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To: [Remittances](#)
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Subject: FW: [#BTW220587.02] Land Use Consent Application - 39-41 Molesworth Street, New Plymouth - K.D. Holdings Ltd
Date: Tuesday, 17 October 2023 5:09:14 pm
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Thank you

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From: Darelle Martin
Sent: Tuesday, October 17, 2023 5:05 PM
To: applications <applications@npdc.govt.nz>
Subject: [#BTW220587.02] Land Use Consent Application - 39-41 Molesworth Street, New Plymouth - K.D. Holdings Ltd

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Please see the link in this email from which to download an application for land use consent made on behalf of K.D. Holdings Limited.

Application forms are found within Appendix A.

I will ask the applicant to pay the base application fee **(\$4,030) via internet banking, with the reference "KD HOLDINGS 39 Molesworth LUC".**

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Kind regards

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Date: Tuesday, 17 October 2023 5:05:22 pm
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Kind regards

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RESOURCE CONSENT APPLICATION AND ASSESSMENT OF ENVIRONMENTAL EFFECTS

Building Extension at 39-41
Molesworth Street, New Plymouth

for K.D. Holdings Limited

Rev B - 17/10/2023



Building Extension at 39-41 Molesworth Street, New Plymouth

for K.D. Holdings Limited

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17/10/2023

Date

Reviewed by



Cam Twigley MNZPI
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17/10/2023

Date

220587.02
Rev B - 17/10/2023

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1 INTRODUCTION

1.1 Purpose

The purpose of this application is to seek land use resource consent from New Plymouth District Council (NPDC) on behalf of K.D. Holdings Limited, for activities associated with an extension to the existing commercial building at 39-41 Molesworth Street, New Plymouth.

Application forms are provided in Appendix A and other supporting information is attached as follows:

- Appendix B Design Statement
- Appendix C Record of Title
- Appendix D District Plan and NESCS Analysis
- Appendix E Proposed Plans
- Appendix F Landscape and Visual Impact Assessment
- Appendix G Record of Correspondence with Ngāti Te Whiti

1.2 Application Details

The application site is all land contained in Record of Title (RT) TNJ1/808, as described in Table 1.1. A copy of the RT and relevant Registered Interests are provided in Appendix C.

Table 1.1: Application Details

Applicant	K.D. Holdings Limited
Land Location	39-41 Molesworth Street, New Plymouth
Landowners	K.D. Holdings Limited
Legal Description	Lots 1 and 2 Deposited Plan 17052
Record of Title	TNJ1/808
Site Area	891 m ²
Consents Sought	Land Use
<u>Proposed District Plan (Appeals Version September 2023)</u>	
PDP Zone	City Centre Zone
PDP Special Notations	<p>On the site: Coastal Environment, Coastal Frontage Site, Height Management Area B – 14 m, State Highway Noise Control Boundary</p> <p>In proximity to the site: State Highway 44, Designations KHL-1 and NZTA-4, Archaeological Site Extent ID 736, Site of Significance to Māori Extent ID 736 (Waimanu Pā)</p>

Where the Operative District Plan (ODP) is referenced in this report, this means the 2005 version. Where the Proposed District Plan is referenced, this means the notified Appeals Version of September 2023.

1.3 Resource Consents Required

The following provide summaries of the PDP rules under which the proposal requires resource consent (Table 1.2).

A full analysis of the proposal against the relevant rules of the PDP, ODP and Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS), is included in Appendix D of this report.

Table 1.2: PDP Rules Summary

CCZ-R20	Alterations to the exterior of a structure on a Coastal Frontage Site are Discretionary	Discretionary
CCZ-R21	Additions to a structure on a Coastal Frontage Site are Discretionary	Discretionary
SASM-R17	Earthworks within 50 m of the extent of a Site of Significance to Māori are Discretionary	Discretionary
HH-R30	Earthworks within 50 m of the extent of an Archaeological Site are Discretionary	Discretionary
EW-R10	Installing seven anchor piles to a depth of 11.5 m exceeds the maximum earthworks depth of 1.5 m.	Restricted Discretionary
TRAN-R1	The exiting vehicle access points have minor breaches of distances between access points, and the existing ROW does not meet new PDP standards.	Restricted Discretionary
TRAN-R8	Erection of structures within 2 m of the railway corridor is not permitted.	Restricted Discretionary
TRAN-R10	The alteration of use of the existing western vehicle access point, with its minor separation distance breach mentioned earlier, does not comply.	Discretionary
CE-R1	Due to earthworks not meeting permitted standards in the Earthworks, SASM and A/S chapters, they are Discretionary in the Coastal Environment.	Discretionary
CE-R5	Due to the proposal requiring consent for building activities on a Coastal Frontage Site, it is also Discretionary in the Coastal Environment.	Discretionary

The proposal does not require resource consent under the ODP, because although some of the rules in Table 1.2 are under appeal, the proposal meets the permitted standards under the equivalent rule in the ODP. For this reason, the ODP is not discussed further in this report. Refer to Appendix D where information on what PDP rules are appealed, and the equivalent ODP rule, is provided.

In addition, the proposal requires consent as a Discretionary Activity under the NES-CS, due to the proposed volume of soil to be removed from site.

In accordance with the bundling principle, this application is made overall for a **Discretionary Activity**.

1.4 Technical Studies Undertaken

A Design Statement from BOON Architects is provided in Appendix B, with a Landscape and Visual Impact Assessment (LVIA) prepared by the same, provided in Appendix F.

No other technical studies have been undertaken to support this application or are required. An explanation of engagement for a potential Cultural Impact Assessment (CIA) process is provided later in Section 6.

1.5 Resource Consents Required from Other Authorities

No resource consent is required from any other authority for the proposal.

2 SITE AND EXISTING ENVIRONMENT

2.1 Site Description and Land Use Context

The application site (Figure 2.1) is 39-41 Molesworth Street, New Plymouth. The site is flat and developed with a two-storey commercial building and carparking. Landscaping strips are present along the road frontage and western boundary.

The site has two existing vehicle access points:

- One to the carparking area to the west; and
- The second immediately in front of the building, to access the parking spaces in the front yard. This crossing functions as an exit only, with cars circulating through the site from the sites to the east.



Figure 2.1: Aerial photo of site (outlined) and surrounding area (Source: AAM NZ Limited, 2019)

The site and surrounding area are also described in the Design Statement of Appendix B. With regard to the PDP, the site (Figure 2.2) is located in the City Centre Zone. Overlays and notable features are as set out in Table 1.1. To clarify, Archaeological Site / Site of Significance to Māori 736 is shown with the most eastern part of its extent on top of the far western boundary of the site.

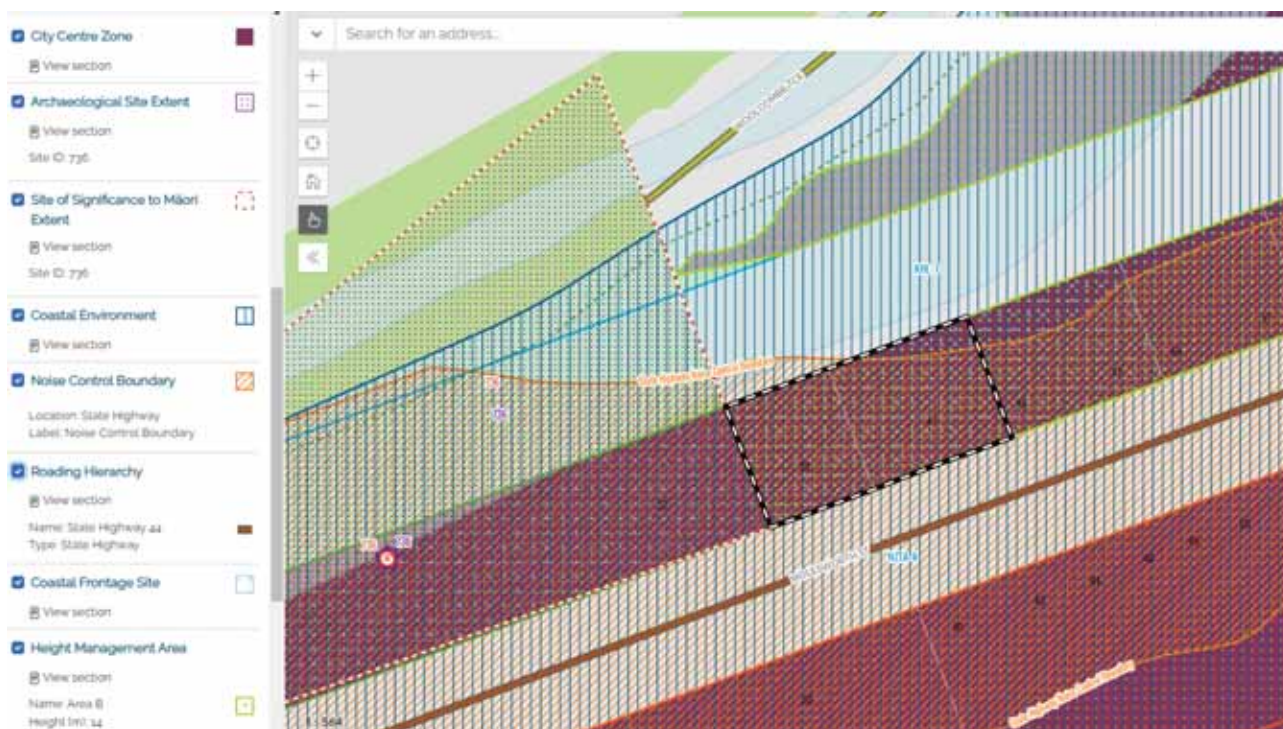


Figure 2.2: Extract from PDP map. Site outlined dashed.

2.2 Existing Consents

Land Use resource consent LUC22/48292 was granted by NPDC on 23 September 2022 to facilitate earthworks on the site for minor upgrades and footings for structural strengthening of the building. This consent has been given effect to.

2.3 Traffic Environment

Molesworth Street is identified as a State Highway (44) PDP Roading Hierarchies. The road adjacent the site has a posted and operating speed limit of 50 km/h.

2.4 Services

The site has water, wastewater and stormwater connections to NPDC's reticulated services in Molesworth Street.

2.5 Cultural and Historic Heritage

The site is in the rohe of Te Atiawa iwi and Ngāti Te Whiti hapū.

The location of Site of Significance to Māori / Archaeological Site ID 736 (Waimanu Pā) is adjacent to the site, to its west. The site details are as follows:

- Site ID: 736
- Site Description: Pā
- Site Name: Waimanu (Mt McCormick)
- Location: St Aubyn Street, New Plymouth
- Mana Whenua: Ngāti Te Whiti, Ngāti Tūparikino, Ngāti Tawhirikura

- Silent File: No
- Mapped Extent: Yes
- AS and/or SASM: AS and SASM
- NZAA: Ref: none
- HNZPT Cat / Ref: none

The site is not recorded on New Zealand Archaeological Association (NZAA) database "Archsite".

As part of the previous consent process for LUC22/48292, Archaeologist Ivan Bruce was contacted by phone call on 13th June 2022 to query information about the site and provided the following summary:

- Waimanu was a pā occupying a prominent hummock at the town end of Woolcombe Tce. the pā was captured and destroyed by invaders in about 1770 (Source: [Book] Murray Moorhead, Pioneer Tales of Old New Plymouth. P 172).
- Waimanu on Town Sections 853 and 854 and on Mt McCormick Reserve. Describes the altercation in 1770. Notes the place is also known as Pukepupuru. Shown in snip SO36/7 as Pukemanu or Pukepupuru (refer to Figure 2.3). (Source: [Book] S. Percy Smith (1910) History and Traditions of the Maoris of the West Coast North Island of New Zealand Prior to 1840. P327 40.).
- Due to the site having been used for decades and developed for the current building and sealed carpark, there would be a very low likelihood of encountering any archaeological material on the site during earthworks.

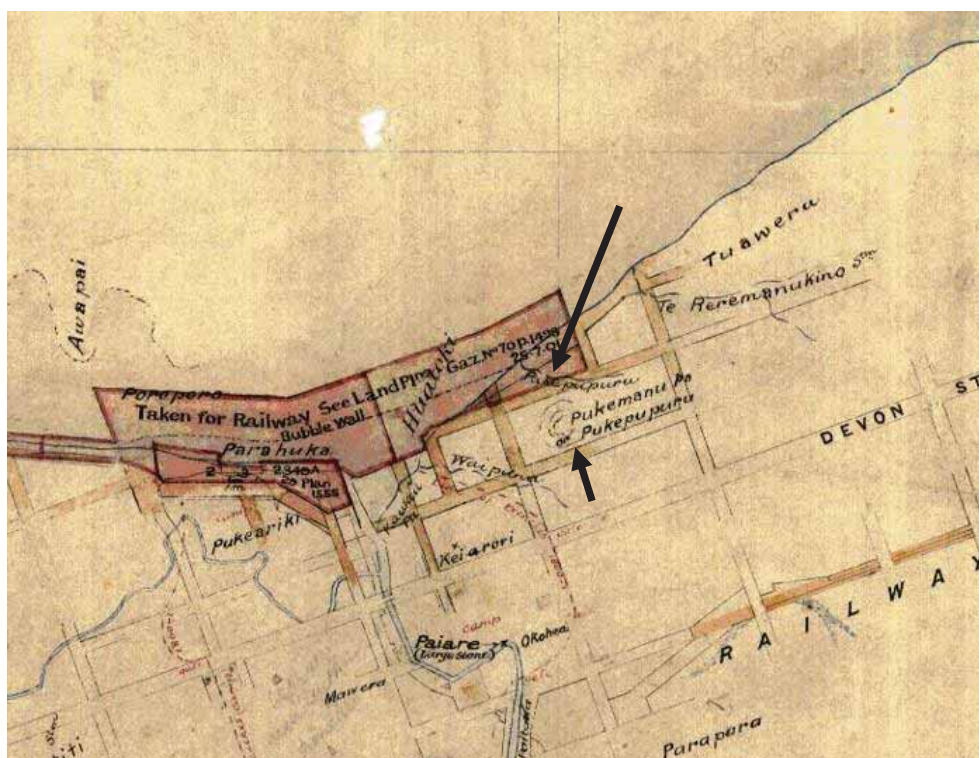


Figure 2.3: Extract from “History and Traditions of the Maoris of the West Coast North Island of New Zealand Prior to 1840” with Pukepupuru (Waimanu) Pā south of the site (both indicated).

2.6 National Environmental Standard for Soil Contamination

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESC) controls certain activities on land where an activity on the Hazardous Activities and Industries List (HAIL) is being carried out, has been carried out, or is more than likely than not to have been carried out.

The site is not listed as a HAIL site on the Taranaki Regional Council Register of Selected Land Uses (RSLU) for contaminated sites. A review of historic aerial photography and land uses of the site are as follows:

- 1950, the site is used for timber storage, likely in association with the adjacent railway. This continues through 1963, 1970, and most of this activity has ceased by 1976.
- In 1983 the site has a couple of sheds, with wrecked vehicle surrounding.
- By 1993 (and since 1990), the site is fully developed for commercial (office) activities with sealed carparking and has remained essentially the same until the time of writing this report.

Bulk outdoor storage of (potentially) treated timber, and automotive dismantling / wrecking yards, are both HAIL activities. The site would have been reworked during its development for the current use and the carpark construction, but due to regulations at the time is unlikely to have been remediated. Therefore, the soil remaining on the site is considered to constitute a 'piece of land' under the NESC, which applies in this case. Further assessment of the proposal against the NESC is provided in Appendix D.

2.7 Record of Title

A copy of the RT and registered interests is provided in Appendix C. The Registered Interests include:

- A gazette notice excluding Molesworth Street from public works provisions;
- A party wall easement; and
- A Right of Way (ROW) easement providing vehicle access over the front driveway portion of the site (on Lot 2 DP 17052) for the adjacent RT TNJ1/809.

None of the registered interests prevent the proposal from proceeding.

3 PROPOSAL

3.1 Proposed Activities

Refer to the proposed plans of Appendix E, with explanation of the design briefs and outcomes provided in the Design Statement of Appendix B.

The proposal is for an addition to the existing building, as follows:

- A western addition increasing the existing footprint of the building, for a covered car park (level 0 / ground floor), void (level 1), pool and spa (level 2), with a roof. Levels 0 and 1 will maintain the existing office space uses and are anticipated to accommodate one commercial tenant per level;
- An additional floor (level 2) within most of the new building footprint, for a three-bedroom dwelling; and
- A portion of an additional floor (level 3) which is a lookout living area for the dwelling.

An image of the proposed building as viewed from Molesworth Street is provided below (Figure 3.1).



Figure 3.1: Proposed building (Source: proposed plans of Appendix E)

Prior to construction, an acoustic design certificate from a suitably qualified acoustic expert will be provided to confirm the noise insulation of the dwelling will be suitable (further explained with regard for the relevant PDP standard in Appendix D).

No signage is proposed.

The building will use existing connections to NPDC's three-water services.

Exterior materials (excluding glazing and joinery) will predominantly be an aluminium cladding in copper and grey colours, as demonstrated on the plans. The grey tiled feature of the ground floor will be continued on the western extension's ground floor. Aluminium joinery will be used, and the decks will have glass balustrades.

Excavation and filling is required for the foundations of the western building extension. This consists of:

- An average 0.5 m of cut;
- Seven drilled anchor piles beneath this cut, which are each a 15 cm diameter cylinder 11 m long;
- Filling / compacting with appropriate fill, aggregates, and concrete to form a concrete pad foundation; and
- An approximate 36 m³ of cut material results. Where it cannot be reused on the site, it will be transported off-site to a suitable location.

The site will provide carparks for light vehicles, split in terms of their Vehicle Access Point (VAP) use as follows:

Western VAP

- One accessible park and a standard park near the entry door;
- Retain four existing 90 degree parks along the western side; and
- A campervan will be generally stored in the garage and used occasionally.

Eastern VAP (note: existing single direction in and out)

- Three full angled parks along the road boundary, with a fourth shared with the site to the east understood to be for the application site users; and
- 1-2 resident parks in the garage /store created under the earlier consent.

No dedicated loading space is proposed as the office activities only require courier services from vans which are typically of light private vehicle size and can use one of the parks on the site.

Indicative vehicle movement numbers are included in Appendix H.

As advised by the outcomes of the LVIA (refer to sections 8 and 9 in the LVIA), the proposed activities could implement some measures in order to better provide for landscape character and values. In implementing these measures, the proposal would also have improved outcomes for visual effects. Measures (numbered 1 and 3 in the LVIA) as recommended in section 8.2 of the LVIA have been interpreted into a planning framework and proposed as conditions of consent as follows:

Planting

Plants shall be planted in front of carparks 7-10.

No less than four specimen trees shall be planted in the northwest corner of the site adjacent to the carport. Trees shall be no less than 2 m tall at time of planting.

Prior to planting, the consent holder will provide Ngāti Te Whiti hapū the opportunity to provide advice on suitable species for the site, with no less than 5 working days to do so. Plants and trees shall thereafter be chosen from List A or B below respectively or another local species that may be advised by Ngāti Te Whiti. All planting shall be maintained for the duration of the activity.

Plant List A (in front of carparks):

- *Corokia cotoneaster var Paritutu (Paritutu korokio)*
- *Dianella nigra (Tūrutu)*
- *Hebe speciosa (Napuka)*
- *Selliera radicans (Remuremu)*

- *Dysphyma austral* (Horokaka)
- *Pimelea prostrata* (Pinatoro)
- *Fuchsia procumbens*
- *Euphorbia glauca* (Waiūatua)

Plant List B (northwest corner):

- *Myrsine salicina* (Toro)
- *Melicope ternata* (Wharangi)

Glazing and Façade Treatments

All mirrored glazing shall be removed from the facades of the building.

With regard to recommendation number two in the LVIA, noting that potential engagement with Ngāti Te Whiti may continue in the coming weeks, the potential to incorporate cultural narrative could be considered through that process.

3.2 NESCS

The proposal is for the disturbance of soil within the 'piece of land', which will exceed the permitted volume to be taken off-site. That soil will be disposed of to an authorised facility suitable to receive the material. The site has a permitted off-site disposal volume of 8.9 m³, and the proposed volume is approximate 36 m³. A full analysis of the proposal against the relevant rules and standards of the NESCS is provided in Appendix D.

This application is made under the NESCS as a precautionary approach, as the actual volumes of excavation and removal of potentially contaminated soils are unknown but are likely less than the total calculated volume proposed. This is due to:

- Depths and types of soil contamination from past activities being unknown; and
- Prior development of the site through the 1980s-90s which likely involved removing topsoils (to an unknown depth) and replacing them with hardfill prior to the site being sealed and built over with concrete foundations.

As such, it may be that much of the potentially contaminated soils have already been removed from the site, and the proposed excavations will be predominantly into previously imported hardfill.

4 ASSESSMENT OF ENVIRONMENTAL EFFECTS

4.1 Introduction

Schedule 4 of the RMA requires that an application for resource consent must include an assessment of the activity's effects on the environment that includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment (RMA Schedule 4, s2(3)(c)).

The activities for which consent is required were outlined earlier in Section 1.3 and assessed in detail in Appendix D. They can be summarised as:

- Alterations and additions to a building on a Coastal Frontage Site, and within 2 m of the railway corridor;
- Earthworks that exceed the 1.5 m depth standards for anchor piles, and are within 50 m of Waimanu Pā as a SASM and Archaeological Site;
- Minor breaches of separation distances between crossings and an under width ROW;; and
- Earthworks and the building activities in the Coastal Environment.

While Council is not limited in its matters for assessment, actual and potential adverse effects are considered most likely to relate to the following topics.

4.2 Positive Effects

The proposed activities result in the addition of a residential unit to the City Centre, with a design method that considers the character of the existing building and environment on the edge of the coast. The proposal is consistent with providing mixed use sites and living and working opportunities to this zone, which seeks to provide for both. It demonstrates efficiency in adding a second use to an existing site, and modernises a dilapidated and unused building.

4.3 Mitigating Factors and Measures

In the previous consent, providing notice and the opportunity for cultural monitoring of earthworks was conditioned and undertaken. No cultural material was discovered during those works. A similar condition could be appropriate for this consent.

With regard to the disturbance and off-site disposal of potentially contaminated soils, the following is proposed as conditions of consent (as per previous consent LUC22/48292(:

Erosion and Sediment Control

1. *The consent holder must ensure that all silt and sediment control measures are in place in accordance with the Waikato Regional Council's Erosion and Sediment Control – Guidelines for Soil Disturbing Activities. The consent holder shall contact the Council's Development Engineer (DE) and Monitoring Officer at least 48 hours prior to any physical works commencing on the site and advise the officer of the date upon which works will commence.*

Earthworks Management Plan

2. *Prior to the commencement of works on site an Earthworks Management Plan shall be submitted to Councils Monitoring Officer for certification. This plan shall include measure for (as relevant):*

- a. *Health and safety to inform all contractors of the potential for soil contamination.*
- b. *Requirement for use of personal protective equipment.*
- c. *Minimising soil disturbance.*
- d. *Reinstating the exposed area as soon as practicable.*
- e. *Implementing dust management measures as necessary to ensure that there are no air borne particulars.*
- f. *Advising Council of the authorized soil disposal facility.*

The consent holder, or any authorized contractor must carry out earthworks in accordance with the approved earthworks management plan.

3. *All disturbed material, silt, sediment and dust shall be retained on the site unless transported off site by a vehicle.*
4. *All disturbed soils and hardfill material removed from site must be tested prior to disposal and disposed of to a facility authorized to receive that material. This excludes cured hardstand material (such as paving/asphalt/concrete) which is cleanfill and is not required to go to an authorized facility.*

The above conditions (or words to the effect of) will ensure that the proposed activities are managed in a way that protects human health.

4.4 Construction Effects

Noting the relatively small scale of the earthworks, controls of silt and sediment can be implemented during construction and afterwards until full reinstatement is complete. Site stabilisation and reinstatement will occur, with disturbed areas being built or sealed over. Noise during construction can be monitored and managed to comply with permitted standards. The vehicles required to remove about 36 m³ of soils from the site is approximately 5 heavy trucks, which is considered to be reasonably low number / small scale able to be absorbed into the wider traffic environment without noticeable effect. Parking for workers and goods is able to be undertaken in the car park areas on-site, including the lower level, as these are not currently in use. The majority of potential adverse effects of construction are therefore temporary and are anticipated by the PDP.

4.5 Landscape and Visual Effects

A Landscape and Visual Impact Assessment report is provided in Appendix F, has been considered, some of the recommendations adopted, and a summary follows:

- With regard to character effects, the proposal overall has a low degree of effect with a neutral nature, as it is generally consistent with the surrounding urban character, has a high-quality form, and is therefore absorbed into the environment rather than being dominant. The proposal adds native vegetation to the site, avoids use of mirrored glass, and maintains the potential for further tangata whenua feedback through the consultative process and a condition of consent;
- With regard to visual effects, from all viewpoints investigated, effects is generally low in degree and neutral in nature. This is reflective of the site being somewhat prominent but also with the background of the surrounding city, with transient views as people use the walkway or road, and a high-quality design with colours advised by the coast;
- For both types of assessment above, it is considered that while the proposal is noticeable or at times prominent from a landscape, character and amenity perspective, this is not an adverse effect;

- This is also the conclusion (Section 9 of the LVIA) whereby the proposal overall has an effect that is low and neutral, or beneficial in some aspects when the recommendations are adopted.

Overall, the proposal adequately mitigates actual and potential adverse effects on landscape, character and the visible environment. Feedback from iwi would assist understanding of the cultural landscape effects.

4.6 Effects of Structures

Business service activities and sensitive activities (the current / proposed office use and the proposed dwelling respectively) are permitted activities on this site provided they comply with the relevant CCZ effects standards. The standards pertain to a 14 m structure height and a no less than 45 m² net floor area for the dwelling. There are no site coverage or boundary setback standards, nor limits on the number of uses or dwellings per site. The proposal meets both relevant standards and as such, the effects of the building bulk and use to the proposed scale and intensity are generally anticipated and provided for by the PDP.

Alterations to the exterior of a structure and additions to the same are, by default, discretionary activities on Coastal Frontage Sites (CFS). By nature, there are no matters of discretion to narrow effects assessment, however Policy CCZ-P12 (assessed further later under Section 5) provides the most guidance on the intent of these rules. The policy states:

CCZ-P12

Require structures and activities on coastal frontage sites adjoining the Coastal Walkway to interact with the coast, including by:

- 1. incorporating planting and landscaping materials that complement the existing design of the area;*
- 2. siting structures to maximise opportunities for the public to use and access the site and to assist with connectivity between the city centre and the Coastal Walkway;*
- 3. providing transparent, non-reflective glazing that is not painted or obscured at ground floor level within any building along those walls that are visible from the Coastal Walkway; and*
- 4. using low-reflective materials and minimal use of corporate colours on any structure.*

Noting that the proposed building bulk and use activities are anticipated as explained, as guided by CCZ-P12 the assessment of effects therefore more relates to visual effects matters of landscaping, pedestrian access / connectivity, and cladding and glazing.

The Design Statement of Appendix B explains the following points:

- the existing black and mirror building has provided a unique design on this site, which has some prominence. It has formed the existing environment since the early 1990's;
- the proposed addition builds on this character, taking tone, mass and materials from it and creating a modern addition while visually connecting the existing and proposed building portions;
- the changes in cladding materials, colours, forms and angles avoid the building becoming an overwhelming feature;

- the façade design has been advised by coastal environment colours from the sands, clays and soils visible there; and
- the building setback from the road boundary, and making the top floor a smaller part-floor rather than a full storey, reduce the scale of the building.

The existing design of the area is a mixture of hard-sealed carparking and other trafficable spaces, with bulky multi-storey buildings, and scattered landscaping with limited vegetation as typical of commercial inner-city spaces. Vegetation is provided predominantly by Pohutukawa street trees along Molesworth Street, and coastal vegetation (e.g. Pohutukawa, harakeke) along the railway banks and Coastal Walkway.

The proposed building extension is placed within the rear portion of the site, with the front unbuilt space available for vehicle access, car and bike parking, and the entrance to the building which faces the footpath. The proposed activities provide for sufficient use and access of the site. The site is isolated from the Coastal Walkway by the railway and its margins, with the railway corridor being no less than 17 m wide. There is an approximately 6.5 m difference in height between the railway track and the level on which the site is located. This forms a steep bank immediately north of the site. It is noted that the site does not have a Public Access Corridor on it in the PDP maps. Within the scope of what the site can provide as a privately-owned, commercial and residential site in the city centre, the site provides adequate access opportunities. It does not hinder pedestrian movement along Molesworth Street or the Coastal Walkway.

None of the glazing will be mirrored and the windows at ground floor level facing the Coastal Walkway are not visible from it due to terrain and existing vegetation. Due to the site being placed above the Walkway, with intervening vegetation along the railway there is limited connection between users of both.

As per the Design Statement the earthy colours proposed have low reflectivity values and surfaces. No corporate colours are proposed.

4.7 Physical Earthworks Effects

The depths (11.5m) to which seven anchor piles will be installed do not comply with the maximum 1.5 m cut standard and therefore PDP Rule EW-R10. The matters of discretion are listed and addressed below.

1. *The extent to which the land disturbance or earthworks will compromise archaeological sites, sites and areas of significance to Māori or historic heritage and whether any adverse effects can be appropriately remedied or mitigated.*
2. *Whether the cut face and any retaining structures can be concealed behind development or effectively landscaped.*
3. *The potential to create new or exacerbate existing natural hazards, impact natural drainage patterns, redirect overland flow paths or flood flows or create instability, erosion or scarring.*
4. *Whether the earthworks are of a type, scale and form that is appropriate for the location and character of the zone, including the effects on visual amenity, and impacts on existing natural landforms and features.*
5. *Management of visual amenity effects through landscape treatment, site reinstatement and screening.*

6. *The control of vehicle movements to and from the site (associated with earthworks) to manage construction effects on traffic safety and amenity.*
7. *The effects of non-compliance with any Earthworks Effects Standards and any relevant matters of discretion in the infringed effects standards.*
8. *The matters in EW-P3 to EW-P6.*

Effects on potential archaeological material and cultural matters are addressed in the sections below.

The anchor piles will be concealed beneath the ground and the general ground level of the site will be maintained. They are for the purposes of strength for the proposed structure above, to mitigate potential risk from natural hazards such as earthquakes. Existing stormwater disposal will be maintained. There is considered to be no potential for creating instability or erosion hazards.

For the reasons above, the anchor pile earthworks are considered a type, scale and form appropriate for the zone, in supporting development of an addition to a mixed use building in the City Centre.

The site will be reinstated, paved and built over after earthworks are completed. No visual mitigation of earthworks effects is considered necessary.

Earthworks are a minor part of the larger construction project and vehicle movements to and from the site will be managed by contractors to maintain traffic safety. Noting the location of the site, louder noises are reasonably anticipated by people in the area.

Policies are assessed in Section 5.

Overall, the installation of the anchor piles is necessary and standard practice in constructing buildings to this scale and quality, and adverse effects are considered adequately avoided or mitigated.

4.8 Archaeological Effects

Earthworks near or on archaeological sites have the potential to physically damage archaeological material and detract from its values and sense of place and history to which it contributes.

