eastward away from the Right of Way of Lot 1 to the Waiongana Stream and has a total area of approximately 6,686m². The lot is flat in contour and contains the existing residence, ornamental garden and associated sheds, amenities and immediate grounds. The boundaries are defined by the existing shelterbelt hedging, developed trees and post and wire fencing as shown in Figure 4, pg 4 and Figure 15, pg 11 above and Figure 23 below.



*Figure 23: A view of Lot 5. Current residence and ancillary buildings behind hedge. Image courtesy of Google Maps
January 2014*

Lot 5 will be served by the existing vehicle crossing point at 24 Te Arei Road West through a right of way (ROW) access being formed through an easement on Lot 1. It is anticipated the current configuration of the access ways to Lots 1 and 5 will satisfy the standards outlined in Appendix 23(a) and 23(d) therefore, no alterations will be necessary.

As with Lot One given the rural character of the surrounding area, it is proposed to protect the existing shelter-belt lining Te Arei Road. This is to ensure privacy and to contribute to the maintenance of the rural character through preventing the domination of the rural landscape by restricting the views of any dwellings or ancillary buildings on the proposed site. Provision should be included to allow for maintenance and pruning.

Given the requirement to recognise the Statutory Acknowledgement of Te Ātiawa rights with regards to the Te Ātiawa Claims Settlement Act 2016 and therefore their rights of kaitiaki over the Waiongana Stream and tributaries, it is proposed to create a 5m wide esplanade strip along the Waiongana Stream true left bank which adjoins the eastern boundary of existing Lot 5.

3. LEGAL AND PRACTICABLE ACCESS

The property currently has a single vehicle crossing at the southern extremity of the site's frontage, at 24 Te Arei Road West which serves a gravel covered driveway. It is proposed that the location of this vehicle crossing be retained to service Lot's 1 and 5. A right of way (ROW) easement upon Lot 5 will be created to enable access to Lot 1 as part of this application.



Figure 24: A view west to the formed entrance of 24 Te Arei Road, Proposed Lot Four to center of Picture. Image courtesy of Google Maps January 2014

Lot's 2, 3 and 4 will have approximately 130, 70 and 50m of road frontage, respectively, to Te Arei Road at the southern end of the site. Therefore, access to these lots will be via this location.

There are currently no formed vehicle crossings for these lots however, one will be formed and constructed to the standards stipulated in NPDC ODP 2015 Appendix 23, acknowledging both the standards outlined in Appendix 19 and the loop accessway to 39 Te Arei Rd, when plans for a new dwelling on each new lot are prepared. There are significant lines of sight, in excess of 160m in both directions due to the straight alignment and gentle gradient of the roadway.

It is proposed to conduct planting along the roadside edge of each allotment to provide visual mitigation to road users. This planting will be completed with such species as to provide a double line of planting 3m wide and 1.8m high within five years.



Figure 25: A view south west. Proposed Lots 2 to 4 to right. Image courtesy of Google Streetview, January 2014.



Figure 26: A view east to the existing vehicle access point for Proposed Lot 1 and 5, entrance on left. Note existing dwelling of Proposed Lot 5 behind hedge on centre left. Image courtesy of Google Streetview, January 2014.

4. EXISTING SERVICES

WATER

The site currently has a water connection to the main supply passing the front of the property (as shown in Figures 27 and 28 below). Lot 1 and 5 shall continue to use this existing supply. Lots 2 to 4 may obtain potable water from within the boundaries of their allotment in accordance with the standards outlined in Appendix 22.2 when plans for a new dwelling on the respective properties are prepared. Alternatively, connections can be made to the public water along the road at the discretion of the new owners.

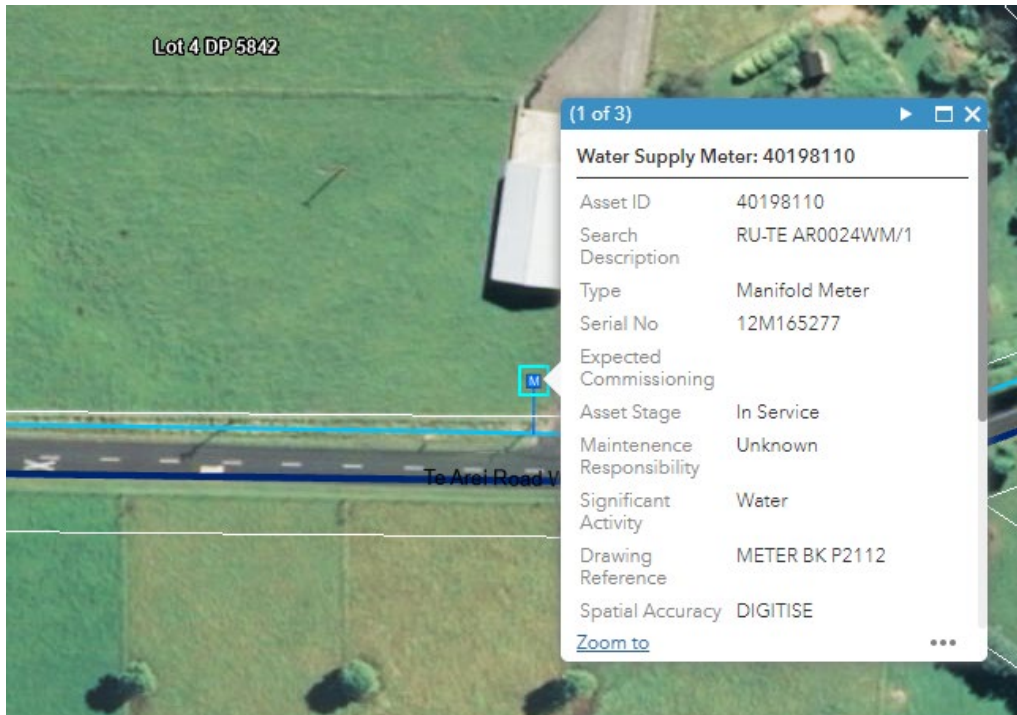


Figure 27: Water connection 24 Te Arei Road West. Image courtesy of Atlas NPDC 19 February 2021



Figure 28: Water connection 24 Te Arei Road West. Image 15 February 2021

SEWER SERVICES

Lot 1 contains an existing effluent system associated with the poultry operation which is only suitable for the intensive operation of a poultry farm. Therefore, Lot 1 will continue to operate within the defined requirements of Resource Consents R2/4131-2 Discharge Permit – Land – Animal Waste and R2/5260 – 2.2 Discharge Permit – Air Odour and Taranaki Regional Council – Regional Air Quality Plan for Taranaki – Appendix V: Good Management Practices for Intensive Poultry Farming.

As there are no Council reticulated systems within Te Arei Road Lots 2, and 4 are of sufficient to allow each lot to be self-sufficient in effluent management. Lots 2, 3 and 4 will therefore be serviced via these self-contained sewerage systems.

Lot 5, the existing dwelling, currently utilises an existing self contained effluent system as there are no Council provided sewerage facilities in Te Arei Road. As such Lot 5 shall continue to use this existing system.

STORMWATER

Stormwater will be contained onsite and used as a potable water supply. Any overflow will be disposed of to ground by way of soakage. As such Lots 2, 3 and 4 shall utilise roof catchment systems to capture stormwater as a potable water supply enabling them to be self sufficient.

Lot's 1 and 5 shall continue to utilise the existing systems.



Figure 29: Water tank storage in use Lot 1. Image 15 February 2021

5. DISTRICT PLAN ASSESSMENT

The relevant Plan against which this activity shall be assessed is the New Plymouth District Council Operative District Plan 2005, Revised 2014.

The area and restrictions applying to this site under the District Plan are:

Area: Rural Environment Area

Overlays: Priority Waterbody

Those rules of the District Plan relevant to this proposed subdivision activity are considered as follows:

RURAL ENVIRONMENT AREA			
Rule No.	Parameter	Status	Comment
Rur30	<p><i>“minimum setback for HABITABLE BUILDINGS (excluding TEMPORARY BUILDINGS) from the PERIMETER of an intensive poultry farming operation not on the same SITE, where the farm has”:</i></p> <ul style="list-style-type: none"> • 60,000 to 80,000 poultry 	Controlled	<p>The proposed lots are setback less than 300 or 400m from the poultry farm or 100m from the first poultry shed which contains 24 to 25,000 birds at peak.</p> <p>However, in the case of ‘tunnel’ sheds (fan-forced ventilation along the length of the shed, exiting at one end), the buffer distances are calculated from the shed exit end, provided that shed construction and maintenance are such that all fugitive emissions are minimised (TRC Air Plan Appendix 5, pg 168).</p> <p>Currently the existing environment has properties within these stipulated distances and two (10 te Arei Road and 232 Richmond Rd) also have no visual mitigation measures place so therefore a precedent has been set.</p> <p>10 Te Arei Road is within 101m and 232 Richmond Road 85m of the poultry sheds, whereas the existing dwelling on proposed Lot 5 is 126m, and it is likely the building platforms for Lots 2, 3 and 4 will be the same or further away given the design of the subdivision.</p>
Rur 31	<ul style="list-style-type: none"> • Greater than 80,000 poultry 		



Figure 30: Distance from poultry sheds to existing consented rural lifestyle allotments and proposed lots potential building platform locations.



Figure 31: Lot 5 Dwelling and Waingoana Stream as seen from the Te Arei Road Bridge. Image courtesy of Google Maps May 2008.

RURAL ENVIRONMENT AREA			
Rule No.	Parameter	Status	Comment
Rur76	<i>“of an ALLOTMENT where there is an increase in the number of ALLOTMENTS being served by, or having ownership of, a RIGHT OF WAY”</i>	Discretionary	<p>The proposal outlines that Lot 5 will have ownership of the new ROW to Lot 1 thereby increasing the number of allotments that have ownership of a ROW by one.</p> <p>However, there is no change to the current configuration expected as what is in place will continue to be. The only change that will occur is the introduction of a formal ROW upon Lot 5 to ensure access to Lot 1.</p> <p>Therefore, it is considered that this proposal meets the criteria to be considered a discretionary activity.</p>
Rur77	<i>As Rur76 above “where created solely for NETWORK UTILITIES, ROADS, reserves or access”</i>	N/a	
Rur78	<i>As Rur76 above “where not created solely for NETWORK UTILITIES, ROADS, reserves or access”</i>	Discretionary	<p>The proposal is to create 5 lots that range in size from 6,686m² to 4.2ha inclusive of a balance lot.</p> <p>Prior to this application, the ‘parent site’ has not been subdivided at all.</p> <p>At the completion of this application a total of five allotments will exist inclusive of parent lot. All lots will be less than 20ha however, the balance lot is 4.0ha or larger.</p> <p>Therefore, the proposal meets the criteria to be considered as a discretionary activity.</p>
Rur79	<i>Requirement to provide PRACTICABLE vehicular access to ALLOTMENTS from a ROAD, except where created solely for NETWORK UTILITIES, ROADS, or reserves</i>	Controlled	<p>Lots 2, 3 and 4 vehicle access points will be formed and constructed to the required standards of Appendix 22.2A when plans for a new dwelling on the respective properties are prepared.</p> <p>As per Rur76 above, Lot 1 will continue to be serviced by the existing vehicle access point which will be shared through a ROW with Lot 5.</p> <p>All Lot vehicle access points will have view range in excess of 160m and take into consideration the required standards of Appendices 19 and 23.</p>

RURAL ENVIRONMENT AREA			
Rule No.	Parameter	Status	Comment
Rur80	Of an ALLOTMENT that will require a ROAD to be vested as legal ROAD	N/a	
Rur81	<i>Requirement for services – stormwater disposal, water supply and sewerage disposal</i>	Controlled	<p>Lots 2, 3 and 4 will have potable water sewer and stormwater systems within their boundaries that meet the standards specified in Appendix 22.2.</p> <p>Lot 1 contains an existing poultry operation that shall continue to use the existing consented systems.</p> <p>Lot 5 contains an existing dwelling, potable water and effluent system contained within the boundaries of the allotment.</p>
Rur82	<i>Requirement for a BUILDING platform</i>	Controlled	<p>Lot 1 does not and will not contain a residential dwelling, through a consent notice to this effect, therefore Rur82 is not applicable to this Lot.</p> <p>Lots 2, 3 and 4 will comply with the standards outlined in Appendix 22.1. An engineering report will be provided prior to s224 to confirm that the sites comply with the appropriate requirements.</p> <p>Lot 5 already contains a lawfully established house.</p>
Rur83	<i>Requirement for existing BUILDINGS to meet standards in relation to the new boundaries</i>	Discretionary	<p>The workshop on Lot 5 may be located closer than 5m (4.6m) from the new boundaries.</p> <p>Therefore, the proposal meets the criteria to be considered as a discretionary activity.</p>
Rur84	<i>Requirement for financial contributions</i>	Controlled	Financial contributions will be paid prior to s224 processes being undertaken.
HV TRANSMISSION LINE OVERLAY			
Rule No.	Parameter	Status	Comment
OLA40	minimum setback between the closest part of any HABITABLE BUILDING and the centre line of a high voltage transmission LINE (66kv or greater)	N/a	This rule is not applicable as the HV Transmission line crossing Lot 4 is 11kV, however an easement will be provided as part of the consent process to ensure safety for any future dwelling construction.

PRIMARY WATER BODY OVERLAY			
Rule No.	Parameter	Status	Comment
OLA58	for subdivision of an ALLOTMENT within the RURAL ENVIRONMENT AREA	Discretionary	<p>In agreement with Te Ātiawa it is proposed to create a 5m wide riparian strip along the western bank of the Waiongana Stream adjoining the eastern boundary of Lots 1 and 5 as a formally registered esplanade strip exists on the true right bank.</p> <p>Therefore, the proposal meets the criteria to be considered as a discretionary activity.</p>

Assessment

As can be seen from the table above resource consent is required for the following matters:

- Rur-30/31 – Poultry Farm – Controlled Activity
- Rur-76 – Right of Way – Discretionary Activity
- Rur-78 – Minimum size of lots – Discretionary Activity
- Rur-79 – Vehicle Access – Controlled Activity
- Rur-81 – Sewerage, Stormwater and Water Supply – Controlled Activity
- Rur-82 – Building Platform – Controlled Activity
- Rur-83 – Boundary - Discretionary Activity
- Rur-84 – Financial Contributions – Controlled Activity
- OLA58 – Primary Water Body – Discretionary Activity



Figure 32: Surrounds to the south of the applicant site. Agreement could not be reached with neighbour. Image courtesy of Google Maps May 2008.

6. PROPOSED DISTRICT PLAN ASSESSMENT

The relevant Plan against which this activity shall be assessed is the New Plymouth District Council Full Proposed District Plan, notified 23 September 2019.

The area and restrictions applying to this site under the Proposed District Plan are:

Zone: Rural Production Zone (not applicable as no rules of this zone have immediate and legal effect).

District Wide Matters: Gas Pipeline Transmission Corridor, H1 Airport Flight Path, Subdivision, Waterbodies

The rules Proposed District Plan that are relevant to this proposed subdivision activity are considered as follows:

DISTRICT WIDE MATTERS			
Rule No.	Parameter	Status	Comment
NU-R40	<i>Subdivision of land containing a Gas Transmission Pipeline Corridor</i>	N/a - Controlled	The subdivision will not result in any buildings being located within the gas transmission pipeline corridor, nor do the new allotment boundaries cross the corridor. Therefore, the proposal would be considered as a controlled activity. However, given this rule does not currently have immediate legal effect it is discounted.
SUB-R4/2	<i>Subdivision of land to create allotment(s) within the Rural Production Zone (except where rule ECO-R6 applies)</i>	N/a - Non Complying	The proposal creates 5 Lots of 4,000m ² or less and does not contain a balance lot of 20ha. Therefore, the proposal would be considered as a Non-complying activity. However, given this rule does not currently have immediate legal effect it is discounted.
Surface 1	<i>Airport Flight Path Surface</i>	N/a	
WB-R6	<i>Subdivision of land containing or adjoining a significant waterbody</i>	Discretionary	The proposal will not exacerbate existing hazards as there is no direct change to the Waiongana Stream. In agreement with Te Ātiawa it is proposed to create a 5m wide riparian strip along the Waiongana Stream adjoining the eastern boundary of Lots 1 and 5. Therefore, the proposal meets the criteria to be considered as a discretionary activity.

Assessment

As can be seen from the table above resource consent is required for the following matters:

- WB-R6 – Subdivision of land containing or adjoining a significant waterbody – Discretionary Activity

Summary

Overall, it is considered that the consents and their assessment may be bundled and considered holistically as a **Discretionary activity** enabling all relevant effects and matters to be considered.

7. OTHER CONSENTS, STATUTORY ACKNOWLEDGEMENTS AND CROSS BOUNDARY MATTERS

Taranaki Regional Council Resource Consents R2/4131-2 Discharge Permit – Land – Animal Waste and R2/5260 – 2.2 Discharge Permit – Air Odour exist for the operation of the poultry farm in Lot One therefore there are no other consents required from other statutory bodies in relation to this application.

As this site of Lot 1 is utilised as an intensive poultry operation it is to consider applicable National Environmental Standards in relation to this application. That said as the operation will be contained to Lot 1, is currently consented until 2026 and no dwellings will be erected on Lot 1 it is considered that a site investigation is not necessary.

The site is recognised as a statutory area in the Te Ātiawa Claims Settlement Act 2016. As such, and in conjunction with Te Ātiawa (copy attached with this application) it is proposed to create a 5m wide riparian strip along the Waiongana Stream which adjoins the eastern boundary of Lot's 1 and 5 as a full registered esplanade strip already exists on the true right bank.



Figure 33: Waiongana Stream. Image 15 February 2021

8. PERMITTED BASELINE ASSESSMENT

District Plan:

As any form of subdivision is at least a controlled activity there are no environmental effects arising from the division of the land to be discounted as part of the permitted baseline under the rules of the District Plan.

Unimplemented Resource Consents:

There are no known approved but as yet unimplemented resource consents affecting this site.

Existing Environment:

The existing site and surrounds have been described at Section 1 (Pages 1-11 above) and represent the benchmark against which all effects arising from this activity shall be assessed. In this instance there are 'rural' environmental elements that form part of the permitted baseline existing environment.

The 'rural' elements of the site are that:

- It resides in open areas of pasture and is currently used for grazing domestic stock and as an intensive poultry operation. While there are some adjoining rural properties the overall feeling is of spaciousness with wide vistas northeast to Brixton.
- Lot 1 is enclosed behind two existing shelter-belt hedges, Lot 5 one. Therefore, as viewed from beyond the site, the appearance and character of the site post subdivision will remain largely intact with the inclusion of additional roadside vegetation screening.
- The built form is located only in Lot's 1 and 5. This takes the form of the existing dwelling, poultry farm and associated buildings, all of which are 12m or less in height, thereby maintaining widely spaced and low dense form characteristics.
- Two established shelter belts screen Lot 1 as does the roadside shelter belt with Lot 5. Established natives and exotic species along the banks of the Waiongana Stream form the eastern border.
- Proposed Lot 2 adjoins the Waitara Railway Line and beside that another operational farm at 56 Te Arei Road – West. This farm has a high established shelterbelt which blocks views East to the proposed development. Therefore, it not considered that the traditional rural land uses would create a conflict or present reverse sensitivity issues to the proposed subdivision.
- As the site is located in a rural area and has existing overhead power circuits, underground fibre cable, water troughs, shelter-belts, open space, cattle yard and post and wire fencing and no waste water, street lighting or kerbing and any new dwellings will comply with the standards outlined in Appendix 22.2 it is considered the proposal continues to provide 'rural' character.

9. WRITTEN APPROVALS AND CONSULTATION

Consultation has occurred with the neighbouring property at 39 Te Arei Road – West, Sentry Hill about the proposed activity. However, after extensive consultation and legal representation, agreement could not be reached. As such while it is the applicants view that the objections raised were not agreeable it is accepted a limited notification will need to be undertaken

In respect of all other persons, it is considered that any adverse effects on people will be less than minor for the reasons set out in the following assessment of effects and as such no other written approvals have been sought.



Figure 34: View northeast across rural vista towards Brixton. Image 15 February 2021



Figure 35: View north over Lot 3 from adjoining property. Note shelterbelt providing visual mitigation of poultry operation. Image 15 February 2021

10. ASSESSMENT OF ENVIRONMENTAL EFFECTS (Sections 95a, 95B and 104a)

Character and Amenity Effects

The catalyst for this 5-lot subdivision is its setting amongst rural farming, interspersed with some smaller rural living lots and wide open vistas northeast to Brixton. Overall the location of this proposed site adjacent to and embedded within the rural community means this proposal will blend into the wider productive landscape in an ideal scale.

The subdivision has been designed so that the existing vehicle crossing and driveway currently serving 24 Te Arei Road – West will continue to serve Lots 1 and 5 being proposed, with the inclusion of a right of way upon Lot 5 to ensure access to Lot 1. There are currently no vehicle crossing points for Lots 2, 3 and 4 however, they will be formed and constructed to the required standards, acknowledging both the standards outlined in Appendix 19 and the loop accessway to 39 Te Arei Rd - West, for each property when plans for a new dwelling on the respective properties are prepared.

Existing established shelterbelts ensure that the visual effects arising from the proposed subdivision will be largely confined to Lots 2, 3 and 4 as such the effects of the upgrade will be no greater than may be considered as to be part of the permitted baseline of effects to be discounted. Therefore, this does not adversely affect the character and amenity of this environment but rather maintains it due to the wide open vistas, lot sizes, water troughs and post and wire fencing.

In respect of spatial character, the proposed lot sizes are commensurate with the size of the surrounding 'rural living' lots making up this environment and as such the size and shape of the proposed lots will maintain the overriding spatial character of this environment.

To either side and opposite of the application site dwellings and ancillary buildings have been constructed up to an approximate height of 10m. It is proposed that any new dwelling and/or associated buildings have a height limit of 10m thereby being commensurate with the existing environment and maintaining the overriding spatial character of this environment.

In respect to the amenity of the adjacent rural zoned lots one is of 'Rural Lifestyle' living which retain rural characteristics and two are of operational farms. As such the creation of similar or larger sized lots at the boundary, of the 'Rural Lifestyle', supplemented by the existing hedges will not significantly affect the amenity of these neighbouring properties.

Overall, in the context of the site's setting amongst the rural community means this proposal will maintain the character and amenity of the rural environment through the techniques outlined in the attached Landscape Impact Assessment. Therefore, any effects will be less than minor.

Productivity and Reverse Sensitivity Effects

The site has an area of approximately 7.2ha and is bordered by a 'rural lifestyle' property and two operational farms. The proposal is likely to create a landscape change from 'modified' open pasture to built form in parts of Lots 2, 3 and 4. As a consequence there will be a minor reduction in productive rural land however, given the area of land being considered is approximately 2ha in size, the impact of the loss of this land is very small when considering the wider environment.