Actual and potential effects on archaeology are considered to be avoided or mitigated by the following factors and measures:

- The site has a history of urban uses throughout the 20th century including as a timberyard, a car-wreckers, and for the current commercial use. The site was likely disturbed to facilitate the first two, and then substantially altered for the development of the commercial building and carparking via topsoil stripping, filling with gravel, and being built or asphalted over. As such, archaeological material has likely been removed or destroyed;
- There have been no publicly recorded archaeological material finds on the site; and
- The majority of the proposed earthworks will cut down into the abovementioned asphalt / concrete and gravel fill, and not into original soils.

It is noted that because of the above factors, Mr Bruce did not consider that an Archaeological Authority from Heritage New Zealand Pouhere Taonga was necessary for the previous consent. It is considered that the same logic applies in this proposal.

Cultural monitors were on-site during the earthworks of the previous consent. No material of interest was encountered during the activities.

Further Ngāti Te Whiti Hapū Society Incorporated submitted on the notified PDP that SASM site 736 (Waimanu Pā) should be retained as notified, on the basis that “*Ngāti Te Whiti hapu has worked with NPDC for over ten years through the Waahi Tapu and Archaeological Sites Review to identify sites that are areas of significance*”. The spatial extent of Waimanu Pā has thereafter remained the same in the Appeals version of the PDP as it was notified (both Proposed, and Decisions). The proposed activities are outside of the area identified as Waimanu Pā on the PDP maps.

Overall and taking the above into account, it is considered that adverse effects on archaeological values are appropriately avoided or mitigated.

4.9 Cultural Effects

Refer to Section 6 for an explanation of consultation with Ngāti Te Whiti hapū.

4.10 Transport Effects

Activities that do not meet permitted transport standards have the potential to cause adverse effects such as confusion or collisions, between vehicles, pedestrians and cyclists, and reduce the safety and efficiency of the roading network.

4.10.1 ROW Width

The proposal does not meet the PDP ROW legal width standard (4 m, existing: approximately 3.5 m). The ROW was formed approximately 1991 and has been in operation since. It is one way with a signposted single entry and exit, minimising potential for confusion. As it is bordered by parking areas and a building, it has negligible feasible potential for widening. As it is functional in its current state, the removal of carparks to facilitate this is not considered to have proportional benefits. The current ROW is considered to be appropriate.

4.10.2 Proximity to Railway Corridor

The PDP also seeks to manage activities such as buildings and sensitive uses near to railway corridors, to minimise sightline visibility, noise, amenity and reverse sensitivity effects. The importance of the adjoining railway in transportation of goods to and from Port Taranaki is recognised. The proposal results in an additional area of building to the west and top of the current building, within 2 m of the railway corridor and up to the northern boundary of the site (permitted rules TRAN-R8 requires a setback of more than 2 m).

The site, neighbouring titles to the east and the railway corridor are illustrated below in Figure 4.1. The site is at least 10 m from the operating area of the railway where the vegetation stops and gravel corridor begins. Noting the steep bank, this is considered to be a sufficient area in which rail operations could move closer to the site if needed, though this is considered to be highly unlikely given that the sites to the east encroach into the rail land.

The buffer also means the site itself has no impact on the visibility along the railway. Kiwirail's 'Noise and vibration' webpage¹ provides some guidance that common generators of rail-related noise are friction on curves, level crossings, alarm bells, and depot operations. None of these features are present on the length of rail adjacent or in proximity to the site. As the sensitive use of the building will be in a newly constructed portion which takes acoustic and earthquake design into account, noise, amenity and reverse sensitivity effects will be sufficiently mitigated.

¹ <https://www.kiwirail.co.nz/communities/living-by-the-rail-network/noise-and-vibration/>



Figure 4.1: Aerial photo of site and adjoining railway corridor (Source: NPDC, 2016-17)

4.10.3 Vehicle Crossings

The proposal has minor breaches in distances between the vehicle crossings adjacent and on the opposite side of the road. These are existing crossings in use for decades. The proposal results in less carparks accessible from the western crossing than the current site, and on-site manoeuvring is provided such that reversing onto the road will be avoided. There is good visibility between all of the crossings and along the State Highway. These factors are considered to adequately mitigate potential adverse effects of the crossings.

Overall, it is considered that the proposal adequately avoids and mitigates adverse effects on the transport network, and traffic safety and efficiency will be maintained.

4.11 Effects on Human Health

The proposal is not to undertake any investigations into the potential contamination of the soils on the application site as required for a permitted, controlled or restricted discretionary activity under the NESCS. The reasons for this are as explained earlier in Section 3.2 and Section 4.8; the site has been highly modified / stripped of soils or filled previously, and the earthworks will predominantly disturb imported hardfill, or soils that were deeper and were less likely to have been contaminated.

It is not considered an efficient use of resources, time or finances to further investigate the site to ascertain contamination, nor to confirm depths of hardfill under the carpark. Rather, risk to human health can be appropriately mitigated via the methods of the permitted activity soil disturbance rules of the NESCS, addressed in Appendix D but in brief including:

- Informing contractors undertaking the work of the potential for contamination in order for their health and safety plans and practices to be implemented to minimise exposure of people to soils;
- Using personal protective equipment;
- Reinstating the site within a month;
- Minimising disturbance to only the volume necessary;

- Disposing of soil taken off-site to an authorised facility;
- Completing the activity in two months; and
- Reinstating the site with the likes of landscaping, building foundations and paving.

While a residential land use is added to the site, there is no area on the ground floor for gardens or lawn, noting that vegetable gardening / children playing in soils are generally understood to be the highest risk pathways for contaminant effects on people. It is therefore not considered that the addition of the two top storeys of dwelling to the site is a use that is reasonably likely to harm human health. The removal of excess soils will facilitate commercial use of the building and site.

For the reasons explained above the potential risk for harm to human health as a result of the proposal is considered to be appropriately avoided and mitigated, and human health will be protected.

4.12 Coastal Environment

Activities that are not appropriately managed near the coast have the potential for adverse effects on or from:

- Natural character (e.g. flora and fauna);
- Coastal processes (e.g. tide and sediment movement);
- Landscape and visual qualities (e.g. blocking publicly appreciated views or features);
- Amenity values (e.g. loud noises near an open space area);
- Natural hazards (e.g. erosion or inundation);
- Heritage and cultural features (e.g. a use that does not fit with tikanga on a Site of Significance to Māori);
- Buildings or infrastructure (e.g. which disturb habitats).

The Coastal Environment (per the PDP) in this area includes most of the commercial buildings in the block south of the site, between Molesworth and Gill Street. As such, the Coastal Environment from north to south can be characterised by the rocky shore / mean high water springs, the prominent concrete Coastal Walkway and seawall features, some areas and steep banks in vegetation such as Harakeke and Pohutukawa, the railway corridor, and thereafter (including the site) is predominantly hard-sealed or built over with commercial buildings and parking / roads.

The site has some natural character remaining due to its proximity to the sea e.g. views and sounds of the sea, and is subject to some coastal processes like winds and salt sprays, though the site also has a significant manmade influence. It can contribute minor values to the coastal environment, such as with vegetation and its general appearance when viewed from off-site. It lacks typical natural character and processes of the coast such as being the crossover zone between stormwater and saltwater (e.g. as an estuary), and does not provide significant habitat because of its coverage with hard surfaces typical of business areas. The proposal is not considered to have adverse effects on natural character present between the site and the sea. site is set up above the main Coastal Walkway and the building is architecturally designed, taking aspects of the coast for its materials and colours, in order to mitigate adverse visual effects. The proposed land uses are low impact and effects are generally internal to the site. The site is not subject to a Coastal Flooding or Erosion Hazard in the PDP. The proposal is outside the extent of a SASM, requires relatively minor earthworks, and engagement with tangata whenua has been sought. The railway physically separates the site from the coast, and the bulk of this Coastal Environment area is highly modified,

consistent with the character of the site. Overall, the proposal is considered to adequately mitigate adverse effects on the Coastal Environment.

4.13 Summary of Effects

Overall, actual and potential adverse effects on the environment with regard to the topics assessed are considered to be appropriately avoided or mitigated such that they will be less than minor. Cultural effects may be further understood through further feedback tangata whenua. The proposal will have positive effects through upgrading and addition of a residential unit to an existing dilapidated commercial building to contribute to the City Centre.

5 REGULATORY REQUIREMENTS

5.1 Introduction

The regulatory framework comprises the relevant sections of the RMA and the objectives and policies of the NESCS, National Policy Statement on Urban Development (NPS-UD), New Zealand Coastal Policy Statement, PDP, the Regional Policy Statement for Taranaki (RPS), Tai Whenua, Tai Tangata, Tai Ao, and the Ngāmotu New Plymouth City Centre Strategy².

5.2 Section 104

When considering resource consent applications, RMA Section 104 states that a consent authority

“must, subject to Part 2, have regard to—

“(a) any actual and potential effects on the environment of allowing the activity; and

(ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and

(b) any relevant provisions of—

(i) a national environmental standard:

(ii) other regulations:

(iii) a national policy statement:

(iv) a New Zealand coastal policy statement:

(v) a regional policy statement or proposed regional policy statement:

(vi) a plan or proposed plan; and

© any other matter the consent authority considers relevant and reasonably necessary to determine the application.”

Of the above relevant matters for assessment, actual and potential effects on the environment have been assessed in Section 4 with assessment of the relevant policy documents provided in the following sections.

As the proposal is a Discretionary activity it must therefore be considered pursuant to RMA Section 104 and 104B.

5.3 NESCS

The relevant provisions of the NESCS have been assessed in Section 4.11 and it has been concluded that the proposed activities can be undertaken in a way which mitigates risk to human health from contaminated soils, which is the intended general effect of the NESCS (per its explanatory note).

5.4 National Policy Statement on Urban Development (2020)

“The National Policy Statement for Urban Development (NPS-UD) 2020 sets out the objectives and policies for planning for well-functioning urban environments under the RMA”³. Its objectives and policies generally cover the same matters as the Urban Form and Development and City Centre

² <https://www.npdc.govt.nz/planning-our-future/ngamotu-new-plymouth-city-centre-strategy/>

³ <https://environment.govt.nz/publications/national-policy-statement-on-urban-development-2020-updated-may-2022/>

Zone provisions of the PDP (assessed below), as the PDP was drafted to reflect the NPS-UD into account as a higher-order document. Such provisions are for:

- Well-functioning urban environments where today's and tomorrow's generations' needs are met;
- Planning that improves housing affordability;
- More living and working in urban environments where there are good employment opportunities, servicing, and demand for development;
- Responsive change to needs;
- Taking into account principles of the Treaty of Waitangi;
- Considered, integrated decisions about development;
- Up to date information to inform decisions; and
- Being responsive to greenhouse gas and climate change effects.

As concluded later, the proposal is considered to be consistent with the urban development related provisions of the PDP and therefore is also consistent with and has regard to the NPS-UD.

5.5 New Zealand Coastal Policy Statement 2010

The purpose of the New Zealand Coastal Policy Statement (NZCPS) 2010 is to state policies to achieve the purposes of the RMA as relates to the coastal environment, noting that it has particular features different from typical land, that present some challenges for its management.

The provisions of the NZCPS with relevance to the application generally seek to:

- Safeguard the coastal environment and its ecosystems, including biological and physical processes, significant ecosystems, social and cultural values, and water quality;
- Preserve natural character, features and landscapes, noting some features and locations need protecting from inappropriate activities;
- Take into account the principles of the Treaty of Waitangi, and provide for tangata whenua involvement;
- Maintain and enhance public space, including access; and
- Enable people to provide for their wellbeing through development while recognising that there are appropriate places, forms and limits for it, and that historic heritage commonly exists along the coast.

The proposal maintains a neutral relationship to the coastal environment, being a highly modified site outside of the major zone of influence near the water's edge, but contributing some potential for access along the coast, vegetation, and taking colours from the cliffs for its design. The natural character and processes of the key coastal environment areas nearby will be maintained. The applicant has engaged in consultation with tangata whenua and the opportunity for further involvement remains open, as does public access through the west of the site to the Council-owned carpark nearby. The proposal recognises the features of the location in which it sits and makes efforts to respond to this context, through design features and minimise earthworks.

Overall, the proposal is considered to be consistent with the relevant provisions of the NZCPS.

5.6 New Plymouth District Plan

The relevant objectives and policies set out in the PDP are addressed as follows.

Strategic Direction

HC - Historic and Cultural
<p>HC-1 - The district's historic heritage contributes to a sense of place and identity and social and cultural well-being, and is recognised and provided for.</p> <p>HC-2 - The cultural, spiritual and historical values associated with historic heritage, including sites and areas of significance to Māori, are protected from inappropriate activities.</p> <p>HC-3 - Tangata whenua relationships, interests and associations with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance, are recognised and provided for.</p>
NE - Natural Environment
<p>NE-8 - An integrated management approach is taken where activities impact on waterbodies and the coastal environment, in collaboration with government, councils and tangata whenua.</p>
TW - Tangata Whenua
<p>TW-13 - Tangata whenua are able to exercise kaitiakitanga and actively participate in resource management processes and decision-making in a way that provides for the relationship of tangata whenua with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance to Māori.</p> <p>TW-14 - Timely, effective and meaningful engagement and consultation with tangata whenua is encouraged and supported.</p> <p>TW-15 - Recognise that tangata whenua:</p> <ol style="list-style-type: none"> 1. are kaitiaki; 2. hold unique expertise in mātauranga Māori and tikanga; 3. are the only people who can identify impacts on their relationship with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance to Māori. <p>TW-17 - Recognise the contribution that tangata whenua and their relationship with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance make to the district's identity and sense of belonging.</p>
UFD - Urban Form and Development
<p>UFD-18 - The district develops and changes over time in a cohesive, compact and structured way that:</p> <ol style="list-style-type: none"> 1. delivers a compact, well-functioning urban form that provides for connected, liveable communities; 2. manages impacts on the natural and cultural environment; 3. recognises and provides for the relationship of tangata whenua with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance; 4. enables greater productivity and economic growth; 5. enables greater social and cultural well-being; 6. takes into account the short, medium and long-term potential impacts of natural hazards, climate change and the associated uncertainty; 7. utilises existing infrastructure and social infrastructure or can be efficiently serviced with new infrastructure and social infrastructure; 8. meets the community's short, medium and long-term housing and industrial needs; and 9. may detract from amenity values appreciated by existing communities but improve such values for new communities by providing increased and varied housing densities and types. <p>UFD-19 - There is sufficient land available to meet the short, medium and long-term housing demands of the district, as follows:</p> <ol style="list-style-type: none"> 1. in the short to medium-term (in no particular time priority order): <ol style="list-style-type: none"> a. infill; b. undeveloped residential zones, particularly the Structure Plan Development Areas; c. residential intensification in and around the city centre, town centres, local centres and key transport routes where there will be increased housing densities. 2. in addition to the above, in the long-term in Future Urban Zones that have been zoned for urban development through a plan change process.

UFD-20 - A variety of housing types, sizes and tenures are available across the district in quality living environments to meet the community's diverse social and economic housing needs in the following locations:

1. suburban housing forms in established residential neighbourhoods;
2. a mix of housing densities in and around the city centre, town centres, local centres and key transport routes, including multi-unit housing;
3. opportunities for increased medium and high-density housing in the city centre, town centres and local centres that will assist to contribute to a vibrant, mixed-use environment;
4. a range of densities and housing forms in new subdivisions and areas identified as appropriate for growth; and
5. papakāinga that provides for the ongoing relationship of tangata whenua with their culture and traditions and with their ancestral land and for their cultural, environmental, social and economic well-being.

UFD-21 - The district has a hierarchy of vibrant and viable centres that are the location for shopping, leisure, cultural, entertainment, residential and social interaction experiences and provide for the community's employment and economic needs.

UFD-22 - The hierarchy of centres in the district is maintained in accordance with the following hierarchy:

1. the city centre is the principal centre that provides a wide range of retail and business service activities, living activities, community facilities, and visitor accommodation that serve the district and the Taranaki region;
2. Waitara, Inglewood and Fitzroy are town centres that provide a range of business, retail and entertainment activities that serve the needs of each town centre's community and, in the case of Waitara and Inglewood, their surrounding rural areas and;
3. local centres are made up of rural service centres, village centres, suburban shopping centres and neighbourhood shops that provide convenience-based retail and business service activities which serve the needs of each local centres community and surrounding areas.

UFD-24 - Urban environments are well-designed, liveable, connected, accessible, and safe spaces for the community to live, work and play, which:

1. integrate and enhance natural features and topography into the design of development to minimise environmental impacts;
2. recognise the local context and planned character of an area;
3. reduce opportunities for crime and perceptions of crime through design solutions;
4. create ease of movement in communities through connected transport networks, a range of transport modes and reduced reliance on private motorised vehicles;
5. incorporate mātauranga Māori in the design, construction and development of the built environment;
6. use low impact design solutions and healthy, accessible, energy efficient buildings; and
7. are adequately serviced by utilising and upgrading existing infrastructure and social infrastructure or with new infrastructure and social infrastructure.

Assessment: The proposal is designed to be consistent with the coastal / city centre fringe aspects of the location, avoids the extent of any publicly known historic and cultural features, and requires minor earthworks to facilitate construction.

Noting the site lacks significant natural environmental values, nonetheless, impacts on the Coastal Environment are mitigated through design.

The applicant has designed the proposal with regard to some coastal features. Consultation with tangata whenua has commenced, and may continue further during the processing of this application, such that further consideration on the proposal's consistency with the above Tangata Whenua strategic objectives may be possible.

The proposal demonstrates intent for consistency with the Historic and Cultural, Natural Environment and Tangata Whenua strategic objectives above. This assessment can be revisited if further input is received from Ngāti Te Whiti during processing of the application.

The proposal results in higher density and mixed commercial / residential use, in proximity to transport routes and the amenities of the central city for its workers and residents. It has been designed with regard for the coastal and cultural features in proximity, with the opportunity for engagement with tangata whenua. It has been architecturally designed to be consistent with the

character that the community could anticipate in this area. Intensification, and different (e.g. not stand-alone) housing types are anticipated and provided for in the central city. This is also consistent with it remaining the main urban hub for the district and having more residents present assists with reducing opportunities for crime after-hours. The proposal is considered to be consistent with the above Urban Form and Development strategic objectives.

Transport

The proposal provides functional vehicle access points and minor changes to the existing parking. On-site manoeuvring is provided and a low incidence of any loading activities is anticipated, with parks being used by staff in the offices. The building extension is near the rail corridor, as there remains a buffer between the working area of the railway and the site. An accessible park, and bicycle parks, are provided for users. All of these features have been designed to function to avoid impacting nearby State Highway and rail corridor activities. The residential unit will be constructed with sound-insulated materials for high-quality inner-city living. Accordingly, the proposal maintains the safety and efficiency of the transport network, and avoids reverse sensitivity effects on it, and is considered to demonstrate consistency with the intent of the Transport chapter provisions.

Historic Heritage

HH-O1 - Historic heritage is recognised, protected and maintained.
HH-O2 - Historic heritage is appreciated by the community and is acknowledged as important to the district's identity.
HH-P13 - Protect archaeological sites by: <ol style="list-style-type: none"> 1. ensuring archaeological sites are not modified, destroyed, removed or visually encroached upon by inappropriate activities; and 2. requiring activities on or in proximity to archaeological sites to maintain the sites' historic heritage values.
HH-P14 - Allow the following activities on or in proximity to an archaeological site provided they do not compromise the site's historic heritage values: <ol style="list-style-type: none"> 1. land disturbance; 2. demolition or removal of existing buildings and structures where the structure is not or does not form part of the site; 3. alterations to existing buildings and structures, excluding earthworks; 4. maintenance and repair or upgrading of existing network utility structures; and 5. erection of signs.
HH-P15 - Manage activities that occur on or in proximity to an archaeological site, including: <ol style="list-style-type: none"> 1. maintenance and repair or upgrading of existing network utility structures; 2. erection of, additions to and relocation of structures; 3. earthworks; and 4. subdivision of land containing archaeological sites.
HH-P17 - Ensure the adverse effects of activities on archaeological sites are managed by: <ol style="list-style-type: none"> 1. avoiding locating activities within archaeological sites, unless there is a functional need to do so and no practicable alternative location; and 2. avoiding significant adverse effects on the site's cultural and historic heritage values; and 3. for other adverse effects: <ol style="list-style-type: none"> a. where adverse effects cannot be avoided, they are minimised; and b. where adverse effects cannot be minimised, they are remedied; and c. where more than minor residual adverse effects cannot be avoided, minimised, or remedied, the activity itself is avoided.

Assessment: The proposal recognises its proximity and therefore avoids the extent of a known archaeological site and is designed with minimal earthworks. Previous expert advice from an archaeologist confirms a low risk of archaeological material remaining at the site. Works will be

undertaken in accordance with the discovery protocol standard of the PDP. The proposal is considered to be consistent with the above objectives and policies.

Sites and Areas of Significance to Māori

<p>SASM-O1 - Sites and areas of significance to Māori are recognised, protected and maintained.</p> <p>SASM-O2 - The relationship of tangata whenua with sites and areas of significance to Māori is recognised and protected.</p> <p>SASM-O3 - Sites and areas of significance to Māori are appreciated by the community and are acknowledged as important to the district's identity.</p>
<p>SASM-P2 - Protect sites and areas of significance to Māori by:</p> <ol style="list-style-type: none"> 1. ensuring sites and areas of significance to Māori are not modified, destroyed, removed or visually encroached upon by inappropriate activities; and 2. requiring activities on, or in proximity to sites and areas of significance to Māori, to maintain the site or area's cultural, spiritual and historical values of importance to tangata whenua.
<p>SASM-P3 - Allow the following activities to occur on, or in proximity to sites and areas of significance to Māori, while ensuring their design, scale and intensity will not compromise cultural, spiritual and heritage values, interests or associations of importance to tangata whenua:</p> <ol style="list-style-type: none"> 1. land disturbance; 2. demolition or removal of existing buildings and structures where the structure is not or does not form part of the site or area; 3. alterations to existing buildings and structures, excluding earthworks; 4. operation, maintenance and repair or upgrading of existing network utility structures; and 5. erection of signs.
<p>SASM-P4 - Manage activities that occur on, or in proximity to sites and areas of significance to Māori that have the potential to compromise cultural, spiritual and heritage values, interests or associations of importance to tangata whenua, including:</p> <ol style="list-style-type: none"> 1. maintenance and repair or upgrading of existing network utility structures; 2. erection of, additions to and relocation of structures; 3. earthworks; and 4. subdivision of land containing sites and areas of significance to Māori.
<p>SASM-P5 - Ensure the adverse effects of activities on sites and areas of significance to Māori are managed by:</p> <ol style="list-style-type: none"> 1. avoiding locating activities within sites and areas of significance to Māori, unless there is a functional need to do so and no practicable alternative location; and 2. avoiding significant adverse effects on the site or area's cultural, spiritual and historical values; and 3. for other adverse effects: <ol style="list-style-type: none"> a. where adverse effects cannot be avoided, they are minimised; and b. where adverse effects cannot be minimised, they are remedied; and c. where more than minor residual adverse effects cannot be avoided, minimised, or remedied, the activity itself is avoided.

SASM-P6 - When considering the appropriateness of an activity on, in proximity to, or affecting sites and areas of significance to Māori, have regard to:

1. the particular cultural, spiritual and historical values, interests or associations of importance to tangata whenua that are associated with the site which may be affected;
2. the extent to which the activity may compromise tangata whenua's relationship with their ancestral lands, water, sites, wāhi tapu, and other taonga, and the ability to protect, maintain or enhance sites of significance to Māori;
3. tangata whenua's responsibilities as kaitiaki and mana whenua;
4. any opportunities for tangata whenua's relationship with the site or area to be maintained or strengthened on an ongoing or long term basis, including practical mechanisms for mana whenua to access, use and maintain the site;
5. the outcomes of any consultation with tangata whenua, including any expert cultural advice provided, in particular with respect to mitigation measures and the incorporation of mātauranga Māori into the design, development or operation of activities that may affect the site;
6. whether the modification or destruction of a site:
 - a. is required to allow for a significant public benefit that could not otherwise be achieved and the significant public benefit outweighs the retention of the site or area of significance to Māori or parts of the site or area of significance to Māori; or
 - b. is required to enable mana whenua to realise cultural, spiritual, historical or economic benefits; or
 - c. is necessary to prevent serious threat to property, people or services; and
7. where the site is also an archaeological site, the relevant objectives and policies in the Historic Heritage Chapter.

Assessment: The proposal avoids the extent of a SASM and does not breach the PDP height standard. It requires consent in relation to earthworks within 50 m of the SASM, and those works have been designed to be minor in scale, to only the extent necessary for foundations. Those works will be undertaken with a discovery protocol in place, should any material be discovered. The proposal avoids effects on access to the SASM, has regard for the natural appearance of the coast to advise its design, and has opportunity for engagement tangata whenua. From the information available, the proposal has been designed with intent to mitigate off-site effects. This, and the way in which the applicant has engaged in consultation / offers further opportunity for it, are considered to be consistent with the intent of the SASM provisions above.

Earthworks

EW-01 - Earthworks and associated retaining structures necessary for the construction, maintenance or operation of activities are enabled, provided that adverse environmental effects are avoided, remedied or mitigated.

EW-P1 - Allow earthworks and land disturbance that are associated with the construction, maintenance and repair or upgrade of the following activities, while ensuring the scale, volume and effects of earthworks and land disturbance are appropriate:

1. fences, poles, pile or service connections;
2. gardening, planting or any vegetation and the construction or maintenance of garden amenities;
3. sport and recreation activities;
4. conservation activities;
5. replacement, removal or installation of underground petroleum storage systems;
6. interments in a burial ground, cemetery or urupā;
7. the transport network;
8. walking and cycling tracks and leisure activities;
9. network utilities, including new and extended vehicle access tracks ;
10. building activities authorised by a building consent;
11. silage pits in the rural production zone;
12. vehicle access tracks associated with agriculture, pastoral and horticultural activities in the Rural Production Zone; or
13. other earthworks within specified limits and meeting the Earthworks Effects Standards.

EW-P2 - Manage earthworks that have the potential to:

1. create new or exacerbate existing natural hazards, particularly flood events, or cause adverse impacts on natural coastal processes;
2. result in adverse effects on:
 - a. the stability of land or structures;
 - b. visual amenity and character;
 - c. waterbodies and scheduled features;
 - d. the health and safety of people and communities;
 - e. indigenous biodiversity;
 - f. the operation of network utilities; or
3. result in adverse construction noise, vibration, odour, dust, lighting and traffic effects.

EW-P3 - Ensure earthworks are undertaken in a way that avoids or appropriately remedies or mitigates adverse effects on cultural, spiritual or historical values of importance to tangata whenua, by:

1. having regard to:
 - a. the extent to which the earthworks or land disturbance may compromise the particular cultural, spiritual or historical values of importance to tangata whenua associated with the site and, if so, the outcomes of any consultation with tangata whenua, including any expert cultural advice provided with respect to:
 - i. opportunities to incorporate mātauranga Māori into the overall scale, form and extent of the earthworks or land disturbance;
 - ii. opportunities for tangata whenua's relationship with ancestral lands, water, sites, wāhi tapu and other taonga to be maintained or strengthened;
 - iii. options to avoid, remedy or mitigate adverse effects; and
 - b. the outcomes of any consultation with Heritage New Zealand Pouhere Taonga.
2. in all cases, requiring appropriate steps to be followed in the event that sensitive material is discovered during earthworks and land disturbance.

EW-P4 - Ensure that earthworks are of a type, scale and form that is appropriate for the location having regard to the effects of the activity, and:

1. the impact on existing natural landforms and features and indigenous vegetation;
2. changes in natural landform that will lead to instability, erosion and scarring;
3. impacts on natural drainage patterns and secondary flow paths;
4. compatibility of the earthworks and the design and materials for any retaining structures with the visual amenity and character of the surrounding area;
5. the extent to which the activity mitigates any adverse visual effects associated with any exposed cut faces or retaining structures, including through screening, landscaping and planting; and
6. the impact of the movement of dust and sediment beyond the area of development.

EW-P6 - Ensure that earthworks and any associated structures are designed as far as practicable to reflect natural landforms, and where appropriate, landscaped to reduce and soften their visual impact having regard to the character and visual amenity of the surrounding area.

Assessment: The proposed earthworks are of a relatively small scale, for the purposes of establishing the foundations for the western extension. The disturbance will occur in previously disturbed and sealed land which has been heavily modified for commercial use. No change in natural landform or processes will occur, sediment and silt can be controlled during work and until reinstatement has occurred, and the area will be built / paved over. The earthworks are considered to be consistent with the above objective and policies.

City Centre Zone

CCZ-01 - The city centre is the principal centre in the district and the Taranaki region.

CCZ-02 - The city centre is the primary location for a wide range of retail and business service activities, living activities, community facilities and visitor accommodation.

CCZ-03 - The city centre is a compact, dynamic and vibrant retail and business area.

CCZ-04 - The structures in the city centre are well designed and contribute positively to the streetscape.

CCZ-05 - The city centre is an attractive, accessible and safe environment for people to work, live and play.

CCZ-06 - Increased numbers of people live in the city centre.

CCZ-07 - The city centre's historic and cultural heritage is maintained and enhanced and contributes to the city's unique sense of place and identity.

CCZ-08 - The role and function of the city centre is not compromised by incompatible activities or built form.

CCZ-P1

Allow activities which are compatible with the role, function and planned character of the City Centre Zone, while ensuring their design, scale and intensity is appropriate, including:

1. retail activities;
2. business service activities;
3. sensitive activities;
4. medical and health services;
5. sport and recreation activities;
6. Māori purpose activities
7. community corrections activities; and
8. emergency service facilities.

CCZ-P4 - Enable medium and high density housing developments in the city centre that will contribute to a vibrant, mixed use environment.

CCZ-P5 - Enable the role, function and planned character of the City Centre Zone by controlling the effects of:

1. inactive frontages;
2. total or partial demolition of structures;
3. the erection of structures;
4. alterations to exteriors of structures;
5. additions to structures;
6. structure height;
7. noise and light; and
8. signage.

CCZ-P8

Require structures, or additions and alterations to the exterior of structures, to be compatible with the planned character and amenity of the relevant area by:

1. having an interesting and engaging frontage with variations in form, materials and colour;
2. providing clearly visible and accessible entranceways and connections to pedestrian networks, including safe and practicable access for people with limited mobility;
3. locating utilities and service areas so they are not visible from public areas and are screened or incorporated into the overall structure form;
4. using sustainable design methods, where practical, to minimise the use of energy and water resources and to create healthy living and working environments;
5. having regard to the expert cultural advice provided by tangata whenua on incorporating mātauranga Māori into the design and construction of the structure and, where appropriate, art works or unique and recognisable features that reflect cultural, spiritual or historic values of importance to tangata whenua;
6. maintaining similarity of frontage alignment, height and overall bulk, form and scale for structures adjoining a heritage building or within the heritage character area; and
7. providing residential units that are functional and of a sufficient size for the day to day needs of residents.

<p>CCZ-P9 - In addition to CCZ-P8, require structures, or alterations to the exterior of or additions to structures, that adjoin a public place to:</p> <ol style="list-style-type: none"> 1. maximise opportunities for the public to use and access that place; 2. maintain and enhance the city centre's historic and cultural heritage; 3. minimise any adverse shading effects on the public place; and 4. minimise the adverse impacts on the openness, historical and cultural values of the Huatoki Stream.
<p>CCZ-P11 - Ensure any effects generated by activities are of a type, scale and level that are appropriate for the City Centre Zone and that will enable city centre amenity, having regard to:</p> <ol style="list-style-type: none"> 1. whether building occupants have adequate access to daylight; 2. the ability to manage noise and light emissions at an acceptable, reasonable level; and 3. the size, design and type of signage and whether it is compatible with the planned character and amenity of the city centre.
<p>CCZ-P12 - Require structures and activities on coastal frontage sites adjoining the Coastal Walkway to interact with the coast, including by:</p> <ol style="list-style-type: none"> 1. incorporating planting and landscaping materials that complement the existing design of the area; 2. siting structures to maximise opportunities for the public to use and access the site and to assist with connectivity between the city centre and the Coastal Walkway; 3. providing transparent, non-reflective glazing that is not painted or obscured at ground floor level within any building along those walls that are visible from the Coastal Walkway; and 4. using low-reflective materials and minimal use of corporate colours on any structure.

Assessment: Further development and addition of a use to this site is consistent with this area being the principal centre in the district. It achieves high-amenity mixed business service activity and residential uses. Increasing density of development, with commercial uses at ground level and residential uses above, maintains a compact and vibrant business area. Both of these land use activities are considered compatible with the PDP and it provides for them, and their associated built form, accordingly. The structure has been architecturally designed, taking features from the coast and utilising different form, materials and colours, with the intention of contributing positively to the streetscape. The three-bedroom dwelling will provide for more residents in the city. The proposed building is outside the extent of nearby historical and cultural features, requiring a minor extent of earthworks to facilitate construction. The building presents a front entrance to the footpath, noting that it will be an office use rather than a retail use, and as such no signage is proposed. Similarly, the activities are low noise and light generating. Parking, access and lifts are provided in this modernised building, for those with accessibility needs. Service areas are internal or otherwise screened. Engagement with iwi and hapū has been sought and the applicant remains open to receiving feedback. The site is physically separated from the Coastal Walkway but building design has factored in views for people using the recreational and urban area surrounding the site. Overall, the proposal is considered to be consistent with the above relevant objectives and policies.

Coastal Environment

CE-O1 - The natural character, landscape, historic, cultural and ecological values of the coastal environment are recognised and preserved, and where appropriate enhanced and restored.

CE-O2 - Activities in the coastal environment enable people and communities to provide for their social, economic and cultural wellbeing and their health and safety, while ensuring adverse effects of activities on natural processes and the values of the coastal environment are avoided, remedied or mitigated.

CE-O3 - Tangata whenua values, mātauranga and tikanga and their ability to practice kaitiakitanga are recognised and reflected in resource management processes concerning the coastal environment.

CE-O4 - The risks to people and property from coastal hazards and climate change are avoided, remedied or mitigated.

CE-P2 - Protect natural character in the coastal environment by ensuring:

1. adverse effects on the natural characteristics, processes and values which contribute to Areas of Outstanding Natural Character are avoided;
2. significant adverse effects on the natural characteristics, processes and values which contribute to other coastal natural character are avoided; and
3. other adverse effects on the natural characteristics, processes and values which contribute to coastal natural character are avoided, remedied or mitigated.

CE-P3 - Allow activities within the coastal environment which:

1. appropriately avoid, remedy or mitigate adverse effects on natural processes, coastal natural character, landscape, amenity, historic, cultural and ecological values; and
2. mitigate any significant hazard risks to people, property and the environment to an acceptable level; and
3. Either:
 - a. have an operational need or functional need to be located in the coastal environment, such as Port Taranaki or the National Grid; or
 - b. provide for Māori purpose activities.

CE-P4 - Manage the scale, location and design of activities within the coastal environment that have the potential to adversely affect coastal natural character, landscape, amenity, historic, cultural and ecological values, indigenous vegetation and habitats of indigenous fauna or that have the potential to increase or be vulnerable to coastal hazards, including:

1. building activities;
2. multi-unit development;
3. industrial activities;
4. network utilities;
5. earthworks; and
6. subdivision.

CE-P8 - Ensure activities are not located inappropriately within the coastal environment, having regard to:

1. the effects of the activity and its impact on the particular natural character, landscape, amenity, historic, indigenous vegetation and habitats of indigenous fauna, ecological and recreational values of the area;
2. the outcomes of any consultation with tangata whenua, including any expert cultural advice provided, including the extent to which the activity may compromise the relationship of tangata whenua with their ancestral lands, water, sites, wāhi tapu, and other taonga, or the kaitiaki and mana whenua responsibilities of tangata whenua in the coastal environment;
3. the extent to which the values of the area are sensitive or vulnerable to change or whether any adverse effects can be avoided, or where avoidance is not possible, appropriately remedied or mitigated;
4. opportunities to enhance, restore or rehabilitate the particular values of the coastal environment of the area;
5. the presence of any natural hazards and whether the activity will exacerbate the hazard or be vulnerable to it;
6. the adoption of a risk-based approach to hazard management, including consideration of climate change and sea level rise over at least the next 100 years, taking a risk management approach to existing development; and a risk reduction (including avoidance where appropriate) approach to new development;
7. whether there is an operational need or functional need for the activity to be located in the coastal environment;
8. the positive effects associated with the activity; and
9. whether the activity maintains or enhances public access to and along the coast and recreation within the coastal environment, including to the Waiwhakaiho surf break, and regionally significant surf breaks within the New Plymouth District as identified in the Proposed Coastal Plan for Taranaki (Decisions version at 5 October 2019).

CE-P9 - Require activities within the coastal environment to avoid, remedy or mitigate adverse landscape, indigenous vegetation and habitats of indigenous fauna, visual and amenity effects by:

1. ensuring the scale, location and design of any built form or land modification is appropriate in the location;
2. integrating natural processes, landform and topography into the design of the activity, including the use of naturally occurring building platforms;
3. limiting the prominence or visibility of built form from public places and the coast;
4. where possible, limiting expansion of existing urban coastal settlements; and
5. retaining existing indigenous vegetation and habitats of indigenous fauna (excluding planted vegetation that is not subject to a conservation covenant), and restoring and rehabilitating indigenous vegetation and habitats of indigenous fauna, using coastal plant species sourced from the relevant ecological district.

CE-P13 - Consider the incorporation of mātauranga Māori into the design, development and operation of activities on sites adjoining coastal areas which have cultural, spiritual or historic values of importance to tangata whenua and provide opportunities for tangata whenua to exercise their customary responsibilities in respect of the coastal environment.

CE-P15 - Promote restoration and rehabilitation of natural character, indigenous vegetation and habitats of indigenous fauna, cultural landscape features, dunes and other natural coastal features or processes.

Assessment: As explained earlier in Section 4.12, the site and area in which it is located are highly modified and do not present significant natural coastal features. In this context, the site and proposal are considered to:

- recognise and preserve the values of the Coastal Environment through visual (e.g. architectural) and physical (e.g. minor earthworks) design;
- provide for social (housing) and economic (tenancy space for businesses) opportunities, avoiding effects on natural coastal processes;
- provide an opportunity for engagement with tangata whenua;
- avoid coastal and climate change hazards; and
- provide a considered design which maintains experiences for users of the Coastal Walkway and Molesworth Street.

The proposal is considered to be consistent with the above relevant objectives and policies.

Noise and Light

The proposal complies with the construction and land use noise rules, and light rules, of the PDP. It will generate noise and light which are predominantly internalised, of low scale / intensity associated with residential and office activities, as can be anticipated within the character of this central city area. Accordingly, the proposal is considered to be consistent with what the provisions of the Noise and Light chapters intend.

Summary

The proposal is considered to be consistent with the relevant provisions of the PDP.

5.7 Tai Whenua, Tai Tangata, Tai Ao

The following relevant provisions of Tai Whenua, Tai Tangata, Tai Ao are addressed as follows:

<p>Ob. TTAN4.1 The interests, values and protection of whenua, water, wāhi tapu/wāhi taonga, urupā and sites of significance to Māori are provided for in the process and design of subdivisions.</p> <p>Ob. TTAN4.2 Acknowledge and provide for Te Atiawa values and the expressions of our narrative in the built form and landscaping.</p> <p>Ob. TTAN4.3 Water, stormwater and waste water solutions are co-designed with Te Atiawa to ensure Te Atiawa values are protected and enhances at the time of subdivision.</p> <p>Ob. TTAN4.4 Acknowledge and provide for Te Atiawa cultural landscapes in the built design to connect and deepen our 'sense of place'.</p>	<p>The proposal is for an addition to a building and new residential use for an existing commercial building and site rather than wholesale redesign. Consultation with mana whenua may provide further guidance on whether the proposal is consistent with these matters.</p>
<p>Pol. TTAN4.1 Restrict development within 50 metres from the outer most extent of a wāhi tapu/wāhi taonga, urupā and site of significance.</p>	<p>The proposed activities occur within 50 m of the site of significance, on a site on Molesworth Street that had been developed and used commercially for decades. The whole site is thin 50 m of Waimanu Pā.</p>

<p>Pol. TTAN4.5 Require the use of the following methods to facilitate engagement with Te Atiawa where a subdivision, land use or development activity may have actual or potential adverse effects on cultural values and interests. This may include but is not limited to:</p> <ul style="list-style-type: none"> a) site visit and consultative hui; b) archaeological assessment (walk over/test pitting), or a full archaeological description; c) preparation of a Cultural Impact Assessment; and d) co-design of proposed conditions of consent. <p>Pol. TTAN4.6 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:</p> <ul style="list-style-type: none"> a) cultural monitors onsite for all land disturbance; b) 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; c) undertaking appropriate actions in accordance with mātauranga and tikanga Māori; and d) undertaking appropriate measures to avoid adverse effects on wāhi tapu/wāhi taonga, urupā and sites of significance to Māori. 	<p>Consultation with mana whenua is ongoing and it is anticipated that Ngāti Te Whiti will advise on the level of engagement required, and potential mitigation measures.</p>
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<p>Pol. TTAN6.1 Prohibit damage, modification, desecration, destruction of wāhi tapu/wāhi taonga, urupā and sites of significance to Māori.</p> <p>Pol. TTAN6.2 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:</p> <ul style="list-style-type: none"> a) consultative site visit and hui; 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; c) archaeological assessment (walk over/test pitting), or a full archaeological description; d) preparation of a Cultural Impact Assessment; e) cultural monitoring; and f) recommended consent conditions or consent notices. 	<p>The proposal is not on the extent of the wāhi taonga and consultation with Ngāti Te Whiti is ongoing.</p>
<p>Pol. TTAN6.3 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:</p> <ul style="list-style-type: none"> a) potential effects on known and unknown wāhi tapu/wāhi taonga, urupā and sites of significance to Māori; b) potential effects on Te Atiawa Statutory Acknowledgement waterways and important habitats such as wetlands and waipuna; c) potential effects on indigenous biodiversity; d) potential effects on natural and cultural landforms; e) management measures such as erosion and silt control methods. 	<p>Physical potential effects and mitigation have been assessed and may potentially be further advised by Ngāti Te Whiti.</p>
<p>Ob. TTHE2.1 Ensure that wāhi tapu/wāhi taonga, urupā and sites of significance to Māori within our Te Atiawa rohe are protected from damage, modification, desecration, destruction and loss of access.</p>	<p>The proposal is to avoid the area of the known extent of the Waimanu Pā.</p>

<p>Pol. TTHE2.6 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:</p> <p>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.</p>	<p>Potential effects and mitigation are anticipated to be advised by Ngāti Te Whiti.</p>
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Conclusion: The proposal demonstrates consistency with some of the matters above and potential further consultation with mana whenua may provide further guidance on whether the proposal is consistent overall.

5.8 Ngāmotu New Plymouth City Centre Strategy

Approved by Council on 21 December 2021, the Ngāmotu New Plymouth City Centre Strategy (CCS) “sets the strategic direction for New Plymouth’s city centre over the next 30 years.”⁴

The CCS has a vision for the New Plymouth of 2050, a thriving, diverse business, cultural and community hub, with better transport / pedestrian connections and a range of housing types. The CCS has five goals and five principles, which are addressed as follows.

Goal	How the proposal responds
Culturally distinctive - A culturally distinctive city that places Ngāti Te Whiti and Te Atiawa identity, mātauranga and the aspirations to land, sites and areas of significance, fresh water and the coast at the heart of the city centre’s future. It complements these unique people and place qualities with an active arts and events programme.	The applicant has engaged tangata whenua for feedback on the proposal and remains open to a response.
A re-energised economy - New Plymouth’s city centre is the business and retail hub of the region, with diverse opportunities for work and play.	The proposal offers quality office space for two business tenants.
Thriving with residential living - Through partnership and collaboration with those involved in the housing sector, increasing and improving the residential living options (including affordable housing) will ensure that more people can choose to live in the city.	The proposal introduces a new residential activity (three bedroom dwelling) to this city centre site.
Accessible and inclusive - An accessible and inclusive city centre with easy movement in, out and within the city centre for all.	The site is close to public transport routes, the Coastal Walkway, and has parking and lifts for those with accessibility needs.
Green and healthy - A green and healthy City Centre leading a low-emission and environmental wellbeing approach that is visibly reflected in its streets and public spaces. Co-management with Ngāti Te Whiti of sites and areas of significance, fresh water and the coast.	The proposal includes additional planting on-site.
Principle	How the proposal responds
Uniquely Ngāmotu New Plymouth - Highlighting the uniqueness of Ngāmotu New Plymouth should be ‘front of mind’ when shaping the strategy and change in the city centre. This is to ensure projects and initiatives contribute to the evolving contemporary identity of the city centre and its uniqueness of place.	The proposal utilises an existing architecturally designed building and adds a modern use above it, with considered design, including coastal colours, to integrate the two.
Partnering with Ngāti Te Whiti - Governance and project structures must be inclusive of mana whenua. The strategy has been prepared with Ngāti Te Whiti, so their continued visibility together with NPDC must be evident in decision-making, delivery and outcomes.	Opportunities for engagement with hapū have been and are open on this proposal.

⁴ <https://www.npdc.govt.nz/planning-our-future/ngamotu-new-plymouth-city-centre-strategy/>

Responding to climate change - Understanding the environment as an interconnected system that we live within and depend on. Decision-making and investment will look to reduce emissions and ensure decision-making and investment results in a resilient city better able to adapt to climate change. The city is designed to support living in ways that reduce reliance on fossil fuels and support resilience in the future.	The site is outside any coastal erosion hazard area, and occupants of the dwelling can access the facilities of the city by foot.
Community first approach - Respect and recognise that people and communities are key to creating a city centre that thrives for all to enjoy. A strategy committed to putting community first ensures it goes beyond just the physical elements of the city, but also prioritises the role of people and communities.	Within the scope of this application, the proposal has considered visual and amenity effects on users of the Coastal Walkway and State Highway and designed accordingly. The proposal provides employment space for workers, and adds residents to the inner-city community.
Response delivery through collaborative relationships - Working together (NPDC, Ngāti Te Whiti, stakeholders and the private sector) and building relationships that enable delivery are important. It is acknowledged that great places are delivered by multiple stakeholders and collaborative working.	The applicant provided opportunities for engagement with NPDC (e.g. landscape architecture and planning) and tangata whenua.

Assessment: The proposal is considered to demonstrate consistency with the relevant provisions of the CCS.

5.9 Regional Policy Statement for Taranaki

The Regional Policy Statement (RPS) for Taranaki came into effect on 1 January 2010 and sets the framework for resource management policies including policies relating to the natural physical resources of Taranaki. It is the second RPS to be prepared by the Taranaki Regional Council.

The purpose of the document is to “promote the sustainable management of natural and physical resources in the Taranaki Region by providing an overview of resource management issues... and identifying policies and methods to achieve integrated management of natural and physical resources in the region” (Taranaki Regional Council, 2010).

Objectives and policies within the Historic Heritage chapter (Chapter 10) of the RPS seek to protect historic heritage values from inappropriate subdivision, use and where appropriate enhance those values. Part C identifies resource management issues of significance to iwi, setting out an objective and policy framework to address the following issues:

- Taking into account the principles of the Treaty of Waitangi;
- Recognising kaitiakitanga;
- Recognising and providing for the relationship of Māori with ancestral lands, water, sites, wāhi tapu and other taonga; and
- Recognising cultural and spiritual values of tangata whenua in resource management processes.

The proposed works and the manner in which the application has been prepared are considered to be consistent with the objective and policy framework addressing matters of significance to iwi. The proposal provides for the efficient use of an existing commercial site whilst appropriately avoiding or mitigating adverse effects on the adjacent archaeological site / site of significance to Māori. Overall, the proposal is considered to be consistent with the intent of the RPS.

5.10 Part 2

The decision in the Court of Appeal in *R J Davidson Family Trust v Marlborough District Council* [2018] NZCA 316 has further influenced the way in which Part 2 should be assessed.

In circumstances where it is clear that a plan is “prepared having regard to Part 2 and with a coherent set of policies designed to achieve clear environmental outcomes” the Court envisaged that “the result of a genuine process that has regard to those policies in accordance with s 104(1) should be to implement those policies.” Reference to Part 2 would not add anything, and “could not justify an outcome contrary to the thrust of the policies.”

In respect of the PDP and other relevant planning documents, it is considered that they have been prepared with a coherent set of policies designed to achieve clear environmental outcomes and that an assessment of this application against Part 2 would not necessarily add anything to the evaluative exercise required for this subdivision. In case Council disagree with this approach, an assessment against Part 2 has been undertaken as follows.

With regard to Section 6 ‘matters of national importance’, the following are considered to be relevant and are addressed:

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:

(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

(f) the protection of historic heritage from inappropriate subdivision, use, and development:

Noting the site has little natural coastal features as explained previously, the proposed development does not affect natural character of other coastal areas nearby.

The opportunity for consultation with tangata whenua is ongoing noting the historic relationship with Waimanu Pā.

Noting the history of change and development on the site, the scale of the earthworks and building addition proposed, and the low likelihood of encountering any archaeological material, the proposal is considered to provide for protection of the physical historic heritage aspects of the site.

With regard to Section 7 ‘other matters’, the following are considered to be relevant and are addressed:

(a) kaitiakitanga:

(aa) the ethic of stewardship:

(b) the efficient use and development of natural and physical resources:

(c) the maintenance and enhancement of amenity values:

(f) maintenance and enhancement of the quality of the environment:

The opportunity for consultation with Ngāti Te Whiti is ongoing, noting their role as kaitiaki in this rohe.

The applicant seeks to provide a modern building extension for them to live on-site, on this site which has an existing reasonably well-known building. The applicant intends the project to contribute positively to the city, with a higher density development providing for economic and social outcomes.

The proposal adds a second use to the site, and contributes to inner-city housing supply, which is an efficient use of an existing resource. The proposal is considered to maintain the amenity values and quality of this commercial / urban environment.

With regard to Section 8, the opportunity for consultation with mana whenua is ongoing such that that may participate in this consent process. Within the scope of the information known, the proposal has been designed with minimal earthworks in order to offer protection to the values of the cultural site nearby. The manner in which the applicant has engaged with tangata whenua is considered to be consistent with the principles of Te Tiriti o Waitangi.

Overall, the proposal is considered to demonstrate sustainable management of this commercial site to provide for needs of future generations to work and live in the city, facilitated by activities that will be managed to maintain cultural wellbeing.

6 CONSULTATION

6.1 Introduction

Pursuant to Section 36A of the RMA, there is no duty to consult about a resource consent application. However, it is considered best practice to consult with those parties considered to be potentially adversely affected by a proposal.

6.2 Tangata Whenua

A brief of consultation undertaken this far is as follows, with records of correspondence in Appendix G:

- A brief of the proposed activities, with draft plans, was provided to Te Atiawa mid-December 2022, with follow up contact made in January and February 2023;
- Some initial feedback was received from Sarah Mako on 21 February 2023, after which a hui with Ms Mako and Julie Healy (Ngāti Te Whiti) was organised;
- The hui was held 21 March 2023 and minutes are provided in the correspondence. They included further initial feedback and some further actions including organisation of a hiko about Ngāmotu inner city to assist understanding of the cultural environment;
- Further communications proceeded over April 2023;
- The hiko was undertaken 9th May 2023, hosted by Ngāti Te Whiti and attended by the applicant and project team members from BOON and BTW Company. Further feedback on the project from hapū was mentioned to be forthcoming;
- Further communications proceeded and a Cultural Impact Assessment (CIA) proposal was provided to the applicant from hapū in mid-June 2023, setting out potential hui and wānanga to further advise feedback on the proposal. This is also included in Appendix G. The applicant agreed to engage in the proposal and a timeframe of July-September 2023 for completion of the proposed CIA actions was requested;
- Further communications have proceeded since. Ngāti te Whiti and Te Atiawa were advised in early August 2023 that the applicant may proceed with this consent application in order to start the RMA process with NPDC, while the opportunity to continue consultation remains open;
- It is not known whether any proposed actions in the CIA (e.g. hui for hapū only) have proceeded and no further feedback from tangata whenua on the proposal has been received;
- The applicant remains open to receiving further feedback and engaging in the CIA steps suggested by hapū, and any outcomes of further consultation during the processing of this consent will be supplied to NPDC with a response.

6.3 NPDC

A site visit was held 9th February 2023 with Luke Balchin (Planner, NPDC), Lauren O Byrne (Policy Planner, NPDC), Richard Bain (Peer-Reviewer Landscape Architect from Bluemarble for NPDC), Daniel McEwan (Landscape Architect and LVIA author, on behalf of the applicant) and Darelle Martin (Planner, BTW). The general meaning of the Coastal Frontage Site provisions was discussed with Ms O Byrne, and several viewpoints were visited. It was generally agreed that the method would be for the landscape architects to agree on appropriate viewpoints in order to narrow assessment to reasonable locations. Post-meeting, Mr Bain and Mr McEwan agreed these viewpoints from which assessment of the proposal would be appropriate in an LVIA context to support a consent application. The LVIA of Appendix F has been prepared accordingly.

7 NOTIFICATION

It is considered there is no need to publicly notify the application in accordance with the steps for notification under Section 95A of the RMA. The applicant does not request that the application is publicly notified. The application is not for an activity subject to a rule or standard that requires public notification. Noting consultation with mana whenua is ongoing as to potential cultural effects, remaining effects on the environment will be less than minor and it is considered there are no special circumstances that would warrant public notification. There is no mandatory requirement to notify the application.

8 CONCLUSION

This report provides an assessment of the application on behalf of K. D. Holdings Limited for additions and alterations to a building with associated earthworks near an Archaeological Site and Site or Area of Significance to Māori, at 39-41 Molesworth Street, New Plymouth.

An assessment of the proposal has been made against Sections 104 and 104B the RMA, and against the rules, objectives and policies of the NES-CS, NPS-UD, NZCPS, PDP, Ngāmotu CCS, RPS and Te Atiawa EMP. Any actual and potential adverse effects with regard to construction, archaeology and human health, landscape and visual, coastal environment, and transport effects resulting from the proposal are considered to be appropriately avoided or mitigated. Consultation with mana whenua as to cultural effects is ongoing. The proposal is considered to be consistent with the objectives and policies of the policy documents assessed. Feedback received during the processing of the consent application will be provided to NPDC with a response.

Overall, the proposal is considered to represent sustainable development enhancing a site with existing commercial development and adding a residential use to the city centre, while maintaining character and amenity for the mixed commercial and coastal environment in which it is located.

APPENDIX A APPLICATION FORMS



Te Kaunihera-ā-Rohe o Ngāmotu

**New Plymouth
District Council**



FORM

Application cover page

(required with all other forms)

Incorporates requirements of Form 2, sections 33 or 45,
Building Act 2004

1. Property details

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

39-41 Molesworth Street, New Plymouth

- 1b. Current lawfully
established use

commercial

- 1c. Legal description

Lots 1 and 2 Deposited Plan 17052

- 1d. Rapid number

-

2. Property owner details

- 2a. Owner name

K.D. Holdings Limited

First name(s)

Surname

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

- 2c. Contact person
(if different from above)

Kevin Doody

- 2d. Postal address
(include postcode)

- 2e. Contact details

Phone

0274933955

Mobile

Fax

- 2f. Email

kdoody@xtra.co.nz

3. Payer details

- 3a. Required for invoice



Applicant
- proceed to 4



Owner
- proceed to 4



Other
- provide details below

- 3b. Name in full

K.D. Holdings Limited

- 3c. Postal address

c/o BTW Company, PO Box 551, New Plymouth 4340

4. Description of project

- 4a. Detailed description
of the development/
project

Alterations and additions to an existing commercial building with associated earthworks. Fully explained in attached application.

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



Yes



No

Please turn over

5. NPDC 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 checked="" 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"/>	<input type="text"/>	<input type="checkbox"/>
 Alcohol licensing	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Food premises registration	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Health Act registration	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
(Hairdressing, camping ground, funeral parlour, offensive trade)			
 Beauty registration	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
5c. Other project authorisations			
 Swimming pool registration	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Temporary obstruction on road reserve	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Temporary road closure	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Easements through NPDC-owned reserve land	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
5d. Other project requirements			
 Rapid number request	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Contractors parking space reservation	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Existing street damage declaration	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>



Te Kaunihera-ā-Rohe o Ngāmotu

New Plymouth
District Council



FORM 9
Application for a land use
resource consent or
fast-track resource consent

Section 87AAC & 88, Resource Management Act 1991

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 - this must be provided for fast-track consent applications
- 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. Fast-track application details

- 3a. Is this a fast-track controlled land use application? ☐ Yes ☒ No (proceed to 4.)
- 3b. If yes, please indicate whether you opt out or do not opt out of the fast-track resource consent process ☐ I opt out ☐ I do not opt out

Under the fast-track resource consent process the Council must give notice of the decision within 10 working days after the date the application was first lodged, unless the applicant opts out of the process at the time of lodgement. A fast-track application may cease to be a fast-track application under Section 87AAC(2) of the RMA.

4. Description of proposed activity

- 4a. Description of activity
- 4b. Description of the site at which activity is to occur
- 4c. Description of any other activities that are part of the proposal
- 4d. 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 resource consents required, and whether these have been lodged.
-

Please turn over

OFFICE USE ONLY

Date received

Time received

Received by

Receipt #

Amount paid \$

Application #

Document #

Property ID

Land ID

Planner's Pre-check

Signature

Date

4. Description of proposed activity - continued

4e. District Plan rule(s)
not being met

CCZ R20 and R21, SASM R17, HH R30, EW R10, TRAN R1, R8 and R10, CE R1 and R5

4f. Proposed start date

ASAP

5. Information included in application

I confirm that I have assessed my proposed activity against the relevant matters of the RMA:

- ☒ Part 2 Purpose and Principles.
- ☒ Section 104 Consideration of Applications.
- ☒ Schedule 4, including an Assessment of Environmental Effects (AEE).

I have attached this assessment and all other required information as listed below:

- ☒ Site plan. Your site plan must show the following items:
 - Scale and north orientation.
 - Existing and proposed buildings.
 - Building dimensions and distances to boundaries.
 - Trees, fences, landscaping, screening and contours.
 - Car parking, loading facilities and access points.
 - Signs.
- ☒ 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 land use consents fees and charges schedule.

6. Post-approval contact details for monitoring purposes

6a. Full name

Kevin

First name(s)

Doody

Surname

6b. Electronic service
address

kdood@xtra.co.nz

6c. Telephone

0274933955

Mobile

Landline

7. Privacy statement

The Privacy Act 2020 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 signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Darelle Martin on behalf of K.D. Holdings Limited

First name(s)

Surname

Signature

Date

17/10/2023

APPENDIX B DESIGN STATEMENT

09th September 2023

A / 131 Courtenay St, New Plymouth 4310, New Zealand
P / 06 757 3200 E / office@boon.co.nz W / boon.co.nz

New Plymouth District Council
Private Bag 2025
New Plymouth 4342

Attention: NPDC Planning Department

Proposed Commercial Development – 39-41 Molesworth Street, New Plymouth **Architectural Design Statement**

Site:

The site is located on Molesworth Street between Liardet Street and Gover Street. Orientated east/west with access from the road on the south, heavy rail and the coastal foreshore to the North. There are currently commercial neighbors on the east boundary and a NPDC car park to the west boundary.

The existing site currently consists of a 2-Storey early 1990's constructed commercial building with parking and minimal vegetation.

The site is currently zoned Central City Zone 'Area B' (refer to architectural site plans for details).

Proposal:

This project involves retaining the existing 2-storey building to a large extent, with minimal demolition to allow for a new interior commercial fit out, entry & egress, and upgraded structure to support the proposed new residence above. The proposed residence is a 2-storey contemporary architectural addition on top of the existing building structure.

The development has a site footprint of approximately 466m², 64m² larger than the existing site coverage of 402m².

(Refer to architectural site plans for details).

Design Statement:

Quality urban design is achieved by taking into consideration the wider context of the site, street, town, or city. Not just considering the architectural fabric of the building, but the space that it forms between built form, and whether it contributes to the amenity of the location. The physical nature of architectural elements on ground level are relatively minimal in this development due to the nature of the brief utilizing what is already existing. However, consideration of aesthetics is fundamental, and with the increased height and prominence there is a duty of care to provide a highly pleasing solution which this project aims to do.

The existing 1990's black tile & mirror glass building was perhaps always intended on being a unique design expression in a prominent position on Molesworth Street. This position and locale, being the last commercial structure in a line of buildings on the crest of a foreshore hill, gives the site a prominence worthy of establishing something more than a typical industrial or commercial quality. The dark tones & unusual angular shapes make it extremely distinctive, a factor the client values and desires to restore & preserve.

The new contemporary design seeks to not only preserve this original character but create a seamless transition from new to old. This is through a 'tongue & groove' likened design approach, where the 1990's architecture is extrapolated up through the façade in tone, massing & materials. The new aluminium cladding is then woven down into the black tiles on the prominent Molesworth Street elevation completing this expression. If the tiles were replicated up into the two floors above the buildings mass would feel overwhelming.

The façade design narrative is inspired by the coastal environment the development is situated within. Taranaki's coastline is a combination of black sand, rock, clays, and volcanic soils. In certain places erosion allows all these geology strata's to be made visible in one place – White cliffs etc. The design leans on this narrative in creating strata in the façade - black tiles in reference to the black sand, boulders, and rock walls. Copper paneling & vertical screens in reference to the clay and mixed soils (refer image in drawings), and dark grey paneling in reference to the rich volcanic topsoil strata.

The use of high-quality aluminum in the façade is to combat the severe coastal environment the building is subjected to. Other materials like timber may create a softening effect, yet would not last well in those conditions, and not meet relevant fire design criteria. The aluminum is durable, holds the colour, and provides a striking architectural aesthetic.

Reducing the scale and the bulk of this development is an important overlay to the clients brief for a positive design outcome to the building and the street. The careful play on the buildings' complex array of forms, angles, and dark materials assists in minimizing the scale. The new development continues this pattern in tandem with long horizontal forms reflecting the neighboring context and built forms. Being situated in a commercial zone - the neighboring buildings present larger bulk forms; therefore the rectangular mass and scale of the proposed design reflects the context it occupies.