In respect to the current use of the land identified for Lot 1 as an intensive poultry operation, this may generate reverse sensitivity effects. However, as this is a consented operation and NPDC have set a precedence in consenting an 8 Lot Subdivision in 2017 resulting in the land parcels at 10 Te Arei Road West (Lot 1 DP506322) and 232 Richmond Road (Lot 2 DP506322) both of which are smaller in size than that being proposed.

Neither of these lots have visual screening to the poultry sheds and are within the distances stipulated as a controlled activity under Rule Rur 30 and 31. As such and given that the applicant utilises ALL mitigation measures outlined by Taranaki Regional Council – Regional Air Quality Plan for Taranaki – Appendix V: Good Management Practices for Intensive Poultry Farming, pg 170 it is considered that the establishment of the potential for additional dwellings through this application will not worsen any existing adverse reverse sensitivity effect on the ability of persons to use the remaining rural properties surrounding in a manner that meets the permitted or controlled activity standards of the District Plan. Therefore, any adverse reverse sensitivity effects will be less than minor.

In respect of reverse sensitivity effects on the ongoing operation of Te Arei Road - West, the addition of a further 3 vehicle access points, with an estimated 30 operations a day, is not considered to appreciably alter the sensitivity of this environment to vehicles travelling along the road given its 100 kmph speed limit.

Traffic Effects

The proposed subdivision and subsequent developments of the lots will not generate any adverse effects on traffic or pedestrian safety because:

- Traffic movements are anticipated to be approximately 30 movements per day (10 movements per house hold), as such the effects of traffic loading on a 'Local' Road are considered to be less than minor.
- Each lot is of a size to provide on-site manoeuvring to enable vehicles to exit the site onto Te Arei Road - West in a forward movement.
- Vehicle access points onto Te Arei Road – West are straight in alignment, will be gentle in gradient and have site lines in excess of 160m as such drivers will have ready visibility along it. Refer Figures 25 and 26, pg 18 above.

Landform and Infrastructure Effects

Due to the flat or gently undulating nature of the application site future development is unlikely to require significant earthworks. The site currently reflects moderated landform with some manipulation having previously occurred in Lot One. The application site has a flat to gently sloping stretch along the road frontage which lends itself to built development. Based on the size of the site and the area required for building platforms in the wider context the overall change to landform and consequential earthworks is likely to be less than minor.

Further to this, once plans for a new dwelling on the respective properties are prepared there will be a need to construct formed vehicle access points, for Lots 2, 3 and 4, and install power and telecommunication networks from the planned building site to the boundary of each lot. As such connections can be readily made to these non-Council owned and operated infrastructure with no known capacity or service restrictions applying in this area. Given the localised nature of this work and the minimal volume of earth to be dug up then back filled, the potential adverse effects can be readily controlled to ensure that they can be contained within the site by the use of standard silt and erosion measures. Therefore, any effects generated will be less than minor.

As there is water available but no sewerage or reticulated waste-water network it is proposed the lots will be serviced by either an existing system (Lots 1 and 5) or effluent, stormwater and water systems appropriate to Standards stipulated in Appendix 22.2 (Lots 2, 3, and 4). Alternatively, should the new owners of Lots 2, 3 and 4 choose to do so they may connect to the water main at the boundary. The lots are also of sufficient size to allow for development as well as on site soakage. Therefore, any effects generated will be less than minor.

Positive Social and Economic Effects

The site benefits from the close proximity to Bell Block, Inglewood and Waitara settlement in terms of connection to community and amenities. Like many townships in the region a number of people are looking to move into the 'countryside' be it to enjoy the benefits of rural living, have more space or to become self-sufficient and "off the grid".

The creation of 4 'rural lifestyle' allotments, in addition to the balance lot, is not seen as out of context and is in fact complimentary to the wider area mix of rural lifestyle and pastoral farming influences. It will also provide additional housing opportunities to meet the growing needs of the community to live in this way and positive economic effects for the building industry and service providers in the local community in a post Covid era.

Overall, the location and design of this proposed site in the rural environment means this proposal will blend into the wider productive landscape in an ideal scale.



Figure 36: View west over Lots 3 and 4 from ROW entrance. Note tall shelterbelt providing visual mitigation to neighbours to the west. Image 15 February 2021

11. NOTIFICATION ASSESSMENT

Public Notification Assessment

Step 1: Mandatory public notification in certain circumstances

No mandatory notification is required as:

- **The applicant does not request that the application is publicly notified (s95A(3)(a))**
- **The applicant undertakes to provide any relevant information requested by the Council to assist in the understanding of any effects arising from the proposal; and**
- **The application does not involve any exchange of recreation reserved land under s15A of the Reserves Act 1977 (s95A(3)(c)).**

Step 2: If not required by step 1, public notification precluded in certain circumstances

The application is not precluded from public notification Under 95(A)(5)(b) as it is not a controlled activity or a boundary activity.

Step 3: If not precluded by step 2, public notification required in certain circumstances

For the reasons set out in the foregoing assessment of effects it is considered that any adverse effects arising from the proposed activity in the context of the existing use occurring on the site and the character of the surrounding environment will be no more than less than minor.

Step 4: Public notification in special circumstances

If an application has not been publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified (s95A(9)).

Special circumstances are those that are:

- exceptional or unusual, but something less than extraordinary
- outside of the common run of applications of this nature, or
- circumstances which makes notification desirable, notwithstanding the conclusion that the adverse effects will be no more than minor.

In this instance, given the context provided by the surrounding environment, the subdivision and subsequent land use of the proposed lots is not deemed to be exceptional or unusual in this environment and as such the proposal has nothing out of the ordinary run of things to suggest that public notification should occur.

Public notification conclusion

Having undertaken the s95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is not mandatory.
- Under step 2, as the proposal is a non-complying activity subdivision the application is not precluded from Public Notification.
- Under step 3, public notification is not required as any adverse effects will be less than minor.
- Under step 4, there are no special circumstances that warrant the application being publicly notified.

Therefore, this application can be processed without public notification.

Limited Notification Assessment

Step 1: Certain affected protected customary rights groups must be notified

There are no protected customary rights groups or customary marine title groups affected by the proposed activity (s95B(2)).

In addition, the council must determine whether the proposed activity is on or adjacent to, or may affect, land that is subject of a statutory acknowledgement under schedule 11, and whether the person to whom the statutory acknowledgement is made is an affected person (s95B(3)).

In this instance, the site is recognised as being adjacent to, land that is subject to statutory acknowledgement of the Te Ātiawa Claims Settlement Act 2016. As such consultation has occurred with Te Ātiawa about the proposed activity. Agreement in principle has been obtained from Te Ātiawa with respect to the proposed subdivision. A copy of said correspondence is attached at Appendix D with this application for your perusal.

Step 2: If not required by step 1, limited notification precluded in certain circumstances

The application is not one of the activities precluded from limited notification.

Step 3: If not precluded by step 2, certain other affected persons must be notified

The potential adverse effects on all persons adjacent to the site is inherent in the assessment of effects on the environment above and have been found to be less than minor as such no persons are deemed to be adversely affected. However, it is acknowledged that the agreement of the landowner at 39 Te Arei Road – West was not able to be obtained therefore the applicant accepts the likelihood of the application being limited notified to said person/s.

Step 4: Further notification in special circumstances

In addition to the findings of the previous steps, the Council is also required to determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined as eligible for limited notification.

Special circumstances are those that are:

- exceptional or unusual, but something less than extraordinary;
- outside of the common run of applications of this nature; or
- circumstances which make limited notification to any other person desirable, notwithstanding the conclusion that no other person has been considered eligible.

In this instance, given the context provided by the surrounding environment, the subdivision and subsequent land use of the proposed lots it is not deemed to be exceptional or unusual in this environment and as such the proposal has nothing out of the ordinary run of things to suggest that limited notification should occur.

Limited notification conclusion

Having undertaken the s95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory.
- Under step 2, being a **discretionary** activity subdivision the application is not precluded from limited notification.
- Under step 3, the adverse effects on any persons will be less than minor as such no persons are adversely affected.
- Under step 4, there are no special circumstances that warrant the application being limited notified to any persons.

Therefore, as written approvals have not been obtained from the landowner at 39 Te Arei Road – West this application can be processed with limited notification.

12. SECTION 104 ASSESSMENT

Statutory Matters

Section 104(1) of the Resource Management Act 1991 [the Act] requires that when considering a resource consent application for a Discretionary Activity, the consent authority must, subject to Part 2, have regard to:

- (a) any actual and potential effects on the environment of allowing the activity; and
 - (b) any relevant provisions of-
 - (vi) a plan or proposed plan; and
 - (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.
- 104(2) of the Act directs that, when forming an opinion as to any actual or potential effects on the environment, a consent authority may disregard an adverse effect of the activity on the environment if the plan permits an activity with that effect.
 - The Plans relevant to this application are the operative New Plymouth District Plan and the Proposed New Plymouth District Plan.

Actual and Potential Effects on the Environment (section 104(1)(a))

An assessment of actual and potential effects has been undertaken at Section 10 of this report.

Having regard for the absence of any significant adverse effects and the positive social effects arising from the proposal of providing land title to enable the community to provide for additional housing needs, it is considered that, overall, the 5 lot subdivision will generate effects that are acceptable in this environment.

District Plan and any Relevant Statutory Documents (section 104(1)(b))

Operative District Plan

Under the New Plymouth District Plan, the site is zoned Rural and has an additional overlay of a Priority Waterbody in respect of the proposed site.

Rules

An assessment of the rules has been undertaken within Sections 5 and 6 of this report. Other than the reasons stated for requiring resource consent; the proposal will comply with all other relevant standards of the District Plan.

Environmental Effects Assessment Criteria

The relevant assessment criteria set out in the District Plan have been used as the basis for undertaking the assessment of environmental effects. In finding that the proposal will have less than minor adverse effects and that, overall, it is acceptable in this environment, it is considered that the relevant assessment criteria have been satisfied.

Objectives and Policies.

The relevant objectives and policies of the District Plan are considered in the table below. As outlined in the Assessment of Environmental Effects and, as summarised below, the proposed 5 Lot subdivision encompassing one existing Lot and 4 proposed rural lots is consistent with the outcomes sought by these provisions of the District Plan.

Operative District Plan	
Issue 1: The adverse effects of activities on the character of areas and on other activities	
<i>Objective 1:</i>	<i>To ensure activities do not adversely affect the environmental and amenity values of areas within the district or adversely affect existing activities.</i>
<i>Policy 1.1</i>	<p><i>Activities should be located in areas where their effects are compatible with the character of the area.</i></p> <ul style="list-style-type: none"> • The proposed subdivision will not change the spatial relationship between the existing activities presently occurring on site nor the surrounds as it is compatible with the character of the area and existing activities.
<i>Policy 1.2</i>	<p><i>Activities within an area should not have adverse effects that diminish the amenity of neighbouring areas, having regard to the character of the receiving environment and cumulative effects.</i></p> <ul style="list-style-type: none"> • As per Policy 1.1 above
<i>Policy 1.3</i>	<p><i>New activities that are sensitive to the elements that define the character of the area in which they intend to locate should be designed and/or located to avoid conflict.</i></p> <ul style="list-style-type: none"> • Not applicable as no new activities are proposed.
Issue 4: Loss or reduction of rural amenity and character	
<i>Objective 4</i>	<i>To ensure the subdivision, use and development of land maintains the elements of RURAL CHARACTER.</i>
<i>Policy 4.1</i>	<p><i>Control the density and scale of subdivision by providing for one small ALLOTMENT where there is a large balance area, that promotes Spaciousness and a Low Density, Production Orientated Environment.</i></p> <ul style="list-style-type: none"> • The layout of the subdivision ensures that the existing open spatial and visual character of this rural environment is maintained. • It is proposed that all Lots will be restricted to one dwelling and that any new dwelling or associated building do not exceed 10m in height. • Vegetation and shelter belts will be retained or installed, ensuring privacy and maintenance of rural character. • Intensive poultry farming and domestic stock grazing shall continue on Lot 1 thereby continuing 'production orientated' practices.

Issue 4: Loss or reduction of rural amenity and character

Policy 4.2

Control the density, scale, location and design of subdivision by providing limited opportunities for small ALLOTMENT subdivision, having consideration to the following matters:

(a) The environment is spacious, maintains a low density and the subdivision provides a large balance area.

- As per Policy 4.1 above

(b) The subdivision is of such a scale to ensure the intensity of use is typical of the rural environment and not of an urban or lifestyle area.

- As per Policy 4.1 above

c) The subdivision and resulting development is not highly visible in the landscape and there is no apparent aggregation of development because of;

(i) the undulating nature of the landscape;

(ii) the design and layout of the ALLOTMENTS and any servicing requirements;

(iii) the design and visual treatment of the resulting development.

- It is proposed that the existing shelterbelt hedges shall be retained/or replaced with similar. Also, that there shall be planting within the 10m road frontage of Lot's 2, 3 and 4 that shall soften and screen views from the road along the driveway and towards future built development.

(d) The contours of the landscape are retained and there is limited need for EXCAVATION and FILLING.

- It is proposed to retain the integrity of the underlying landform as exists.

(e) The subdivision does not impact OUTSTANDING LANDSCAPES and REGIONALLY SIGNIFICANT LANDSCAPES and other features protected by other OVERLAYS.

- No significant landscapes are affected by the proposal with the subdivision not changing the relationship of the activities occurring on site.

(f) There are no community costs associated with upgrading INFRASTRUCTURE as a direct result of the subdivision and development.

- All services will be implemented on site as per the appropriate standards. Therefore, there will not be any community costs associated with upgrading infrastructure.

Issue 4: Loss or reduction of rural amenity and character (continued)

<p><i>Policy 4.2 (cont)</i></p>	<p><i>(g) The rural nature and purpose of rural INFRASTRUCTURE (small scale, unserviced with a lack of urban INFRASTRUCTURE) is maintained.</i></p> <ul style="list-style-type: none">• As per Policy 4.2.f above. <p><i>(h) The proposed ALLOTMENT size, shape and resulting land use will recognise the production orientated nature of the rural area.</i></p> <ul style="list-style-type: none">• As per Policy 4.1 above. <p><i>(i) Consistency of the proposal with Policy 4.5.</i></p> <ul style="list-style-type: none">• As per Policy 4.1 above.
<p><i>Policy 4.4</i></p>	<p><i>Control the density, HEIGHT and on-site location of HABITABLE BUILDINGS by:</i></p> <p><i>(a) Allowing additional HABITABLE BUILDINGS at appropriate densities and of a size that maintain Spaciousness and a Low Density, Production Orientated environment, while allowing some flexible living opportunities.</i></p> <ul style="list-style-type: none">• As per Policy 4.1 above. <p><i>(b) Allowing HABITABLE BUILDINGS to a maximum HEIGHT that allows typical residential use to occur.</i></p> <ul style="list-style-type: none">• As per Policy 4.1 above. <p><i>(c) Requiring HABITABLE BUILDINGS to be setback from the SIDE BOUNDARY to ensure privacy between dwellings and separation from other rural uses.</i></p> <ul style="list-style-type: none">• As per Policy 4.1 above.
<p><i>Policy 4.5</i></p>	<p><i>Ensure that the design of subdivision and development is sensitive to the surrounding environment. In particular the following design principles will be considered:</i></p> <p><i>(a) Ensure appropriate overall density by maintaining the level of built form expected in the rural environment.</i></p> <ul style="list-style-type: none">• As per Policy 4.1 above. <p><i>(b) Ensure the intensity and scale of the development is in keeping with RURAL CHARACTER.</i></p> <ul style="list-style-type: none">• As per Policy 4.1 above.

Issue 4: Loss or reduction of rural amenity and character (continued)

<p>Policy 4.5</p>	<p>(c) <i>Ensure that ALLOTMENTS and BUILDINGS are in context with the surrounding environment and are positioned to recognise natural features in the landform.</i></p> <ul style="list-style-type: none">• To be defined to the required standards when plans for a new dwelling on each property are prepared. <p>(d) <i>“Ensure that ALLOTMENTS and BUILDINGS are sited and designed in a manner that is integrated with the surrounding environment with minimal disturbance to the landform by....”.</i></p> <ul style="list-style-type: none">• As per Policy 4.5(c) above. <p>(e) <i>Consistency of any full discretionary activity with design guidelines.</i></p> <ul style="list-style-type: none">• To be defined to the required standards when plans for a new dwelling on each property are prepared. <p>(f) <i>Consideration towards any recommendations from a design panel.</i></p> <ul style="list-style-type: none">• To be defined to the required standards when plans for a new dwelling on each property are prepared.
<p>Policy 4.6</p>	<p><i>Retain vegetation, particularly indigenous vegetation and require the planting of new vegetation to mitigate the effects of activities.</i></p> <ul style="list-style-type: none">• It is proposed to retain the trees along the Waiongana Stream banks.• It is proposed that the existing shelterbelt hedges on Lots 1 and 5 shall be retained/or replaced with similar. Also, that there shall be planting within the 10m road frontage of Lots 2, 3 and 4 that shall soften and screen views from the road along the driveway and towards future built development.
<p>Policy 4.7</p>	<p><i>BUILDINGS, plantation forests and SHELTER BELTS should not adversely affect adjoining properties by shading.</i></p> <ul style="list-style-type: none">• The applicant is the owner of all affected lots thereby accepting any shading affect from the existing or future shelter belts.
<p>Policy 4.8</p>	<p><i>Activities within the rural environment should not generate traffic effects that will adversely affect RURAL CHARACTER and the intensity of traffic generation should be of a scale that maintains RURAL CHARACTER.</i></p> <ul style="list-style-type: none">• It is proposed to that each Lot will have enough room to allow vehicles to exit in a forward manner with sufficient sight line onto a local road to do so safely.

Issue 12: Actual and potential adverse effects of natural hazards on people, property and the environment	
<i>Objective 12</i>	<i>To avoid or mitigate any actual or potential adverse effects of natural hazards on people, property and the environment.</i>
<i>Policy 12.1</i>	<p><i>Subdivision, land use and development should be designed and located to avoid or mitigate the adverse effects of natural hazards on human life, property, INFRASTRUCTURE and the environment.</i></p> <ul style="list-style-type: none"> • The location and layout of the subdivision ensures that the adverse effects of natural hazards shall be mitigated as per Policy 4.2 (d) above.
Issue 13: Aggravation of natural hazard events by inappropriate land use practices and activities	
<i>Objective 13</i>	<i>To ensure that land use activities do not increase the likelihood or magnitude of natural hazard events.</i>
<i>Policy 13.1</i>	<p><i>Subdivision, development and other land uses should not result in aggravation of natural hazards.</i></p> <ul style="list-style-type: none"> • The location and layout of the subdivision ensures that natural hazards associated with the Waiongana Stream will not be aggravated by the activities of this proposal.
Issue 14: Adverse effects of subdivision, use and development on the natural character of the coastal environment, wetlands, lakes and RIVERS and their margins	
<i>Objective 14</i>	<i>To preserve and enhance the natural character of the coastal environment, wetlands, and lakes and RIVERS and their margins.</i>
<i>Policy 14.2</i>	<p><i>The natural character of wetlands and RIVERS and lakes and their margins should not be adversely affected by inappropriate subdivision, use or development and should, where practicable, be restored and rehabilitated.</i></p> <ul style="list-style-type: none"> • It is proposed to create a 5m wide riparian strip along the Waiongana Stream sharing the common eastern boundary of Lots 1 and 5.

Issue 16: Degradation and loss of INDIGENOUS VEGETATION and habitats of indigenous fauna	
<i>Objective 16</i>	<i>To sustainably manage, and enhance where practical, INDIGENOUS VEGETATION and habitats.</i>
<i>Policy 16.1</i>	<p><i>Land use, development and subdivision should not result in adverse effects on the sustainable management of, and should enhance where practical, SIGNIFICANT NATURAL AREAS.</i></p> <ul style="list-style-type: none"> • Not applicable as the subdivision does not include any areas or habitats of indigenous flora, fauna or vegetation.
<i>Policy 16.2</i>	<p><i>Land use, development and subdivision should not result in adverse effects on, and should enhance where practical, the quality and intrinsic values of areas of INDIGENOUS VEGETATION and habitats.</i></p> <ul style="list-style-type: none"> • As per Policy 14.2 above.
Issue 19: The traditional relationship of Tangata Whenua with the natural environment of the district	
<i>Objective 19</i>	<i>To recognise and provide for the cultural and spiritual values of TANGATA WHENUA in all aspects of resource management in the district in a manner which respects and accommodates TIKANGA MAORI.</i>
<i>Policy 19.2</i>	<p><i>Subdivision, land use or development should not adversely affect the relationship, culture or traditions that TANGATA WHENUA have with WAAHI TAONGA/ SITES OF SIGNIFICANCE TO MAORI.</i></p> <ul style="list-style-type: none"> • While the site has no identified Wāhi Taonga sites it is acknowledged that Te Ātiawa have rights as kaitiaki per the Te Ātiawa Claims Settlement Act 2016. Therefore, it is proposed to create a riparian strip on the Waiongana stream as outlined in Policy 14.2 above, as a registered esplanade strip already exists on the true right bank.
<i>Policy 19.3</i>	<p><i>The cultural and spiritual values of TANGATA WHENUA should be recognised and provided for in the resource management of the district.</i></p> <ul style="list-style-type: none"> • As per Policy 19.2 above.

Issue 20: Adverse effects of activities on the safe and efficient operation of the district's ROAD TRANSPORTATION NETWORK	
<i>Objective 20</i>	<i>To ensure that the ROAD TRANSPORTATION NETWORK will be able to operate safely and efficiently.</i>
<i>Policy 20.1</i>	<p><i>The movement of traffic to and from a SITE should not adversely affect the safe and efficient movement of VEHICLES, both on-SITE, onto and along the ROAD TRANSPORTATION NETWORK.</i></p> <ul style="list-style-type: none"> • As addressed in the Assessment of Environmental Effects the creation of additional vehicle access points at an undefined time in the future will not generate adverse traffic and pedestrian safety effects because : <ul style="list-style-type: none"> ○ Each lot is of a size to provide on-site manoeuvring to enable vehicles to exit the site in a forward movement, ○ There are sufficient sightlines of 160m in each direction on Te Arei Road - West thus, allowing safe passage to and from the road, and ○ Consideration will be given to the location of the Lot 2 vehicle crossing point taking into account the requirements of the standards defined in Appendix 19 Railway Crossings.
Issue 22: Adverse effects due to increased demand on INFRASTRUCTURE, COMMUNITY FACILITIES and requirements for new areas of open space	
<i>Objective 22</i>	<i>To avoid the adverse effects of subdivision, use and development by ensuring appropriate and sufficient INFRASTRUCTURE, COMMUNITY FACILITIES and new areas of open space are provided.</i>
<i>Policy 22.1</i>	<p><i>Subdivision and development should provide:</i></p> <ul style="list-style-type: none"> a) A safe POTABLE WATER supply for consumption, health and hygiene and for firefighting purposes, of sufficient capacity to meet the needs of the anticipated subsequent land uses. b) A means for the collection and disposal of stormwater in a manner that avoids the uncontrolled ponding, or over land flow over any area following subdivision. c) A way to dispose of sewage in a sanitary manner which minimises adverse effects on the health and functioning of the environment. <ul style="list-style-type: none"> • The proposed subdivision is able to be provided with potable water as the lots are large enough to accommodate on site sanitary sewer and stormwater disposal within the confines of each lot. Alternatively, connections can be made to the public water along the road at the discretion of the new owners.