Reducing scale is assisted with natural vegetation at the North & West screening the ground floor, a building setback at the South boundary, and a shared boundary neighboring building on the East boundary. The upper floor is small and setback in the floorplan to be barely visible at direct street level. In addition, the upper floor is dark in tone to reflect the coastal narrative mentioned earlier, and to reduce the scale of the Level 2 copper building mass.

Overall, the proposed design provides for a high-quality mixed use urban development in central New Plymouth. Ultimately providing for a modern contemporary design that will add positively to the evolving urban fabric of New Plymouth.

Yours faithfully

BOON TEAM ARCHITECTS LTD

CONFIRMATION OF SERVICE: PAGE 2 OF 2 PAGES

I / We confirm the above details of the brief and Architects terms of engagement and request that you proceed.

CLIENT SIGNATURE:

QMS PF111_6801_BOON Letter of Engagement

DATE:

APPENDIX C RECORD OF TITLE



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy



R.W. Muir
Registrar-General
of Land

Identifier **TNJ1/808**

Land Registration District **Taranaki**

Date Issued 05 July 1991

Prior References

TNH4/120 TNH4/1341 TNJ1/110

Estate Fee Simple
Area 891 square metres more or less
Legal Description Lot 1-2 Deposited Plan 17052
Registered Owners
K.D. Holdings Limited

Interests

Subject to Section 308 (4) Local Government Act 1974

Subject to Part IV A Conservation Act 1987 (affects Lot 1 only)

Subject to Section 27B State-Owned Enterprises Act 1986 (which provides for the resumption of land on the recommendation of the Waitangi Tribunal and which does not provide for third parties, such as the owner of the land, to be heard in relation to the making of any such recommendation) (affects Lot 2 herein)

13 Order in Council exempting Molesworth Street frontage from the operation of (now) Section 128 Public Works Act 1928 - 22.1.1909 at 10.00 am

Subject to a party wall right over part marked B on DP 17052 created by Transfer 382108.9 - 5.7.1991 at 11.20 am

Appurtenant hereto is a party wall right created by Transfer 382108.9 - 5.7.1991 at 11.20 am

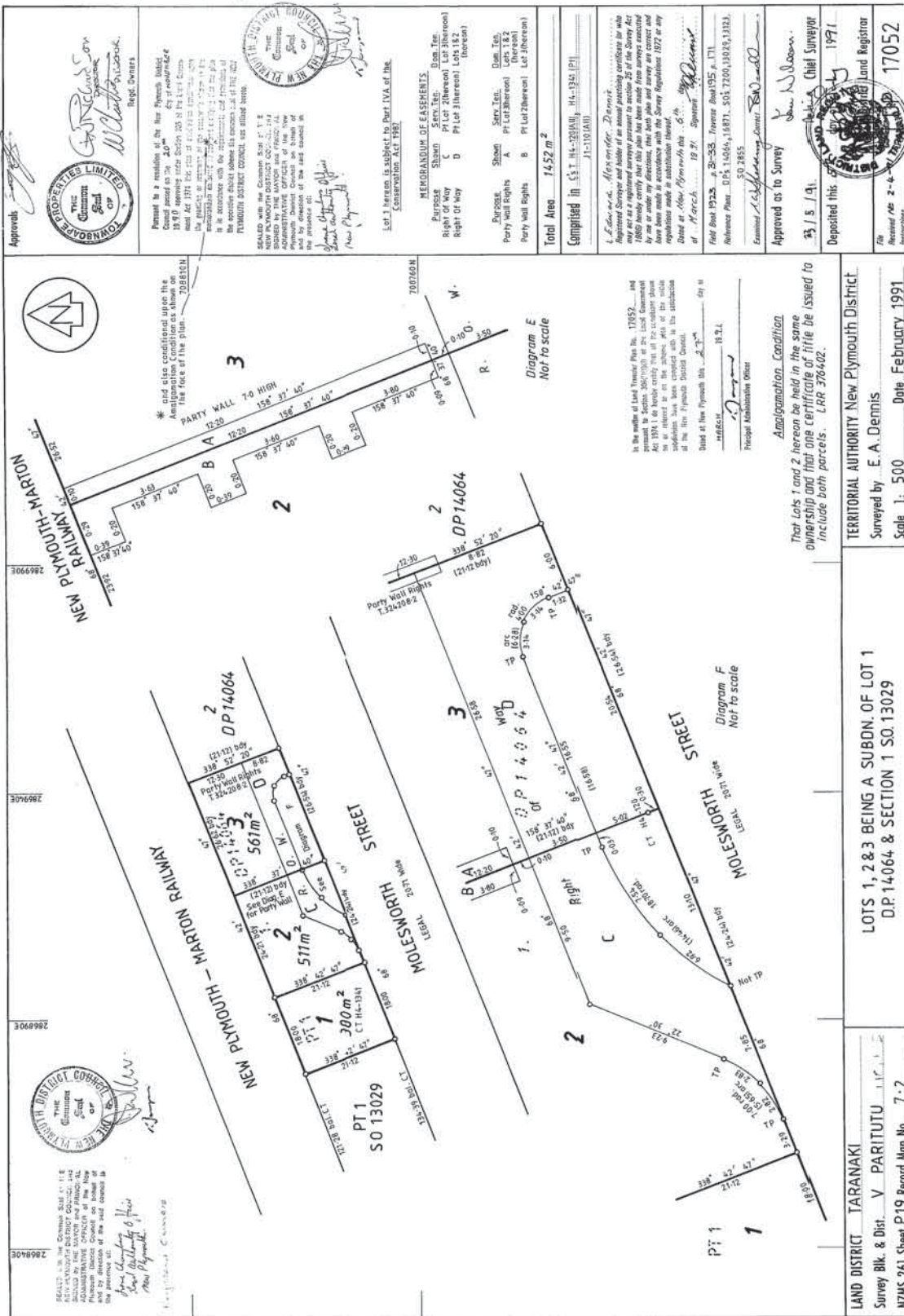
The easements created by Transfer 382108.9 are subject to Section 309 (1) (a) Local Government Act 1974

Subject to a right of way over part marked C on DP 17052 created by Transfer 382108.10 - 5.7.1991 at 11.20 am

Appurtenant hereto is a right of way created by Transfer 382108.10 - 5.7.1991 at 11.20 am

The easements created by Transfer 382108.10 are subject to Section 309 (1) (a) Local Government Act 1974

12341806.3 Mortgage to TSB Bank Limited - 26.1.2022 at 11:56 am



APPENDIX D DISTRICT PLAN AND NESCS ANALYSIS

Table D 1: PDP

Rule and Parameter	Standard and Assessment	Activity Status	Appealed
City Centre Zone			
CCZ-R2 - Business service activities CCZ-R3 - Sensitive activities	<i>Activity status: PER</i> <i>Where:</i> 1. all City Centre Zone Effects Standards are complied with. <i>Note:</i> Sensitive activities must comply with the noise insulation requirements in NOISE-S3.	Complies	No
CCZ-R17 - Additions to a structure	N/A because the site is a Coastal Frontage Site	N/A	No
CCZ-R20 - Alterations to the exterior of a structure on a coastal frontage site	<i>Activity status: DIS</i>	Discretionary	No
CCZ-R21 - Additions to a structure on a coastal frontage site	<i>Activity status: DIS</i>	Discretionary	No
Effects Standards			
CCZ-S1 - Maximum structure height	2. In Area B of height management area: 14m above ground level The proposed building is 13.84 m tall.	Complies	No
CCZ-S4 - Minimum residential unit size	Residential units must have a minimum net internal floor area as follows: 1. 30m ² for studios; or 2. 45m ² for one or more bedrooms. The dwelling has significantly greater net internal floor area than 45 m ² .	Complies	No
Noise			
NOISE-R2 - Emission of noise from construction, maintenance and demolition activities	<i>All zones</i> <i>Activity status: PER</i> <i>Where:</i> 1. the noise generated complies with NOISE-S2. The construction activities can be undertaken in accordance with the standard.	Permitted	No

Rule and Parameter	Standard and Assessment	Activity Status	Appealed
NOISE-R6 - Alterations or additions to a building for a noise sensitive activity	<p>All zones</p> <p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. all noise sensitive rooms comply with the Noise Insulation for Noise Sensitive Activities Effects Standards NOISE-S3 or NOISE-S4, whichever is relevant to the underlying zone or specific area identified, provided that any addition or alteration does not need to comply with Noise Sensitive Activities Effects Standards NOISE-S3 if: <ol style="list-style-type: none"> a. the area occupied by noise sensitive rooms within the building does not increase by more than 25m²; and b. the addition or alteration does not increase the number of bedrooms within the building by more than one. <p>NOISE-S3 is the standard that applies and it is assessed below.</p>	Permitted	Yes – equivalent ODP rule Bus22, see Table D 2 below
Effects Standards			
NOISE-S1 - Maximum noise levels - zone specific	<p>(3) Commercial and Mixed Use Zones</p> <ol style="list-style-type: none"> 2. Noise generated by any activity shall not exceed the following noise limits at any point within any other site in the Commercial Zone, City Centre Zone, Town Centre Zone, Local Centre Zone, Mixed Use Zone and/or Large Format Retail Zone: <ol style="list-style-type: none"> a. All times – 65 dB LAeq(15 min). b. All times – 90 dB LMax. 3. Noise generated by any activity shall not exceed the following noise limits at any point within the notional boundary of any noise sensitive activity on any site in the Māori Purpose Zone, Rural Production Zone, Rural Lifestyle Zone and Future Urban Zone and at any point within the boundary of any site in a Residential Zone: <ol style="list-style-type: none"> a. 7am to 7pm – 55 dB LAeq(15 min). b. 7pm to 10pm – 50 dB LAeq (15 min). c. 10pm to 7am – 45 dB LAeq (15 min). d. 10pm to 7am – 75 dB LMax. <p>The residential and commercial activities to occur in the building will be predominantly within the building's walls, by nature are not noise activities, and will not exceed the above standards.</p>	Complies	No

Rule and Parameter	Standard and Assessment	Activity Status	Appealed
NOISE-S2 - Maximum noise levels - activity specific	<p>(1) <i>Construction work</i></p> <p><i>The noise from any construction, maintenance, and demolition activity must be measured, assessed, managed, and controlled in accordance with the requirements of NZS 6803:1999 Acoustics Construction Noise.</i></p> <p>The construction activities can be undertaken in accordance with the standard.</p>	Complies	Yes – equivalent ODP rule Bus82, see Table D 2
NOISE-S3 - Noise insulation standards for noise sensitive activities - zone specific	<p>(2) <i>City Centre Zone</i></p> <ol style="list-style-type: none"> 1. <i>Any noise sensitive activity with a noise sensitive room in a new building or alteration or addition to an existing building, shall be designed, constructed, and maintained to meet an internal noise level in:</i> <ol style="list-style-type: none"> a. <i>bedrooms – $D_{2m,nT,w} + C_{tr} > 30$ dB;</i> b. <i>other habitable rooms - $D_{2m,nT,w} + C_{tr} > 25$ dB.</i> 4. <i>Compliance with (1) above shall be achieved if, prior to the construction of any building containing a noise sensitive room, an acoustic design certificate from a suitably qualified and experienced acoustic consultant is provided to the Council which certifies that the proposed design and construction of the building, alterations or additions will achieve the internal sound levels. The building shall be designed, constructed, and maintained in accordance with the design certificate.</i> 5. <i>A ventilation system shall be installed in the noise sensitive room(s).</i> <p>The proposal is to provide confirmation from an acoustic consultant that the noise sensitives rooms will meet this standard, prior to construction. The proposal complies.</p>	Complies	Yes - equivalent ODP rule Bus22, see Table D 2
Sites and Areas of Significance to Māori			
SASM-R17 - Earthworks within the extent of a scheduled site or area of significance to Māori, or within 50m of the extent of a mapped SASM	<p><i>All zones</i></p> <p><i>Activity status: DIS</i></p> <p>The application site is wholly within 50 m of the Waimanu Pā SASM site.</p>	Discretionary	No
Historic Heritage			
HH-R30 - Earthworks within the extent of a scheduled archaeological site, or within 50m of the extent of a mapped archaeological site	<p><i>All zones</i></p> <p><i>Activity status: DIS</i></p> <p>The site is within 50 m of Waimanu Pā Archaeological Site. The proposal is discretionary.</p>	Discretionary	No

Rule and Parameter	Standard and Assessment	Activity Status	Appealed
Earthworks			
EW-R10 - Earthworks for building activities	<p>(1) All zones</p> <p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> the building activity is authorised by a building consent; the earthworks are not for the purpose of constructing a driveway, right of way or accessway; the total earthworks area does not exceed 150% of the area of the building activity; and EW-S2, EW-S3, EW-S4 and EW-S5 are complied with. <p>The building activity will have building consent prior to beginning. Vehicle access features are already formed and the earthworks are for foundations purposes. The earthworks area does not involve the whole building footprint. The standards are assessed below and do not comply.</p>	Restricted Discretionary	No
Effects Standards			
EW-S2 - Maximum cut depth or fill height	<p>The cut depth or fill height (measured vertically) shall not exceed:</p> <ol style="list-style-type: none"> outside the minimum building setback for the underlying zone: 1.5m; and inside the minimum building setback for the underlying zone: 0.5m. <p>No minimum building setback exists for this site in the CCZ chapter, therefore the site could be considered outside of a building setback (with an associated 1.5 m depth standard). The bulk of the proposal complies except for seven proposed anchor piles 11.5 m deep. This <u>does not comply</u>.</p>	Does not comply	Yes – potentially equivalent ODP Rule Bus52, Table D 2
EW-S3 - Site reinstatement	<p>As soon as it is practicable, but no later than six months from the commencement of earthworks or land disturbance:</p> <ol style="list-style-type: none"> the earthworks area shall be stabilised, filled, recontoured and revegetated to achieve 80% ground cover in a manner consistent with the surrounding land; or sealed, paved, metalled or built over. <p>The site will be reinstated to achieve this standard.</p>	Complies	Yes – equivalent ODP Rule Bus59, see Table D 2
EW-S4 - Control of silt and sediment	<p>For the duration of earthworks or land disturbance, measures must be implemented to prevent silt or sediment from entering the stormwater system, waterbodies, overland flow paths, or roads. The measures must be installed prior to the commencement of earthworks or land disturbance and maintained until the site of the earthworks or land disturbance has been reinstated in accordance with EW-S3.</p> <p>Sediment controls will be utilised for this purpose.</p>	Complies	Yes – no equivalent ODP Rule

Rule and Parameter	Standard and Assessment	Activity Status	Appealed
EW-S5 - Requirements for discovery of sensitive material during earthworks or land disturbance	[Not repeated for brevity] The proposal is able to comply	Complies	Yes – no equivalent ODP rules
Transport			
TRAN-R1 - Roads and vehicle access points	<p><i>Activity status: PER</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> 1. <i>the following are complied with:</i> <ol style="list-style-type: none"> a. <i>the standards set out in Council's Land Development and Subdivision Infrastructure Standard Local Amendments; and</i> b. <i>the vehicle access point dimensions required for fire appliances for developments in SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice where a fire appliance is not able to reach either a house or the source of a firefighting water supply from a public road; and</i> 2. <i>all Transport Effects Standards are complied with.</i> <p>Noting the vehicle access points onto the State Highway already exist and are sealed:</p> <ul style="list-style-type: none"> - they comply with the Infrastructure Standard; - they are wide enough to support fire appliances; - Minor breaches of the standards occur as assessed below in this table. 	Restricted Discretionary	No
TRAN-R8 - Erection of structures adjacent to a railway corridor	<p><i>Activity status: PER</i></p> <p><i>Where the structure is located:</i></p> <ol style="list-style-type: none"> 1. <i>More than 2m from the edge of a railway corridor; and</i> 2. <i>all Transport Effects Standards are complied with.</i> <p>The proposed western extension, and portions of the proposed additional storeys, are within 2 m of the railway corridor (which is not defined in the PDP but is taken to be the designation area KHL-1).</p>	Restricted Discretionary	Yes – no equivalent rule in the ODP

Rule and Parameter	Standard and Assessment	Activity Status	Appealed
TRAN-R10 - Vehicle access points onto a state highway	<p>All zones</p> <p>Activity status: <i>RDIS</i></p> <p>Where:</p> <ol style="list-style-type: none"> 1. an activity requires a new vehicle access point or an alteration or increase in the use of an existing vehicle access point onto a state highway; 2. traffic generation in relation to a site is less than 60 vehicle movements per day; and 3. all Transport Effects Standards are complied with. <p>Minor breaches of the standards occur as assessed below.</p>	Discretionary	No
TRAN-S1 - Design standards for vehicle access points onto a state highway that is not a limited access road	<p>Vehicle movement calculations are provided for each vehicle access point on the site in Appendix H. The crossings have been assessed against the 30 – 60 vehicle movement standards (Table 3) as the precautionary approach, as follows.</p> <p>Speed limit 50 km/h</p> <p>Sight distances 123 m – complies both directions along Molesworth Street</p> <p>30 m distance from intersection – nearest intersections with Liardet and Gover Streets are further than this distance – complies</p> <p>Spacing between crossings 15 m – both crossings are 10 to 14 m from others such as that to NPDC carpark to the west and 40 Molesworth Street to the south - does not comply</p>	Does not comply	No
TRAN-S5 - Maximum width of vehicle access points	<p>(3) All other zones: 9m</p> <p>Neither vehicle access point exceeds 9 m.</p>	Complies	No
TRAN-S7 - Minimum number of on-site vehicle parking spaces for people with disabilities	<p>For less than 20 parks, 1 space is required.</p> <p>This space is provided in front of the main entrance.</p>	Complies	No
TRAN-S8 - Minimum number of on-site bicycle parking spaces	<p>For 10 to 20 parking spaces, 1 park is required.</p> <p>Several parks are provided in a bike rack near the front door.</p>	Complies	No

Rule and Parameter	Standard and Assessment	Activity Status	Appealed
TRAN-S10 - Requirements for on-site vehicle parking spaces - dimensions	<p><i>All zones</i></p> <p><i>Where the vehicle dimensions are for a car, the required parking space(s) and parking area must:</i></p> <ol style="list-style-type: none"> <i>not include any space for on-site queuing, tracking curve, manoeuvring, loading space, standing space or vehicle access point; and</i> <i>meet the requirements specified for loading and standing space TRAN-S17 for vehicles of dimensions equal to or larger than a service vehicle.</i> <p>Western standard parks (four of which are existing) are 2.4 m wide by 5 m long. The length technically does not comply but since the aisle is wider (to 6.6 m) than the required 6.2 m, this essentially extends all car park lengths.</p>	Complies	No
TRAN-S11 - Minimum vehicle parking space and manoeuvring dimensions	<p><i>All zones</i></p> <p><i>All activities must comply with the minimum vehicle parking space and manoeuvring dimensions in TRAN - Figure 6 in TRAN-S12 and the following requirements:</i></p> <ol style="list-style-type: none"> <i>the two-way aisle width for parking bays at 90 degrees must be the greater of 5.5m for circulation or the manoeuvring aisle widths stated in TRAN - Figure 6 in TRAN-S10;</i> <i>the two-way aisle width for parallel parking bays must be at least 3m wider than for one-way aisles;</i> <i>where a parking space is located at the end of a blind aisle, an additional 1m clearance must be provided to allow vehicles to exit the aisle without reversing; and</i> <i>where any parking space has a side directly next to a wall, support column or other obstacle, an additional 300mm width must be provided.</i> <p>The 6.6 m aisle width complies.</p> <p>No reversing out of the aisle into traffic will occur.</p> <p>The proposal complies.</p>	Complies	No
TRAN-S12 - Requirements for on-site vehicle parking spaces - construction and formation	<p><i>(3) Commercial and Mixed Use Zones</i></p> <p><i>3. For sites with four or more on-site vehicle parking spaces, where the site is not adjacent to a residential zone:</i></p> <ol style="list-style-type: none"> <i>the area must be formed, to an all weather standard; and</i> <i>the gradient of the parking area must be a maximum of 1:20; and</i> <i>the area over which vehicles obtain access to the parking area must be sealed from the vehicle access point for 5m into the site.</i> <p>The carpark will be sealed and is flat.</p>	Complies	No

Rule and Parameter	Standard and Assessment	Activity Status	Appealed
TRAN-S13 - Requirements for on-site vehicle parking spaces - people with disabilities	<p>All zones</p> <p>Where vehicle parking space(s) for people with disabilities are required to be provided by TRAN-S7, the space(s) must be:</p> <ol style="list-style-type: none"> 1. located on a level surface; and 2. clearly marked, designed and constructed in accordance with NZS 4121: 2001 Design for Access and Mobility - Buildings and Associated Facilities. <p>The accessible park is flat and is nearest the entrance door, in accordance with NZS 4121.</p>	Complies	No
TRAN-S14 - Requirements for on-site bicycle parking spaces	<p>All zones</p> <p>Where bicycle parking space(s) are required to be provided by TRAN-S8, the space(s) must:</p> <ol style="list-style-type: none"> 1. enable bicycles to be securely attached to an immovable object; 2. be located so as not to impede pedestrian movement; 3. be located as close as practicable to a building entrance or in a prominent location close to the entrance; and 4. include stands that support the bicycle frame and wheel. <p>Biek stands are provided to meet the above requirements.</p>	Complies	No
TRAN-S20 - Requirements for right of ways - construction and formation	<p>All Zones</p> <p>All right of ways shall comply with the standards in TRAN-Table 8 and shall be formed in accordance with part 3.3.16 of Council's Land Development and Subdivision Infrastructure Standard Local Amendments.</p> <p>For two users, Table 8 requires the following, with what the proposal provides immediately after:</p> <p>6 maximum allotments / proposal is for 2 – complies</p> <p>4 m legal width / proposal provides approx. 3.5 m – <u>does not comply</u></p> <p>3.5 m formed width / proposal provides this – complies</p> <p>1:5 gradient / proposal provides flat gradient – complies</p> <p>Passing bays N/A</p> <p>Turning area N/A</p> <p>Right of way formed and sealed with stormwater control / existing ROW provides this – complies</p>	The existing ROW does not comply with the new standards	No

Rule and Parameter	Standard and Assessment	Activity Status	Appealed
TRAN-S21 - Requirements for on-site manoeuvring space - provision	<p>All zones</p> <p>On-site manoeuvring spaces must be provided where:</p> <ol style="list-style-type: none"> 1. a single vehicle access point serves four or more required parking spaces; 2. access to a site is obtained from a state highway, arterial road or collector road; or 3. a site has two tandem parking spaces which comply with TRAN-S13. <p>Manoeuvring space is provided on-site such that no vehicles will reverse onto the road.</p>	Complies	No
TRAN-S22 - Requirements for on-site manoeuvring space - design	<p>All zones</p> <p>On-site manoeuvring spaces must comply with the following standards:</p> <ol style="list-style-type: none"> 1. For vehicle(s) with dimensions that are less than a service vehicle, the required manoeuvring space must: <ol style="list-style-type: none"> a. not include any space used for on-site parking, queuing, loading or standing space, or vehicle access point; and b. meet the requirements of the relevant tracking curve specified in TRAN - Figure 7. 2. For vehicle(s) with dimensions that are equal or larger than a service vehicle, the required manoeuvring space must: <ol style="list-style-type: none"> a. not include any space used for on-site parking, queuing, loading or standing space, or vehicle access point; and b. meet the requirements of the relevant tracking curve specified in TRAN - Figure 9. <p>Dedicated manoeuvring space is provided in the aisle and a tracking curve for a small car is demonstrated.</p>	Complies	No
Coastal Environment			
CE-R1 - Earthworks (excluding network utilities)	<p>(2) Commercial and Mixed Use Zones</p> <p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the earthworks are permitted under all relevant rules in the Overlay Chapters and the Earthworks Chapter. <p>The proposal is not permitted under the SASM and AS chapters.</p>	Discretionary	No

Rule and Parameter	Standard and Assessment	Activity Status	Appealed
CE-R5 - Building activities (except for building activities located on the seaward side of Messenger Terrace, Ōākura)	<p><i>Commercial and Mixed Use Zones</i></p> <p><i>Activity status: PER</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <i>all underlying zone rules and effects standards are complied with; or</i> <i>for network utilities, the activity is permitted under all relevant rules in the Network Utilities Chapter.</i> <p>The proposal does not meet the zone rules as it is on a Coastal Frontage Site.</p>	Discretionary	Yes – no equivalent rule in the ODP applicable to this site because the site is not in the Coastal Environment Area under the ODP.

Table D 2: ODP

Rule and Parameter	Standard and Assessment	Activity Status
Bus22 - requirement for sound attenuation of any BUILDING (excluding TEMPORARY BUILDINGS)	<p><i>Permitted:</i></p> <p><i>shall be designed and constructed in accord with an acoustic design certificate from an acoustic engineer so that the level of noise received within a NOISE SENSITIVE ROOM, excluding noise from CONSTRUCTION WORK, does not exceed 40 dBA L10 between 10pm and 7am on any day</i></p> <p>Noting the more stringent design standards of sensitive rooms in the PDP rules, which the proposal complies with, it will also comply with this rules.</p>	Permitted
Earthworks restrictions based on slope of land - Bus52 - as part of an approved BUILDING consent under the Building Act 2004 or an approved subdivision consent	<p><i>Permitted: under all circumstances</i></p> <p>The proposal will have an associated building consent.</p>	Permitted
Bus59 - reinstatement of earthworks for any EXCAVATION or FILLING of greater than 150m ³ per SITE in any 12 month period	<p><i>Permitted:</i></p> <p><i>all bare earth shall, as soon as is practicable, but not later than six months from the date of disturbance, be:</i></p> <ol style="list-style-type: none"> <i>1) stabilised so that no earth moves off-SITE or presents a danger to life or property; and</i> <i>2) vegetated, SEALED, paved, metalled or built over</i> <p>The project will be implemented to comply with these standards and disturbed areas will be built or sealed over.</p>	Permitted

Rule and Parameter	Standard and Assessment	Activity Status
Bus82 - noise generated by CONSTRUCTION WORK, measured in accordance with NZS 6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work	<p><i>Permitted:</i></p> <p><i>meets the conditions for a permitted activity as specified in Table 12.1 in Appendix 12</i></p> <p>The proposal can be managed such that construction noise meets the permitted standards.</p>	Permitted

Table D 3: NESCS

Regulation 8(3) – Permitted Activities: Disturbing Soil	
Requirement	Assessment
(a)controls to minimise the exposure of humans to mobilised contaminants must— (i)be in place when the activity begins: (ii)be effective while the activity is done: (iii)be effective until the soil is reinstated to an erosion-resistant state:	People on-site will utilise personal protection equipment and clothing to minimise their exposure. Once earthworks are finished, disturbed soils will be landscaped / built over / sealed over. <u>Complies</u> .
(b)the soil must be reinstated to an erosion-resistant state within 1 month after the serving of the purpose for which the activity was done:	Reinstatement within a month of earthworks finishing will be achieved. Soils will be concreted, paved or asphalted over. <u>Complies</u> .
(c)the volume of the disturbance of the soil of the piece of land must be no more than 25 m ³ per 500 m ² :	The site is 891 m ² with an associated permitted disturbance volume of 44.55 m ³ . The proposed earthworks are less than this volume. <u>Complies</u>
d)soil must not be taken away in the course of the activity, except that,— (i)for the purpose of laboratory analysis, any amount of soil may be taken away as samples: (ii)for all other purposes combined, a maximum of 5 m ³ per 500 m ² of soil may be taken away per year:	The piece of land (the whole site) is 891 m ² with an associated permitted removal of 8.9 m ³ . Potentially, most of the soil disturbed (36 m ³) will be removed from the site which <u>does not comply</u> with this volume.
(e)soil taken away in the course of the activity must be disposed of at a facility authorised to receive soil of that kind:	Should soil need to be disposed of off-site, it will go to a suitable facility. <u>Complies</u> .
(f)the duration of the activity must be no longer than 2 months:	The disturbance will not exceed two months. <u>Complies</u> .
(g)the integrity of a structure designed to contain contaminated soil or other contaminated materials must not be compromised.	No specific structure is located on the site. Most soils are and will be sealed over. <u>Complies</u> .