Proposed New Plymouth District Plan

The New Plymouth District Council recently publicly notified its' Proposed District Plan, for which the first round of submissions has closed and the second has just been notified. Pursuant to Section 86B of the RMA, given this early stage of the process in the event there is a divergence in policy between the operative District Plan and the Proposed District Plan little weighting is to be given to the Proposed District Plan.

In this instance, in respect of the matters requiring consent under the Proposed District Plan, of which there is one, Discretionary in relation to WB – R6 “*Subdivision of land containing or adjoining a significant waterbody*”, there is no clear change in policy direction as both plans seek to protect the receiving natural environment and all cultural values associated with it.

Therefore, it is concluded that the proposed activity is consistent with the objectives and policies of Proposed District Plan and no weighting exercise need be undertaken.

Summary of District Plan Assessment

In the context of the Operative District Plan the existing environment that is already established on the application site and the proposed design of the subdivision compliments and allows for the maintenance and continuation of the rural character of this environment. Therefore, the proposal is consistent with the Objectives and Policies of the Operative District Plan as outlined above.

13. OTHER MATTERS (Section 104(1)(c))

There are no other matters considered relevant to making an appropriate determination on whether to grant or refuse consent to this application. The matters covered by sections 104(1) (a) and 104(1) (b) are considered sufficient.

14. SECTION 106 CONSIDERATIONS

While the Waingoana Stream borders the eastern boundary of Lots 1 and 5 these are not being modified in anyway due to this proposal. Therefore, there are no significant natural hazards that would be worsened by the granting of consent to this subdivision activity and as such there are no matters under s106 to refuse consent.

15. PART 2 MATTERS

Part 2 of the Act contains the Act's purpose and principles and comprises sections 5-8.

The stated purpose of the Act is to “promote the sustainable management of natural and physical resources”. This includes enabling people and communities to provide for their social, economic and cultural wellbeing and for their health and safety.

The efficient use of the resources includes providing for the living needs of the working community in the rural area. This subdivision provides for this concept and enables more people to enjoy the benefits of rural living, while enhancing property values, decreases financial risk in a post Covid era and provides employment and revenue for local suppliers in the communities of Bell Block, Inglewood and Waitara.

The efficient use of the resources includes providing for the living needs of the working community in the rural area. This subdivision provides for this concept by reducing financial risk, increasing accommodation in a rural area, enhancing property values and providing employment and revenue for local suppliers in Okato, Oakura and New Plymouth

16. CONCLUSION

Consent is sought to create 4 freehold lots at 24 Te Arei Road - West, Sentry Hill. This application is for a discretionary activity.

Having undertaken an Assessment of the Environmental Effects, it is considered that the adverse effects on the environment of the proposed subdivision will be less than minor and that the proposal will have a positive social and economic effect in respect of providing additional land ownership opportunities in the rural environment and employment opportunities for local suppliers.

The activity has also been assessed against the relevant provisions of the District Plan. The proposal is considered to be consistent with these provisions because it will maintain the character and amenity of the surrounding environment, be serviced by services typical of a rural environment and will not result in adverse reverse sensitivity effects on adjacent landowners or the ongoing operation of Te Arei Road -West.

For the foregoing reasons, the Council may grant consent to this subdivision resource consent application subject to fair and reasonable conditions.

17. APPENDIX TO INDICES

- APPENDIX A – Standard Application Form
- APPENDIX B – Scheme Plan
- APPENDIX C – Certificate of Title
- APPENDIX D – Te Ātiawa Consultation Agreement.
- APPENDIX E – Landscape Visual impact Assessment



This form must be submitted with a completed application cover page form.

1. Applicant details

1a. I am the Property owner Lessee Agent authorised by owner/lessee

1b. Full name
First name(s) Surname

1c. Electronic service address

1d. Telephone
Mobile Landline

1e. Postal address or alternative method of service under section 352 of RMA 1991

2. Property owner details

Provide details below for the property owner if different to 1. above

2a. Full name
First name(s) Surname

2b. Electronic service address

2c. Telephone
Mobile Landline

3. Description of proposed activity

3a. Description of activity

3b. Description of the site at which activity is to occur

3c. Description of any other activities that are part of the proposal

3d. Details of additional resource consents required for this activity
 No additional resource consents are required.
 Additional resource consents are required.
 Please provide details of the required resource consents, and whether these have been lodged.

3e. District Plan rule(s) not being met

3f. Proposed start date

Please turn over

OFFICE USE ONLY

Date received	<input type="text"/>	Application #	<input type="text"/>	Planner's Pre-check <input type="text"/> Signature <input type="text"/> Date
Time received	<input type="text"/>	Document #	<input type="text"/>	
Received by	<input type="text"/>	Property ID	<input type="text"/>	
Receipt #	<input type="text"/>	Land ID	<input type="text"/>	
Amount paid	\$ <input type="text"/>			

Laird Street, Private Bag 2025, New Plymouth 4342, New Zealand. Telephone 06-759 6060, Fax 06-759 6072, Email enquiries@npdc.govt.nz, Website www.newplymouthnz.com

3. Description of proposed activity - continued

3g. Description of subdivision

3h. Type of subdivision

- Fee simple Cross lease
- Boundary adjustment Right of way or other easement
- Unit title Cancellation of amalgamation covenant

3i. Number of new lots

4. Information included in application

I confirm that I have assessed my proposed activity against the relevant matters of the RMA, and have attached the assessment and all other required information as listed:

Part 2 Purpose and Principles of the Act

Section 104 Consideration of Applications

Schedule 4, including an Assessment of Environmental Effects (AEE).

Scheme plan. Your scheme plan must show the following items:

- Position of all new boundaries.
- Areas of all new allotments (unless a cross-lease, company-lease, or unit plan).
- Locations and areas of new reserves to be created, including esplanade reserves/strips.
- Locations and areas of any existing esplanade reserves/strips and access strips.
- Locations and areas of any parts of the bed of a river or lake to be vested in a territorial authority under section 237A.
- Locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A).
- Locations and areas of land to be set aside as new roads.

Floor plan.

Elevation plan. Your plan must show the groundlines and the view of your site, from the ground up, from all boundaries.

Written approvals from affected parties. Contact the Council if you are unsure of who the potentially affected parties might be.

Application fee. Refer to the subdivision fees and charges schedule.

7. Privacy statement

The Privacy Act 1993 applies to the personal information provided in this application. For the purposes of processing this application the Council may disclose that personal information to another party. If you want to have access to, or request correction of, that personal information, please contact the Council.

8. Applicant's declaration and privacy waiver

By signing this application, or by submitting this application electronically, I confirm that I am authorised to make such an application, that the information contained in this application is true and correct and that I have read, understood and agree to such terms and conditions applying to this application. I acknowledge and agree to the disclosure of my personal information in respect of this application.

A signature is not required if this application is submitted electronically.

If you are signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

First name(s)

Surname

Signature

Date



1. Property details

1a. Site address
 (Specify unit/level number,
 location of building within
 site/block number, building
 name and street name)

1b. Current lawfully
 established use

1c. Legal description

1d. Rapid number

2. Property owner details

2a. Owner name

First name(s)

Surname

2b. Name of additional
 owner(s)/company/trust

2c. Contact person
 (if different from above)

2d. Postal address
 (include postcode)

2e. Contact details

Phone

Mobile

Fax

2f. Email

3. Payer details

3a. Required for invoice

Applicant
 - proceed to 4

Owner
 - proceed to 4

Other
 - provide details below

3b. Name in full

3c. Postal address

4. Description of project

4a. Detailed description
 of the development/
 project

4b. Will business activities take place when building is completed?























Yes

No

Please turn over

5. Council applications for this project

OFFICE USE ONLY

	Application attached	Have applied already (write the application number if known)	Information provided
5a. Common applications			
 Project information memorandum	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Building consent	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Vehicle crossing	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Encroachment licence	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Land use resource consent	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Deemed permitted boundary activity notice.....	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Subdivision resource consent	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Sewer connection/disconnection	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Stormwater connection/disconnection.....	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Water connection/disconnection	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
5b. Non-residential applications			
 Discharge of trade waste consent			<input type="checkbox"/>
 Alcohol licensing			<input type="checkbox"/>
 Food premises registration			<input type="checkbox"/>
 Health Act registration			<input type="checkbox"/>
(Hairdressing, camping ground, funeral parlour, offensive trade)			
 Beauty registration			<input type="checkbox"/>
5c. Other project authorisations			
 Swimming pool registration			<input type="checkbox"/>
 Temporary obstruction on road reserve			<input type="checkbox"/>
 Temporary road closure			<input type="checkbox"/>
 Easements through Council-owned reserve land			<input type="checkbox"/>
5d. Other project requirements			
 Rapid number request			<input type="checkbox"/>
 Contractors parking space reservation			<input type="checkbox"/>
 Existing street damage declaration			<input type="checkbox"/>



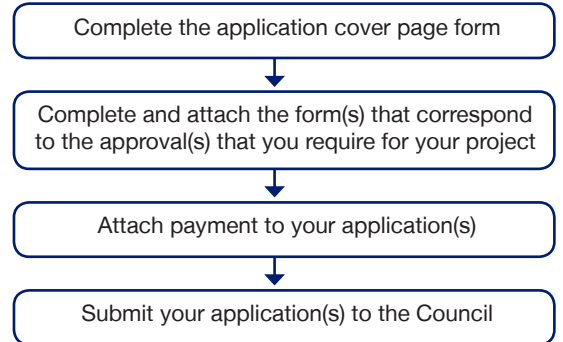
Explanations in this guide are intended to assist you to complete the application cover page form - numbers on the form relate to the explanatory notes in this guide.

How to use the application cover page form

The Council administers a number of Acts on behalf of central Government. Each Act sets out specific requirements on what type of activities or projects need to be approved under that legislation.

This application form is designed to offer you an integrated way to apply for multiple approvals or Council services and achieve compliance for your project.

You only need to submit one application cover page form if you are applying for multiple approvals at one time.



Guidance notes to assist completion of your application cover page form

1. Property details

1a. Site address

Write the physical address where the project will take place.

If the building has a name, please include it in the site address. PO Box addresses are not acceptable.

Example:

- Unit 4, 3rd Floor, XYZ Building, 123 Devon Street West, New Plymouth.
- PO Box 456, New Plymouth.
- 3rd Floor, XYZ Building, 123 Devon Street.

For properties that are undergoing subdivision, use the address indicated on the Land Transfer Plan with section 223 certificate endorsed.

DISCLAIMER: BUILDING CONSENT APPLICATIONS ACCEPTED FOR LAND UNDERGOING SUBDIVISION

The owner/applicant accepts that the issue of a building consent as requested in an application does not provide any assurance or representation by New Plymouth District Council that legal title to the land is now or will ever become available and the owner/applicant should take legal advice before commencing construction work.

1b. Current, lawfully established use

Write the lawfully established use of the building.

If you do not know this, please describe to the best of your knowledge. For example: single residential dwelling; shop; takeaway bar; warehouse.

1c. Legal description

Every property has a unique legal description assigned to it. This information is given on your rates instalments invoice or certificate or title.

Write the legal description of the property.

Example:

- Lot 1 DP 2345
- S PT SEC 678 DP 901

1d. Rapid Number

If the project is in a rural area and you have purchased a rapid number, write this number in the space provided.

2. Property owner details

Write the name and contact details for all owners. Include any company or trust name.

If the property is owned by a company, partnership or trust, write the name of the person representing the organisation.

WATER BILLING

If you are applying for a water connection and it needs to be metered, water billing will be sent to this address.

Binding interpretation of the Acts, regulations and bylaws can be issued only by the courts. Indications and guidelines issued by the Council are provided with the intention of helping people to understand the legislation. They are however offered on a 'no liability' basis and in any particular case those concerned should consult their own legal adviser.

3. Payer details

- Indicate who will receive the invoice.

4. Description of project

4a. Detailed description of the development/project

- Describe the nature and scope of all parts of the project.

For example:

- New one-storey single residential dwelling.
- Three stand-alone two-storey dwellings, each with their own vehicle access and attached carport.
- Replace bath with shower.
- Install woodfire to replace existing open fireplace.
- Repile existing building and improve drainage.
- Excavating soil for a farm track within 50m of a sand dune.
- Boundary adjustment to increase the size of Lot 2 DP 3456 and decrease the size of Lot 3 DP 3456.

- New café, with the intention to use a portion of the footpath and the space above it for additional seating capacity.

4b. Will business activities take place when building is completed?

- Tick yes if the building is to be used for business activities after it is completed, e.g. operating business from home, take-away shop, production of chemical products, factory, orchard and shop, etc.
- Tick no if the building is to be used purely for residential purposes.

5. Council applications for this project

- Tick to indicate all applications that the application cover page form relates to.

Using this form for multiple applications saves you writing the same information more than once.

- Where an application has already been lodged for this project, write the application, licence or consent number.

This will help the Council to assist you in managing your whole project.

Examples of projects requiring multiple Council applications

If you are building a new house with a swimming pool in an urban area, and the site is such that you need to build over Council pipes, you may need to complete all of the following applications:

- Application cover page form
- PIM &/or building consent form
- Vehicle crossing form
- Water connection form
- Sewer connection form
- Stormwater connection form
- Swimming pool registration form
- Existing street damage declaration
- Temporary road closure
- Application for easements through Council-owned reserve land

If you are building a garage on the boundary and installing a vehicle crossing, complete:

- Application cover page form
- PIM &/or building consent form
- Vehicle crossing form
- Land use resource consent form

If you are operating a restaurant/café/bar, with tables on the footpath, complete:

- Application cover page form
- Food premises registration form
- Alcohol licensing form
- Encroachment licence form

If you are converting your residential garage into a hairdressing salon, complete:

- Application cover page form
- PIM &/or building consent form
- Health Act registration form
- Land use resource consent form

Not sure what approvals you need?

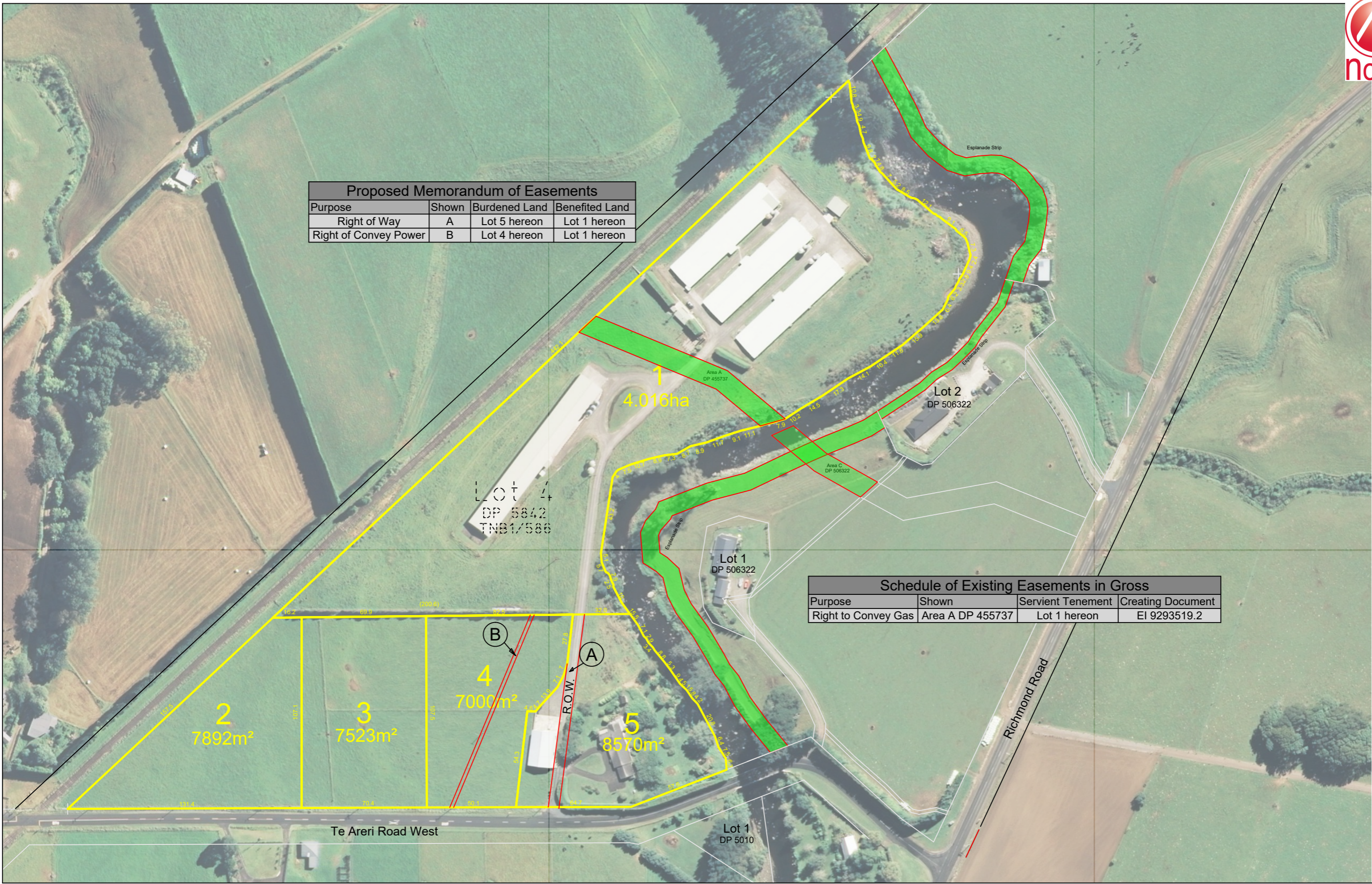
Refer to the appropriate checklist for your application.

If you still have questions, visit the Civic Centre in Liardet Street, New Plymouth and discuss your project with a Council officer, or phone the Council on 06-759 6060.



Proposed Memorandum of Easements			
Purpose	Shown	Burdened Land	Benefited Land
Right of Way	A	Lot 5 hereon	Lot 1 hereon
Right of Convey Power	B	Lot 4 hereon	Lot 1 hereon

Schedule of Existing Easements in Gross			
Purpose	Shown	Servient Tenement	Creating Document
Right to Convey Gas	Area A DP 455737	Lot 1 hereon	EI 9293519.2



51 Dawson Street | New Plymouth
 199 Bradway | Stratford
 79 Princes Street | Hawera
 Info@juffermans.co.nz
 www.juffermans.co.nz

Rev.	Date	Revision Details	By	Ver.	App.

1:2000 @A3
 23 Nov 21

Lots 1-5 being a Subdivision
 of Lot 4 DP 5842

20175_3



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier **TNB1/586**
Land Registration District **Taranaki**
Date Issued 07 June 1967

Prior References
TN145/155

Estate Fee Simple
Area 7.1252 hectares more or less
Legal Description Lot 4 Deposited Plan 5842

Registered Owners
Popuanui Chickens Limited

Interests

Subject to a right to convey gas in gross over part marked A on DP 455737 in favour of Vector Gas Limited created by Easement Instrument 9293519.2 - 28.3.2013 at 10:08 am

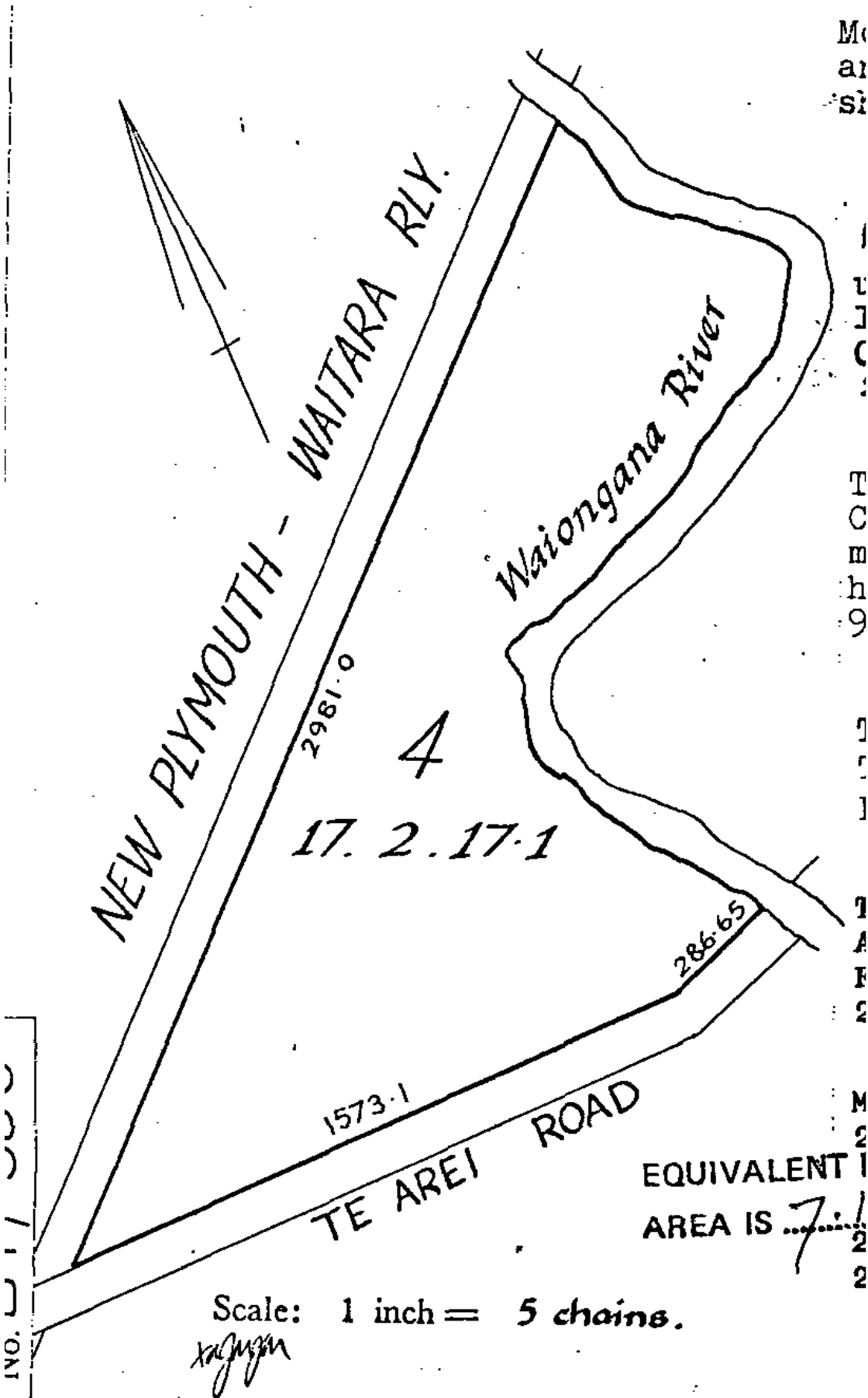
10335645.2 Mortgage to Bank of New Zealand - 1.3.2016 at 4:01 pm

Land Covenant in Easement Instrument 10861106.7 - 23.11.2017 at 3:10 pm

Land Covenant in Easement Instrument 10861106.8 - 23.11.2017 at 3:10 pm

Land Covenant in Easement Instrument 10861106.9 - 23.11.2017 at 3:10 pm

Land Covenant in Easement Instrument 10861106.10 - 23.11.2017 at 3:10 pm



Scale: 1 inch = 5 chains.

xajun

EQUIVALENT
AREA IS 7.1/2

M
2
1
9
1
1
2
2

T
C
B
h
9

T
C
B
h
9

T
C
B
h
9

T
C
B
h
9

T
C
B
h
9

T
C
B
h
9

24 TE AREI
ROAD, WEST
SENTRY HILL

A REVIEW OF A PROPOSED FIVE LOT
SUBDIVISION



BY:



Juffermans Surveyors Ltd

51 Dawson Street
PO Box 193, New Plymouth 4340
info@juffermans.co.nz

www.juffermans.co.nz



CONTENTS

EXECUTIVE SUMMARY	2
1. THE SUBJECT SITE AND ITS IMMEDIATE SURROUNDINGS.....	3
2. THE PROPOSAL.....	10
3. LEGAL AND PRACTICABLE ACCESS	15
4. EXISTING SERVICES.....	17
5. ASSESSMENT OF ENVIRONMENTAL EFFECTS (Sections 95a, 95B and 104a).....	20
6. TAI WHENUA, TAI TANAGATA, TAI AO ASSESSMENT	23
7. CONCLUSION.....	30
8. APPENDIX TO INDICES.....	30

APPENDICIES

APPENDIX A: Scheme Plan

EXECUTIVE SUMMARY

Attached for Te Kotahitanga o Te Ātiawa consideration is a proposal for a 5 Lot Subdivision at 24 Te Arei Road – West, Sentry Hill.