Regulation 9(1) – Controlled Activities: Removing or replacing fuel storage system, sampling soil, or disturbing soil	
Requirement	Assessment
Not repeated for brevity, but essentially requires a Detailed Site Investigation (DSI) and confirmation that soils do not exceed the applicable standard.	The proposal is not to undertake investigations due to the nature of the site and proposed activities. <u>Does not comply.</u>
Regulation 10 – Restricted Discretionary Activities	
Not repeated for brevity, but essentially requires a DSI, with soil exceeding the applicable standard, and a site management plan (for ongoing management) or validation report (for remediation).	The proposal is not to undertake investigations due to the nature of the site and proposed activities. <u>Does not comply.</u>
Regulation 11 – Discretionary Activities	
(1) <i>This regulation applies to an activity described in any of regulation 5(2) to (6) on a piece of land described in regulation 5(7) or (8) that is not a permitted activity, controlled activity, or restricted discretionary activity.</i>	As explained above, the proposal does not comply with the other standards of the NESCS.
(2) <i>The activity is a discretionary activity.</i>	The proposal is a Discretionary activity

APPENDIX E PROPOSED PLANS

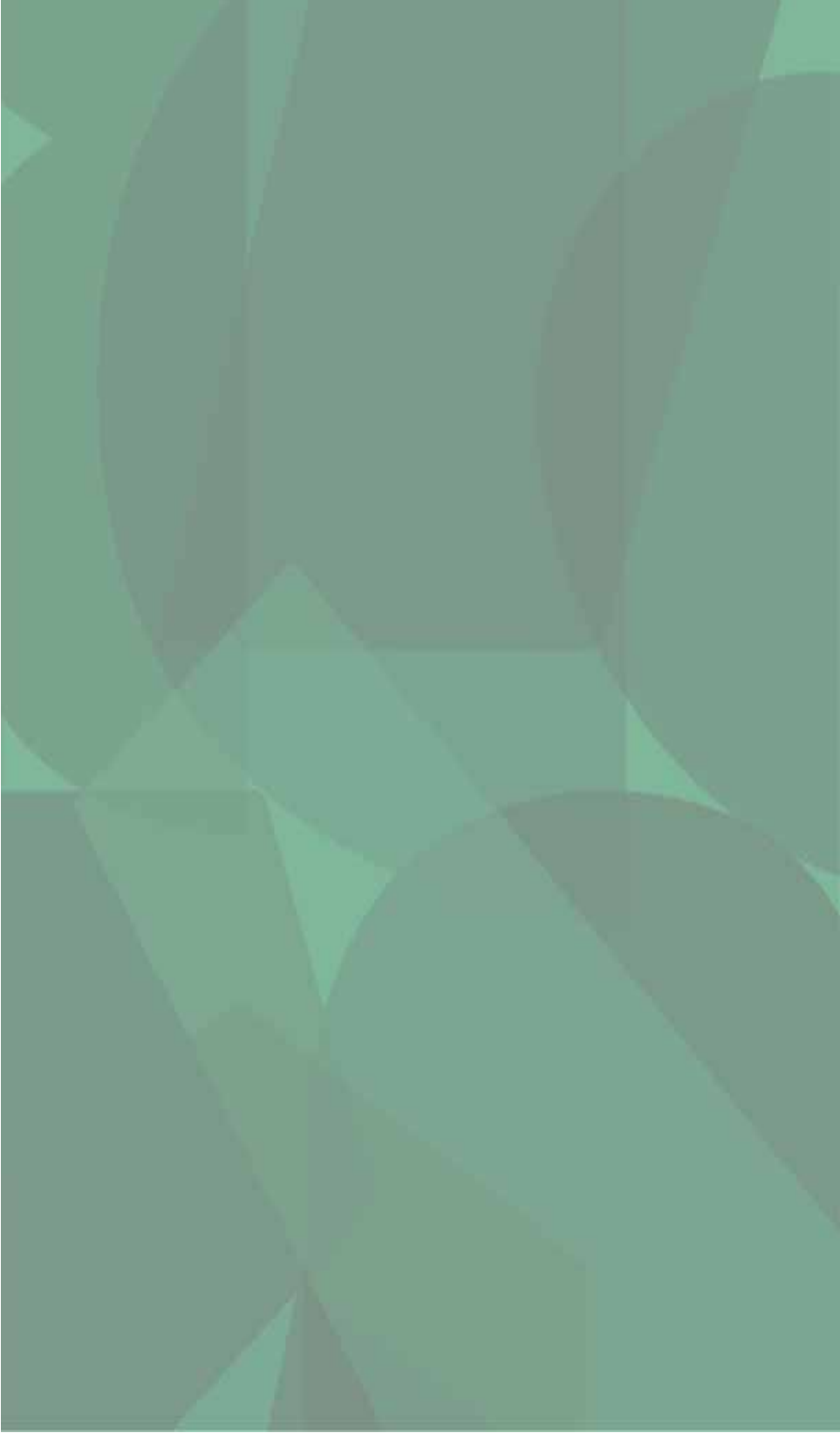
KD - Molesworth St Alterations - Stage 2

39-41 Molesworth St, New Plymouth

Issued For:

Resource Consent

September 2023



Contents		
Drawing No.	Current Revision	Drawing Name
SKD.02	A	Existing Location Plan
SKD.03	A	Proposed Location Plan
SKD.04	A	Existing Site Plan
SKD.05	A	Proposed Site Plan
SK2.01	A	Floor Plans (Proposed)
SK2.02	A	Floor Plans (Proposed)
SK2.03	A	Floor Plans (Proposed)
SK2.04	A	Floor Plans (Proposed)
SK3.01	A	Elevations
SK3.02	A	Elevations
SK3.03	A	Elevations



Site Description

LOT 1 & 2 DP 17052
City: City of New Plymouth
Zone: City Centre Zone (Area B)
Wind Zone at Level 0 & Level 1: Very High
Wind Zone at Level 2 & Level 3: Extra High
Maximum Wind Calculations at 13.85m: 1.65kPa
(ULS) - 52.5m/s
Earthquake Zone: 1
Exposure Zone: D
Lee Zone: No
Rainfall Range: 90-100mm
Wind Region: A
Climate Zone: 2

Site Coverage

Site area: LOT 1 = 380m²
Site area: LOT 2 = 511m²
Total area: 891m²

Existing Site Coverage = 402m²
Proposed Site Coverage = 486m²

Line to perimeter of site indicates construction demarcation line. Construction confined to within this area.

NPDC Planning Rules

City Centre Zone - Business Area B Coastal frontage site
1. Max. height = 14m above Ground Level



Location Plan - Existing (RC)
Scale 1 : 500 (A3)

KD - Molesworth St Alterations - Stage 2
39-41 Molesworth St, New Plymouth
Resource Consent

Job No.	Scale [A3]	Drawing No.	Rev	Issue Date	Drawing Title	Print Date
6801	As Indicated	SK0.02	A	September 2023	Existing Location Plan	7/09/2023 1:10:16 am



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Site Description

LOT 1 & 2 DP 17052
Central City, New Plymouth
Zone: City Centre Zone (Area B)
Wind Zone at Level 0 & Level 1: Very High
Wind Zone at Level 2 & Level 3: Extra High
Maximum Wind Calculations at 13.85m: 1.65kPa
(U.S.) - 52.5m/s
Earthquake Zone: 1
Exposure Zone: D
Lee Zone: No
Rainfall Range: 90-100mm
Wind Region: A
Climate Zone: 2

Site Coverage

Site area: LOT 1 = 380m²
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Total area: 891m²

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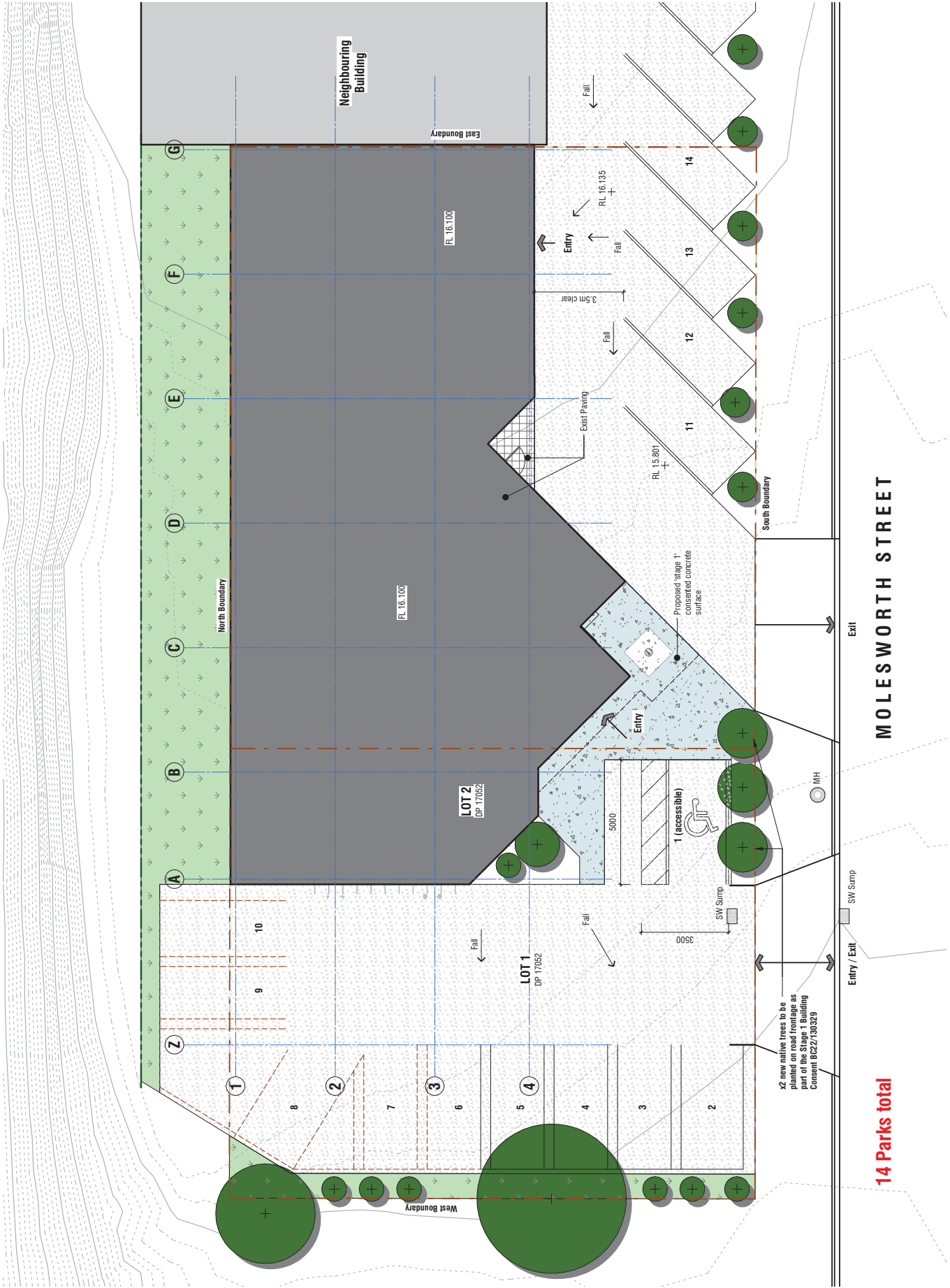
Line to perimeter of site indicates construction dedication line. Construction confined to within this area.

NPDC Planning Rules

City Centre Zone - Business Area B Coastal frontage site
1. Max. height = 14m above Ground Level

Site Finishes Key

- Existing Building
- Neighbouring Building
- Existing Asphalt Parking
- Site planting
- Grass
- Existing Exterior Pavers (60mm cobblestones on 25mm compacted sand)
- Existing Concrete Surface
- New Concrete Surface
- Site Boundary



Site Plan - Existing_RC
Scale 1:150 (A3)

KD - Molesworth St Alterations - Stage 2
39-41 Molesworth St, New Plymouth
Resource Consent

Job No.	Scale [A3]	Drawing No.	Rev	Issue Date	Drawing Title	Print Date
6801	As Indicated	SK0.04	A	September 2023	Existing Site Plan	7/09/2023 1:01:49 am





Site Description

LOT 1 & 2 DP 17052
Central City, New Plymouth
Zone: City Centre Zone (Area B)
Wind Zone at Level 0 & Level 1: Very High
Wind Zone at Level 2 & Level 3: Extra High
Maximum Wind Calculations at 13.85m: 1.65kPa
(U.S.) - 52.5m/s
Earthquake Zone: 1
Exposure Zone: D
Lee Zone: No
Rainfall Range: 90-100mm
Wind Region: A
Climate Zone: 2

Site Coverage

Site area: LOT 1 = 380m²
Site area: LOT 2 = 511m²
Total area: 891m²
Existing Site Coverage = 402m²
Proposed Site Coverage = 486m²

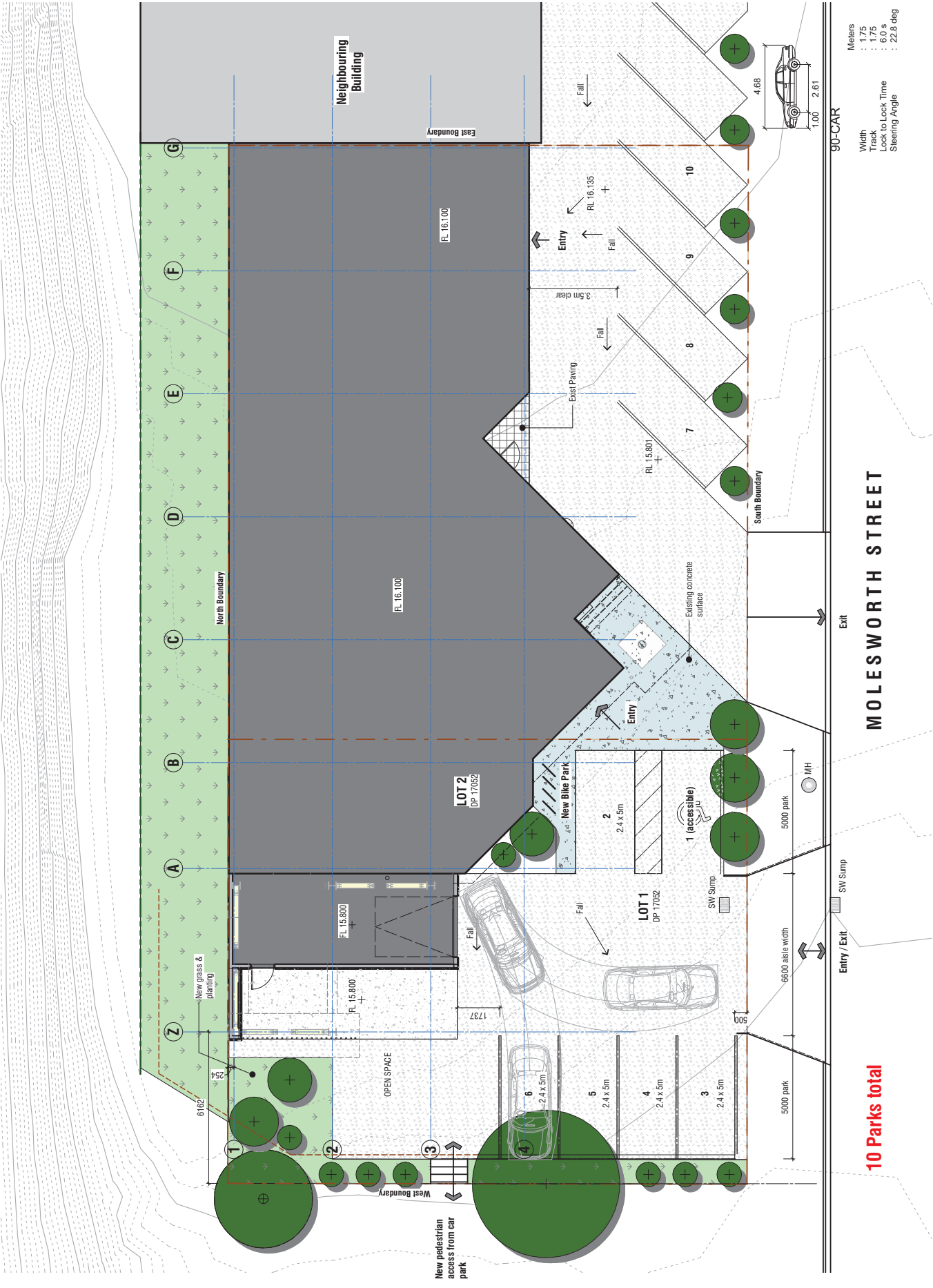
Line to perimeter of site indicates construction dedication limit. Construction confined to within this area.

NPDC Planning Rules

City Centre Zone - Business Area B Coastal frontage site
1. Max. height = 14m above Ground Level

Site Finishes Key

- Existing Building
- Neighbouring Building
- Existing Asphalt Parking
- Site planting
- Grass
- Existing Exterior Paviers (60mm cobblestones on 25mm compacted sand)
- Existing Concrete Surface
- New Concrete Surface
- Site Boundary



MOLESWORTH STREET

10 Parks total

90-CAR

Meters	
Width	: 1.75
Track	: 1.75
Lock to Lock Time	: 6.0
Steering Angle	: 22.8 deg

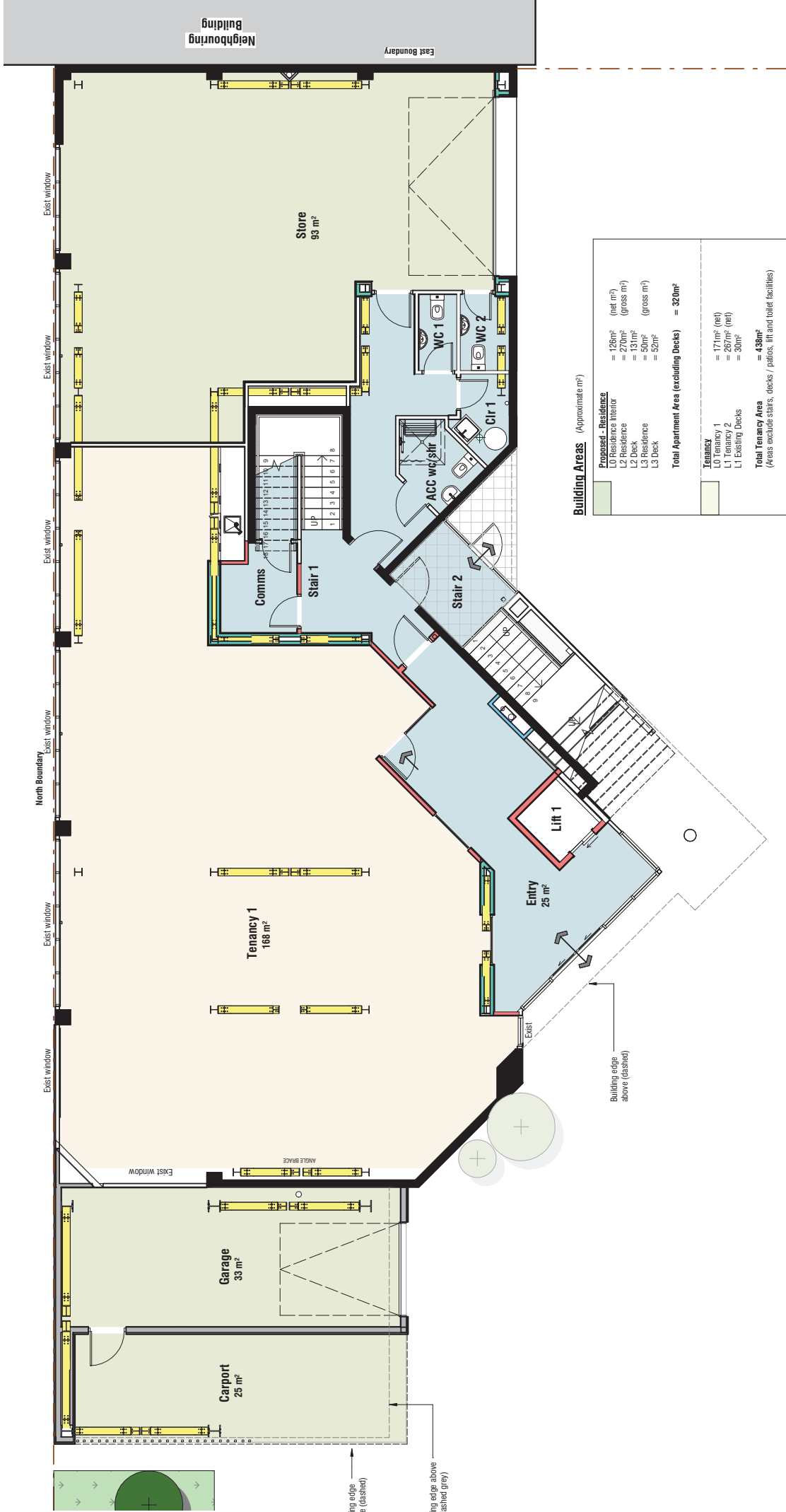
Site Plan - Proposed_RC
Scale: 1:150 (A3)

KD - Molesworth St Alterations - Stage 2
39-41 Molesworth St, New Plymouth
Resource Consent

Job No.	Scale [A3]	Drawing No.	Rev	Issue Date	Drawing Title	Print Date
6801	As Indicated	SK0.05	A	September 2023	Proposed Site Plan	7/09/2023 1:01:51 am



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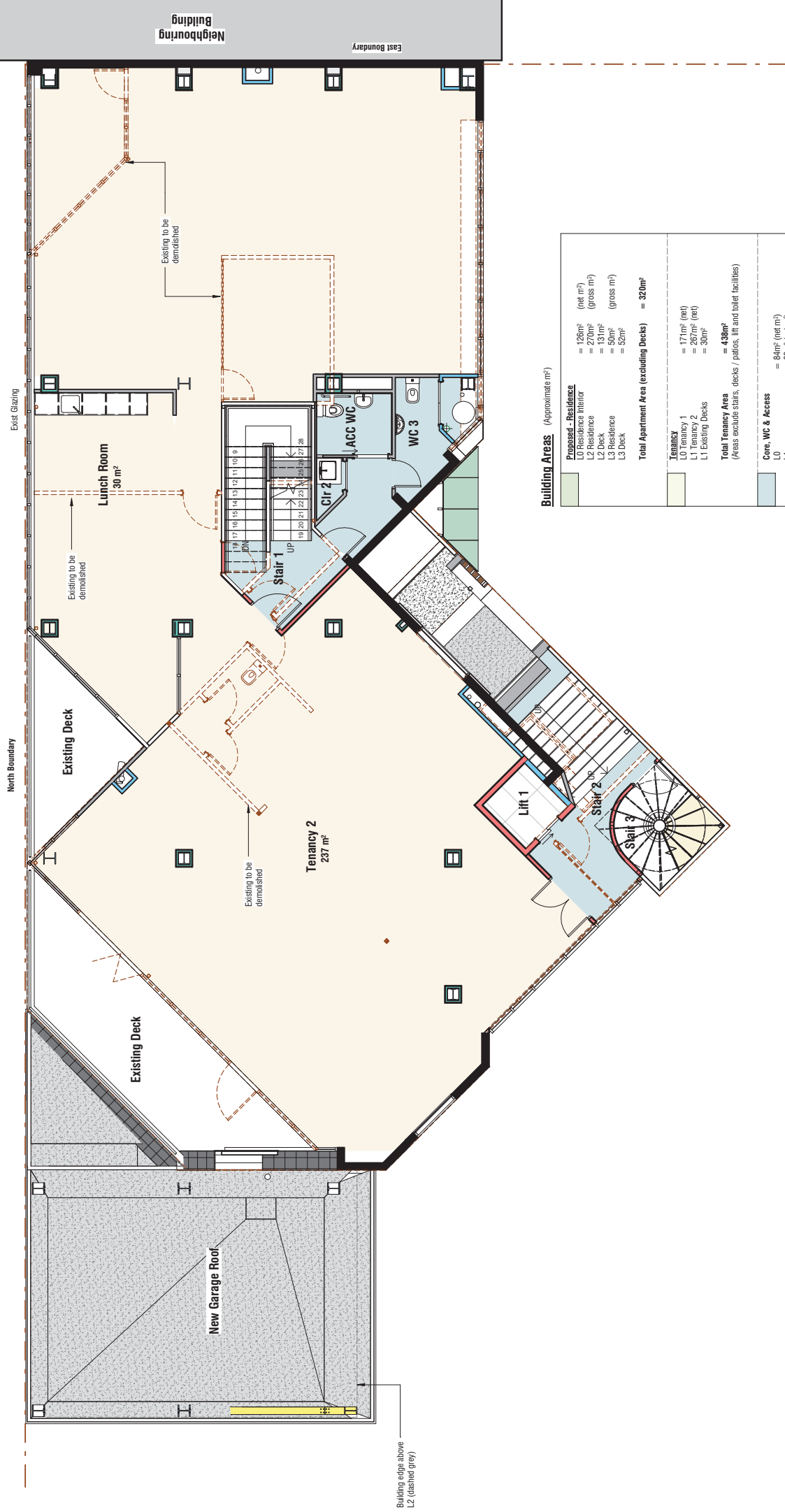


Building Areas (Approximate m²)

Proposed - Residence	
L0 Residence Interior	= 128m² (net m²)
L2 Residence	= 220m² (gross m²)
L2 Deck	= 19m² (gross m²)
L3 Residence	= 50m² (gross m²)
L3 Deck	= 52m²
Total Apartment Area (excluding Decks) = 320m²	
Tenancy	
L0 Tenancy 1	= 171m² (net)
L1 Tenancy 2	= 257m² (net)
L1 Existing Decks	= 30m²
Total Tenancy Area = 438m²	
(Areas exclude stairs, decks / patios, lift and toilet facilities)	
Core, WC & Access	
L0	= 84m² (net m²)
L1	= 60m² (net m²)
L2	= 11m² (net m²)
Total Area = 155m²	
Total Internal Floor Area (excluding Decks) = 913m² (Approximate m² only)	



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Building Areas (Approximate m²)

Proposed - Residence	
L0 Residence Interior	= 128m² (net m²)
L2 Residence	= 270m² (gross m²)
L2 Deck	= 81m² (gross m²)
L3 Deck	= 50m² (gross m²)
L3 Deck	= 52m²
Total Apartment Area (excluding Decks) = 320m²	
Tenancy	
L0 Tenancy 1	= 171m² (net)
L1 Tenancy 2	= 257m² (net)
L1 Existing Decks	= 30m²
Total Tenancy Area = 438m²	
(Areas exclude stairs, decks / patios, lift and toilet facilities)	
Core, WC & Access	
L0	= 84m² (net m²)
L1	= 60m² (net m²)
L2	= 11m² (net m²)
Total Area = 155m²	
Total Internal Floor Area (excluding Decks) = 913m² (Approximate m² only)	

L1 Proposed Floor Plan (Office) RC

Scale 1 : 100 (A3)

KD - Molesworth St Alterations - Stage 2

39-41 Molesworth St, New Plymouth

Resource Consent

Job No.	Scale [A3]	Drawing No.	Rev	Issue Date	Drawing Title	Print Date
6801	1 : 100	SK2.02	A	September 2023	Floor Plans (Proposed)	7/09/2023 1:02:02 am



North Boundary

L2 Deck
131 m²

Roof light above
Eave edge above

Roof light above

Pool
Spa

West Deck
Roof light above

Bedroom 1
Media area
Future joinery
TBC by client

Ensuite

WIR

WC 4

Entry

Lift 1

ST 2

Kitchen

ST 5

Scullery/Store

Lounge

Stair 4

ST 4
ST 1
ST 3

Bedroom 2

Bedroom 3

Passage

Bathroom

Laundry

Linen

Air Con

Building Areas (Approximate m²)

Proposed - Residence	
L0 Residence Interior	= 128m ² (net m ²)
L2 Residence	= 220m ² (gross m ²)
L2 Deck	= 11m ² (gross m ²)
L3 Deck	= 50m ² (gross m ²)
L3 Deck	= 52m ²
Total Apartment Area (excluding Decks) = 320m²	
Tenancy	
L0 Tenancy 1	= 171m ² (net)
L1 Tenancy 2	= 257m ² (net)
L1 Existing Decks	= 30m ²
Total Tenancy Area = 438m²	
(Areas exclude stairs, decks / patios, lift and toilet facilities)	
Core, WC & Access	
L0	= 84m ² (net m ²)
L1	= 60m ² (net m ²)
L2	= 11m ² (net m ²)
Total Area = 155m²	
Total Internal Floor Area (excluding Decks) = 913m² (Approximate m² only)	

L2 Proposed Floor Plan (House) RC

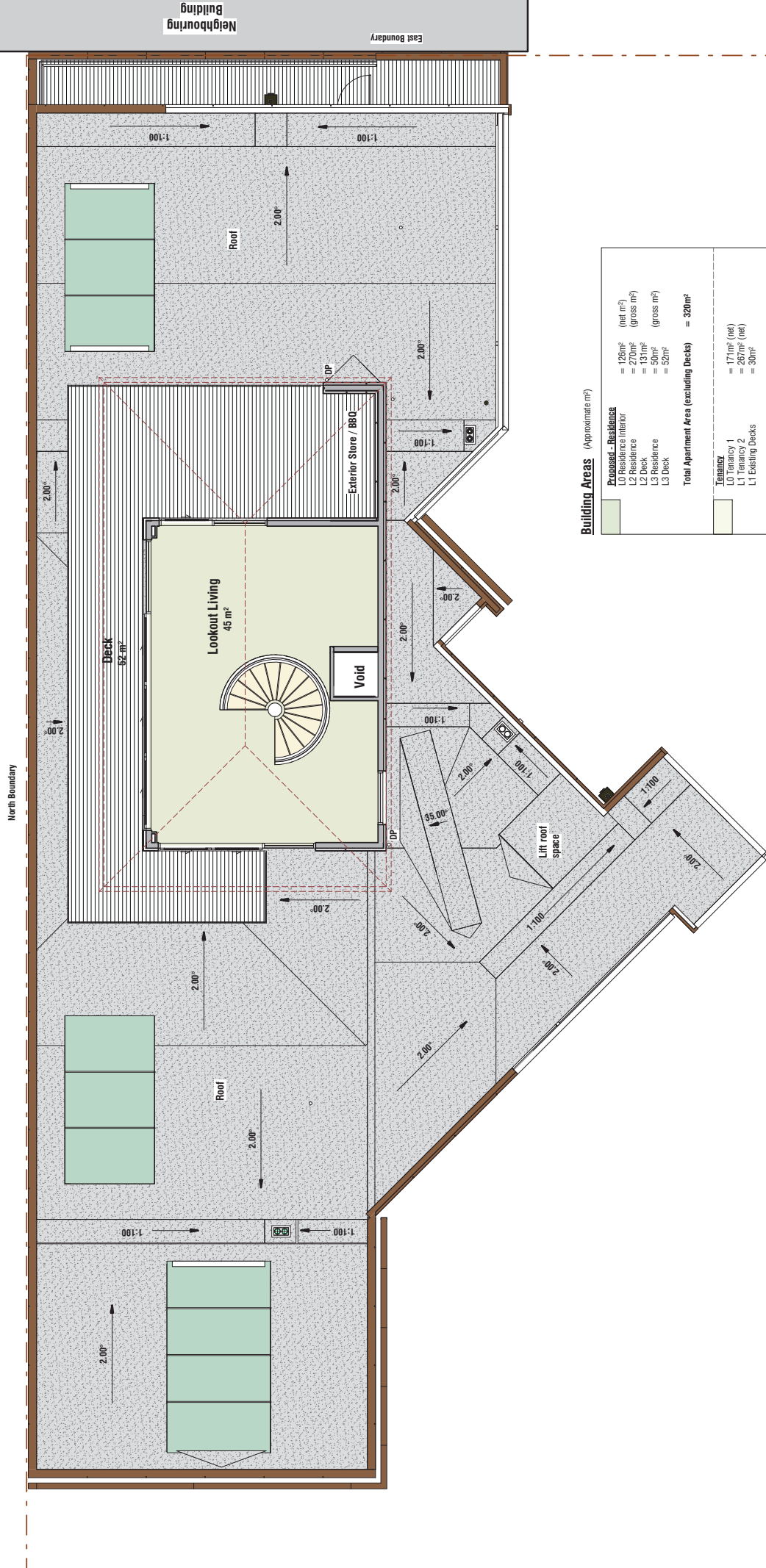
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KD - Molesworth St Alterations - Stage 2

39-41 Molesworth St, New Plymouth

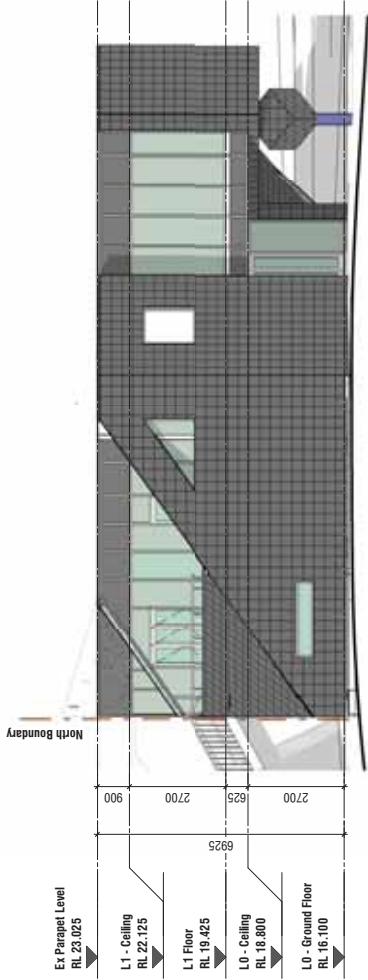
Resource Consent

Job No.	Scale [A3]	Drawing No.	Rev	Issue Date	Drawing Title	Print Date
6801	1 : 100	SK2.03	A	September 2023	Floor Plans (Proposed)	7/09/2023 1:02:21 am



Building Areas (Approximate m²)

Proposed - Residence	
L0 Residence Interior	= 128m² (net m²)
L2 Residence	= 270m² (gross m²)
L3 Deck	= 191m² (gross m²)
L3 Deck	= 52m² (gross m²)
L3 Deck	= 52m² (gross m²)
Total Apartment Area (excluding Decks) = 320m²	
Tenancy	
L0 Tenancy 1	= 171m² (net)
L1 Tenancy 2	= 267m² (net)
L1 Existing Decks	= 30m²
Total Tenancy Area = 438m²	
(Areas exclude stairs, decks / patios, lift and toilet facilities)	
Core, WC & Access	
L0	= 84m² (net m²)
L1	= 60m² (net m²)
L2	= 11m² (net m²)
Total Area = 155m²	
Total Internal Floor Area (excluding Decks) = 913m² (Approximate m² only)	



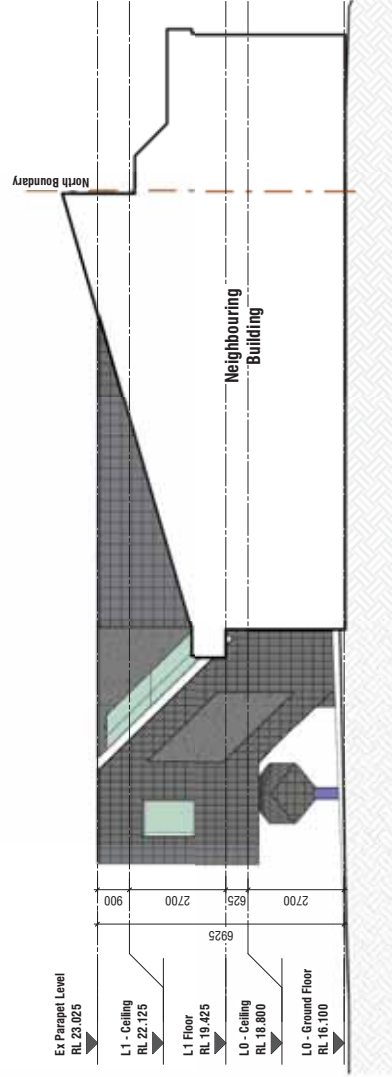
D Elevation (West) - Existing RC

Scale 1 : 150 (A3)



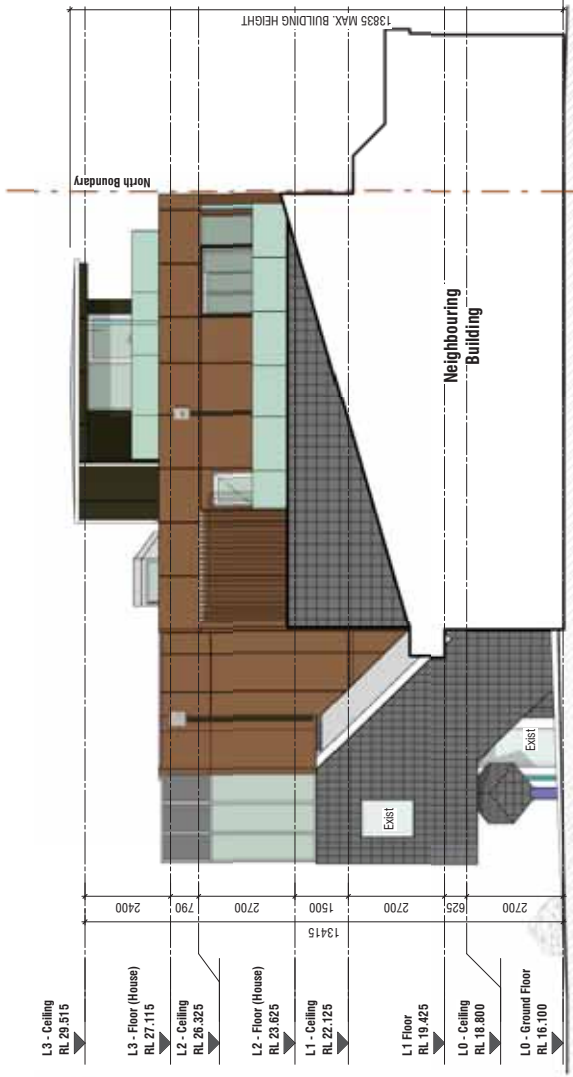
D Elevation (West) - RC

Scale 1 : 150 (A3)



A Elevation (East) - Existing RC

Scale 1 : 150 (A3)



A Elevation (East) - RC

Scale 1 : 150 (A3)

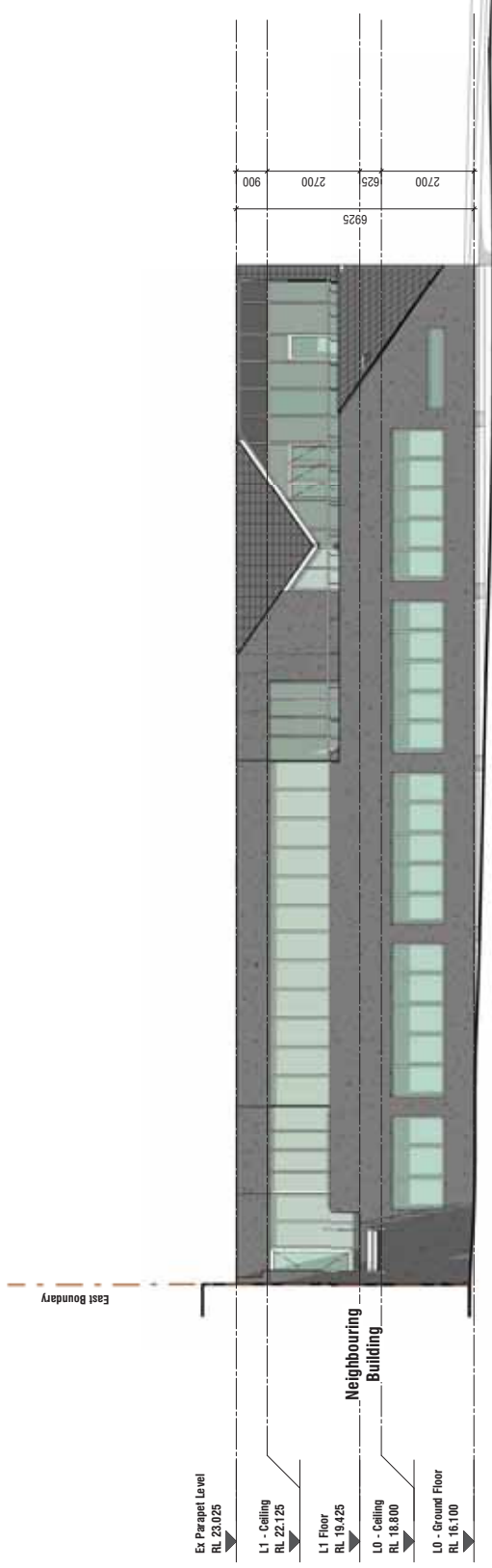
KD - Molesworth St Alterations - Stage 2
39-41 Molesworth St, New Plymouth

Resource Consent

Job No. 6801 Scale [A3] Drawing No. SK3.01 Issue Date September 2023 Drawing Title Elevations Print Date 7/09/2023 1:02:34 am

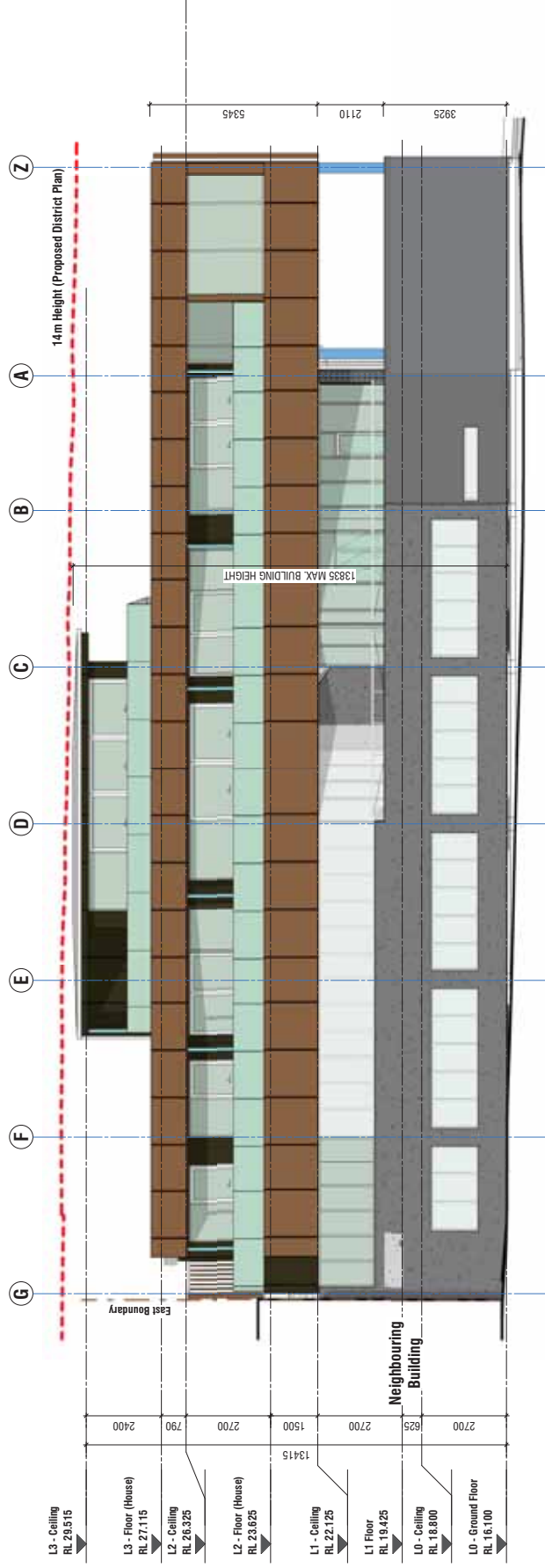
BOON
design thinkers

NOTE: NEW GLAZING TO BE DARK TINT, NO MIRROR



B Elevation (North) - Existing RC

Scale1 : 150 (A3)



B Elevation (North) - RC

Scale1 : 150 (A3)

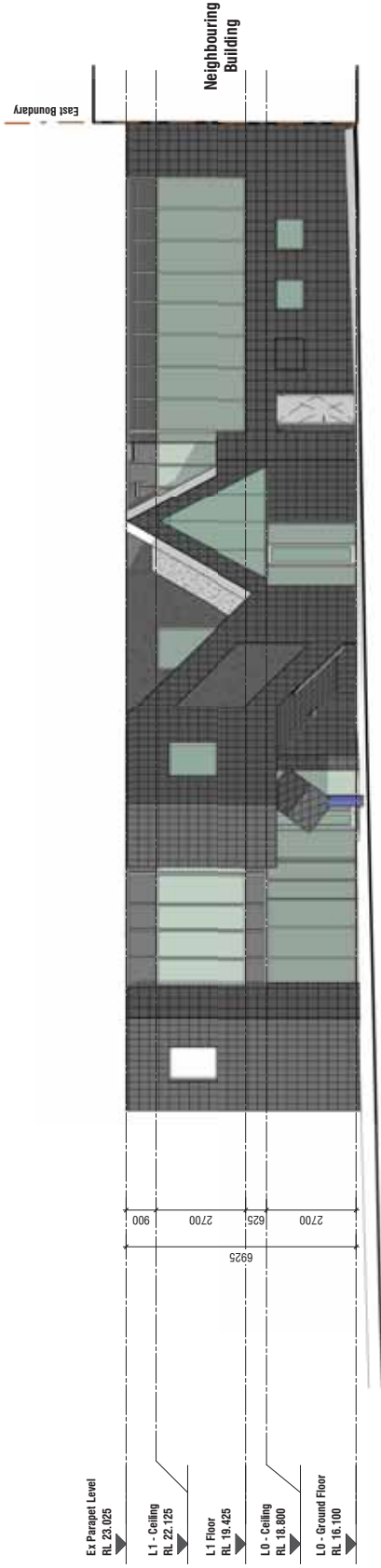
KD - Molesworth St Alterations - Stage 2

39-41 Molesworth St, New Plymouth

Resource Consent

Job No.	Scale [A3]	Drawing No.	Rev	Issue Date	Drawing Title	Print Date
6801	1:150	SK3.02	A	September 2023	Elevations	7/09/2023 1:02:44 am

NOTE: NEW GLAZING TO BE DARK TINT, NO MIRROR



C Elevation (South) - Existing RC
Scale: 1:150 (A3)



C Elevation (South) - RC
Scale: 1:150 (A3)

KD - Molesworth St Alterations - Stage 2
39-41 Molesworth St, New Plymouth
Resource Consent

NOTE: NEW GLAZING TO BE DARK TINT, NO MIRROR

Job No.	Scale [A3]	Drawing No.	Rev	Issue Date	Drawing Title	Print Date
6801	1:150	SK3.03	A	September 2023	Elevations	7/09/2023 1:02:47 am

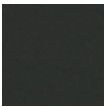




14m Height Restriction

Height AX0
Scale (A3)

Material Key

Scale 1 : 1 (A3)

PROPOSED		Aluminum - Dark (Topsoil)
PROPOSED		Copper (Clay)
EXISTING		Black Tiles (Black sand, rocks)



APPENDIX F ASSESSMENT OF LANDSCAPE AND VISUAL EFFECTS

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Proposed Commercial Development
39-41 Molesworth Street, New Plymouth

LANDSCAPE & VISUAL IMPACT ASSESSMENT

For K.D Holdings Limited

17th of October 2023

Assessment undertaken and prepared by:
Daniel McEwan Landscape Architect at BOON Landscape

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LANDSCAPE ASSESSMENT

Commercial Development 39-41 Molesworth Street, New Plymouth.

1. INTRODUCTION:

SCOPE

BOON Ltd are to provide a Landscape and Visual Impact Assessment (LVIA) for the proposed development as part of the Resource Consent Application for the proposal with a focus on visual effects from public view points along State Highway 44 and the wider receiving environment forming the primary focus of this report. In preparing this LVIA, the following provides the basis for the assessment of potential landscape and visual effects:

- All adjacent, neighbouring properties/landowners, potentially affected by the visual effects of the proposed building development, to be considered.
- Potential impact on the public, mainly concerning the approach along State Highway 44, the Coastal Walkway and public views within the Coastal Environment Area
- Impact relating to regulatory or planning matters to be considered.
- Mitigation and or enhancement measures to reduce potential adverse effects.

SUPPORTING DOCUMENTS

BOON Ltd Architectural drawings for Resource Consent, dated 7th of September 2023.

ASSESSMENT APPROACH

- Review relevant planning provisions of the Proposed District Plan (Appeals Version September 2023) and the ODP.
- Describe the proposed development;
- Identify and describe relevant attributes of the landscape character, values and context;
- Identify locations from which visual effects have most potential for impact;
- Analyze relevant potential impacts on landscape character and values;
- Analyze relevant potential visual impacts on relevant locations.
- Provide mitigation recommendations to support assessed effects and the wider environment.

Public viewpoints have been selected and agreed upon after an initial site visit on 9th of February 2023, with NPDC representative consenting officer along with NPDC-appointed landscape architect Richard Bain.

Private viewpoints have been considered within this report but no private property has been individually assessed. Potential effects therefore have been derived from relevant public viewpoints and desktop analysis.

2. METHODOLOGY:

The methodology undertaken within this assessment follows best practices set out within 'Te Tangi a te Manu' landscape assessment guidelines and considers both landscape and visual effects with visual effects being part thereof of the overall landscape effects. Expansion on the methodology can be found in **section 7** of this report along with 'Effects Rating & Definitions' in **Appendix D** of this report.

A site visit was undertaken on 14th February 2023 by myself, Daniel McEwan in the position of Senior Landscape Architect at BOON Limited and has been accompanied by the following tasks:

- Desk-top research and site survey/data collection (Photography and mapping)
- Review of relevant statutory provisions
- Landscape and visual matters assessed
- Landscape recommendations.

The site visit explored all public views of the subject site that were adjacent or in proximity with additional views at further distances within the catchment area where potential effects were considered significant.

Where the Proposed District Plan is referenced, this means the notified Appeals Version of 14 September 2023 and forms the primary baseline of this assessment. Where the Operative District Plan (ODP) is referenced in this report, this means the 2005 version.

This report adopts the PDP as the current statutory framework in which the proposed development has been assessed.

3. LANDSCAPE CONTEXT:

Location & existing landscape.

The site is an existing commercial property located at 39 - 41 Molesworth Street, New Plymouth. It is perched upon the clifftop that flanks the Huatoki Basin to the basin's east but has been cut off from direct access to the coast by the existing railway. The site is directly adjacent to a public and private car park area on a site of cultural significance Waimanu Pā and connects and provides access to the coastal walkway at its western edge.

The existing site currently consists of a 2-storey early 1990's constructed commercial building with parking and minimal vegetation. Landscaping strips are present along the road frontage and western boundary.

Built form:

The surrounding built form directly across and east of the site is primarily 1 to 2-level commercial buildings of a low to standard architectural quality.

West of the site and across Molesworth Street, the built form differs in slightly larger buildings with the example of the 3-storey energy house building and the 2-storey New Plymouth Club (28 Molesworth Street). Further west along the same side of Molesworth Street is Centre City Shopping Centre and car park (64 Gill Street, 3 to 5 levels) a very rigid precast concrete structure that appears vehicle-dominated with poor human scale activation to the coastal facing edge of the building.

Further west past the Liardet Street intersection where Molesworth Street turns into St Aubyn Street. We have the Puke Ariki building (1 Ariki Street) which is the first example of a building that has its architecture and form informed by and relating to the environment in which it exists. Elements of the Millenium Hotel and Salt Restaurant building adjacent to Puke Ariki also present an architectural influence from the coastal environment directly across St Aubyn Street

Vegetation:

The subject site has a small amount of native plants in the small existing garden beds within the site boundary.

The adjacent car park has native planting to all garden beds with several well established Pohutukawa, approximately 6m to 8m in height that provide good screening of the subject site from the west.

The coastal edge/cliff top to the north of the site is fully covered in well-established native shrubs and trees primarily a mix of *Phormium tenax*, *Coprosma repens* and *Metrosideros excelsa* (or a similar *Metrosideros* species). The existing vegetation to the north of the site provides near complete screening of the existing commercial building on the subject site when viewed from the coastal walkway below and the Woolcombe Terrace pedestrian connection to the walkway.

It is to be noted that although the majority of the vegetation in and surrounding the subject site is native, it still lacks local endemic species which aligns with the biodiversity and revegetation aspirations of local hapū and the central city strategy.

Landscape character & values

Ngāmotu, New Plymouth CBD is a coastal regional city that has always had an integral connection and relationship with the coastal environment despite being cut off from the foreshore when the rail was constructed as part of the development of the port of Taranaki. Pre & post-European settlement the use and connection to the coastal environment has been integral to local hapū and iwi of the area. This was also extended into European connection and use of the area before the rail and introduction of the motor vehicle. Since the coastal walkway was established this connection to the coastal environment has become of high value to the wider community primarily as recreational and community interaction.

The coastal Walkway has become an integral part of the community's identity and well-being with connections through to the coastal environment forming clear strategic moves within the Central City Strategy.

The coastal environment has been and still is a significant part of local hapū identity and way of life, especially with the historic Huatoki estuary and remaining basin, forming a key aspect of the character of the area along with being the main source of navigation, trading and resource for the surrounding (Historic) Pā and associated hapū.

The historic Waimanu Pā which is now defined by SASM ID 736 boundary within the PDP which includes the car-park adjacent to the subject site, along with the railway-designated land out to the historic coastal edge. Waimanu Pā was one of several significant Pā surrounding the Huatoki Stream including Puke Ariki which is the most well-known and now is represented through one of the city's most treasured buildings. The likely extent of Waimanu Pā would have reached beyond the statutory road boundary on the southern edge but this boundary as I understand it, is accepted as the extent for consideration in the consenting process.

Waimanu Pā, which the subject site is adjacent to, has strong connections to Puke Ariki highlighted through texts that recall disputes relating to fishing in the Huatoki between the two Pā¹

¹ <https://nzetc.victoria.ac.nz/tm/scholarly/tei-SmiHist-t1-body1-d10-d6.html>

4. PROPOSAL:

The proposal will be Discretionary within the PDP and is described in detail within the architectural documents prepared by BOON Limited along with the consent application prepared by BTW Company.

The Site

Refer Location and existing landscape in section 3 above.

Built Form

The proposal considers extending the current building to the west and the addition of 3rd residential level with 4th level lookout structure that occupies 45m² of the level 3 roof area. The architectural treatments to the additions use a mix of colours and materials that provide good variation and form that compliments the existing architecture and create a high-quality modern building that is a beneficial contribution to the existing built form in the area.

The building makes good use of voids, primarily the deck spaces across levels on the north elevation, that help break up an otherwise continuous façade. The accentuation of the existing angles on the southern elevation provides good variance and a pleasing architectural quality.

Façade Treatments

The design statement provided by the architects describes that the design inspiration was taken from the layers exposed in the coastal edge the black iron sand/rock, the copper clay layer and the dark topsoil layer.

Apart from the selected colour palette in the facade materials, it is difficult to distil any further narrative or connection to the coastal environment or the local context within the design.

The architects have provided the following statement.

"The aluminium natural copper 'look' is a very reflective product. However, the buildings existing glazing is being replaced from the far more reflective mirror tint to a dark recessive tint. The idea being is to reduce reflectivity of the curtain wall glazing, a large proportion being on the south road boundary. The west elevation copper cladding will incorporate aluminium battens over the copper cladding to dissipate any glare."

With little detail provided around the proposed aluminium cladding system, it can only be assumed that the potential glare would no greater than that of a glazed façade with concern to the north and west elevations of the proposed development.

Scale

The building is taller than the adjacent buildings but is under the 14m height restriction under the PDP. The smaller footprint of the 4th-level lookout structure helps offset the potential bulk and scale of the building.

The building has a new extension to the west consisting of a ground-floor (Level 0) garage and carport with the new proposed Level 2 dwelling extending to the same extent.

Overall the bulk and scale of the proposal are aligned with the existing vernacular along Molesworth & St Aubyn Streets especially when considering the new 14m height restriction within the PDP.

Landscape

The architectural plans by BOON Limited, indicate the proposed development to keep the existing garden beds in their existing configuration and planting with the small addition of grass and planted area in the north-western corner of the site. A new pedestrian stair is proposed on the west boundary connecting the car-park (Waimanu Pā, SASM ID 736) to a new paved open space area that was previously car parking spaces.

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Plant species/types are not noted within the new proposed landscape areas and no landscaped areas are indicated on the deck levels of the building. The gardens along the road reserve show no specimen trees so it is assumed low planting or shrubs are intended in the existing gardens along the road reserve boundary to the south of the property.

Refer mitigation & enhancement measures and recommendations in **section 8** of this report for landscape-related matters.

Signage

No signage has been indicated within the architectural plans that have been reviewed in forming this report.

Excavation

As the proposal is in addition to an existing building the excavation will primarily occur within the existing building footprint for structural upgrades. Refer engineer and planner's report for further detail and explanation of potential effects triggered by the proposed level excavation. It is considered that potential effects are covered adequately by the archaeologist, planning and engineer reports.

5. STATUTORY PROVISIONS:

It is understood that statutory planning matters are well described and covered within the AEE.

The site is not located within any such area but is within 150m of Natural Open Space & High Natural Character areas (PDP and zoned conservation under the ODP) which relate to national policy statements.

5.1 Proposed District Plan Matters

The Proposed District Plan – Decisions Version, Objectives and Policies have been reviewed and considered within this landscape assessment with the understanding that the PDP matters take precedence over the ODP matters. Under the PDP the proposed activity is discretionary therefore it is considered that the same discretion applies for matters assessed within this report as the weighting of the PDP cannot be fully understood with the current status of the planning process and any appeals that may affect the proposed activity.

Matters relating to height and scale have been assessed against the 14m permitted height limit in the PDP.

PDP Zone

City Centre Zone

PDP Special Notations

State Highway 44

Archaeological Site ID 736

Site of Significance to Māori ID 736

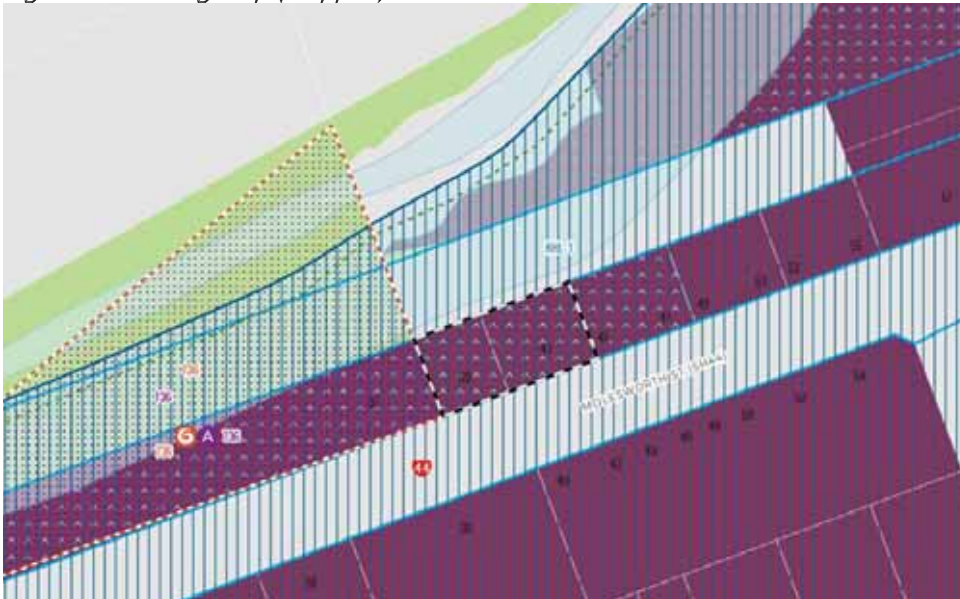
Coastal Environment

Coastal Frontage Site

Height Management Area B – 14 m

Designation KHL-1 (adjacent)

Figure 1: Planning Map (cropped)



The following objectives have been observed and form part of the assessment of effects in **section 7.1** of this report

Objectives:

SASM-O2 - The relationship of tangata whenua with sites and areas of significance to Māori is recognised and protected.

SASM-O3 - Sites and areas of significance to Māori are appreciated by the community and are acknowledged as important to the district's identity.

CCZ-O4 - The structures in the city centre are well designed and contribute positively to the streetscape.

The following policies have been observed and form part of the assessment of effects in **section 7.1** of this report

Policies:

SASM-P3 –

Allow the following activities to occur on, or in proximity to sites and areas of significance to Māori, while ensuring their design, scale and intensity will not compromise cultural, spiritual and heritage values, interests or associations of importance to tangata whenua:

Items 3 & 5.

SASM-P5 – All Items

SASM-P6 – All Items

CCZ-P4 - Enable medium and high density housing developments in the city centre that will contribute to a vibrant, mixed use environment.

CCZ-P8 – Require structures, or additions and alterations to the exterior of structures, to be compatible with the planned character and amenity of the relevant area by:

1. having an interesting and engaging frontage with variations in form, materials and colour;

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2. providing clearly visible and accessible entranceways and connections to pedestrian networks, including safe and practicable access for people with limited mobility;
3. locating utilities and service areas so they are not visible from public areas and are screened or incorporated into the overall structure form;
4. using sustainable design methods, where practical, to minimise the use of energy and water resources and to create healthy living and working environments;
5. having regard to the expert cultural advice provided by tangata whenua on incorporating mātauranga Māori into the design and construction of the structure and, where appropriate, art works or unique and recognisable features that reflect cultural, spiritual or historic values of importance to tangata whenua;
6. maintaining similarity of frontage alignment, height and overall bulk, form and scale for structures adjoining a heritage building or within the heritage character area; and
7. providing residential units that are functional and of a sufficient size for the day to day needs of residents.

CCZ-P9 – In addition to CCZ-P8, require structures, or alterations to the exterior of or additions to structures, that adjoin a public place to:

1. maximise opportunities for the public to use and access that place;
2. maintain and enhance the city centre's historic and cultural heritage;
3. minimise any adverse shading effects on the public place; and
4. minimise the adverse impacts on the openness, historical and cultural values of the Huatoki Stream.

CCZ-P12 – Require structures and activities on coastal frontage sites adjoining the Coastal Walkway to interact with the coast, including by:

1. incorporating planting and landscaping materials that complement the existing design of the area;
2. siting structures to maximise opportunities for the public to use and access the site and to assist with connectivity between the city centre and the Coastal Walkway;
3. providing transparent, non-reflective glazing that is not painted or obscured at ground floor level within any building along those walls that are visible from the Coastal Walkway; and
4. using low-reflective materials and minimal use of corporate colours on any structure.

CE-P9

Require activities within the coastal environment to avoid, remedy or mitigate adverse landscape, indigenous vegetation and habitats of indigenous fauna, visual and amenity effects by:

1. ensuring the scale, location and design of any built form or land modification is appropriate in the location;
2. integrating natural processes, landform and topography into the design of the activity, including the use of naturally occurring building platforms;
3. limiting the prominence or visibility of built form from public places and the coast;
4. where possible, limiting expansion of existing urban coastal settlements; and
5. retaining existing indigenous vegetation and habitats of indigenous fauna (excluding planted vegetation that is not subject to a conservation covenant), and restoring and rehabilitating indigenous vegetation and habitats of indigenous fauna, using coastal plant species sourced from the relevant ecological district.

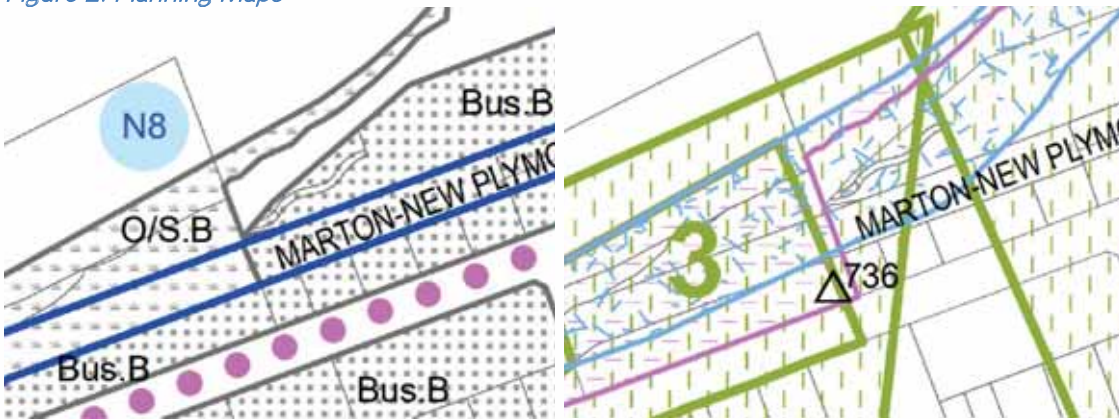
CE-P13 Consider the incorporation of mātauranga Māori into the design, development and operation of activities on sites adjoining coastal areas which have cultural, spiritual or historic values of importance

to tangata whenua and provide opportunities for tangata whenua to exercise their customary responsibilities in respect of the coastal environment.