The application is for a subdivision consent. It is proposed to create a total of five lots (inclusive of a balance lot – Lot 1) by way of a single stage subdivision. The purpose of the subdivision is to annex 4 Lots (Lots 2 to 5) from Lot 1 which will allow a balance retention of approximately 4.2ha.

Initial assessment of Ngā Take, Ngā Paetae me Ngā Kaupapa (Issues, Objectives and Policies) suggest it would be appropriate to create a 5m wide esplanade strip along the western bank of the Waiongana Stream, as it is identified as a Priority Waterbody within the NPDC ODP however guidance is sought on what Te Ātiawa would recommend and prefer.

Further details of the proposed subdivision are outlined in Sections 1 to 7 of this document.

The proposal has been assessed as a **Discretionary** activity under the New Plymouth District Council's Operative District Plan 2005, Revised 2014.

The proposal has been assessed as a **Discretionary** activity under the New Plymouth District Council's Proposed District Plan, notified 23 September 2019.

The proposal has been assessed against the relevant provisions of Te Ātiawa Iwi Environmental Management Plan 'Tai Whenua, Te Tangata, Tai Ao', 2019. It is our perception that the proposal is consistent or offers mitigation measures that align with the provisions of the above document. However, as we (our company and client) are not mana whenua or kaitiaki it is not fitting for us to say this unconditionally, therefore we welcome Te Ātiawa's whakahoki kōrero on this matter.

In accordance with the Fourth Schedule of the Resource Management Act 1991 we include an assessment of environmental effects corresponding to the scale and significance that the effects of the proposed activity may have on the environment and an assessment of the relevant provisions of any relevant Plan(s).

Rex Hurley

Planner, Juffermans Surveyors Limited (JSL)

(027) 445 8330

APPLICATION FOR RESOURCE CONSENT TO UNDERTAKE A FIVE LOT SUBDIVISION OF 24 TE AREI ROAD - WEST

Applicants:	Wayne Curry
Owners:	Popuanui Chickens Limited
Land Location:	24 Te Arei Road – West, Sentry Hill
Titles:	TNB1/586
Legal Description:	Lot 4 DP 5842
Consent Sought:	Subdivision Resource Consent
Application status:	Discretionary

1. THE SUBJECT SITE AND ITS IMMEDIATE SURROUNDINGS

The subject site is located at 24 Te Arei Road West Sentry Hill, is 7.2ha in size and is comprised of one title (Lot 4 DP 5842, dated 7 June 1967) which has not been previously subdivided.

The site has direct frontage onto Te Arei Road West, is flat to gently undulating in relief and triangular in shape. It consists of vacant pastoral land, a productive poultry farm, supporting amenity sheds, workshop and the applicant's existing dwelling. The poultry, amenity sheds and workshop will be retained as part of Lot 1, the balance lot. The existing dwelling will be retained as part of Lot 5.

It should be noted that if the applicant **chooses to proceed** with this proposal the poultry farm **will be retired** from service at which time the poultry sheds will be repurposed for other tasks, such as for storage purposes, i.e. dry store for baleage, implements, etc or used for some other purpose not related to poultry farm. Their future use, retention or demolition does not form part of this application.

The site is represented in Planning Map D5 and is zoned in the Rural Environment Area as determined by New Plymouth District Council's Operative District Plan (ODP). It is also recognised as being in the Primary Waterbody Overlay of the ODP and the Rural Production Zone and Gas Transmission Pipeline Corridor of the Proposed District Plan, notified September 2019.

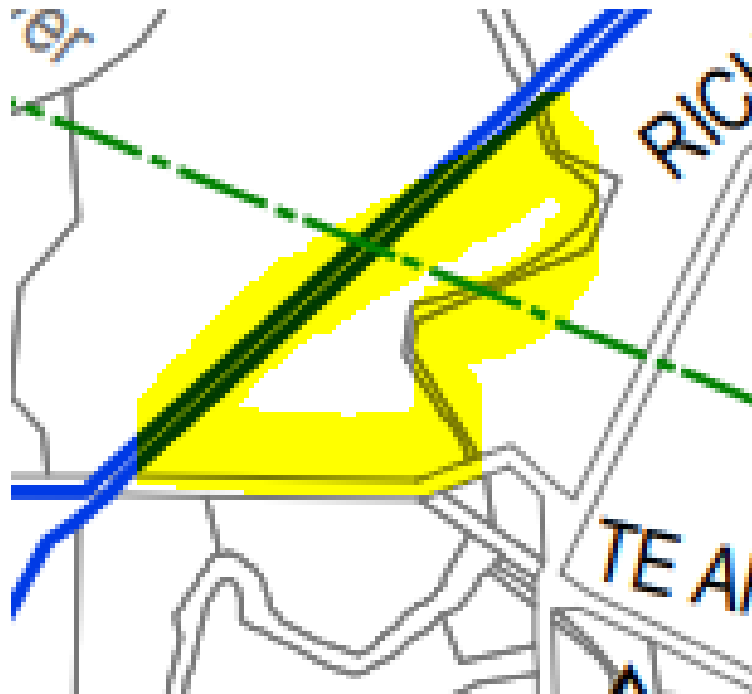


Figure 1: Extract of ODP Planning Map D5. Site boundary outline in yellow.

There are no notable features or selected land use (HAIL) sites listed on the property nor has it been used for any other purposes beyond intensive poultry production.

Currently the site extends northwards away from the road and shares common boundaries with the Waitara railway line to the north-west, Te Arei Road West to the south and the Waiongana Stream to the east. The primary natural gas supply pipeline to Auckland, for which an easement exists, crosses the site east to west between the primary poultry sheds of Lot 1.



Figure 2: View north from southwest corner of Lot 2. Note shelterbelt screening view of poultry sheds. Workshop shown on right will be part of Lot 1. Image 15 February 2021.

The Waiongana Stream is recognised as a priority waterbody within the ODP and a significant waterbody within the Proposed District Plan. It is also identified under the Statutory Acknowledgement rights of Te Ātiawa. The Waiongana Stream is largely fenced and has some areas of vegetation which have been allowed to regenerate naturally with native species which are now beginning to gradually outgrow and dominate the invasive blackberry and exotic species.



Figure 3: View South from north-eastern corner Lot 1. Bush clad Waiongana stream banks meandering from the left to the middle of the picture. Image 15 February 2021.



Figure 4: View northeast across Waiongana Stream) regenerating bush to either side. A proposed esplanade strip will run from the bank edge to the tape in shot. Image 15 February 2021.

Te Arei Road West is a dual laned 'local' road with a posted speed limit of 100 km/ph and has grass and gravel berms with the stormwater managed by grass swales. It is lined by 11kV Overhead Power lines and embedded water main and telecommunication cables running through the berm beside the proposed site.



Figure 5: View East from Lot 2. Note 11kV Overhead power line. Watermain runs along berm in left of the road, Telecomm on right. Image 15 February 2021.



Figure 6: Telco buried sign opposite 24 Te Arei Rd West access point. Image courtesy of Google Maps January 2014.

The vacant pastoral land on the site is used to graze the applicant's stock. The applicant also lives on site utilising the existing dwelling in Lot 5.



Figure 7: View south Lot 1. Note: Water tanks, fencing and gates maintaining amenity and character of the rural area. Lots 2, 3 and 4 will be behind the hedge shown behind the stock and shed in camera. Image 15 February 2021



Figure 8: View south down Lot 1 ROW to the existing vehicle crossing point on right. Lot 5 Dwelling behind screen centre left. Note: Post and wire fencing and water troughs maintaining amenity and character of the rural area. To the left can be seen the top of bush laden bank of the Waiongana Stream. Image 15 February 2021

The aerial photograph below accurately shows the current use of the site. The four long buildings in the centre and upper right of the picture are the poultry sheds, which will be repurposed if this proposal proceeds. The large shed opposite the Lot 5 dwelling shown at '24' is used as a multi-purpose workshop. All of these buildings will be retained as part of Lot 1.



Figure 9: General use of site. Site boundary outlined in blue. Image courtesy of TRC Local Maps Retrieved 10 Feb 2021.



Figure 10: View south from north-western corner Lot 1. Note: Lot 2 behind the second line of hedging in the far centre distance. Image 15 February 2021

The surrounds are mostly rural pastoral farming, interspersed with some smaller rural living lots. 7km to the west is the suburb of Bell Block, 2.9km south the township of Lepperton and 6.1km to the north is the township of Waitara.



Figure 11: View south to Rural farming located across the road at 39 Te Arei Road – West. Image 15 February 2021



Figure 12: View east across the Waiongana Stream to Rural Living Lot at 10 Te Arei Rd - West. Image 15 February 2021

2. THE PROPOSAL

The application is for a subdivision consent. It is proposed to create a total of five lots (inclusive of a balance lot – Lot 1) by way of a single stage subdivision. The purpose of the subdivision is to annex 4 Lots (Lots 2 to 5) from Lot 1 which will allow a balance retention of approximately 4.2ha. It is also proposed to create a 5m wide esplanade strip along the western bank of the Waiongana Stream, a Priority Waterbody which forms the eastern boundary of Lots 1 and 5.



Figure 13: Proposed Subdivision

SUBDIVISION

Lot 1 – Is the balance lot of the proposal. It is trapezoid in shape extending eastwards away from the Waitara Railway to the Waiongana Stream with an approximate total area of 4.2ha. The lot contains the poultry farm as described in pg 4 above that is currently used as an operational poultry farm. It should be noted that if the applicant **chooses to proceed** with this proposal the poultry farm **will be retired** from service at which time the poultry sheds will be repurposed for other tasks, such as for storage purposes, i.e. dry store for baleage, implements, etc or used for some other purpose not related to poultry farm. Their future use, retention or demolition does not form part of this application.

It is not expected that a dwelling will be erected on this Lot.

Lot 1 will continue to be served by the existing vehicle crossing point at 24 Te Arei Road West. However, this will become a shared vehicle crossing point with Lot 5 with a right of way (ROW) access being formed through an easement on Lot 1. It is anticipated the current configuration of the access ways to Lots 1 and 5 will satisfy the standards outlined in Appendix 23(a) and 23(d) therefore, no alterations will be necessary.

Given the rural character of the surrounding area, it is proposed to protect the existing shelter-belts lining both the current production site and what will become the common boundary between Lots 1, 2, 3 and 4. This is to ensure privacy and to contribute to the maintenance of the rural character through preventing the domination of the rural landscape by restricting the views of any future dwellings or ancillary buildings on the proposed site. The retention of the shelter belts will also provide provision to negate visual impact effects on Lots 2, 3 and 4. Provision should be included to allow for maintenance and pruning.



Figure 14: View north to Shelterbelt 2 Screening 3 Sheds behind. Image 15 February 2021

Given the requirement to recognise the Statutory Acknowledgement of Te Ātiawa rights with regards to the Te Ātiawa Claims Settlement Act 2016 and therefore their rights of kaitiaki over the Waiongana Stream and tributaries, it is proposed to create a 5m wide esplanade strip along the Waiongana Stream which adjoins the eastern boundary of existing Lot 1.

Lot 2 is triangular in shape, Lots 3 and 4 are rectangular. They will have a total area of 7,892m², 7,523m² and 7,000m² respectively. Each will extend northwards from Te Arei Road West to a common boundary with Lot 1 defined by the existing shelter belt as shown in Figure 15 below.



Figure 15: View northeast from Lot 2. Proposed shelterbelt common boundary shown in centre of image. Image 15 February 2021.

Each of the lots are vacant pastoral land, which being flat or gently undulating in contour suggest each lot will be able to sustain any future dwelling and ancillary buildings in accordance with the standards outlined in Appendix 22.1. An engineering report will be provided prior to s224 to confirm that each site complies with such requirements.

Lot 4 is crossed by an 11kV spur line supplying power to Lot 1 (as shown in Figure 17 below). It is proposed by the applicant that as a consent notice an easement of the same manner as the gas pipeline in Lot 1 is put in place.



Figure 16: View southwest over Lot 4. Powerco 11kV spur middle foreground for which an easement is proposed as part of this consent. Image 15 February 2021

Lots 2, 3 and 4 will have road frontage to Te Arei Road - West at the south-western corner of the site therefore, access to the lots will be via this location. There are currently no formed vehicle crossings for these lots however, one will be formed and constructed to the required standards, acknowledging both the standards outlined in Appendix 19 and the loop accessway to 39 Te Arei Rd - West, when plans for a new dwelling on each new lot are prepared. There are significant lines of sight, in excess of 160m in both directions due to the straight alignment and gentle gradient of the roadway.

As with Lot 1 given the rural character of the surrounding area, it is proposed to protect the existing shelter-belt lining what will become the common boundary between Lots 1, 2, 3 and 4. This is to ensure privacy and to contribute to the maintenance of the rural character through preventing the domination of the rural landscape by restricting the views of any future dwellings or ancillary buildings on the proposed site. The retention of the shelter belt will also provide provision to negate visual impacts from Lot 1 on Lots 2, 3 and 4. Provision should be included to allow for maintenance and pruning.

Lot – 5 is triangular in shape extending eastward away from the Right of Way of Lot 1 to the Waiongana Stream and has a total area of approximately 6,686m². The lot is flat in contour and contains the existing residence, ornamental garden and associated sheds, amenities and immediate grounds. The boundaries are defined by the existing shelterbelt hedging, developed trees and post and wire fencing as shown in Figure 8, pg 8 above and Figure 18 below.



Figure 17: A view of Lot 5. Current residence and ancillary buildings behind hedge. Image courtesy of Google Maps January 2014

Lot 5 will be served by the existing vehicle crossing point at 24 Te Arei Road West through a right of way (ROW) access being formed through an easement on Lot 1. It is anticipated the current configuration of the access ways to Lots 1 and 5 will satisfy the standards outlined in Appendix 23(a) and 23(d) therefore, no alterations will be necessary.

As with Lot One given the rural character of the surrounding area, it is proposed to protect the existing shelter-belt lining with Te Arei Road – West. This is to ensure privacy and to contribute to the maintenance of the rural character through preventing the domination of the rural landscape by restricting the views of any dwellings or ancillary buildings on the proposed site. Provision should be included to allow for maintenance and pruning.

Given the requirement to recognise the Statutory Acknowledgement of Te Ātiawa rights with regards to the Te Ātiawa Claims Settlement Act 2016 and therefore their rights of kaitiaki over the Waiongana Stream and tributaries, it is proposed to create a 5m wide esplanade strip along the Waiongana Stream which adjoins the eastern boundary of existing Lot 5.

3. LEGAL AND PRACTICABLE ACCESS

The property currently has a single vehicle crossing at the southern extremity of the site's frontage, at 24 Te Arei Road West which serves a gravel covered driveway. It is proposed that the location of this vehicle crossing be retained to service Lot's 1 and 5. A right of way (ROW) easement on Lot 1 will be created to enable access to Lot 5 as part of this application.



Figure 19: A view west to the formed entrance of 24 Te Arei Road West, Proposed Lot Four to center of Picture. Image courtesy of Google Maps January 2014

Lot's 2, 3 and 4 will have approximately 130, 70 and 50m of road frontage, respectively, to Te Arei Road West at the southern end of the site. Therefore, access to these lots will be via this location. There is currently no vehicle crossing however, these will be formed and constructed to the required standards, acknowledging both the standards outlined in Appendix 19 and the loop accessway to 39 Te Arei Rd - West, when plans for a new dwellings on each property are prepared. There are significant lines of sight, in excess of 160m in both directions due to the straight alignment and gentle gradient of the roadway.



Figure 20: A view south west. Proposed Lots 2 to 4 to right. Image courtesy of Google Streetview, Jan 2014.



Figure 21: A view east to the existing vehicle access point for Proposed Lot 1 and 5, entrance on left. Note existing dwelling of Proposed Lot 5 behind hedge on centre left. Image courtesy of Google Streetview, Jan 2014.

4. EXISTING SERVICES

WATER

The site currently has a water connection to the main supply passing the front of the property (as shown in Figures 22 and 23 below). Lot 1 and 5 shall continue to use this existing supply. Lots 2 to 4 may obtain potable water from within the boundaries of their allotment in accordance with the standards outlined in Appendix 22.2 when plans for a new dwelling on the respective properties are prepared. Alternatively, connections can be made to the public water along the road at the discretion of the new owners.

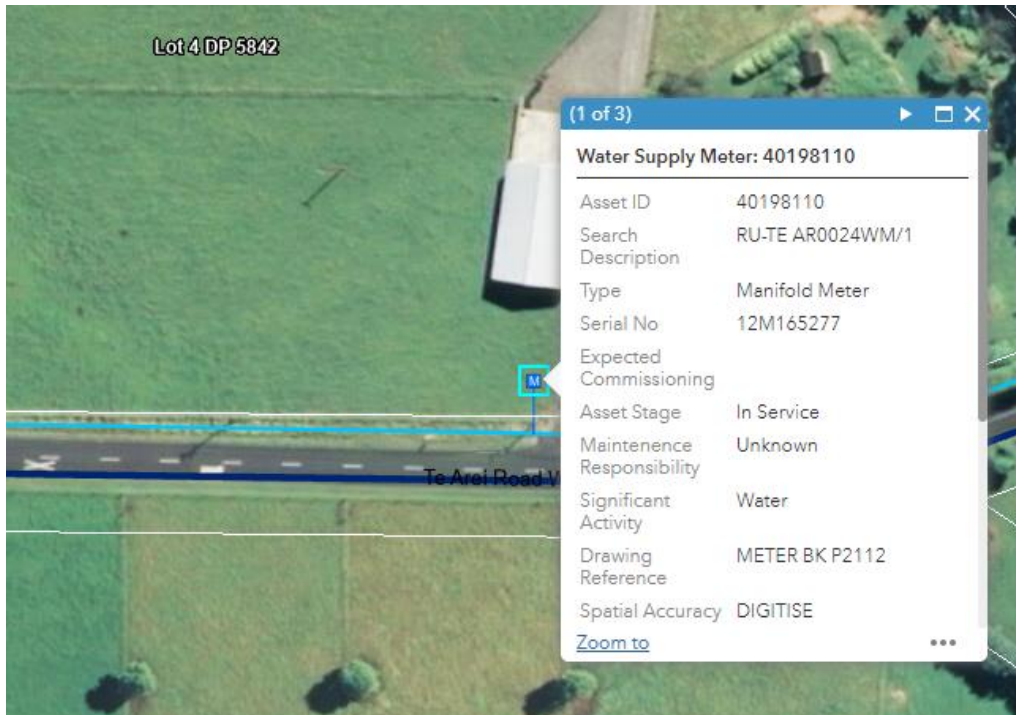


Figure 22: Water connection 24 Te Arei Road West. Image courtesy of Atlas NPDC 19 February 2021



Figure 23: Water connection 24 Te Arei Road West. Image 15 February 2021

SEWER SERVICES

The site contains an existing dwelling and effluent system contained within the boundaries of the allotment as there are no sewer networks in the area. Lot 5 shall continue to use this existing system. The effluent system associated with the poultry operation is only suitable for the intensive operation of a poultry farm and therefore will not be utilised if this proposal proceeds at the applicant's discretion. If at a future date an owner wishes to create a new dwelling on Lot 1 this sewerage shall be treated on site by way of the standards outlined in Appendix 22.2 when plans for a new dwelling on Lot 1 are prepared.

Lots 2, 3 and 4 will treat sewerage on each site by way of the standards outlined in Appendix 22.2 when plans for a new dwelling on the respective properties are prepared. An engineering report will confirm this is possible prior to s224.

STORMWATER

Stormwater will be contained onsite and used as a potable water supply. Any overflow will be disposed of to ground by way of soakage. Lot's 1 and 5 shall continue to use the existing system. Lots 2, 3, 4 and any new dwelling on Lot 1, will treat stormwater on each site by way of the standards outlined in Appendix 22.2 when plans for a new dwelling on the respective properties are prepared. An engineering report will confirm this is possible prior to s224.