For assessment of potential effects on Landscape Character & Values relating to the above objectives and policies refer **Section 7.1 – Landscape Effects Assessment**

5.2 OPERATIVE DISTRICT PLAN RELEVANT MATTERS

Figure 2: Planning Maps



Objectives and policies

The following objectives and policies have been reviewed in preparation of this report but not commented on as it is considered that the PDP now takes precedence as the Appeals Version has been given legal effect:

ODP Environment Area

Business B

ODP Map

C25a and C25b

ODP Special Notations

State Highway 44

Viewshafts – Carrington Street Section 2 (Removed within the PDP)

Coastal Policy Area

Waahi Taonga/Sites of Significance to Māori & Archaeological Sites ID 736

Marton-New Plymouth Railway Designation N8 (adjacent)

Note: Refer planner report for any ODP matters still of relevance to the proposed development.

6. ISSUES:

This report focuses primarily on the following issues when considering Landscape context (character & values), Nature of the proposal and its potential effects and statutory planning context.

Perceived and culminated effects:

- on landscape physical attributes

- on landscape character and perceived values
- on public and private audiences

7. EVALUATION OF EFFECTS (Landscape & Visual Effects):

The NZILA guidelines considers a 'landscape effect' as a 'consequence of change on landscape values' where change in itself, is 'not an effect' as landscapes constantly change so therefore the question relates to whether a change may have a 'positive or adverse effect on landscape values'.

'Visual effects' are a tool to understand 'Landscape effects' where consequences of change on perceived landscape values experienced so therefore only inform part of the overall assessment on 'landscape effects', where a visual effects assessment is one technique to help understand landscape effects.

The NZILA Landscape Assessment Guidelines have formed the approach of this assessment with close attention to chapter 7

Nature of Effect

Effects can be adverse, neutral or beneficial in terms of specific attributes or landscape values.

Degree of Effect

The actual (or final) effect is the outcome by analyzing the 'nature of effect' with the 'magnitude' of this effect minus 'mitigation' measures to determine the final resulting value of effect.

The following 7- point scale (as intermediate gradations of three overall categories) has been used in describing the degree of effect as recommended within the NZILA Landscape Assessment Guidelines:²

Very low	Low	Mod-low	Moderate	Mod-high	High	Very high
Low			Moderate		high	

Visual Catchment:

The visual catchment in this report has been derived from desktop analysis using Google Maps and site observations to determine areas/locations that could potentially be adversely affected by the proposal. It considers primarily the approach along Molesworth and St Aubyn Street and views along the Coastal Walkway. As the proposed development doesn't breach the assumed new height of 14m along with previous analysis of the view shafts potentially affected within the ODP, the catchment does not extend south into the city other than the viewpoints identified.

7.1 Landscape Effects Assessment

Landscape Character & Values:

The landscape character and values are interconnected with values most often becoming apparent through the interpretation of a landscape character.

² Pg 140-141 Te Tangi a te Manu, Aotearoa New Zealand Assessment Guidelines.

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As described within **Section 3** of this report. The proposed development and subject site is coastal frontage, adjacent to SASM ID 736 Waimanu pā, and flanks the Huatoki basin to the basin's east. This area and stretch of coastal frontage is of high importance to both Māori and European settlement and occupation of the area historically. The development of the coastal walkway has also assisted in reconnecting Ngāmotu/New Plymouth CBD with the coastal environment. It has arguably become the most valued landscape within the City Centre Zone. The area has a rich cultural history and connection that remains with the current community along with the recreational, amenity, wellbeing and community importance of this coastal edge and the Huatoki Basin.

The height and scale of the proposed building complies with all physical building or structure requirements set out within the PDP and has been considered in its approach to reduce potential effects of bulk and scale by the reduced footprint of the level 4 lookout structure which could have occupied a much greater area before breaching the 14m height limit.

The proposed development has elements that seek to align it with its environment from an aesthetic perspective by selecting of colors and varying the building façade and form which when considered within the existing built form along Molesworth Street are beneficial in nature. But when considered against the perceived and actual character and values associated with the landscape in which the proposal sits, it is my professional opinion that the opportunity to connect in a meaningful way with the landscape character and values of the community and area has been either missed or overlooked.

As the development is currently proposed the resulting degree of effect on landscape character and values is considered **'Mod-low'** with a **'Neutral'** nature of effect.

It is considered that if the mitigation and enhancement recommendations are implemented, the overall degree of effect on the landscape character & values of the proposed development will be **'Very low'** with a **'Beneficial'** nature of effect.

Note: 'Mod-low' on the 7-point scale can still be contributed to 'Low' within the 3-point scale

Assessment Relating to PDP Chapters:

Tangata Whenua, Historic and Cultural Values, and Sites and Areas of Significance to Māori

To clarify further, the indicated extent of Waahi Taonga site 736 is shown as being on the far western edge of the site. It is important to note that although the extent of the Waahi Taonga site follows Statutory boundaries within the PDP (PT SEC 1 SO 13029,) it does not address the likelihood that these historical sites had less defined boundaries than the statutory extents allocated. It is understood that these defined boundaries have been accepted by mana whenua but from a wider landscape character and values perspective it is important to acknowledge the historical area Waimanu pā potentially occupied.

Built form (Bulk, height, form & Location):

The additional height and bulk extended west of the building, although compliant with the current restrictions under the PDP, does impose a considerable change in effect as identified in the viewpoint simulations 2 & 3 within **Appendix C**. It is considered that with the proposed landscape recommendations this change in effect can be **'Beneficial'** in nature but would be considered **'Neutral'** in nature when considering Waimanu pā and the coastal walkway experience from the Liardet Street access.

Coastal Environment, Coastal Frontage Site

Built form (Bulk, height, form & Location):

The additional height and bulk of the proposed development overall is aligned with the existing built form in the area but it does result in a change in effect as commented further on in analysis for viewpoints 1, 2, 3 & 6. This

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change will also relate to ocean going vessels but is assumed to align with the existing urban fabric. As the height of the building meets the restrictions in the PDP, this change in effect is considered '**Neutral**' in nature of effect.

Building façade treatments:

The colour selection of the proposed façade treatments are fairly recessive in terms of hue/colour and complement the area well.

In terms of potential glare effects or reflectivity off the aluminium cladding it is hard to gain any understanding of what these effects may be within the information provided by the manufacturers. The proposed building has added a slat screen to the west elevation of copper cladding and limited the copper cladding to two lineal strips, one top and one bottom of the level 2 dwelling. It is assumed that potential glare effects would not be greater than if more glazing was present within both the north and west elevations.

Existing vegetation:

The existing vegetation in the coastal environment area and within the adjacent car park/Waimanu pā site is primarily native species although not all endemic to the area. The existing vegetation provides a good level of screening for the proposed development which assists in mitigation of any potential adverse effects.

Proposed Landscape:

There is proposed vegetation in a small landscape area located at the north-west corner of the site. No detail is given around plant species and other landscape features in this area. The proposed landscape elements are considered '**Neutral**' in nature. As it currently stands, the proposed landscape elements would provide negligible difference in the mitigation or enhancement of potential landscape effects.

As the coastal frontage of the site is separated by the railway line and cut. It is considered that there will be no effects on the physical landscape attributes that informs the character of the area.

In relation to **CE-P13** no consideration of incorporating mātauranga Māori is evident within the design at present and would likely provide mitigation and enhancement of potential effects when assessed against the coastal environment, SASM and Tangata Whenua chapters of the PDP.

Earthworks:

The proposal indicates localized earthworks associated with structural support footings all contained within the existing hard stand of the site. Any potential adverse effects are considered adequately addressed within the AEE.

City Centre Zone:

In response to **CCZ-P4**. The proposed development aligns with the overall intent to promote and encourage more mixed-use development in the CCZ. The proposal only anticipates a single 3 bedroom apartment but this still sets a good precedent for other commercial properties to follow suit in the future. It is to note that developments with more than one residential unit better aligns with the objectives of the PDP,

In response to **CCZ-P8**, the proposal has good variations in form, materials and colour and adequately provides a residential unit that is functional and of a sufficient size for the day to day needs of residents. However the proposal does not have any current considerations regarding the incorporation of mātauranga Māori into the design which is considered appropriate given the location and proximity to significant sites.

In response to **CCZ-P9** there are no current opportunities for the public to use and access the proposed development but with the seismic upgrades to the building along with the open plan layout of the ground floor and level 1 tenancies the proposal potentially allows for adaption and more public related tenancies in the future that could better align with some of the objectives outlined within the CCZ. Shading effects are considered to be negligible in any future potential public space that could occur within the SASM site ID 736. For measures to

mitigate or minimize any potential adverse effects on historical and cultural heritage and cultural values associated with the Huatoki catchment, refer to **section 8** of this report.

In response to **CCZ-P12**, the proposal has been considered in its approach to architectural finishes that achieve a low LRV value and are colours that complement or are considerate of the location and surrounding environment. Some small landscape components are proposed within the development but have little detail at this stage so are assumed to be a placeholder for further landscape input. There is an opportunity for the limited landscape elements to complement and relate to the wider area.

As the proposed development is additions to an existing building siting of the additional built elements have been primarily influenced by the existing structure.

Note: It is understood that a CIA has been requested by the application team but to remain neutral in my professional opinion I have refrained from commenting on such matters from a landscape perspective within this report.

Table 1: Assessment of Landscape Effects - Summary (Refer viewpoint location map **Appendix A**)

Location Description/Item Description	Area ID	Analysis on Character and Value Professional judgment is used to determine the overall significance of activity in the surrounding landscape character and values
Huatoki Basin Catchment Adopts 10m contour above sea level to define approximate basin extent. This is a theoretical catchment that excludes existing built forms.	A	Is consistent/aligns with the existing urban fabric of the area. Is consistent with the existing built form of surrounding commercial buildings and provides a positive architectural quality that lifts the surrounding built form. Introduces/enhances mixed used building activities in the area (i.e. very few known residential offerings within existing commercial buildings). Flanks the Huatoki basin/Stream but is near fully screened by vegetation and the Centre City Shopping Centre building when viewed from Puke Ariki Landing or the museum. Building is visible from where the Huatoki Stream meets the coastal edge. Refer Viewpoint analysis 3 & 4. It is considered that the cumulative effects on landscape character and values from the context of the wider Huatoki basin catchment to have a ' low ' degree of effect with a ' Neutral ' nature of effect.
Coastal Walkway Esplanade strip associated with the coastal walkway	B	Site looks down onto and along the walkway. Woolcombe Terrace walkway connection runs past the site separated by the cut for the railway, Connection to the coastal walkway is 110metres (approx) from the site via the car-park/Waimanu pā site. Due to the existing built form/ urban fabric and the distances in which the building will be viewed, primarily the west-to-east approach along the coastal walkway. It is considered that the cumulative effects on landscape character and values from the context of the wider coastal

		walkway area have a ' low ' degree of effect with a ' Neutral ' nature of effect.
Coastal Environment Area As per extent shown in PDP interactive Map	C	<p>The Coastal Environment area includes natural processes still present within this environment and also considers current and historic landscape features along with considered views from recreational and commercial activities on the ocean.</p> <p>Due to the existing built form/urban fabric and the assumed distances I which the building will be viewed. It is considered that the cumulative effects on landscape character and values from the context of the wider Coastal Environment area have a 'Low' degree of effect with a 'Neutral' nature of effect.</p>
Waimanu Pā – SASM ID 736 Assumes the general location of the Pā site based on historic maps and considers the defined SASM ID 736 boundary from a PDP consenting perspective.	D	<p>Considering the significance of this site and the defined boundary area now notated within the PDP compared to the previous general assumed extent under the ODP.</p> <p>In assessing the cumulative effects on landscape character and values from the context of full statutory extent with acknowledgement of the likely larger historical extent. It is considered that a rating results in a 'Mod-low' degree of effect with an 'Adverse' nature of effect.</p>

7.2 Visual Effects Assessment

Viewing Audience.

To assist the decision maker in understanding the visual effects regarding the proposal, an assessment of each viewpoint is provided. The viewpoints consider public audience experience of the site with adjacent private audiences addressed by perceived views or part of the wider catchment analysis as no private properties have been physically accessed for visual analysis.

The Viewpoint Location Diagrams in **Appendix B**, locate the main approaches and views of the subject site where the public audience will experience any potential effects of the proposed development. The diagrams also locate the neighbouring properties to provide perceived effects as actual effects would need to be assessed within each property where potential views of the proposed development may occur.

Table 2: Viewpoint Visual Assessment (Refer viewpoint location map **Appendix B**)

VP ID/Plate #	Viewpoint Description	Assessment of Visual Effects on Character and Value Professional judgment is used to determine the overall significance of potential effects within each viewpoint.	Proposed Enhancement / Mitigation
1	Located on the pavement edge of the coastal walkway just before the entrance to the walkway connection that	This viewpoint represents pedestrians and cyclists travelling east along the Coastal Walkway just west of the walkway connection up to Woolcombe	Refer to recommendations items 1-3 in Section 8.2 for detailed descriptions.

	<p>runs from the walkway up to Woolcombe Terrace. Looking East to south-east from the coastal walkway up towards the proposed development.</p> <p>This view considers primarily a transient recreational experience of this view along the coastal walkway.</p> <p>Location (1,693,120 5,676,605) +/- 1m.</p>	<p>Terrace. The proposed building flanks the esplanade strip of the Coastal Walkway section associated with the 'City Centre Zone' which now forms the coastline of the Huatoki basin. The Huatoki Stream and its basin form an integral part of the history and narrative of Ngāmotu/New Plymouth. This view captures the North-eastern statutory boundary of Waahi Taonga/Site ID 736.</p> <p>The proposal has dominance in this view and becomes a focal feature from this and similar views on the approach east along the walkway.</p> <p>Given the significance of the Waahi Taonga site to Ngāti te whiti hapū along with the prominent portion of the Coastal Walkway associated with the CCZ and Huatoki basin, it is considered that the current proposal results in a 'Mod-Low' degree of effect with a 'Neutral' nature of effect.</p>	<p>Note: Implemented mitigation or enhancement recommendations will likely result in a lower 'effect' rating.</p>
2	<p>Located on the pedestrian train overpass platform at the end of Liardet Street, looking east towards the proposed development.</p> <p>This view considers both a static and transient recreational experience of this viewpoint on the coastal walkway</p> <p>Location 1,693,012 5,676,538 +/- 1m.</p>	<p>This viewpoint represents the Waimanu Pā site (SASM ID 736) and currently considers public users travelling east up onto the Liardet Street overpass from the Coastal Walkway along with scenic users of this viewpoint that utilise this platform as a lookout and navigation point. This viewpoint is one of three main connections to the Coastal Walkway from the 'CCZ' with the other two being the Puke Ariki Connection and the Egmont Street Connection.</p> <p>The view looks east to north-east directly towards the proposed development with the Waahi Taonga/Site ID 736, Waimanu (Mt McCormick), in its current state as a council owned carpark, taking up the mid to foreground of the view.</p> <p>Given the significance of the Waahi Taonga site to Ngāti te whiti hapū along with the prominent portion of the Coastal Walkway associated with the CCZ and Huatoki basin it is considered that the current proposal</p>	<p>Refer recommendations items 1-3 in Section 8.2 for detailed descriptions.</p> <p>Note: Implemented mitigation or enhancement recommendations will likely result in a lower 'effect' rating.</p>

		results in a 'Mod-Low' degree of effect with a 'Neutral' nature of effect.	
3	<p>Located on the northeast corner of the cantilevered wind wand platform looking east towards the proposed development.</p> <p>This view considers both a static and transient recreational experience of this viewpoint on the coastal walkway.</p> <p>Location 1,692,775 5,767,482 +/- 1m.</p>	<p>This view represents primarily pedestrian public experiences on the wind wand viewing platform along with pedestrians and cyclists travelling east along the Coastal Walkway. It is to be noted that within the PDP the proposed development does not exceed the new height limit of 14m but the change in visual effects on landscape character and values remains the same.</p> <p>Given the significance of the Waahi Taonga site to Ngāti te whiti hapū along with the prominent portion of the Coastal Walkway associated with the CCZ and Huatoki basin. Given the existing built form, the viewing distance. It is considered that the current proposal results in a 'Low' degree of effect with a 'Neutral' nature of effect.</p>	<p>Refer to recommendations Items 1-3 in Section 8.2 for detailed descriptions.</p> <p>Note: Implemented mitigation or enhancement recommendations will likely result in a lower 'effect' rating.</p>
4	<p>View from the landing/forecourt area outside the main entrance of Puke Ariki next to the elevator shaft.</p> <p>This view considers a static view looking Nor-east from the forecourt area outside the top elevator exit of Puke Ariki.</p> <p>Location 1,692,752 5,676,391 +/- 1m.</p>	<p>This view represents pedestrian audiences primarily stationary viewing looking northeast towards the proposed development across Puke Ariki Landing, the Huatoki Stream and up across the Liardet Street Coastal Walkway connection. This view is significant as the importance of Puke Ariki as a high-use public space for recreation and events along with being the starting/end point where Ngāti te Whiti hapū share the history of the rohe with manuhiri and mana whenua.</p> <p>Due to the dominance of the existing Centre City Complex in the foreground along with established vegetation along the north side of Molesworth Street. It is considered that any potential effects of the proposed development to have 'Very-Low' degree of effect with a 'Neutral' nature of effect.</p>	N/A
5	<p>View heading west along Molesworth Street just past the Gover Street intersection looking west towards the</p>	<p>This view represents primarily public vehicular audiences travelling west along Molesworth Street. The approach is along Molesworth Street in Business Area B (ODP) and Centre City</p>	<p>Landscape and façade enhancements and community connection enhancements with</p>

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	<p>wind wand and Coastal Walkway.</p> <p>This view considers primarily transient vehicle views looking west, heading east to west along Molesworth Street past the proposed development.</p> <p>Location 1,693,275 5,676,597 +/- 1m.</p>	<p>Zone (PDP) which has primarily (majority) 2-level commercial buildings (height wise) of low architectural quality flanking both sides of the street. The proposed building is the building on the north side of Molesworth Street before the Coastal Walkway area comes into view. The proposed development presents a superior and high-quality architectural aesthetic compared to the majority of the existing built form along this approach.</p> <p>The architectural aesthetics of the proposed building will provide a positive addition to the existing built form in the area.</p> <p>It is considered that the potential effects in this view will be 'Low' degree of effect with a 'Beneficial' nature of effect.</p>	<p>potential tenancy activity.</p> <p>Refer recommendations Items 1 & 2 in Section 8.2 for detailed description.</p> <p>Note: Implemented mitigation or enhancement recommendations will likely result in a lower 'effect' rating.</p>
6	<p>View heading west down the Woolcombe Terrace path connection to the Coastal Walkway that runs behind Bunnings. Looking west to south-west towards the proposed development.</p> <p>This view considers primarily a transient recreational experience of this view along the coastal walkway.</p> <p>Location 1,693,201 5,676,638 +/- 1m.</p>	<p>This view represents primarily pedestrians and cyclists travelling west down the connection pathway to the Coastal Walkway. Levels 0 and 1 of the proposed development are screened behind existing native vegetation with level 2 visible above the current canopy height with level 3 not showing within this field of view and with its setback not considered to be highly visible from similar views in this location.</p> <p>Due to audiences in this location primarily heading down a sloped path to connect to the Coastal Walkway, the proposed development is in the views periphery and is considered not to form a common focal point of audiences at this viewpoint.</p> <p>Although growth will be stunted due to the harsh coastal environment. It is expected that the existing vegetation will further screen the proposed development from this viewpoint over time.</p> <p>It is considered that the potential effects of this view will be</p>	<p>Refer recommendations Items 1, 2 & 3 in Section 8.2 for detailed description.</p> <p>Note: Implemented mitigation or enhancement recommendations will likely result in a lower 'effect' rating.</p>

		'Low' degree of effect with a 'neutral' nature of effect.	
7	<p>Heading East along the coastal walkway adjacent to Todd Aquatic Centre as the proposed development and Huatoki coastline is revealed in view.</p> <p>This view considers primarily a transient recreational experience of this view along the coastal walkway.</p> <p>Location 1,692,000 5,676,578 +/- 1m.</p>	<p>This view represents pedestrian and cyclists heading east along the Coastal Walkway just as the view of the Huatoki basin foreshore/CCZ portion of the Coastal Walkway is revealed in view.</p> <p>From this distance the proposed development is visible but fits with the overall built form vernacular that forms the city backdrop behind the Coastal Walkway/Huatoki foreshore.</p> <p>The colour of the proposed cladding is naturally recessive, and fits will within the existing landscape and built context. Due to tests conducted with samples of the proposed aluminium cladding it is to note that the renders don't adequately show the potential reflection that can occur with the product which could have the potential similar effect to the white buildings visible within this view.</p> <p>Due to the viewing distance, the existing built form and the current cladding colour. It is considered that any potential effects from this view will be 'Low' with a 'neutral' nature of effect.</p>	<p>Cladding reflectivity, Patterns and Colours to the facades.</p> <p>Refer recommendations Items 2 & 3 in Section 8.2 for detailed description.</p> <p>Note: Implemented mitigation or enhancement recommendations will likely result in a lower 'effect' rating.</p>
8	<p>Private audience at 30 & 40 - 42 Molesworth Street.</p> <p>This view considers the occupants and users of the above buildings looking North towards the proposed development. It assumes a similar view of the proposed bulk and scale shown in viewpoint 5 visual simulation.</p> <p>Refer following figures 3 & 4 for existing context.</p>	<p>This view represents a private audience within the buildings at 30 & 40 - 42 Molesworth Street. No analysis of potential views from within these properties has been obtained, therefore the following assessment is based on assumptions only. In terms of building height, viewpoint 5 analysis has been used to assume visual impact on the private properties as viewpoint 5 is at road level so indicates similar potential adverse effects as the proposed level 2 extension on the west face of the building will have in impacted coastal views from the buildings at 30 & 40 - 42 Molesworth Street. It is assumed to be a portion of</p>	<p>Cladding patterns and Colours to the facades. Activated pedestrian frontage.</p> <p>Refer recommendations Items 1 & 2 in Section 8.2 for detailed description.</p> <p>Note: Implemented mitigation or enhancement recommendations will likely result in a lower 'effect' rating.</p>

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		<p>sea and the remainder sky that is lost from potential views and it is noted that the height of the proposed activity complies with the new 14m height restriction.</p> <p>When assessed against a permitted building activity (ODP) and the assumed amount of lost view from this viewpoint. It is considered that the potential effects will be 'Low' with a 'Neutral' nature of effect.</p>	
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Figure 3: 30 Molesworth Street Viewpoint (Street Level) towards subject site



Figure 4: View of 40-42 & 30 Molesworth Street Buildings. Directly across the street from the subject site



Shading.

It is considered the proposed development will have 'negligible' shading effects on neighbouring private properties with the majority of the shade-affected area being road reserve or car park entrance.

8. LANDSCAPE ASSESSMENT RECOMMENDATIONS:

8.1 Purpose

The purpose of these recommendations is to mitigate any potential adverse effects and enhance any landscape attributes deemed appropriate with the proposed activity as outlined within the analysis and statutory provisions portions of this report. Mitigation recommendations have been developed in response to these potential effects on the immediate and wider receiving environment to ensure the proposed development achieves an appropriate level of potential effects.

Note: These recommendations are considered as post-assessment mitigation measures therefore would potentially change the current effect rating for some or all of the viewpoint locations within **Section 7.2, Table 2** of this report.

If implemented, these recommendations will likely result in a **lower** overall degree of effect and a **beneficial** overall nature of cumulative effects in some instances.

8.2 Landscape Assessment Recommendations

1. Landscape design elements where practical onsite and within the publicly visible outdoor living areas of the apartment and commercial tenancies, to be endemic locally significant plant species along with materials and colours that reflect the endemic landscape of the area and associated values. The garden beds along the road boundary are in unkept condition with some plants possibly too large for their location. A plant mix consisting of Corokia cotoneaster "Paritutu", Dianella nigra, Hebe speciosa (Napuka), Selliera radicans, Dysphyma austral, Pimelea prostrata, Fuchsia procumbens, Euphorbia glauca with the following specimen trees Myrsine salicina and Melicope ternata recommended in the landscaped area indicated in the north western corner of the site. In addition, a 2 year maintenance period to ensure plants are well established and weed species are controlled.
2. In absence of a CIA in writing of this report. Colors, patterns, and treatments (cultural narrative) to be considered on the Western façade, visible structure and potential signage that overlooks Waimanu Pā (SASM ID 736) if required and as directed as part of a provided CIA.
3. Ensure cladding and façade treatments have no greater adverse glare effects than a glazed façade would afford on the North, West and East facades of the proposed development.

9. CONCLUSION:

From a wider receiving environment landscape character and values perspective, It is considered that the overall degree of effect will be **'Mod-Low'** when assessed against the significance of the landscape in which the current proposed development is located that includes, the Huatoki Basin, the Coastal Walkway, SASM ID 736/Waimanu Pā and the Coastal Environment area all which have significant connection and value to mana whenua and the wider community.

From a visual effects perspective, when considering public and private experiences, the layout and location of the current proposed development, the building's bulk, scale, form and architectural finish. It is considered that the overall degree of effect will be **'Low'**.

From a cumulative landscape perspective and with the current proposed development, it is considered that the overall change in wider landscape effects to be **'Low'** with a **'Neutral'** nature of effect. This rating is likely to be **lower** with a **'beneficial'** nature of effect if the landscape mitigation recommendations in **Section 8.2** are adopted.

Assessment prepared by Daniel McEwan



DANIEL MCEWAN - LANDSCAPE ARCHITECT
BLA, NZILA Registered Landscape Architect

BOON

APPENDICES:

Appendix A:

Viewpoint Location Map & Mitigation Plan

Appendix B:

Viewpoint & Wider Context Location Map

Appendix C:

Viewpoint Visual Simulations

Appendix D:

Effects Rating & Definitions

Appendix D: Effects Rating & Definitions

Extreme – Use- the development/ activity would:

- result in an extreme change on the characteristics or key attributes of the receiving environment and/ or the vista within which it is seen; and/ or
- have an extreme effect on the perceived amenity derived from it
- unacceptably high visual effects, dominant feature, character of landscape is significantly affected

Very High – Use – the development/ activity would:

- have a very high level of effect on the character or key attributes of the receiving environment and/ or the vista within which it is seen; and/ or
- have a very high level of effect on the perceived amenity derived from it

High – Use – the development/ activity would:

- have a high level of effect on the character or key attributes of the receiving environment and/ or the vista within which it is seen; and/ or
- have a high level of effect on the perceived amenity derived from it
- high visual effect, significant and apparent change affecting overall landscape character

Moderate – Use – the development/ activity would:

- have a moderate level of effect on the character or key attributes of the receiving environment and/ or the vista within which it is seen; and/ or
- have a moderate level of effect on the perceived amenity derived from it
- visual effects of some significance, visible and recognizable new element, may have a noticeable impact on viewers

“Minor” threshold under the RMA

Low – Use – the development/ activity would:

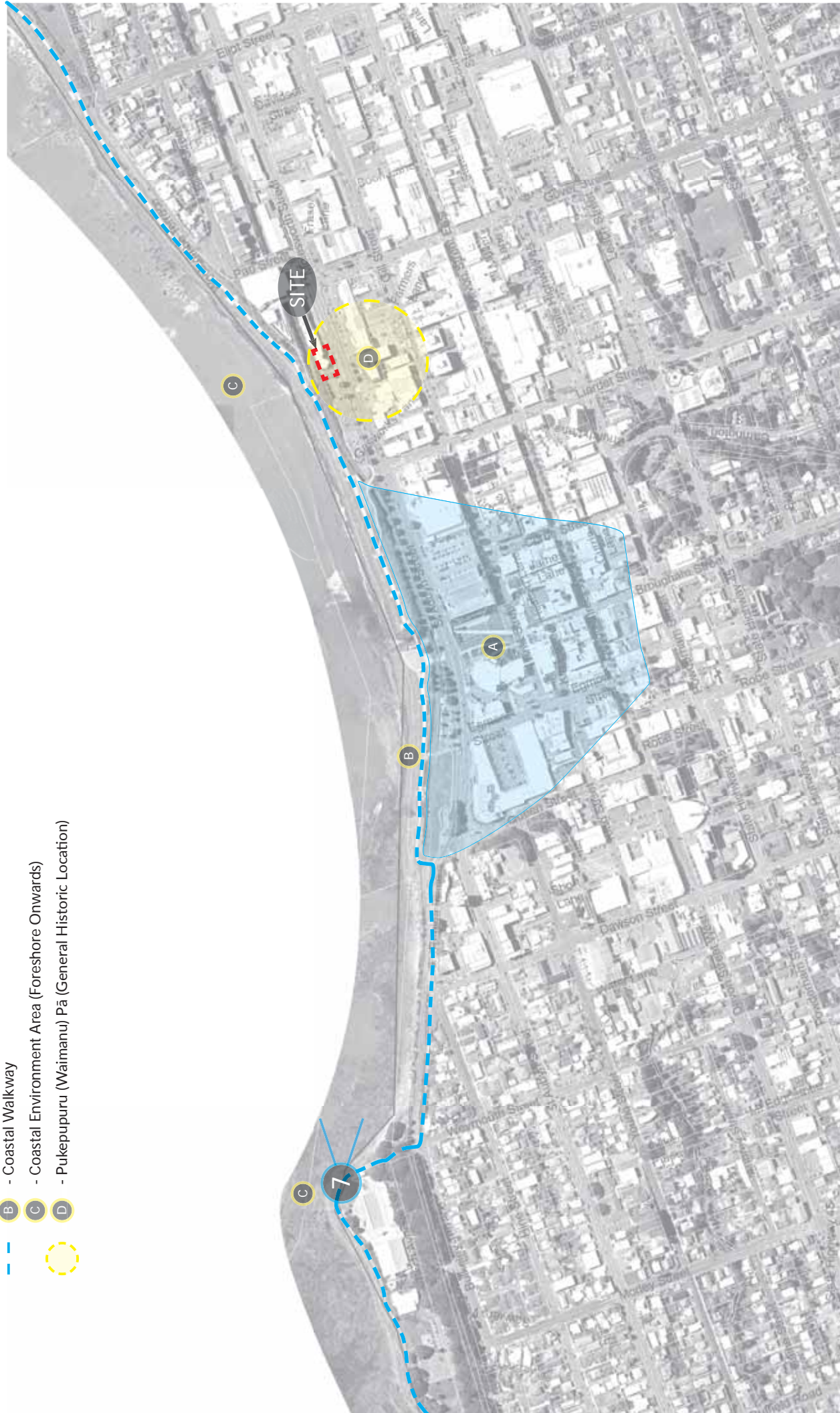
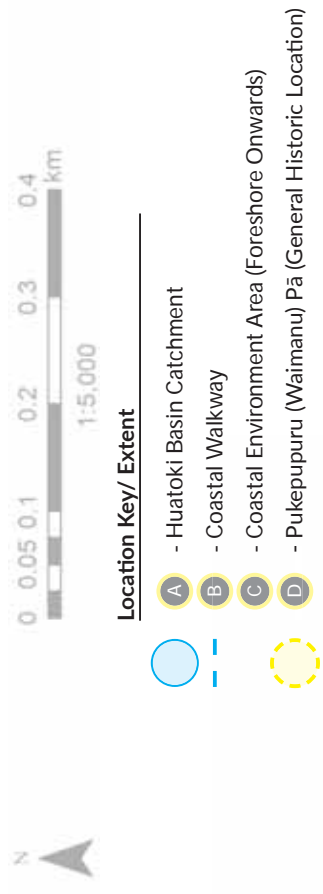
- have a low level of effect on the character or key attributes of the receiving environment and/ or the vista within which it is seen; and/ or
- have a low level effect on the perceived amenity derived from it
- no more than minor visual effects under RMA, no more than minor effects on view, which includes less than minor, minor component of a wider view