Figure 24: Water tank storage in use Lot 1. Image 15 February 2021



Figure 25: Waiongana Stream view north from the gas pipeline easement cutting. Image 15 February 2021

5. ASSESSMENT OF ENVIRONMENTAL EFFECTS (Sections 95a, 95B and 104a)

Character and Amenity Effects

The catalyst for this 5-lot subdivision is its setting amongst rural farming, interspersed with some smaller rural living lots and open vistas northeast to Brixton. Overall, the location of this proposed site adjacent to and embedded within the rural community means this proposal will blend into the wider productive landscape in an ideal scale.

The subdivision has been designed so that the existing vehicle crossing and driveway currently serving 24 Te Arei Road – West will continue to serve Lots 1 and 5 being proposed, with the inclusion of a right of way easement on Lot 1 to ensure access to Lot 5. There are currently no vehicle crossing points for Lots 2, 3 and 4 however, they will be formed and constructed to the required standards, acknowledging both the standards outlined in Appendix 19 and the loop accessway to 39 Te Arei Rd - West, for each property when plans for a new dwelling on the respective properties are prepared.

Existing established shelterbelts ensure that the visual effects arising from the proposed subdivision will be largely confined to Lots 2, 3 and 4 as such the effects of the upgrade will be no greater than may be considered as to be part of the permitted baseline of effects to be discounted. Therefore, this does not adversely affect the character and amenity of this environment but rather maintains it due to the open vistas, lot sizes, water troughs and post and wire fencing.

In respect of spatial character, the proposed lot sizes are commensurate with the size of the surrounding 'rural living' lots making up this environment and as such the size and shape of the proposed lots will maintain the overriding spatial character of this environment.

To either side and opposite of the application site dwellings and ancillary buildings have been constructed up to an approximate height of 10m. It is proposed that any new dwelling and/or associated buildings have a height limit of 10m thereby being commensurate with the existing environment and maintaining the overriding spatial character of this environment.

In respect to the amenity of the adjacent rural zoned lots one is of 'Rural Lifestyle' living which retain rural characteristics and two are of operational farms. As such the creation of similar or larger sized lots at the boundary, of the 'Rural Lifestyle', supplemented by the existing hedges will not significantly affect the amenity of these neighbouring properties.

Overall, in the context of the site's setting amongst the rural community means this proposal will maintain the character and amenity of the rural environment through the techniques outlined earlier in this document. Therefore, any effects will be less than minor.

Productivity and Reverse Sensitivity Effects

The site has an area of approximately 7.2ha and is bordered by a 'rural lifestyle' property and two operational farms. The proposal is likely to create a landscape change from 'modified' open pasture to built form in parts of Lots 2, 3 and 4. As a consequence there will be a minor reduction in productive rural land however, given the area of land being considered is approximately 2ha in size, the impact of the loss of this land is very small when considering the wider environment.

In respect to the current use of the land identified for Lot 1 as an intensive poultry operation, this will not generate any significant adverse or reverse sensitivity effects as the farm will be retired from service and the sheds repurposed for other tasks, such as farm storage etc if the applicant chooses to proceed this this subdivision.

The establishment of the potential for additional dwellings through this application will not worsen any existing adverse reverse sensitivity effect on the ability of persons to use the remaining rural properties surrounding in a manner that meets the permitted activity standards of the District Plan as it is proposed to limit such dwellings to one per Lot. Therefore, any adverse reverse sensitivity effects will be less than minor.

In respect of reverse sensitivity effects on the ongoing operation of Te Arei Road - West, the addition of a further 3 vehicle access points, with an estimated 30 operations a day, is not considered to appreciably alter the sensitivity of this environment to vehicles travelling along the road given its 100 kmph speed limit.

Traffic Effects

The proposed subdivision and subsequent developments of the lots will not generate any adverse effects on traffic or pedestrian safety because:

- Traffic movements are anticipated to be approximately 30 movements per day (10 movements per house hold), as such the effects of traffic loading on a 'Local' Road are considered to be less than minor.
- Each lot is of a size to provide on-site manoeuvring to enable vehicles to exit the site onto Te Arei Road - West in a forward movement.
- Vehicle access points onto Te Arei Road – West are straight in alignment, gently in gradient and have site lines in excess of 160m as such drivers will have ready visibility along it. Refer Figures 20 and 21, pg 18 above).

Landform and Infrastructure Effects

Due to the flat or gently undulating nature of the application site future development is unlikely to require some earthworks. The site currently reflects moderated landform with some manipulation having previously occurred in Lot One. The application site has a flat to gently sloping stretch along the road frontage which lends itself to built development. An engineering report is attached to this application to confirm that the site complies with such requirements. Based on the size of the site and the area required for building platforms in the wider context the overall change to landform and consequential earthworks is likely to be less than minor.

Further to this, once plans for a new dwelling on the respective properties are prepared there will be a need to construct formed vehicle access points, for Lots 2, 3 and 4, and install power and telecommunication networks from the planned building site to the boundary of each lot. As such connections can be readily made to these non-Council owned and operated infrastructure with no known capacity or service restrictions applying in this area. Given the localised nature of this work and the minimal volume of earth to be dug up then back filled, the potential adverse effects can be readily controlled to ensure that they can be contained within the site by the use of standard silt and erosion measures. Therefore, any effects generated will be less than minor.

As there is water available but no sewerage or reticulated waste-water network it is proposed the lots will be serviced by either an existing system (Lots 1 and 5) or effluent, stormwater and water systems appropriate to Standards stipulated in Appendix 22.2 (Lots 2, 3, and 4). Alternatively should the new owners of Lots 2, 3 and 4 choose to do so they may connect to the water main at the boundary. The lots are also of sufficient size to allow for development as well as on site soakage. Therefore, any effects generated will be less than minor.

Positive Social and Economic Effects

The site benefits from the close proximity to Bell Block, Inglewood and Waitara settlement in terms of connection to community and amenities. Like many townships in the region a number of people are looking to move into the 'countryside' be it to enjoy the benefits of rural living, have more space or to become self-sufficient and "off the grid".

The creation of 4 'rural lifestyle' allotments, in addition to the balance lot, is not seen as out of context and is in fact complimentary to the wider area mix of rural lifestyle and pastoral farming influences. It will also provide additional housing opportunities to meet the growing needs of the community to live in this way and positive economic effects for the building industry and service providers in the local community.

Overall, the location and design of this proposed site in the rural environment means this proposal will blend into the wider productive landscape in an ideal scale.

6. TAI WHENUA, TAI TANAGATA, TAI AO ASSESSMENT

Environmental Effects Assessment Criteria

The relevant assessment criteria set out in the District Plan have been used as the basis for undertaking the assessment of environmental effects. In finding that the proposal will have less than minor adverse effects and that, overall, it is acceptable in this environment, it is considered that the relevant assessment criteria have been satisfied.

Objectives and Policies

The relevant objectives and policies of the Tai Whenua, Tai Tangata, Tai Ao are considered in the table below. Feedback, comment and guidance by Te Ātiawa as kaitiaki would be appreciated.

Te Tai Hauora	
<i>Pol. TTHA 3.5</i>	<p><i>Ngā Hapū o Te Ātiawa will be informed on all issues affecting natural, physical and heritage resources within our rohe.</i></p> <ul style="list-style-type: none"> • Ngā Hapū o Te Ātiawa are requested to review, comment and provide feedback of the attached proposal.
<i>Pol. TTHA 5.3</i>	<p><i>Require plan users to consult kanohi ki te kanohi with Te Ātiawa on their proposals at an early stage.</i></p> <ul style="list-style-type: none"> • Initial meeting held with Sarah Mako, Te Kotahitanga o Te Ātiawa 1 March 2021.
<i>Meth TTHA6.1</i>	<p><i>Investigate, identify and provide opportunities for practical exercise of kaitiakitanga by Te Ātiawa</i></p> <ul style="list-style-type: none"> • By inviting Te Ātiawa to provide comment on this proposal JSL are providing an opportunity for Te Ātiawa to practice kaitiakitanga
Te Tai Awhi-Nuku	
<i>Pol. TTAN 4.1</i>	<p><i>Restrict development within 50 metres from the outer most extent of a wāhi tapu/wāhi taonga, urupā and site of significance.</i></p> <ul style="list-style-type: none"> • There are no identified wāhi tapu sites within the proposed development area. • The proposed lots 2, 3 and 4, for which new dwellings may be erected, are more than 50m away from the Waiongana Stream so no change is expected from what currently occurs.

Te Tai Awhi-Nuku, <i>continued</i>	
<i>Pol. TTAN 4.3</i>	<p>Require applicants, regional and district councils to engage kanohi ki te kanohi with Te Atiawa in the early stages of developing subdivision proposals to ensure that:</p> <ul style="list-style-type: none"> a) resource consent applications assess actual and potential effects on Te Atiawa values and associations; b) ensuring that effects on Te Atiawa values are avoided in the first instance, and then remedied or mitigated using culturally appropriate methods; c) Te Atiawa values and cultural landscapes are reflected in the subdivision design to connect and deepen our 'sense of place'; and d) protect, maintain and enhance the environment and amenity values of the subdivision in accordance with Te Atiawa values. <ul style="list-style-type: none"> • Initial meeting held with Sarah Mako, Te Kotahitanga o Te Atiawa 1 March 2021.
<i>Pol. TTAN 4.4</i>	<p><i>Require applicants, regional and district councils to prepare subdivision applications that are comprehensive so all aspects of the activity can be evaluated upfront and thus avoid issues being missed. This information must include but is not limited to the following:</i></p> <ul style="list-style-type: none"> a) <i>plans showing the location of building platforms;</i> b) <i>plans showing intended locations of infrastructure such as network utilities, sewer and water and stormwater solutions;</i> c) <i>plans showing roading networks; and</i> d) <i>the possible extent of land disturbance.</i> <ul style="list-style-type: none"> • Scheme Plan included at Appendix A • Utilities will be provided on site to NPDC Appendix 22.2 Standards when plans for new dwellings on each Lot are prepared. • Proposal does not include development of a new road network but rather connection to the existing road network at 24 Te Arei Rd - West.
<i>Pol. TTAN 4.6</i>	<p><i>Require subdivision proposals in Te Atiawa rohe to manage the impact on wāhi tapu/wāhi taonga, urupā and sites of significance to Māori that are discovered during land disturbance by:</i></p> <ul style="list-style-type: none"> a) <i>cultural monitors onsite for all land disturbance;</i> b) <i>requiring an On-Call Procedure which is approved by Ngā Hapū o Te Atiawa for the discovery of wāhi tapu/wāhi taonga, urupā and sites of significance to Māori;</i> c) <i>undertaking appropriate actions in accordance with mātauranga and tikanga Māori; and</i> d) <i>undertaking appropriate measures to avoid adverse effects on wāhi tapu/wāhi taonga, urupā and sites of significance to Māori.</i> <ul style="list-style-type: none"> • As there are no identified wāhi tapu sites on the proposed site normal archaeological discovery protocols will apply.

Te Tai Awhi-Nuku, continued	
<i>Pol. TTAN 4.9</i>	<p><i>Require planting of site-specific native vegetation as a condition of any resource consent.</i></p> <ul style="list-style-type: none"> • The planting landscape impact mitigation measures used to screen properties will stipulate native species as a condition of consent.
<i>Pol. TTAN 4.10</i>	<p><i>Require setback areas along the river and stream boundaries at the time of subdivision development. These reserves or set back areas should be at least 20 metres.</i></p> <ul style="list-style-type: none"> • The applicant proposes to implement an esplanade strip equivalent to the east bank as part of this proposal, or alternatively since an esplanade strip already exists on the east bank, a set back riparian strip planted with native species to provide provision for a wildlife corridor and green spot to allow species to rest and feed during migration and transitions from the maunga to the sea.
<i>Pol. TTAN 4.11</i>	<p><i>Require setback area agreements include clauses that provide for the protection of waterways, access to those waterways, provision for wildlife corridors, and connectivity between environments and future communities.</i></p> <ul style="list-style-type: none"> • As per Policy TTAN 4.10 above.
<i>Pol. TTAN 4.12</i>	<p><i>Require that all setback areas are planted with sites-specific native species to provide protection for the waterways, ensuring that access is not restricted.</i></p> <ul style="list-style-type: none"> • As per Policy TTAN 4.10 above.
<i>Pol. TTAN 6.1</i>	<p>Prohibit damage, modification, desecration, destruction of wāhi tapu/wāhi taonga, urupā and sites of significance to Māori.</p> <ul style="list-style-type: none"> • There are no identified wāhi tapu sites on the proposed site.
<i>Pol. TTAN 6.2</i>	<p><i>Require that all resource applications made under the Resource Management Act 1991 involving land disturbance activities provisions are made for any or all of the following:</i></p> <ol style="list-style-type: none"> <i>a) consultative site visit and hui;</i> <i>b) plans for development are certified by Te Atiawa, this includes but is not limited to quantity of land disturbance, building platforms (topsoil clearance and any contouring), trenching in relation to stormwater, wastewater and telecommunication services;</i> <i>c) archaeological assessment (walk over/test pitting), or a full archaeological description;</i> <i>d) preparation of a Cultural Impact Assessment;</i> <i>e) cultural monitoring; and</i> <i>f) recommended consent conditions or consent notices.</i> <ul style="list-style-type: none"> • Not applicable as this application is for a subdivision and creation of allotments only, not building consent.

Te Tai Awhi-Nuku, continued	
<i>Pol. TTAN 6.3</i>	<p><i>Require that all resource applications made under the Resource Management Act 1991 involving land disturbance activities (e.g landuse consent, building consent and earthworks consent regardless of the permitted earthworks thresholds) are assessed with particular regard to:</i></p> <ul style="list-style-type: none"> <i>a) potential effects on known and unknown wāhi tapu/wāhi taonga, urupā and sites of significance to Māori;</i> <i>b) potential effects on Te Atiawa Statutory Acknowledgement waterways and important habitats such as wetlands and waipuna;</i> <i>c) potential effects on indigenous biodiversity;</i> <i>d) potential effects on natural and cultural landforms;</i> <i>e) management measures such as erosion and silt control methods.</i> <ul style="list-style-type: none"> • As per Policy TTAN 6.2 above.
<i>Pol. TTAN 6.6</i>	<p><i>Require that native vegetation removed or damaged during land disturbance is replaced to a level that results in a net biodiversity benefit.</i></p> <ul style="list-style-type: none"> • Not applicable as Lots 2 to 4 do not contain native bush and Lot 1's and 5 are not being proposed to be modified.
<i>Pol. TTAN 6.7</i>	<p><i>Require adequate sediment and silt control measures adjacent to Te Atiawa Statutory Acknowledgement waterways, including but not limited to:</i></p> <ul style="list-style-type: none"> <i>a) minimising the extent of land cleared and left bare at any given time; and</i> <i>b) capture of run-off and sediment via control such as silt traps and fences, and these structures are monitored and cleared regularly to ensure effectiveness.</i> <ul style="list-style-type: none"> • As per Policy TTAN 6.2 above.
<i>Pol. TTAN 7.1</i>	<p><i>Require that stormwater is managed on-site in all new applications to develop within the urban, rural, commercial and industrial environments.</i></p> <ul style="list-style-type: none"> • Utilities will be provided on site to NPDC Appendix 22.2 Standards when plans for new dwellings on each Lot are prepared.
<i>Pol. TTAN 7.2</i>	<p><i>Oppose discharging stormwater directly into rivers, streams, tributaries and wetlands.</i></p> <ul style="list-style-type: none"> • As per Policy TTAN 7.1 above

Te Tai Awhi-Nuku, continued	
<i>Pol. TTAN 7.4</i>	<p><i>Require the use of sustainable stormwater management designs, including but not limited to the use of one or preferably a combination of the following:</i></p> <ul style="list-style-type: none"> <i>a) Swales;</i> <i>b) Wetlands; and</i> <i>c) System designed to dissipate water and filter contaminants and sediment.</i> <ul style="list-style-type: none"> • As per Policy TTAN 7.1 above
<i>Pol. TTAN 7.5</i>	<p><i>Require that all low impact stormwater management systems are planted with site-specific native species (not grass), focusing on their ability to absorb water and filter contaminants.</i></p> <ul style="list-style-type: none"> • As per Policy TTAN 7.1 above
<i>Pol. TTAN 7.8</i>	<p><i>Require applicants to enhance existing water quality in the catchment downstream of developments by improving stormwater management design, planting with site-specific native species (not grass) and implementing or supporting existing restoration initiatives.</i></p> <ul style="list-style-type: none"> • As per Policy TTAN 7.1 above
<i>Pol. TTAN 8.2</i>	<p><i>Require on-site solutions to wastewater that avoid waste entering the stormwater system, waterways and ocean.</i></p> <ul style="list-style-type: none"> • As per Policy TTAN 7.1 above
<i>Pol. TTAN 8.3</i>	<p><i>Require on-site solutions that stop heavily contaminated stormwater entering the wastewater system.</i></p> <ul style="list-style-type: none"> • As per Policy TTAN 7.1 above
<i>Pol. TTAN 9.1</i>	<p><i>Require that all discharges to land are going onto appropriate soil types and topography.</i></p> <ul style="list-style-type: none"> • As per Policy TTAN 7.1 above
<i>Pol. TTAN 9.2</i>	<p><i>Avoid over saturation and over contamination of soil.</i></p> <ul style="list-style-type: none"> • As per Policy TTAN 7.1 above

Te Tai o Maru	
<i>Pol. TTOM 3.3</i>	<p><i>Avoid any point source discharges of contaminants to water, and to land where contaminants may enter the water.</i></p> <ul style="list-style-type: none"> No point source discharges will occur from the proposed site as each site will contain potable, storm and wastewater systems on site as per NPDC Appendix 22.2 Standards.
<i>Pol. TTOM 3.7</i>	<p><i>Require the restoration of wetlands and riparian areas with site-specific native vegetation to filter contaminants as part of maintaining and improving water quality.</i></p> <ul style="list-style-type: none"> The applicant is open to guidance from Te Ātiawa and Taranaki Regional Council advisors as to which species should be planted as part of the proposed riparian or esplanade strip associated with this proposal.
<i>Pol. TTOM 3.8</i>	<p><i>Require fencing of all wetland and riparian areas to exclude stock and reduce erosion.</i></p> <ul style="list-style-type: none"> As part of this proposal the applicant has already fenced the majority of the proposed area of the esplanade strip. Permanent fencing will be completed as part of this proposal.
<i>Pol. TTOM 4.6</i>	<p><i>Require water efficiency measures at site, including but not limited to:</i></p> <ul style="list-style-type: none"> <i>a) rainwater storage tanks;</i> <i>b) reuse of greywater;</i> <i>c) reduced flow or use low flow devices (low flush toilets and efficient showerheads) and water efficient appliances;</i> <i>d) metering of use;</i> <i>e) soil moisture monitoring; and</i> <i>f) efficient irrigation technology.</i> <ul style="list-style-type: none"> No additional water will be withdrawn from the catchment as each site, except the existing, will be self sufficient as per NPDC Appendix 22.2 Standards.
<i>Pol. TTOM 6.1</i>	<p><i>Require planting of sites-specific native riparian vegetation along Te Atiawa Statutory Acknowledgement waterways.</i></p> <ul style="list-style-type: none"> As per Policy TTOM 3.7 above.
<i>Pol. TTOM 6.2</i>	<p><i>Require that Te Atiawa Statutory Acknowledgement waterways have setback areas from residential, commercial or urban activities of at least 20 metres.</i></p> <ul style="list-style-type: none"> The applicant proposes to implement an esplanade strip equivalent to the east bank as part of this proposal, or alternatively since an esplanade strip already exists on the east bank, a set back riparian strip planted with native species to provide provision for a wildlife corridor and green spot to allow species to rest and feed during migration and transitions from the maunga to the sea.

Te Tai o Maru, continued	
<i>Pol. TTOM 6.3</i>	<p><i>Require that all waterways have set back areas from rural activities of either;</i></p> <p style="margin-left: 40px;">a) 20 metres; or b) 5 metres where the area is well planted to ensure protection of water quality and prevention of stock accessing these waterways.</p> <ul style="list-style-type: none"> • As per Policy TTOM 6.2 above.
<i>Pol. TTOM 6.4</i>	<p><i>Require that all set back areas are planted with site specific native vegetation to provide protection for waterways.</i></p> <ul style="list-style-type: none"> • As per Policy TTOM 6.2 above.
<i>Pol. TTOM 7.1</i>	<p><i>Require and be provided access to mahinga kai areas and sites of significance to Māori through set back areas (through esplanade strips/reserves, easements, access strips or any other legal mechanism) at the time of subdivision development.</i></p> <ul style="list-style-type: none"> • As per Policy TTOM 6.2 above.
Te Tai o Tāne Tokorangi	
<i>Pol. TTTT 1.3</i>	<p>Encourage that landowners protect remnant areas of indigenous biodiversity to connect species and habitats.</p> <ul style="list-style-type: none"> • As per Policy TTOM 6.2 above.
<i>Pol. TTTT 2.5</i>	<p>Promote the principle of Ki Uta Ki Tai (from mountain to sea) as a culturally appropriate approach to establishing corridors of native biodiversity in the region.</p> <ul style="list-style-type: none"> • As per Policy TTOM 6.2 above.
<i>Pol. TTTT 4.2</i>	<p><i>Require the use of natural solutions including trapping possums; establishment of riparian margins for shading aquatic weed) over the use of hazardous substances, where feasible.</i></p> <ul style="list-style-type: none"> • As per Policy TTOM 6.2 above.

Te Tai Hekenui	
<i>Pol. TTHE 2.4</i>	<p><i>Require conditions of consent for all known wāhi tapu/wāhi taonga, urupā and sites of significance to Māori.</i></p> <ul style="list-style-type: none"> • There are no identified wāhi tapu sites within the proposed development area.
<i>Pol. TTHE 2.6</i>	<p><i>Require conditions of consent for areas with a Low Risk of discovering wāhi tapu/wāhi taonga, urupā and sites of significance to Māori. This includes but is not limited to:</i></p> <p style="padding-left: 40px;"><i>a) applicants to engage with Ngā Hapū o Te Atiawa and adhere to an On-Call Procedure approved by Ngā Hapū o Te Atiawa specific to the proposed location.</i></p> <ul style="list-style-type: none"> • The applicant is not adverse to such a condition providing it is duly warranted.

7. CONCLUSION

Consent is sought to create 5 freehold lots at 24 Te Arei Road - West, Sentry Hill. This application is for a discretionary activity.

Having undertaken an Assessment of the Environmental Effects, it is considered that the adverse effects on the environment of the proposed subdivision will be less than minor and that the proposal will have a positive social and economic effect in respect of providing additional land ownership opportunities in the rural environment and employment opportunities for local suppliers.

The activity has also been assessed against the relevant provisions of the District Plan. The proposal is considered to be consistent with these provisions because it will maintain the character and amenity of the surrounding environment, be serviced by services typical of a rural environment and will not result in adverse reverse sensitivity effects on adjacent landowners or the ongoing operation of Te Arei Road -West.

The activity has also been assessed against the relevant provisions of Tai Whenua, Tai Tangata, Tai Ao and it is our perception that the proposal is consistent or offers mitigation measures that align with the provisions outlined in the above document. However, as we (our company and client) are not mana whenua or kaitiaki it is not fitting for us to say this unconditionally therefore, we welcome Te Ātiawa whakahoki kōrero on this matter.

8. APPENDIX TO INDICES

- APPENDIX A – Scheme Plan



51 Dawson Street | New Plymouth
 199 Bradway | Stratford
 79 Princes Street | Hawera
 Info@juffermans.co.nz
 www.juffermans.co.nz

Rev.	Date	Revision Details	By	Ver.	App.

1:2000 @A3
 30 Nov 20

Subdivision Options
 Option 2

20175_2

From: [Te Atiawa Consents](#)
To: [rex](#)
Cc: [Puketapu Hapu](#)
Subject: possible spam>Re: 20175 - Curry Te Arei Rd - West EMP Review
Date: Wednesday, 14 July 2021 2:09:40 pm
Attachments: [image003.png](#)
[image004.png](#)
[Outlook-qhm4bi4a.png](#)

Kia ora Rex

Aroha mai for the delay. At this stage Puketapu and Te Kotahitanga do not wish to make any further comment, we look forward to receiving the application from NPDC via the Statutory Acknowledgement process.

I would be happy to meet with you to discuss future engagement. I have availability 4 or 9 August 2021 if those dates are suitable for you.

Ngā manaakitanga,
Sarah

Sarah Mako

Pou Taiao | Policy Advisor (Environment)
Te Kotahitanga o Te Atiawa Trust
p 06 758 4685 | m 027 389 7806
w www.teatiawa.iwi.nz
35 Leach Street | P.O. Box 1097 Taranaki Mail Centre, New Plymouth



From: rex <rex@jsl.nz>
Sent: Friday, 25 June 2021 11:08 AM
To: Te Atiawa Consents <consents@teatiawa.iwi.nz>
Subject: RE: 20175 - Curry Te Arei Rd - West EMP Review

Kia ora Sarah,

Just wondering if we have a progress update on this application please.

Ngā mihi

Rex Hurley | Planner | Juffermans Surveyors Ltd
M 027 445 8330
O 06 764 4122
Prospero Place | PO Box 340, Stratford 4332



From: Te Atiawa Consents <consents@teatiawa.iwi.nz>
Sent: Wednesday, 19 May 2021 8:21 am
To: rex <rex@jsl.nz>
Cc: puketapu.hapu@gmail.com
Subject: possible spam>Re: 20175 - Curry Te Arei Rd - West EMP Review

Kia ora Rex

Yes, workloads have a lot to answer for and I can empathise with you in this regard. You will be aware our hapū do this mahi on top of their fulltime day jobs and that iwi and hapū are currently expected by applicants to provide responses and feedback to many processes free of charge. We are continuously working on improving processes and efficiencies including the identification of priorities. Look forward to hearing from you regarding the below.

Ngā manaakitanga,
Sarah

Sarah Mako

Pou Taiao | Policy Advisor (Environment)
Te Kotahitanga o Te Atiawa Trust
p 06 758 4685 | m 027 389 7806
w www.teatiawa.iwi.nz
35 Leach Street | P.O. Box 1097 Taranaki Mail Centre, New Plymouth



From: rex <rex@jsl.nz>
Sent: Tuesday, 18 May 2021 2:01 PM
To: Te Atiawa Consents <consents@teatiawa.iwi.nz>
Cc: puketapu.hapu@gmail.com <puketapu.hapu@gmail.com>
Subject: RE: 20175 - Curry Te Arei Rd - West EMP Review

Kia ora Sarah,

Thank you for response. To be honest I am disappointed that you have not responded earlier to the emails directed to your sarah.mako@teatiawa.iwi.nz account or the numerous phone messages I have

left you asking you to make contact so I could follow up with regards what was required. Otherwise I would have been able to answer some of the items below in a more timely manner. However, what is done, is done.

With regards the below no it is not the draft RC application. Please find this now enclosed. Please note this was drafted in February and is an ecopy of the one I presented you in our meeting of 1 March. Due to the fact it was prepared it is not as detailed as what I now produce and may lack of some of the detail you wish below. This will be addressed once I redraft it upon receiving feedback so everything that is required can be captured. I am happy to furnish a copy of the final submission once it is lodged with NPDC should you such require it. However, I understand you will receive that from Council as part of due process anyway. Your call if you wish to receive a direct copy as I lodge.

Since preparing the initial draft Martha D has also prepared an LVIA which may address some of the issues below. To be honest I have yet to review the content of it, due to current workloads but will also address and add the recommended mitigation measures along with your own when I prepare the final draft before submission.

I hope this helps for now and I will address each item below either tonight or tomorrow as I have to unfortunately leave for day for private reasons.

Thanks once again for the response and I look forward to working with you proactively into the future.

Ngā mihi

Rex Hurley | Planner | Juffermans Surveyors Ltd
M 027 445 8330
O 06 764 4122
Prospero Place | PO Box 340, Stratford 4332



From: Te Atiawa Consents <consents@teatiawa.iwi.nz>
Sent: Tuesday, 18 May 2021 7:25 am
To: rex <rex@jsl.nz>
Cc: puketapu.hapu@gmail.com
Subject: possible spam>Fw: 20175 - Curry Te Arei Rd - West EMP Review

Kia ora Rex

Thank you for providing a copy of the attached. Thank you for your acknowledgement of Tai Whenua, Tai Tangata, Tai Ao. Is what you have provided the draft resource consent application?

A few things following review:

- The Waiongana River is identified as forming Statutory Acknowledgement to Te Atiawa in the Te Atiawa Claims Settlement Act 2016. The social, cultural, historical and spiritual importance of the Waiongana Stream is illustrated through Te Atiawa traditions and histories.
- There are no 'scheduled' sites and areas of significance to Puketapu within the application site. This does not replace the mātauranga of Puketapu nor the relationship of Puketapu and their culture and traditions with their ancestral lands, noting case law around the meaning of ancestral lands. The archaeological record is never complete. Cultural monitors should always be engaged for any land disturbance works irrelevant of the 'scheduling' of sites and areas of significance to Māori.
- The location of building platforms particularly within proposed Lots 1 - 4 have not been provided. Will a dwelling be provided within proposed Lot 1 when the poultry operation ceases?
- Has a rural landscape assessment been prepared? Proposed buildings and activities must be appropriate to the fit of the area as per the EMP.
- Where is the location of the existing on-site wastewater disposal for proposed Lot 5?
- The extent of land disturbance has not been detailed.
- The planting landscape mitigation measures used to screen properties will stipulate native species as a condition of consent - the landscape mitigation measures have not been provided for review.
- The esplanade area minimum is 20m. No proposal of the riparian strip planting is detailed. Has advice been sought from NPDC in regards to widths of esplanade/ riparian areas?
- Subdivision facilitates development; building platform location and resultant built form are considerations of a development in the locality. Silt and sediment controls are a consideration. The proposal is a discretionary activity.
- The application is a discretionary activity, land disturbance and actual and potential cultural effects from land disturbance are considerations.
- Ngā hapū o Te Atiawa and Te Kotahitanga are opposed to the discharge of wastewater and stormwater to streams. How will this be addressed?
- What advice has been received from Taranaki Regional Council with regard to riparian planting and pest management?
- What fencing has been completed adjacent to the Waiongana as suggested in the application?
- What consideration has been given to TRC resource consent 4131-2? Where does the washdown discharge occur? Is riparian planting as a best practicable option proposed as a mitigation measure?
- We are concerned that the proposal does not recognise and provide for the relationship of Puketapu Hapū and their culture and traditions of their ancestral lands and waters. We are concerned the proposed subdivision of the whenua is not anticipated within the rural environment area. No rural landscape mitigation measures appear to be provided.

I have Cc'd Puketapu Hapū into this email, the Te Atiawa hapū with mana whenua over the application site. I will discuss with them today how the hapū wish to provide any further advice.

In the meantime, we will await further clarification from you in relation to the above.

Ngā manaakitanga,
Sarah

Sarah Mako

Pou Taiao | Policy Advisor (Environment)
Te Kotahitanga o Te Atiawa Trust
p 06 758 4685 | m 027 389 7806
w www.teatiawa.iwi.nz



From: rex <rex@jsl.nz>
Sent: Monday, 17 May 2021 3:32 PM
To: Te Atiawa Consents <consents@teatiawa.iwi.nz>
Subject: FW: 20175 - Curry Te Arei Rd - West EMP Review

Kia ora,

I met with Sarah Mako on 1 March this year and as requested completed a formal review of our proposal against Tai Whenua, Ta Tangata, Tai Ao which I then forwarded to Sarah for comment. At this stage I have not heard back from Sarah despite repeated requests. As you can imagine some considerable time has passed since. Would it be possible to get an update on the review and feedback with regards this application so we can move forward with lodging our Clients application.

Ngā mihi

Rex Hurley | Planner | Juffermans Surveyors Ltd
M 027 445 8330
O 06 764 4122
Prospero Place | PO Box 340, Stratford 4332



From: rex
Sent: Wednesday, 31 March 2021 11:43 am
To: Sarah Mako <sarah@teatiawa.iwi.nz>
Subject: 20175 - Curry Te Arei Rd - West EMP Review

Kia ora Sarah,

As previously discussed please attached a review of the Te Arei Road proposal against Tai Whenua, Ta Tangata, Tai Ao. My apologies in the delay getting this to you.

Could you please review the proposal and provide feedback as to mitigation or consent conditions

that may be required as part of this application.

Ngā mihi

Rex Hurley | Planner | Juffermans Surveyors Ltd

M 027 445 8330

O 06 759 0904

51 Dawson Street | PO Box 193, New Plymouth 4340





LANDSCAPE AND VISUAL IMPACT ASSESSMENT

FOR A FIVE LOT SUBDIVISION

24 Te Arei Road West, New Plymouth

4 April 2021

BY: Martha Dravitzki

51 Dawson Street

PO Box 193, New Plymouth 4340

info@juffermans.co.nz

www.juffermans.co.nz



JSL

Juffermans Surveyors Ltd

CONTENTS

- **Introduction**
- **Method of Assessment**
 - Landscape Assessment
 - Visual Impact Assessment
- **Description of Proposal**
- **Statutory Context (Landscape and Visual Matters)**
 - Operative District Plan (ODP)
 - Resource Management Act
- **Landscape Description**
- **Assessment of Landscape Effects**
- **Assessment of Natural Character and Amenity Effects on the Significant Waterbody**
- **Visual Impact Assessment**
- **Cumulative Effect Assessment**
- **Mitigation**
 - Recommendations
- **Conclusion**

INTRODUCTION

This report consists of a Landscape and Visual Impact Assessment (LVIA) for Wayne Curry who wishes to undertake a 5 Lot Subdivision of their property at 24 Te Arei Road West. The purpose of this report is to identify and assess the significance of and the effects of change as a result from development on the landscape and on visual amenity.

The scope of this report is limited to matters of landscape and visual amenity outlined in the New Plymouth District Plan – Issue 4 (Loss or reduction of rural amenity) and the Resource Management Act.

METHOD OF ASSESSMENT

A site visit was completed on 8 April 2021. The site was viewed from Te Arei Road West, including driving both ways along the road and stopping on the side of the road from several vantage points. The site was also viewed from along Richmond Road.

The NZILA defines landscape as *'...the cumulative expression of natural and cultural features, patterns and processes in a geographical area, including human perceptions and associations.'*

A Landscape and Visual Impact Assessment is used to identify and assess the nature and significance of potential landscape and visual effects that may arise as result of a proposed development.

There is no industry specified assessment methodology. This assessment follows several best practice guidelines including:

1. NZILA Best Practice Note for Landscape Assessment and Sustainable Management 10.1;
2. Guidelines for Landscape and Visual Assessment 3rd Edition published by the British Landscape Institute and
3. The NZTA Landscape and Visual Assessment Guidelines.

LANDSCAPE ASSESSMENT

The landscape is described including key aspects that make an area distinctive. This process is known as landscape characterisation. This includes subjective value judgements made on the importance of the potentially affected landscape and is done so only by a suitably qualified landscape expert. The guiding source of the evaluation of landscape and effects is informed by the provisions of the RMA, and the operative District Plan. Other supporting documents potentially include relevant National Policy Statements; Regional Policy Statements; Iwi Resource Management Plans and relevant local asset management plans or strategies.

Depending on the scale of the assessment and the proposed development the following material can be included:

4. Aerial Photograph
5. Site Context Plan
6. Topographical Features Plan
7. Landscape Character plan
8. Site Appraisal Plan
9. Visual Appraisal Plan
10. Landscape and Open Space Strategy
11. Site Appraisal Photographs
12. Site Context Photographs.

Landscape and visual impact assessments consider the effect of the proposed development on a landscape using separate procedures. The landscape assessment is considered first and covers the potential effect on the landscape as an environmental resource (e.g. landscape elements, features and character). Landscape effects may give rise to change in the character and how it is experienced. This may affect the perceived value ascribed to the landscape. Some effects can be quantified such as how many trees will be removed, or volume of earth moved to create a

building platform and this can be helpful where possible. However, wider effects on character and quality are less easy to quantify and professional judgement is required.

Using the landscape characterisation as a baseline the sensitivity and the magnitude of change which result from a proposed development can be made to determine the overall significance of landscape effects.

The sensitivity of the landscape to change varies depending on physical elements, land use, openness, importance placed on the landscape and the scope for mitigation. The magnitude of change factors are applied to the landscape area, features and key attributes. This includes comments on the scale of change and the extent influenced and the likely duration of change. The sensitivity of the landscape to change is reflected in the degree to which the landscape is able to accommodate change (due to the proposed development) without adverse effects on its character.

VISUAL IMPACT ASSESSMENT

The visual impact assessment describes how changes to the landscape affect the viewing audience. The approximate visibility of the development site is determined with topographical and aerial analysis. This is then field checked to take into account hedges, fences, trees, buildings and banks or any other site-specific screening. Principal viewpoints are identified which cover near, middle and long-distance views. Views are considered from both private and public viewpoints. The extent of visibility is graded ranging from no view of the development to partial views to full open views. The visual change can be positive or negative and does not always generate adverse effects.

Comment is made on the sensitivity of the receptors relating to the extent of change and the value attached to change. The activity of the people experiencing the view affects the sensitivity. People experiencing fleeting glimpses of a development from a travelling car are less susceptible to change. In contrast, people with a full view while sitting in a shared space at

home, or using a public open space or other important site are more susceptible to experiencing adverse change. The number of people viewing contributes to the sensitivity rating.

The magnitude of visual change that will result from the proposed development and its potential visibility is assessed. This takes into account the size of the effect, mitigation and the impact overtime along with geographical extent of views. The duration of the effect is considered when evaluating the magnitude of visual change e.g. Changes in visual amenity may arise over time through mitigation planting or seasonal variation may result in temporal change.

The magnitude of visual change is combined with the sensitivity of the viewing audience to determine the significance of visual impact.

The overall nature of effects ranges from negative to positive. This is rated depending on the suitability of the proposed change to the scale of the landscape, how it fits with the local pattern of development and landform and whether the change results in a reduction or increase in visual amenity values.

The overall significance of landscape and visual impact is determined and considers the nature of effects and the ability to mitigate any negative effects. The overall significance is rated using a scale provided in the NZILA best practice note: The following seven-point scale is used: Extreme/very high/high/moderate/low/very low/negligible. The application is relative to the context of the assessment.

STATUTORY CONTEXT

New Plymouth District Council

The site is located in a Rural Environment Area as determined in the Operative New Plymouth District Plan (ODP). Issue 4 'Loss or reduction of Rural Amenity and Character' of the ODP sets out the objectives, policies and rules that form part of the criteria for assessment of subdivision and development in the rural environment. This framework is provided below

*13. **Objective 4:** To ensure that subdivision, use and development of land maintains the elements of rural character.*

- ***Policy 4.1:** Control the density and scale of subdivision by providing for one small allotment where there is a large balance area, that promotes spaciousness and a low density, production-oriented environment.*
- ***Policy 4.2:** Control the density, scale, location and design of subdivision by providing limited opportunities for small allotment subdivision.*
- ***Policy 4.3:** Control the density, scale, location (including on-site location) and design of activities.*
- ***Policy 4.4:** Control the density, height and on-site location of habitable buildings.*
- ***Policy 4.5:** Ensure the design of the subdivision and development is sensitive to the surrounding environment.*
- ***Policy 4.6:** Retain vegetation, particularly indigenous vegetation and require the planting of new vegetation to mitigate the effects of activities.*
- ***Policy 4.7:** Buildings, plantation forests and shelter belts should not adversely affect adjoining properties by shading.*

The ODP defines the rural amenity under the following elements:

14. **Spaciousness:** *Areas of open space used for grazing or growing crops. Although there are a variety of landscapes and uses in the rural area, it has an overall feeling of spaciousness.*
15. **Low Density:** *Widely spaced built form with dwellings dispersed in the wider landscape and some limited lifestyle opportunities. Historical clusters of development either as small towns or isolated developments.*
16. **Vegetated:** *Areas of vegetation (in a natural state or managed, indigenous and/or exotic) such as pasture, crops, forest and scrub, riparian margins, lakes and wetlands, stands of trees, shelter-belts or gardens.*
17. **Production Oriented:** *Land uses of a predominantly 'production' orientated nature such as farming and related farm storage sheds, stock yards, farm animals and houses supporting the principal productive land use. These include intensive farming activities.*
18. **Working Environment:** *A generally highly modified and managed landscape including the widespread use of machinery and chemicals to control and enhance plant and animal growth and production. As a result, there are 'rural noises' and 'rural odours'.*
19. **Rural Based Industry:** *Is associated with the land or its associated natural assets. This includes infrequent but intensively developed industrial sites at various scales such as sawmills, quarries, agricultural manufacture, transport yards, bulk stores, airports. There are also more frequent sites relating to petroleum industry activities and ...exploration...*
20. **Rural Infrastructure:** *Generally, has a lack of urban infrastructure such as reticulated water and wastewater. A road transportation network of many narrow roads with low traffic volumes, un-kerbed, without footpaths and urban structures such as street lighting, unless required for safety reasons...*

In the description of Issue 4 the ODP identifies that threats to rural character are *'the use of land for intensive rural-residential development for intensive commercial or industrial use and*

for activities that have not always located in the rural environment.’ It warns that fragmentation of generally large lots in the rural environment and the traditional activities such as pastoral farming, horticulture etc that provide the open and spacious quality valued in the rural environment. It aims to manage these effects and the number of rural dwellings when they can't be accommodated in the landscape without compromising the existing rural character.

The plan recognizes that change is constant in the rural environment and that different businesses and land use practices can lead to different lifestyles which ‘bring change to the rural landscape and to the people that live there’. Rules are set to manage appropriate change and maintain the local rural character.

The **Rural Subdivision and Development Design Guidelines** developed by NPDC are a voluntary guidance document that outline best practice subdivision and development in the rural environment. They cover topics such as design and layout of subdivision to ensure that rural character is maintained, and how using building location, the landscape and vegetation can minimise landscape and visual impacts of development. There is further advice as development becomes more detailed which is not relevant to a subdivision consent application. The guidelines are referenced where applicable in this assessment.

Proposed District Plan

The section of the **Proposed District Plan** relating to subdivision in the rural environment does not have legal effect and cannot be given weight to in the decision making process.

Objectives and Policies relevant to this proposal are covered under Rural Production Zone and Subdivision. The relevant objectives and policies for each are listed below:

Rural Production Zone

Objectives

RPROZ – 01 Productive land and resources support a range of production oriented and resource dependent activities which are innovative and efficient.

RPROZ – 02 The Rural Production Zone is predominantly used for primary production.

RPROZ – 03 The role, function and predominant character of the Rural Production Zone is not compromised by incompatible activities.

RPROZ – 04 The predominant character and amenity of the Rural Production Zone is maintained, which includes:

- extensive areas of vegetation of varying types (for example, pasture for grazing, crops, forestry and indigenous vegetation and habitat) and the presence of large numbers of farmed animals;
- low density built form with open space between buildings that are predominantly used for agricultural, pastoral and horticultural activities (for example, barns and sheds), low density rural living (for example, farm houses and worker's cottages) and community activities (for example, rural halls, domains and schools);
- a range of noises, smells, light overspill and traffic, often on a cyclic and seasonable basis, generated from the production, manufacture, processing and/or transportation of raw materials derived from primary production;
- interspersed existing rural industry facilities associated with the use of the land for intensive indoor farming, quarrying, oil and gas activities and cleanfill; and
- the presence of rural infrastructure, including rural roads, and the on-site disposal of waste, and a general lack of urban infrastructure, including street lighting, solid fences and footpaths.

RPROZ – 05 The Rural Production Zone is a functional, production and extraction orientated working environment where primary production and rural industry activities are able to operate effectively and efficiently, while ensuring that:

- the adverse effects generated by primary production and rural industry activities are appropriately managed; and
- primary production and rural industry activities are not limited, restricted or compromised by incompatible activities and/or reverse sensitivity effects.

RPROZ – 06 Natural features, soil productivity, versatility of land and rural character and/or amenity are not compromised by adverse changes to landform, intensification of land use and/or built form, or urbanisation.

RPROZ – 07 Sensitive activities are designed and located to avoid, remedy or mitigate adverse reverse sensitivity effects and/or conflict with primary production.

Policies

RPROZ – P1 Allow activities that are compatible with the role, function and predominant character of the Rural Production Zone, while ensuring their design, scale and intensity is appropriate, including:

- agricultural, pastoral and horticultural activities;
- residential activities;
- Māori purpose activities;
- rural produce retail; and
- petroleum prospecting.

RPROZ – P2 Manage activities that are potentially compatible with the role, function and predominant character of the Rural Production Zone and ensure it is appropriate for such activities to establish in the Rural Production Zone, having regard to whether:

- the activity is compatible with the character and the amenity of the rural area;
- the activity will limit or constrain the establishment and operation of agricultural, pastoral and horticultural activities;
- the activity will reduce the potential for versatile land to be used for productive purposes and in a sustainable manner;
- adequate on-site infrastructure and services are available and/or can be provided to service the activity's needs;
- adverse effects can be internalised within the activity's site; and
- the activity will not result in conflict at zone interfaces.

RPROZ – P3 Avoid activities that are incompatible with role, function and predominant character of the Rural Production Zone and/or activities that will result in:

- reverse sensitivity effects and/or conflict with permitted activities in the zone; or
- adverse effects, which cannot be avoided, or appropriately remedied or mitigated, on: rural character and amenity values; the productive potential of highly productive soils and versatile rural land.

RPROZ – P4 Maintain the role, function and predominant character of the Rural Production Zone by controlling the effects of:

- building height, bulk and location;
- setback from boundaries and boundary treatments; and
- earthworks and subdivision.

RPROZ – P5 Require the effects generated by activities to be of a type, scale and level that is appropriate in the Rural Production Zone and that will maintain rural character and amenity, including by:

- managing noise and light emissions to an acceptable level, particularly around sensitive activities; and
- managing high traffic generation activities that compromise the safe and efficient use of the transport network

RPROZ – P6 Ensure large-scale primary production and rural industry are designed and located appropriately, having regard to:

- the duration or permanency of the activity;
- whether the primary access is located on an arterial or collector road or a road designed to provide for anticipated traffic generation;
- sufficient separation from sensitive activities by distance and/or topography to avoid risk to people, property and the environment;
- whether the activity may compromise cultural, spiritual and/or historic values and interests or associations of importance to tangata whenua, and if so, the outcomes of any consultation with tangata whenua as kaitiaki and mana whenua, including with respect to mitigation options;
- the extent of rehabilitation proposed and whether it will result in a net environmental benefit for the immediate area or community and/or establish land use appropriate to the area;
- methods for avoiding adverse effects on identified features, including archaeological sites and sites and areas of significance to Māori; and
- minimisation of adverse visual effects through screen planting, building design, siting, and the retention of existing vegetation.

RPROZ – P7 Require sensitive activities to be appropriately located and designed to minimise any reverse sensitivity effects, risks to people, property and the environment and/or conflict with activities permitted in the Rural Production Zone, including by:

- ensuring sufficient separation by distance and/or topography between sensitive activities and zone boundaries, transport networks, primary production, significant hazardous facilities and rural industry;
- adopting appropriate design measures to minimise the impact of off-site effects of rural industry that cannot be internalised within the rural industry activity's site; and

- utilising landscaping, screen planting or existing topography to minimise the visual impact of rural industry.

RPROZ – P8 Require that buildings and structures associated with large scale activities maintain rural character and visual amenity by:

- locating buildings away from prominent ridgelines and providing separation between buildings;
- requiring buildings to be designed to a form and scale that is in keeping with the rural landscape of the area;
- Softening with vegetation related to the area and using appropriate boundary treatments; and
- minimising adverse visual effects through use of appropriate materials and recessive colours.

Objectives and Policies – Subdivision

Objectives

SUB – 01 Subdivision results in the efficient use of land and achieves patterns of development which deliver good quality community environments that are compatible with the role, function and predominant character of each zone.

SUB – 02 Subdivision is designed to avoid, remedy or mitigate adverse effects on the environment and occurs in a sequenced and coherent manner that:

- responds positively to the site’s physical characteristics and context;
- is accessible, connected and integrated with the surrounding neighbourhoods;
- contributes to the local character and sense of place;
- recognises the value of natural systems in sustainable stormwater management and water sensitive design; and

- protects or enhances natural features and landforms, waterbodies, indigenous vegetation, historic heritage, sites of significance to tangata whenua, and/or identified features; and
- provides accessible and well-designed open space areas for various forms of recreation, including sport and active recreation, for the health and wellbeing of communities.

SUB – 03 Infrastructure is planned to service proposed subdivision and development and to connect with the wider infrastructure network in an integrated, efficient, coordinated and future-proofed manner and is provided at the time of subdivision.

Policies

All Subdivision

SUB –P1 Allow subdivision that results in the efficient use of land, provides for the needs of the community and supports the policies of the District Plan for the applicable zones, where subdivision design:

- reflects patterns of development that are compatible with, and reinforce the role, function and predominant character of the zone;
- maintains the integrity of the zone with lot sizes sufficient to accommodate intended land uses;
- in the City Centre, Town Centre and Local Centre zones, minimises proliferation of vehicle crossings that could restrict the ability of pedestrians to move safely and efficiently along the street and within public places and/or reduces the presence of retail activity at the ground floor;
- in the Mixed Use and General Industrial zones, incorporates sufficient setbacks at residential zone interfaces (where subdivision adjoins such a zone) to provide sufficient space for planting and/or landscaping;

- in the Large Format Retail Zone, avoids the fragmentation of land and/or creation of small allotments that would limit or constrain the ability to use land for large format retail activities; and
- in the General Industrial, Large Format Retail, Residential and Rural zones, incorporates sufficient space for on-site stormwater disposal including the use of water sensitive and low-impact design solutions.

SUB –P2 Manage subdivision of land containing significant natural features and landforms, waterbodies, indigenous vegetation, historic heritage, sites of significance to tangata whenua and/or other identified features to ensure their protection or enhancement.

SUB –P3 Manage significant risks from natural hazards by restricting subdivision that:

- creates new or exacerbates existing natural hazards including coastal hazards, erosion, slippage, subsidence, falling debris or flooding; or
- results in adverse effects on the stability of land and buildings; and
- does not provide safe, flood free and stable building platforms at the time of subdivision.

SUB –P4 Require infrastructure to be provided in an integrated and comprehensive manner by:

- demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure; and
- ensuring that the appropriate infrastructure for the subsequent use of the land is in place at the time of subdivision or development; and
- requiring connections to Council's reticulated systems in urban areas; or
- requiring appropriate on-site infrastructure to be provided at the time of subdivision.

SUB –P5 Require efficient and sustainable stormwater control and disposal systems to be designed and installed at the time of subdivision that:

- incorporates water sensitive and low impact design principles, that are sufficient for the amount and rate of anticipated runoff, in accordance with Council’s Land Development and Subdivision Infrastructure Standard Local Amendments Version 3.
- mitigates the effects of development on-site using stormwater management areas to avoid inundation within the subdivision or on adjoining land, especially if sufficient infrastructure capacity is not available;
- where feasible, utilises stormwater management areas for multiple uses, while ensuring they have a high quality interface with residential activities or commercial activities;
- avoids and increase in sediment and/or contaminants entering waterbodies or downstream effects as a result of stormwater disposal; and
- considers the outcomes of any consultation with tangata whenua where it is proposed to dispose of stormwater to a waterbody that has cultural, spiritual and/or historic values and interests or associations of importance to tangata whenua, including with respect to mitigation measures and opportunities to incorporate mātauranga Māori principles into the disposal method.

Rural Subdivision

SUB –P10 Manage the scale, design and intensity of subdivision in the Rural Production Zone by:

- allowing one small allotment only where there is a large balance area, and where the subdivision design reinforces the role, function and predominant character of the zone;
- managing subdivision that involves multiple small allotments with a large balance area; and

- avoiding subdivision that would compromise the role, function and predominant character of the Rural Production Zone, or is more typical of patterns of development in urban areas.

SUB –P11 Manage the scale, design and intensity of subdivision in the Rural Lifestyle Zone by:

- allowing up to four small allotments only where there are corresponding larger lots, and the subdivision design reinforces and is compatible with the role, function and predominant character of the zone;
- managing subdivision that involves multiple small allotments; and
- avoiding subdivision that would compromise the role, function and predominant character of the Rural Lifestyle Zone, or is more typical of patterns of development in urban areas.

SUB –P12 Ensure that that subdivision in the Rural Zones results in lot sizes and lot configurations that:

- are appropriate for the development and land use intended by the zone;
- are compatible with the role, function and predominant character of the zone;
- maintain rural character and amenity; and
- are consistent with the quality and types of development envisaged by the zone objectives and policies, including by minimising any reverse sensitivity effects and/or conflict with activities permitted in the zones

Resource Management Act 1991

The resource management act in Section 5 sets the framework for sustainable management of natural and physical resources.

Section 6(a) - the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;

Section 6 (a) may be considered to influence the application in so far as the Proposed District Plan gives effect to Section 6 (a) and addresses the potential effects of the site through the identification of the priority waterbody and the management regime.

Section 7 burrows down to more specific detail relating to amenity which Councils and therefore development must have regard to including:

C) the maintenance and enhancement of amenity values

F) the maintenance and enhancement of the quality of the environment.

The Act defines amenity as ‘those natural and physical qualities and characteristics of an area that contribute to the people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes’. This LVIA relating to the New Plymouth ODP fulfills the requirements of the RMA 1991 in relation to the overarching effects of the proposal on amenity values.

DESCRIPTION OF PROPOSAL

The site is along Te Arei Road West, just over 2km north of Lepperton. The Waiongana stream runs along the east boundary of the site and the Waitara railway line runs along the northwest boundary. This rail line is used only occasionally by a small passenger train for recreational purposes. The proposal is fully described in the application assessment of environmental effects. The following description has a focus on landscape and visual amenity matters.

The proposed subdivision layout is illustrated below:



Figure 1: The Proposed Subdivision layout.

Proposed Lot 1 is to the rear of the site and is the balance lot of 4.2Ha. Access is proposed to be retained along the existing driveway. The rear northwest boundary coincides with the railway line. The southeast boundary winds along the Waiongana Stream. Proposed Lot 1 contains four large sheds and associated services and tracks used for chicken farming; there is also an implement shed at the entrance of the site.

The four remaining lots are aligned along the road front. They are all around 7000m² in area. Proposed Lot 5 is the existing dwelling along with ornamental garden and ancillary residential structures. Access is proposed to be retained and shared with Proposed Lot 1. Proposed Lots 2, 3 and 4 are spaced along the road front paddocks with gently undulating topography having a high point along the railway and road intersection. The rear or north boundary of these lots coincides with an existing shelter belt that is pruned but looks to be in a senescent phase. The

rail way line runs along the northwest boundary of Proposed Lot 2. The implement shed of Proposed Lot 1 and the dwelling at Proposed Lot 5 are to the east of Proposed Lot 4. Waiongana Stream is designated as a Priority Water Body and an esplanade strip of 5m is proposed along the full length of the stream within the site.

LANDSCAPE DESCRIPTION

The site is located just over 2km north of the Lepperton settlement. It is currently accessed from 24 Te Arei Road West and is a productive chicken farm along with some paddocks along the road front that are in pasture.

The property has one dwelling, four large chicken sheds and associated implement sheds which are all accessed from the existing driveway at 24 Te Arei Road West. The chicken sheds are set a considerable distance from the road front and do not form a significant part of the Te Arei Road West visual catchment. The property including the sheds can be seen from along Richmond Road although views are filtered with streamside vegetation.

It sits within a gently undulating plain used primarily for dairy and chicken farming which is the predominant landuse around the Lepperton township. Cropping and horticultural land uses were historically common in the area and traces can still be seen most notably with the shelterbelts along the roads. The easily accessible land with fertile soil has left the area largely devoid of substantial native vegetation. Streams with vegetated margins are important ecological corridors.

Visual relief is provided with undulating landform, incised stream banks and vegetation lining the stream. Shelter belts and hedges screen and direct views and provide shelter for productive horticulture and livestock in prevailing winds.

The road front along this portion of Te Arei Road West is predominantly pasture with a large grass berm and swale. There are several dwellings visible along the road.

There are several smaller lots located along Te Arei Road West, Kairau, Richmond and Manutahi Roads which allow for people to live in a landscape close to a settlement with essential services with a good quality rural character including:

- 10 Te Arei Road West 1984m²
- 80 Te Arei Road West 1.3 Ha
- 232 Richmond Road 4813m²
- 264 Richmond Road 9151m²
- 270 Richmond Road 6444m²
- 271 Richmond Road 4424m²
- 284 Richmond Road 4091m²

As illustrated in the aerial on the next page.

Also, of note in this landscape is the relatively increased level of lifestyle living amongst the productive rural activities compared with more remote and less connected accessible locations where rural lifestyle living is not as common or desirable. This leads to an environment where the pattern of dwellings is closer than can be seen in other places for example near the Te Arei Road West intersection along Richmond Road the spacing between houses is around 60 to 70m as illustrated in the aerial on the next page.

These smaller lots along the road have allowed for the larger rear lots to be retained in productive rural land use. And the increased building density has become part of the character of this area. The vibrancy and population of this community has been enhanced over time allowing for increased services such as the Ruru day care centre on the corner of Te Arei Road West and Richmond Road, the school redevelopment; the successful poultry industry and large community events where there is active participation and a sense of local identity and belonging.

Consultation with this community as part of the Community Board Development Plans revealed a strong community that accepts the effects along with the benefits of living amongst this productive landscape. There was a strong desire for enhanced recreational pathways and public amenities. Enhanced services and amenities can be enabled with increased population.

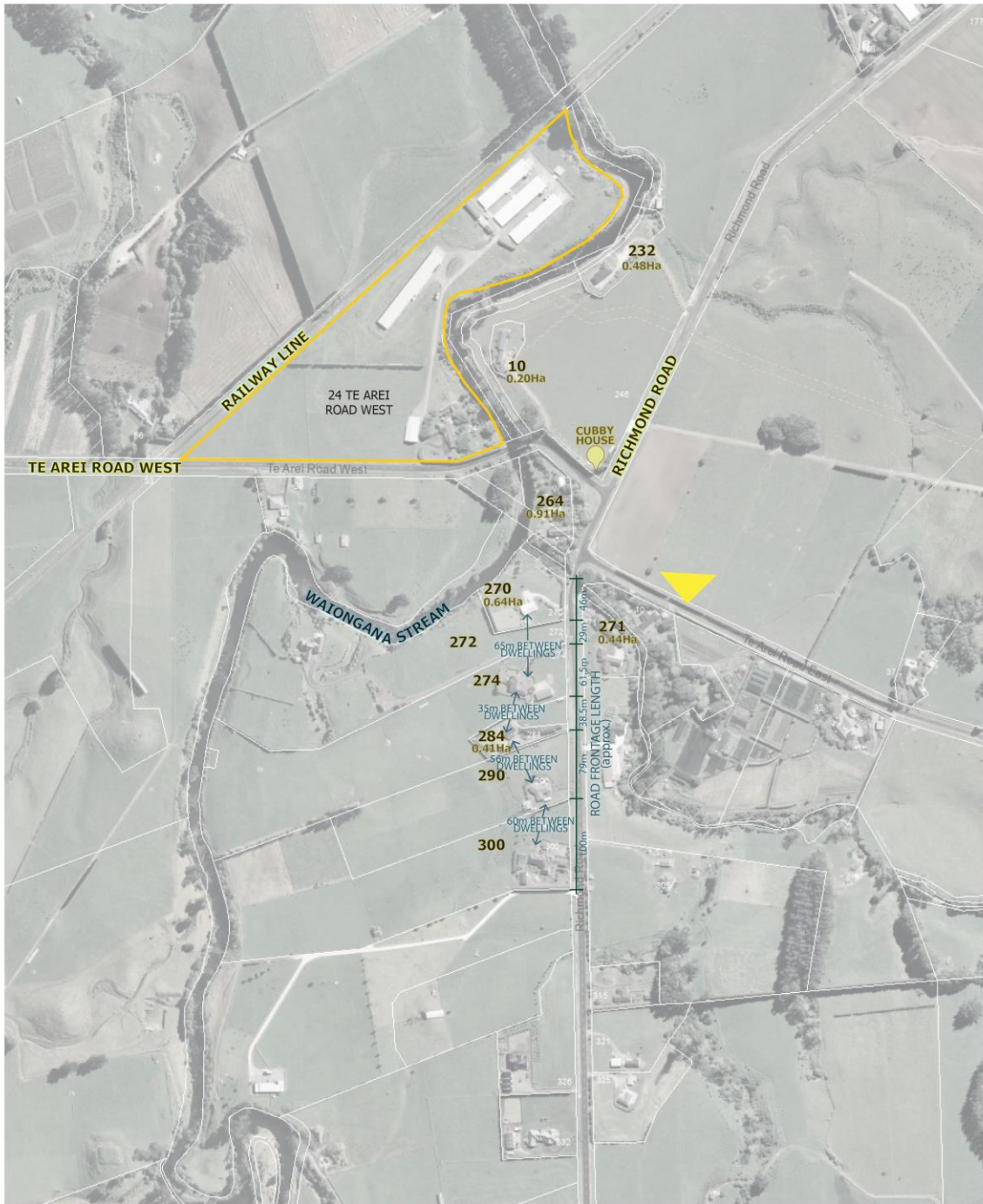
<https://www.newplymouthnz.com/-/media/NPDC/Documents/Council/Council%20Documents/Plans%20and%20Strategies/Community%20Board%20Plan%20-%20Waitara.ashx>

The community expressed the desire to manage growth in a way that maintains rural character (Pg 11). In this context it means ensuring growth doesn't detract from the character that makes it an attractive place to live, work and play in the first place. Development needs to be sensitive to the natural environment such as the stream and vegetated margin and the productive landscape. The dominance of open space over built form needs careful attention and screening or other mitigation should blend with the existing environment.

Te Arei Road West is relatively quiet in terms of traffic with some recreation use in the form of cyclists gaining access to the easy topography, quiet rural roads and the good quality rural amenity. The two laned road is narrow and sealed with chipseal, there are large grass berms. Stormwater is managed with large grassed or gravel swales and there is no kerb and channel. Driveways are predominantly compacted gravel. There are a range of fences with predominant style being post and batten.



Figure 1 Landscape Context / Rural Character



SCALE 1:4000 @A3
APRIL 2021
AERIAL FROM NPDC GIS MAPS

JOB NO: 20175
CLIENT: W CURRY
DRAWN BY: M DRAVITZKI

The defining character of the wider landscape is undulating pasture land with intermittent hedges and shelterbelts that screen views. Increased building density is apparent through rural lifestyle development and large poultry sheds in addition to typical dairy activity and remnants of production horticulture. Streams lined with vegetation and some large exotic specimens, large pine or macrocarpa shelter belts or small stands of remnant vegetation are a feature that provide visual relief in the rather flat landscape. Views towards Mounga Taranaki are iconic.

The liveability of the site is enhanced from the close proximity to Lepperton in terms of connection to community, essential services and amenities. In autumn, when I visited the site the paddocks are lush and green. In summer the paddocks become drier and through the strong contrast the established vegetation become more of a focal point.

The site complements the existing wider landscape and contributes to the natural character. The stream and the vegetated margin provide visual relief.

CONTEXT AND SITE PHOTOGRAPHS



Figure 2 Photo Locator Map



Photo Locator Map



Figure Three (A) : View over the bridge towards 24 Te Arei Road West and ornamental garden adjacent to existing dwelling on the other side of the bridge.



Figure Four (B): The existing entrance proposed to be a shared right of way for Proposed Lot 1 and 5. Proposed Lot 1 implement Shed in the middle of the image. Pasture with road side fence and senescent shelter belt at the rear of Proposed Lot 4 on the left of the image.



Figure Five (C): View south towards the neighbours farm gate with farm buildings and structures spaced out around the property. There is a partial view of the dwelling at 272 Richmond Road in the distance.



Figure Six (D): View from the southwest corner of 24 Te Arei Road West; Railway line to the left; gently undulating topography slopes away from the railway towards the Waiongana Stream. The senescent shelterbelt is in the middle ground and beyond that are glimpses of the chicken sheds and dwellings further away on Te Arei Road West.

ASSESSMENT OF LANDSCAPE EFFECTS

Definition of Landscape Effects

This section focuses on how the landscape may physically change as a result of the proposed subdivision and likely future development that will result (e.g. landscape elements, features and character). Landscape effects may give rise to change in the character and how it is experienced. This may affect the perceived value ascribed to the landscape. Using the landscape description as a baseline the sensitivity and the magnitude of change which result

from a proposed development can be made to determine the overall significance of landscape effects.

Assessment Criteria

The assessment of effects on a landscape depends on whether changes are positive, neutral or negative. The capacity of the landscape to absorb change without compromising the existing character of that landscape is based on the landscape's resilience.

The resilience of the landscape to change varies depending on:

- physical elements, topography
- openness and degree of naturalness
- land use and intensity or scale/ pattern of the landscape
- importance placed on the landscape and
- the scope for mitigation
- the amount of change likely to occur e.g. vegetation removal, earthworks.
- where the landscape is seen from

The magnitude of change factors are applied to the landscape area, features and key attributes.

This includes comments on the scale of change and the extent influenced and the likely duration of change. The sensitivity of the landscape to change is reflected in the degree to which the landscape is able to accommodate change (due to the proposed development) without adverse effects on its character.

Assessment of Landscape Effects

Due to the flat topography of the Proposed Subdivision earthworks involved with future development of the site is likely to be negligible. Access ways and building platforms will not need significant earthworks. Any change to landform is likely to be negligible.

The Proposal is likely to create a landscape change from open pasture to built form in parts of the Lot 2,3 and 4. This will create a change in openness that is currently experienced throughout the wider landscape although it is noted that built development is visible in the vicinity of the proposed lots so the potential change is minimised. There will be a minor reduction in productive rural land. The effect can be further minimised with restricted views to future development and this is considered in the mitigation section.

However, given Proposed Lot 1 will continue the ongoing productive use of the property and the loss of productive land is very small when considering the wider landscape. The presence of existing screening vegetation along with potential to supplement this screening with additional planting means that the perception of landscape change will be dramatically reduced so that it will be very low in time once screening is established. The setback from and avoidance of any change to the waterways natural course and associated vegetation are important factors that minimise the overall landscape effects. The maintenance of views of the railway also retains this as a focal point in the landscape.

Additional buildings associated with new dwellings will also provide some change in the landscape along with domestic vegetation. However, overall, the change is small in scale and with the location of all of the proposed lots avoiding the potential for fragmentation of the landscape. An increased number of accessways from the roads, along with some extra vehicle movements will be part of the new landscape and be able to be perceived even with mitigation in place. Both the ongoing activity and resulting rural character will largely remain intact.

Overall changes to landform, landcover and landscape character are anticipated to have a 'Low Effect'.

Landscape Mitigation

In order to retain an open and spacious character and a low building density and to avoid built form from overly dominating the landscape it is recommended that Proposed Lot 2,3 and 4 are restricted to one dwelling.

In addition the dwellings and any associated buildings shall have a height limit of 6m above existing ground level as existed at the time of subdivision.

In order to restrict views of residential development from dominating the rural landscape, to create privacy and to contribute to the existing rural character the roadside of proposed Lot 2,3 and 4 shall be planted with an evergreen landscape strip with a minimum width of 3m with plant species capable of reaching a height of 1.8m in 5 years with hardy species proven to tolerate the local climatic conditions without causing a potential weed issue.

It is noted that it is a positive aspect of good land management that the stream and riparian margin are being maintained and enhanced with ongoing management of the owners.

WB- R5 WATERBODIES - MANAGEMENT PLAN

The following management regime is proposed:

- A 5m esplanade strip;
- Ongoing best practice management of the area including planting and maintenance under either a Riparian Management Plan in partnership with the landowner and TRC or in accordance with the guidance in the *Restoration Planting in Taranaki - a guide to the Egmont Ecological District*. Supplementary plant species are within TRC guidelines.
- Protection from removal of native vegetation within the esplanade strip that is a height of 4m or more or in a group larger than 10m²
- The containment of the esplanade strip within the balance lot and the owners residential dwelling Lot provide for ongoing consistent management.

Matters over which control is reserved:

1. *The location, design, layout and proximity of [allotments](#) in relation to the [significant waterbody](#) and the extent to which the [waterbody](#)'s identified values will be protected or maintained.*
2. *The matters set out in [WB-P2](#) - [WB- P6](#)*
3. *Whether the [subdivision](#) would create new or exacerbate existing natural hazards, including flooding or stream bank erosion.*

In further assessment WB – P2 - WB – P6 is considered, matters over which control is restricted include:

POL/ RULE #		Assessment
WB- P2	<p><i>Protect the natural character, ecological, recreational, cultural, spiritual, heritage and/or amenity values of waterbodies, including significant waterbodies, by:</i></p> <ol style="list-style-type: none"> <i>1. managing the potential adverse effects of subdivision on the values of the waterbody;</i> <i>2. requiring buildings and earthworks to be set back from waterbodies to avoid, remedy or mitigate potential adverse effects on their values; and</i> <i>3. maintaining and enhancing public access to waterbodies with recreation, scenic, cultural or amenity values through the creation of esplanade reserves or strips at the time of subdivision, especially where it would provide connections to existing reserves.</i> 	<p>By retaining waterways within the balance Lot and with the owners dwelling the natural character, ecological, recreational, cultural, spiritual, heritage and/or amenity values associated with the waterbodies are protected.</p> <p>Protecting native vegetation over 4m in height and in groups larger than 10m2 from removal with a consent notice further ensures the sites ecological, recreational, cultural, spiritual, heritage and or amenity values are further protected.</p>
WB- P3	<p><i>Require that activities proposing to locate on sites adjoining a waterbody, including a significant waterbody, demonstrate that the activity is located appropriately having regard to:</i></p> <ul style="list-style-type: none"> <i>• the particular natural character, ecological, recreational, cultural, spiritual, heritage and/or amenity values of the waterbody and the extent to which the values of the waterbody may be adversely affected by the activity;</i> <i>• the purpose of the activity and whether it has a functional need to be located adjoining a waterbody;</i> <i>• the ability to effectively restore and rehabilitate the waterbody and/or offset adverse effects;</i> <i>• for waterbodies which have cultural, spiritual and/or historic values and interests or associations of importance to tangata whenua, the outcomes of any consultation with and/or cultural</i> 	<p>The subdivision layout does not allow for future development to occur adjoining a waterbody.</p> <p>In addition, the areas of indigenous flora are being protected by Consent notice. The protection of the native vegetation on the site with a consent notice also serves to protect the stream mauri, its margins and the cultural values associated with it.</p>

	<p><i>advice provided by tangata whenua as kaitiaki, including with respect to mitigation measures; and</i></p> <ul style="list-style-type: none"> • <i>whether the activity would create new or exacerbate existing natural hazards, including flooding or stream bank erosion.</i> 	
<p>WB-P4</p>	<p><i>When any subdivision of land creates allotments containing or adjoining a significant waterbody, or any subdivision of land adjoining or containing a waterbody creates an allotment of less than 4 ha in area, require that an esplanade reserve or esplanade strip be provided along the waterbody, where a reserve or strip will:</i></p> <ul style="list-style-type: none"> • <i>assist to protect, maintain or enhance the values of the waterbody including; natural character and ecology, recreation, public access, cultural and heritage associations of tangata whenua, or water quality; and/or</i> • <i>assist to mitigate natural hazards.</i> 	<p>There is a large setback from any new proposed lots with buffer planting to protect the waterbody.</p> <p>The proposed boundary protects and maintains the values of the waterbody by ensuring ongoing consistent proactive management.</p>

<p>WB-P5</p>	<p>Require any <i>subdivision</i> of land creating <i>allotments</i> containing or <i>adjoining</i> a <i>waterbody</i>, which proposes to waive the provision of and/or reduce the width of an <i>esplanade strip</i> or reserve, to demonstrate that the waiver or reduction is appropriate, having regard to:</p> <ul style="list-style-type: none"> • the purpose(s) of <i>esplanade reserves</i> and strips in accordance with section 229 of the <i>Act</i>, and whether a reserve or strip will best achieve the purpose; • whether the <i>waterbody</i> adjoins a public access corridor and/or is within an <i>urban area</i>, and if so, whether public access and recreational opportunities will be better provided for by requiring a reserve instead of a strip; • whether the waiver or reduction will limit or reduce opportunities to link land-locked or isolated <i>esplanade strips</i> or reserves, or access strips; • whether any alternative public access to the <i>waterbody</i> is available; • the <i>site's</i> physical characteristics and constraints and any practical implications of providing access; • effects of natural hazards, including protection of the integrity of the <i>river</i>, and erosion and flood control works; • whether the provision of a reserve or strip would compromise or assist the ability to protect, maintain or enhance natural character, ecological, landscape, <i>historic heritage</i> or cultural values of the <i>waterbody</i> and/or the ability to protect sites and activities of significance to <i>tangata whenua</i>; and • the benefits and costs of the provision and maintenance of <i>esplanade reserves</i> or strips. 	<p>The application does not propose to waive the provision.</p>
<p>WB-P6</p>	<p>Consider the incorporation of <i>mātauranga Māori</i> principles into the design, development and/or operation of activities on sites <i>adjoining waterbodies</i> which have cultural, spiritual</p>	<p>Areas of native vegetation are being protected by Consent notice. Ongoing proactive management of waterways is being undertaken. The protection of</p>

	<p><i>and/or historic values and interests or associations of importance to tangata whenua and provide opportunities for tangata whenua to exercise their customary responsibilities as mana whenua and kaitiaki in respect of waterbodies.</i></p>	<p>native vegetation with a consent notice along with ongoing proactive management also serves to protect the stream mauri, its margins and the cultural values associated with it.</p>
--	---	---

By establishing an esplanade strip and retaining the waterway margins within the balance Lot and the owners residential dwelling the natural character and other values associated with the waterways are protected. There are no known natural hazards that are created or exacerbated through the proposed Lot design.

VISUAL IMPACT ASESMENT

Definition of Visual Impact

For the purpose of this report the visual impact is the change that arises in available views as a result of the proposed subdivision with consideration given to possible future development; it includes consideration of the potential response to change and the overall effect on visual amenity. The visual impact and associated effects will result from changes to the local landscape and the visibility of this for those that live and move through the wider landscape.

Assessment Criteria

The visibility of potential future development in Proposed Lots 2, 3 and 4 are the focus for the visual assessment. In this assessment the primary elements include accessways, buildings and planting etc.

The viewing audience is identified using aerial and on-site assessment. The audience is grouped as those that own/occupy property near the site and have private viewpoints and those that move through the site and surrounds travelling by road with public viewpoints. As mentioned previously in the methodology section the sensitivity of the viewer is noted based on the extent

of change, the value attached to the change and the activity of the viewer. The magnitude of visual change is measured by the size or scale of the change, the ability to mitigate the change and the duration of the likely change. These are combined to inform an overall significance of the visual impact of the proposed development.

Where Affected Person's have signed an approval form it is noted.

Viewing Audience

Determining the viewing audience is undertaken through desktop and on-site analysis. On site analysis has been from public viewpoints along the road and from within the application site. Private property has not been visited.

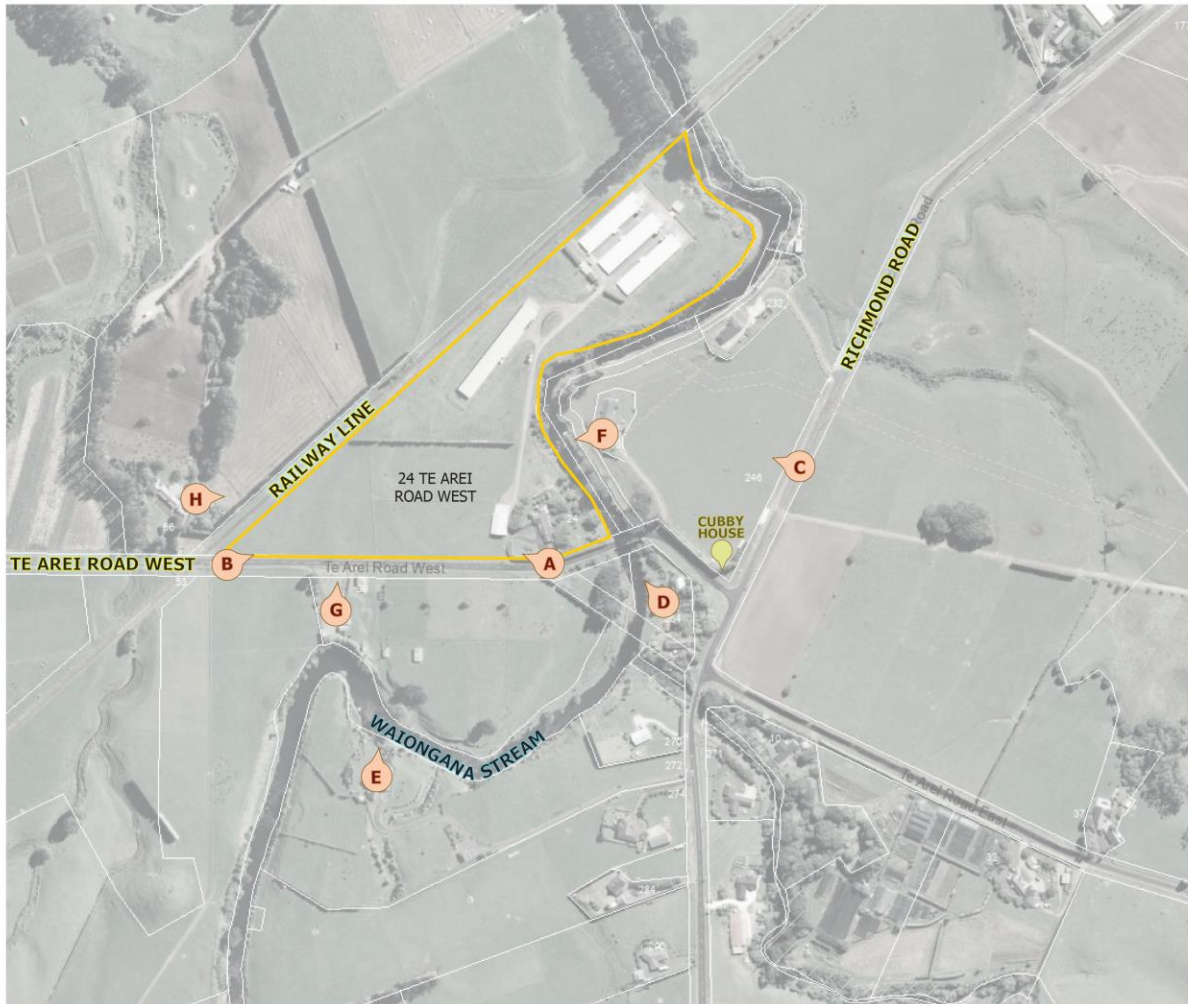
The visual impact of the proposal from the following locations have been assessed within this report:

- A. Travelling west along Te Arei Road West
- B. Travelling east along Te Arei Road West
- C. Travelling south along Richmond Road
- D. 264 Richmond Road
- E. 272 Richmond Road
- F. 10 Te Arei Road West
- G. 39 Te Arei Road West
- H. 56 Te Arei Road West

The location of these viewpoints is shown in the following diagram Figure Seven the Viewing Audience Locator Map; the list above corresponds to the letters on the map.



Figure 7 Viewing Audience Locator Map



The application site sits within a wider rural landscape containing elements that contribute to the distinctive Lepperton rural amenity. These include:

- flat pasture covered land;
- Tall shelterbelts and hedges;
- smaller native stream margin vegetation remnants with significant ecological value;
- Higher density of residential houses and associated buildings providing for the people that live and work in this landscape (when compared to more remote

areas); noting the large chicken sheds and increased density of residential dwellings especially;

- The background view of the Mounga is an important focal point often referred to in navigating in the landscape.

TABLE ONE – Visual Effects Assessment

LOCATOR MAP LABEL	VIEW LOCATION	VISUAL EFFECT (including Sensitivity and Magnitude of Change)	POTENTIAL AFFECT	AFFECTED WITH MITIGATION
A	Travelling west along Te Arei Road West	<p>The outlook is potentially affected by the visibility of additional dwellings. While potential change is openly visible from this viewpoint the viewer is moving through the landscape so is likely to experience the change for a short period of time and is less sensitive to the change. Also, Te Arei Road West is a relatively quiet road so the potential viewing audience is conservative. The journey along the road is predominantly low building density rural outlook with features described above. The extent of change is contained as it affects just a small part of the overall journey along Te Arei Road West.</p> <p>To retain low density Proposed Lot 2, 3 and 4 should be restricted to 1 habitable building each with associated service buildings.</p> <p>In order to reduce visibility into the site the road boundary should be planted with a landscape strip at least 3m wide planted with mixed native capable of reaching 1.8m within 5 years with the exception of the new accessways which shall use rural design and materials.</p>	Yes	No
B	Travelling East along Te Arei Road West	As with above	Yes	No
C	Travelling south along Richmond Road	The outlook is not affected as development on Proposed Lot 2, 3 and 4 will not be visible from this view point due to the existing vegetation and built development in between this view point and the proposed lots.	No	No
D	264 Richmond Road	<p>The outlook is not affected because there is planting on the viewers property and the application site that prevents visibility to Proposed Lots 2, 3 and 4.</p> <p>Plants along the stream margin of the Proposed lot 1 and 5 should be retained and supplemented to maintain screening and enhance the ecological value of the site.</p>	Yes	No

E	272 Richmond Road	<p>The outlook from the dwelling at this address is not considered to be affected as the setback is considerable at around 240m and there is a range of vegetation and rural structures that will screen and filter views towards Proposed Lots 2, 3 and 4.</p> <p>The proposed planting along the road front as described previously mitigates any possible visual effect of Proposed Lot 2, 3 and 4.</p>	No	No
F	10 Te Arei Road West	<p>This property lies to the east of the application site. There is an established mixed planting along either side of the Waiongana Stream. Viewers may experience potential change in the form of glimpses of new buildings from the dwelling at the property but it would be filtered and in the background of views of existing vegetation along the Waiongana Stream margin.</p> <p>Native plants over 4m in height or in groups larger than 10m² along the stream margin of the Proposed lot 1 and 5 should be retained to maintain screening and enhance the ecological value of the site.</p> <p>Planting should be supplemented with appropriate stream margin species as identified in consultation with a TRC Land Management Officer or if this property is not subject to this management regime then in accordance with the guidance in the <i>Restoration Planting in Taranaki - a guide to the Egmont Ecological District</i> document on the TRC website.</p>	Yes	Yes
G	39 Te Arei Road West	<p>The outlook from this dwelling is likely to be affected as it is near to and elevated above Proposed Lots 2, 3 and 4 with the northern outlook facing towards the new proposed lots.</p>	-Signed affected party form	-Signed affected party form
H	56 Te Arei Road West	<p>The elevation of the railway screens potential views to Proposed Lot 2. In addition the location of the dwelling and vegetation on this property means this property is not likely to experience a noticeable change in the current amenity and rural character.</p> <p>It is considered the potential visual effect is negligible.</p>	No	No

Assessment of Cumulative Effects

The proposal has been assessed in terms of potential cumulative effects. Cumulative effects result from changes caused by a proposed development in context with other development or activities that are present or are likely to occur in the landscape. In this case Proposed Lot 2, 3 and 4 may contribute to a cumulative effect of lifestyle development in a rural area. The District

Plan identifies that retention of rural character is of some importance in the rural environment. I think this is salient in places such as the application site where lifestyle development is occurring overtime and there is potential for viewers travelling along the road to find changes to the rural character adverse.

The assessment of cumulative effect is considered with the following criteria:

- The sensitivity of the viewer
- The value attached to the views
- The size/scale of the proposed development within the wider landscape
- The duration of the cumulative visual effect.

There is an elevated level of lifestyle development present in the wider landscape but it has reduced its associated effects with building platforms being setback 30m or more from the road front, single storey built development, road side shelterbelts, hedging and other planting.

When travelling along Richmond and Te Arei Road West Road these measures mean that large groups of houses are not readily visible. Views of development are more peripheral and fleeting especially considering the travelling speed. Road side planting and hedges screen built development. Accessways are relatively evenly spread along the road and predominantly have rural design and materials so there is not an impression of a proliferation of housing. The subtle signs of higher density rural lifestyle development are part of the character of this area.

In contrast with the Lepperton township the landscape will remain open with a low density of built development. The proposed development is modest in scale with the potential for 3 additional dwellings in the landscape. As they are spread along the road front there is opportunity for visual separation between the dwellings with spacing that complements the surrounding environment. The focal viewpoints of the Waiongana Stream and vegetation along the margin and the railway will remain intact without change.

In the vicinity of Proposed Lot 2, 3 and 4 views of dwellings and associated screening vegetation will be possible from public viewpoints as people drive along the road however with the proposed mitigation in place they will not dominate the landscape and will be in keeping with the surrounding landscape. Given the clustered nature of this small group and the fleeting view

as the viewer moves through the landscape, I do not consider future built development on Proposed Lot 2, 3 and 4 to be an adverse cumulative effect. The scale of the grouping is equivalent with what may reasonably occur within this rural landscape. As vegetation establishes in the vicinity and within Proposed Lot 2, 3 and 4 views of built development are likely to decrease overtime. With the mitigation screening in place and the limit to one dwelling I do not consider there is potential for a cumulative effect to be experienced.

Potential cumulative effects are considered to be low as the proposal is small in scale considering the wider landscape. This is a diverse productive rural landscape that can accommodate a number of well-designed rural dwellings provided they fit the scale and pattern of the wider area without creating visual clutter. The small scale of 3 additional dwellings, the separation from other development, setback from the road, large balance lot that retains productive land uses and protects vegetation along the stream and proposed mitigation to provide for low visual impact means potential future development is able to be well absorbed into the landscape.

Recommended Visual Mitigation

In order that dwellings do not dominate the views from the public view points it is recommended that:

- A landscape strip of 3m with minimum is planted with a mix of native species along the road front of Proposed Lots 2, 3 and 4 with the exception of the accessways.
- Rural materials such as post and wire fencing and hedging to be used to define the boundary.
- Rural materials to be used for the driveway with no use of pillars or block wall entranceways or plain white concrete.
- Only one entry point is permitted onto the road per allotment.

- The roof of all new buildings has a light reflection value (LRV) of 25% to restrict unnecessary glare. N.B. Buildings will be seen from the south side so glare and reflection is not a high risk.
- Dwellings are restricted to one habitable dwelling each on Proposed Lot 2, 3 and 4.

MITIGATION

The recommended mitigation is aimed at reducing any likely adverse visual effects created by future development allowed for by the subdivision proposal. The previous assessments have outlined the potential landscape and visual effects. Mitigation has been recommended in response to any adverse effects and are designed to ensure development may occur with no more than a low effect. The following table brings the landscape and visual mitigation recommendations together for easy accessibility.

TABLE TWO: Recommended Mitigation Summary

TOPIC	RECOMMENDED MITIGATION
Buildings	<ul style="list-style-type: none"> • Proposed Lot 2, 3 and 4 are restricted to one dwelling. • Proposed Lot 2, 3 and 4 shall have building height limits of 6m applied to the dwelling and any associated buildings. • Proposed Lot 2, 3 and 4 shall use recessive roof colours shall be used with an LRV of 25% • No close boarded fences shall be used more than 10m from the future building envelope.
Vehicle Entrance	<ul style="list-style-type: none"> • Proposed Lot 2, 3 and 4 are restricted to one vehicle entrance per allotment. • Proposed Lot 2, 3 and 4 shall use rural materials such as post and wire fencing and hedging to be used to define the boundaries (with no use of close boarded fencing).

	<ul style="list-style-type: none">Proposed Lot 2, 3 and 4 shall use rural materials for the driveway with no use of pillars or block wall entranceways or plain white concrete.
Vegetation	<ul style="list-style-type: none">Proposed Lot 2, 3 and 4 shall have a landscape strip at the road front with a minimum width of 3m planted with mixed natives capable of reaching a height of 1.8m in 5 yearsThe stream margin within the 5m esplanade strip shall have ongoing enhancement planting with species recommended by a TRC Land Management Officer or other species specified in the Egmont Ecological Area Planting Guide on the TRC website to maintain and enhance ecological values and natural character of the Waiongana Stream.Native plants over 4m in height or in groups larger than 10m² along the stream margin of the Proposed lot 1 and 5 should be retained to maintain screening and enhance the ecological value of the site.

CONCLUSION

In conclusion the overall significance of landscape and visual impact is determined and considers the nature of effects and the ability to mitigate any negative effects. The proposal to subdivide the property has the potential to create landscape and visual change. The effects of the proposal are typical of those created with rural subdivision. Landscape features of the site such as the Waiongana stream and the railway are protected from adverse change with the use of esplanade strips, planting and lot layout. The characteristics of the site and the wider landscape means that (with the recommended mitigation taken into account) the overall significance of change is low. The proposal avoids fragmentation of the landscape and does not reduce the valuable rural character or other important natural features on the site. The ability to effectively screen development with a traditional rural landscape element such as a mixed native planting in the form of a hedge or bed of plants ensures the rural character is intact. The recommended mitigation ensures the scale of change is limited so that it may be accommodated into the wider landscape with no effects being greater than a 'low effect'.

Appendix One

Landscape Definitions derived from the NZILA Best Practice Note for Landscape Assessment

Landscape attributes comprise biophysical features, patterns and processes; sensory qualities; and spiritual, cultural, and social associations, including both activities and meanings.

Landscape character is a distinctive combination of landscape attributes that give an area its identity.

Landscape classification is the placing of landscapes into different categories based on their character or type.

Landscape amenity is the natural and physical quality and character of an area (landscape) that contributes to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes (RMA 1991).

Landscape value derives from the importance that people and communities, including tangata whenua, attach to particular landscapes and landscape attributes.

Landscape resilience is the ability of a landscape to adapt to change whilst retaining its particular character and values.

Landscape capacity is the amount of change that a landscape can accommodate without substantially altering or compromising its existing character or values

Landscape sensitivity is the degree to which the character and values of a particular landscape are susceptible to the scale of external change.

Sustainable landscape management recognises and protects the distinctive, representative or typical attributes that define landscape character and values, through a process of integrated assessment, planning and design to meet the needs of both present and future generations.

Natural Character is the expression of natural elements, patterns and processes.

Outstanding Natural Landscape is a notable landscape identified in the Regional or District Plans.