Very low – Use – the development/ activity would:

- have a very low level of effect on the character or key attributes of the receiving environment and/ or the vista within which it is seen; and/ or.
- have a very low level effect on the perceived amenity derived from it

Negligible – Use – the development/ activity would:

- have a negligible level of effect on the character or key attributes of the receiving environment and/ or the vista within which it is seen; and/ or
- have a negligible level effect on the perceived amenity derived from it



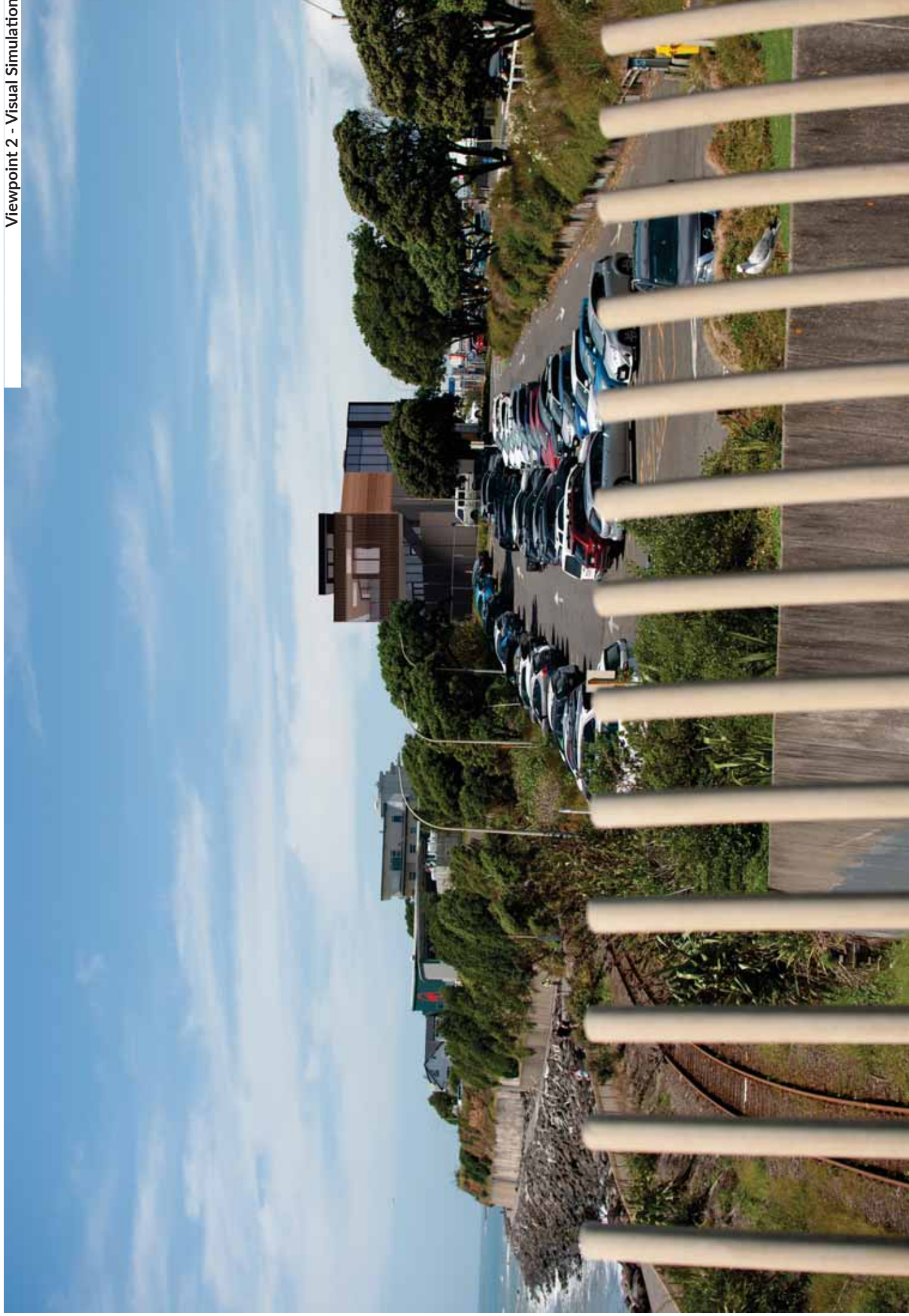


Viewpoint 1 - Visual Simulation
Appendix C

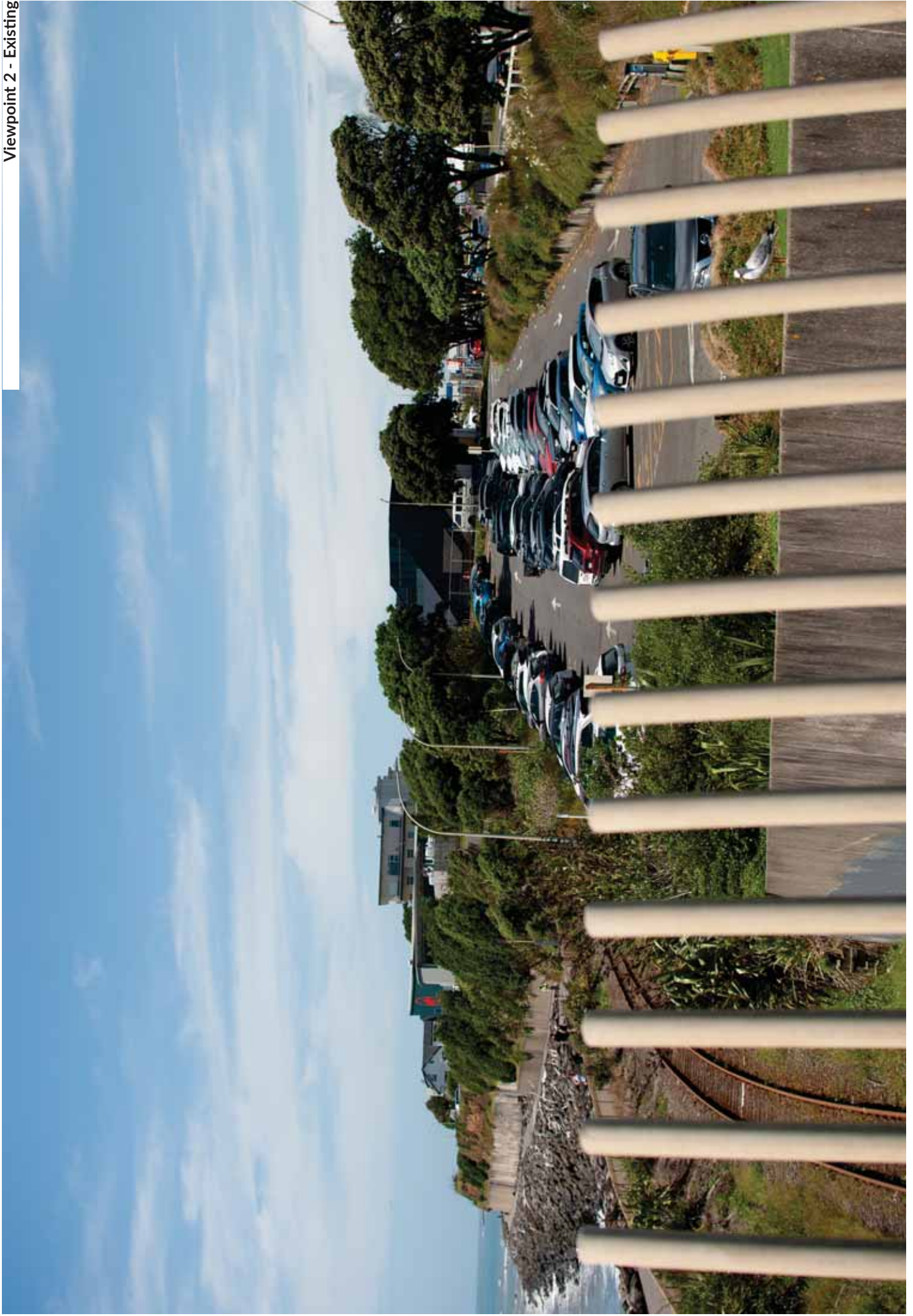


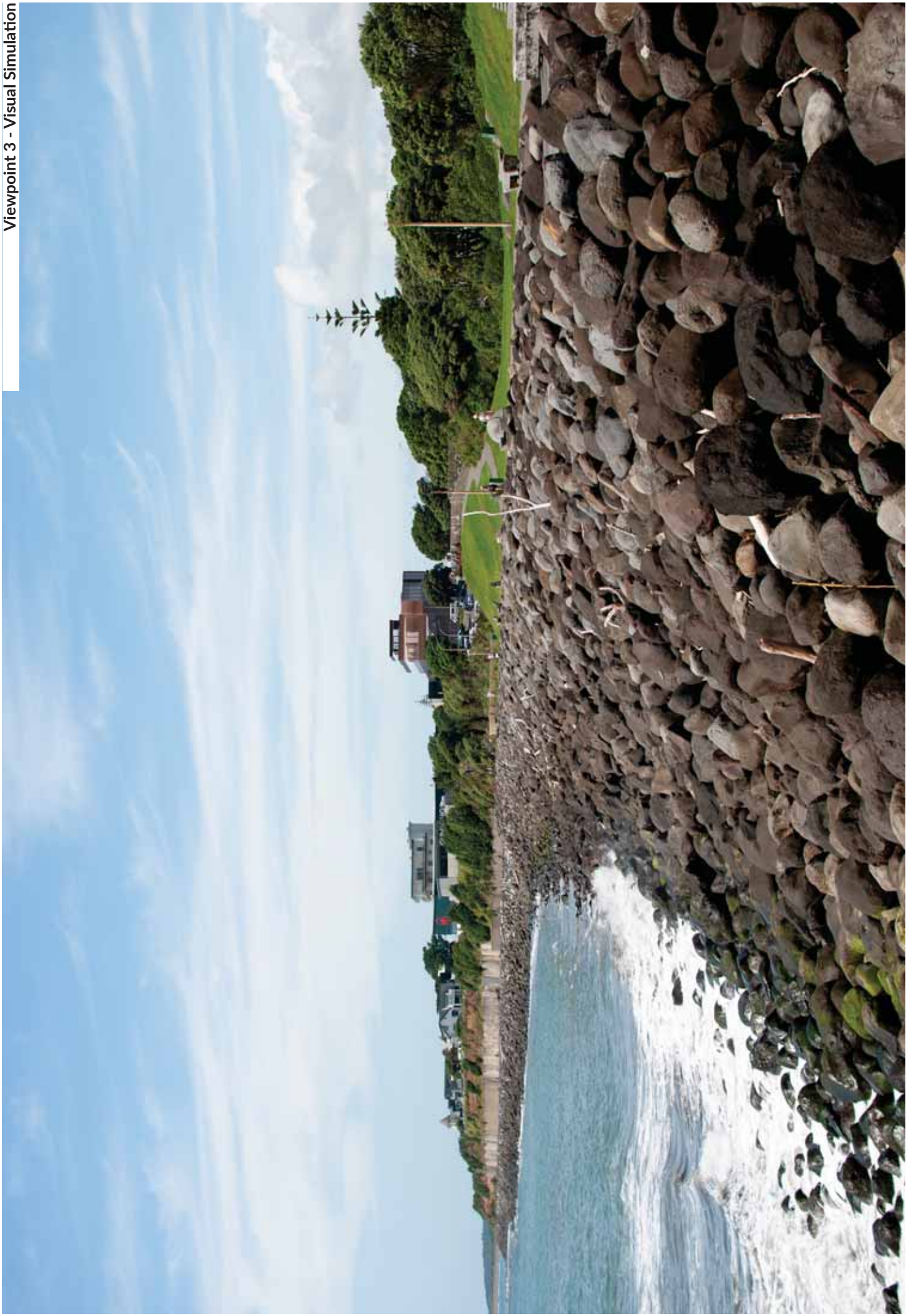
Viewpoint 1 - Existing



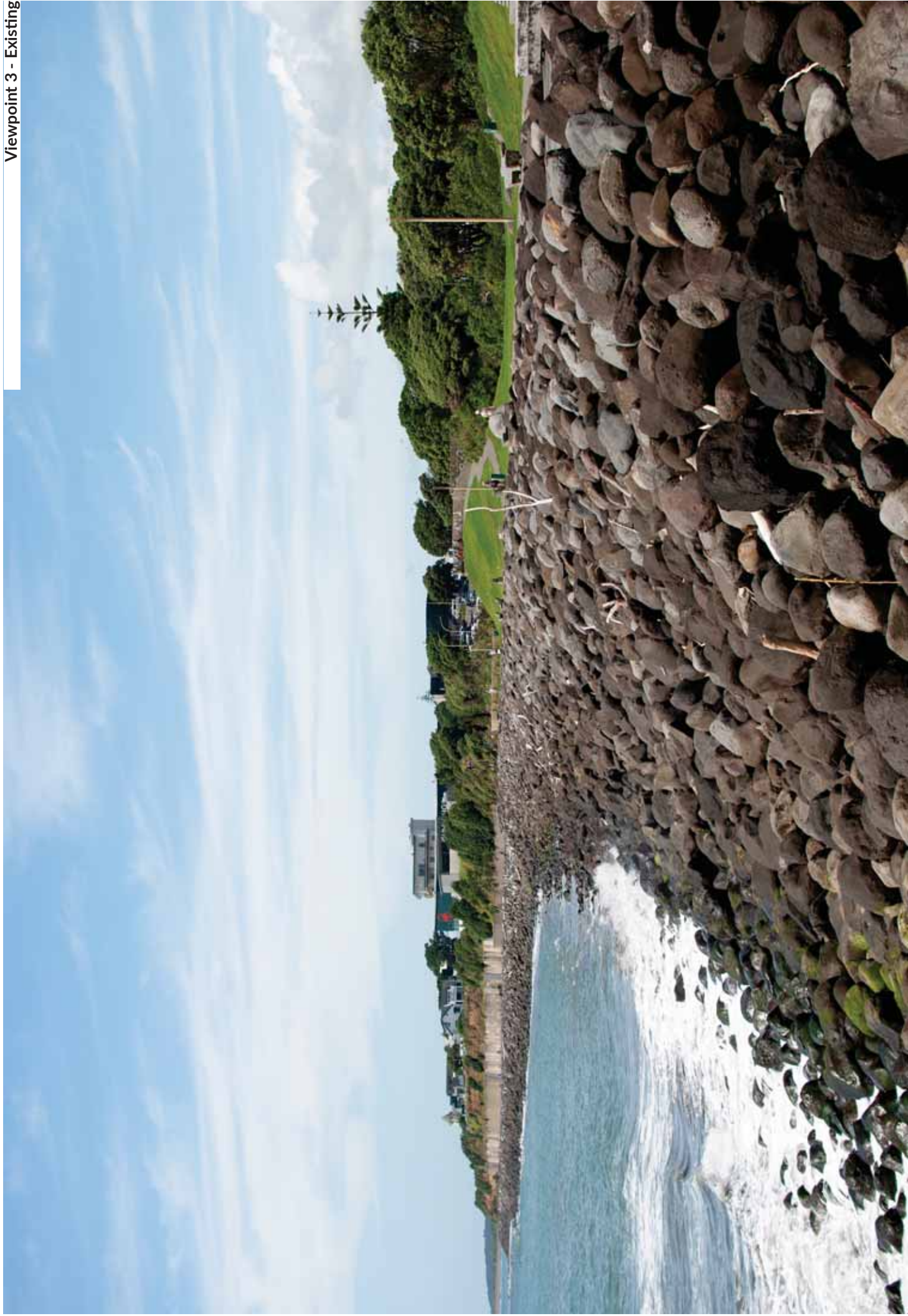


Viewpoint 2 - Existing

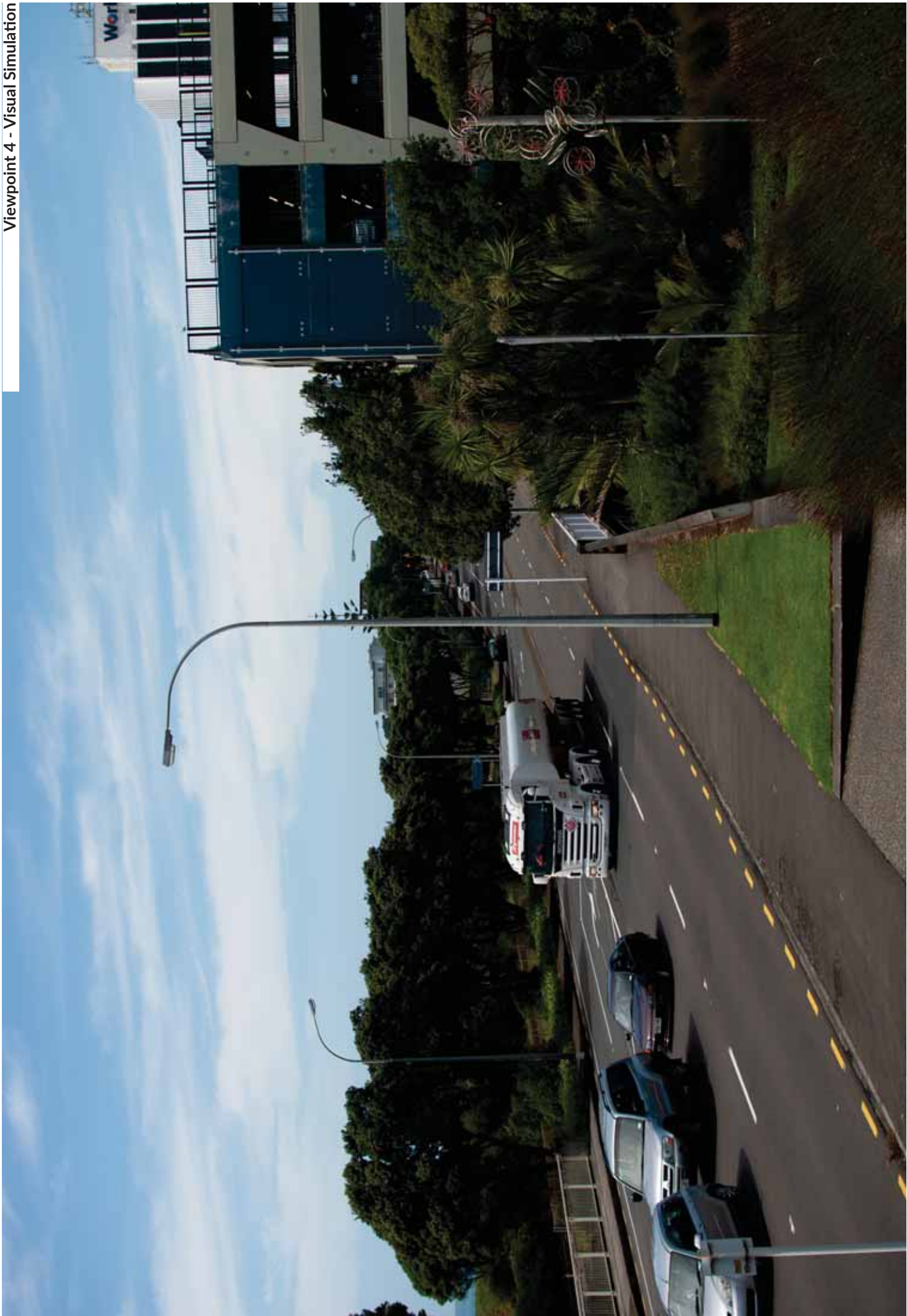




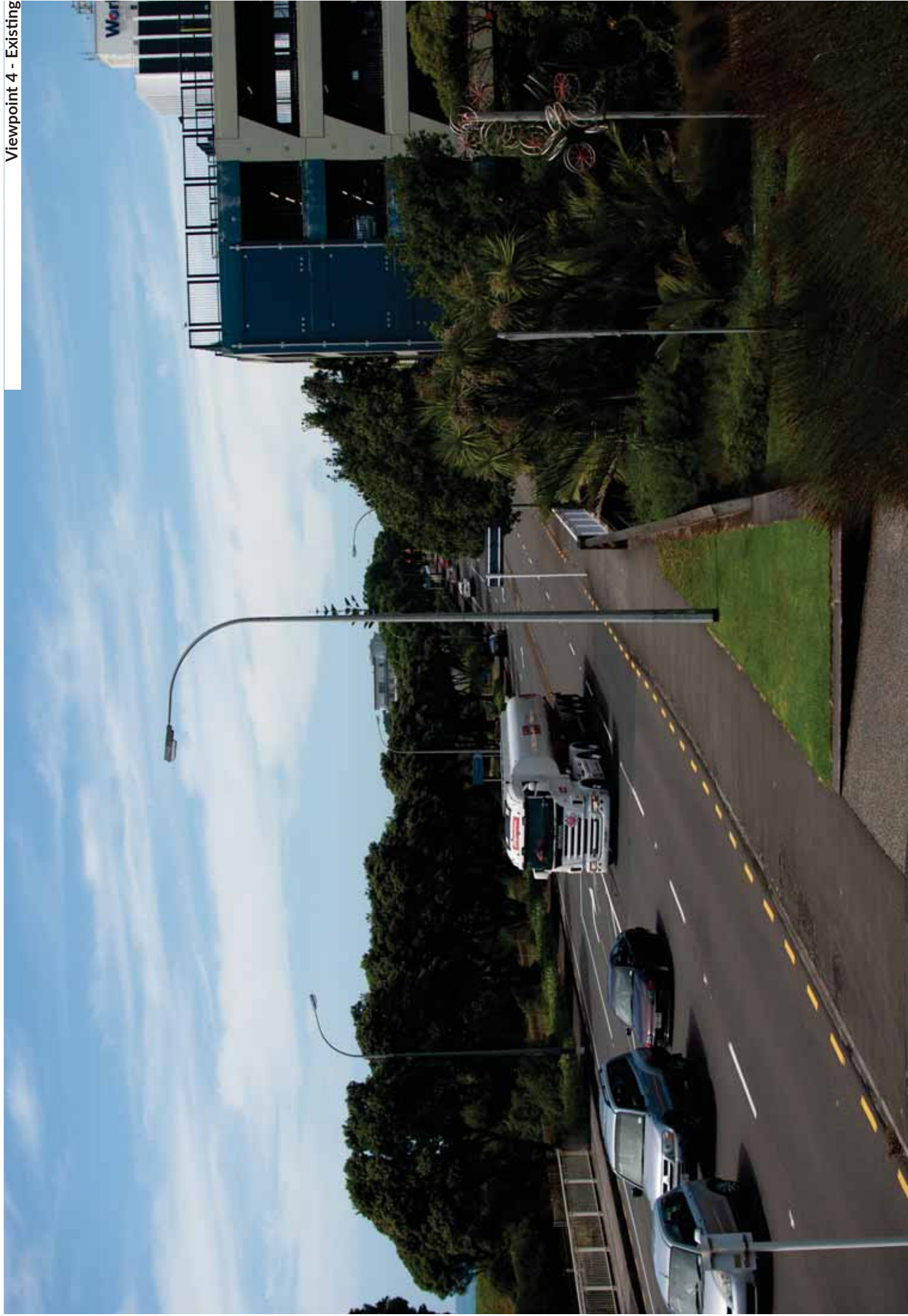
Viewpoint 3 - Existing

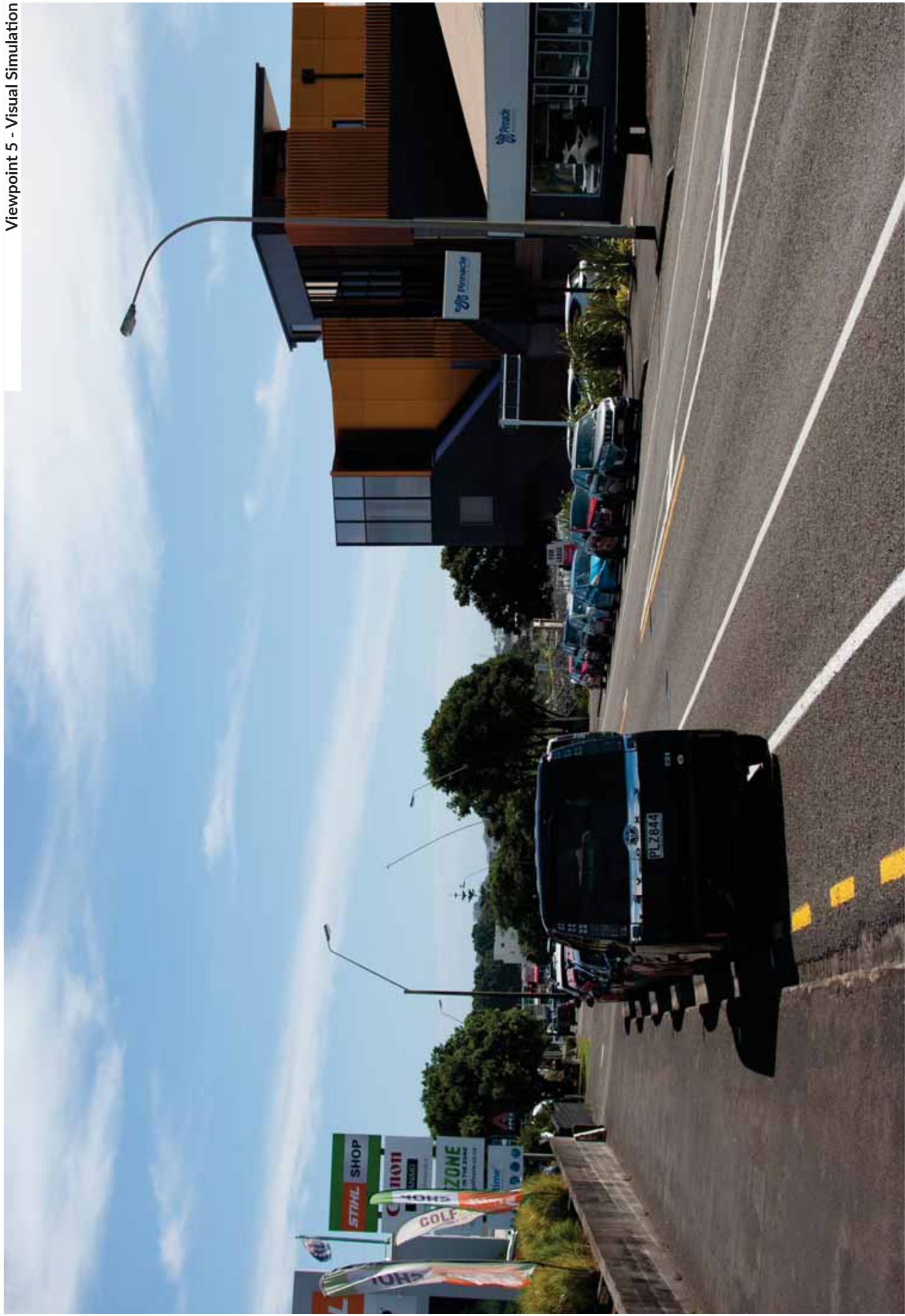


Viewpoint 4 - Visual Simulation



Viewpoint 4 - Existing





Viewpoint 5 - Existing

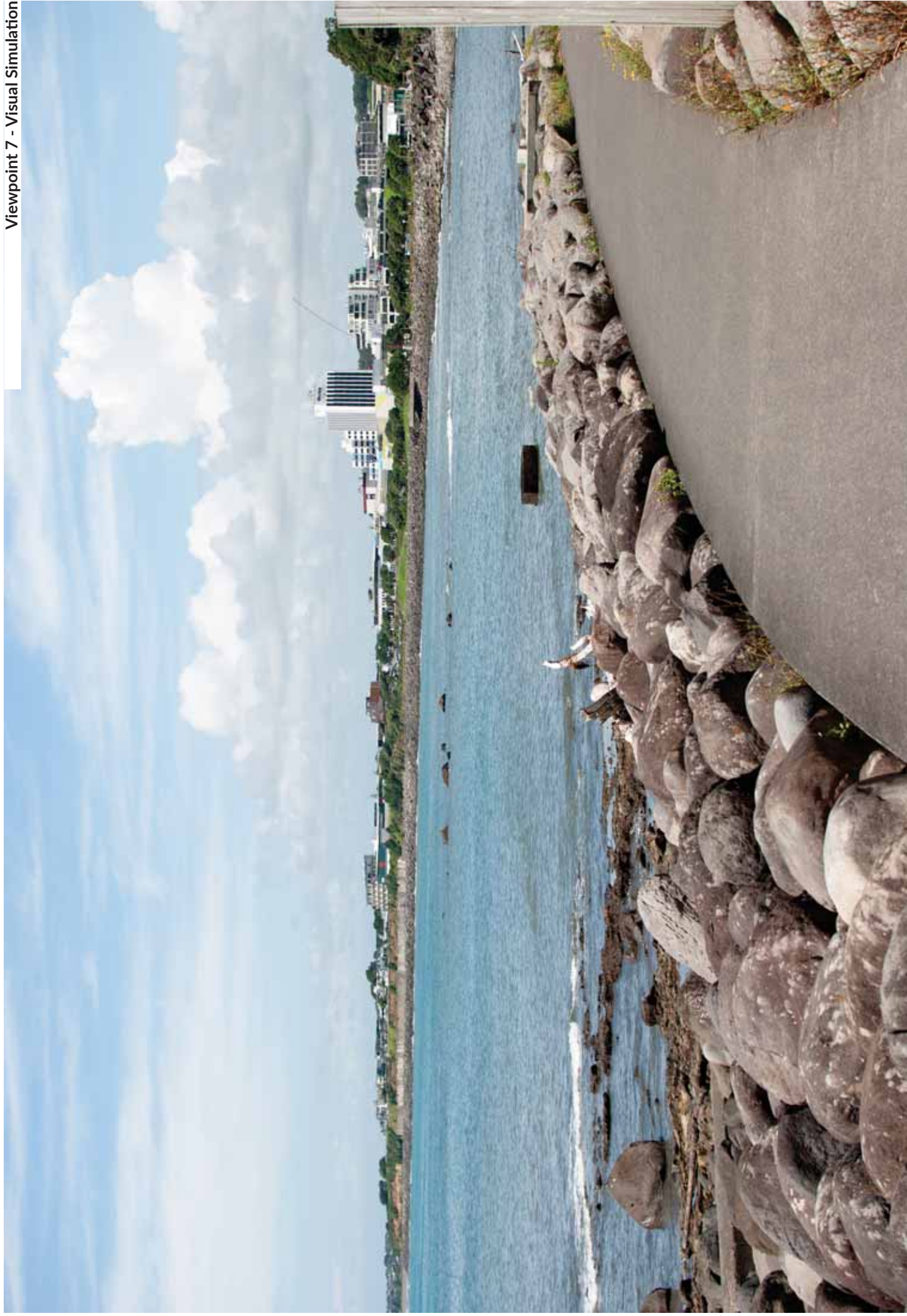


Viewpoint 6 - Visual Simulation

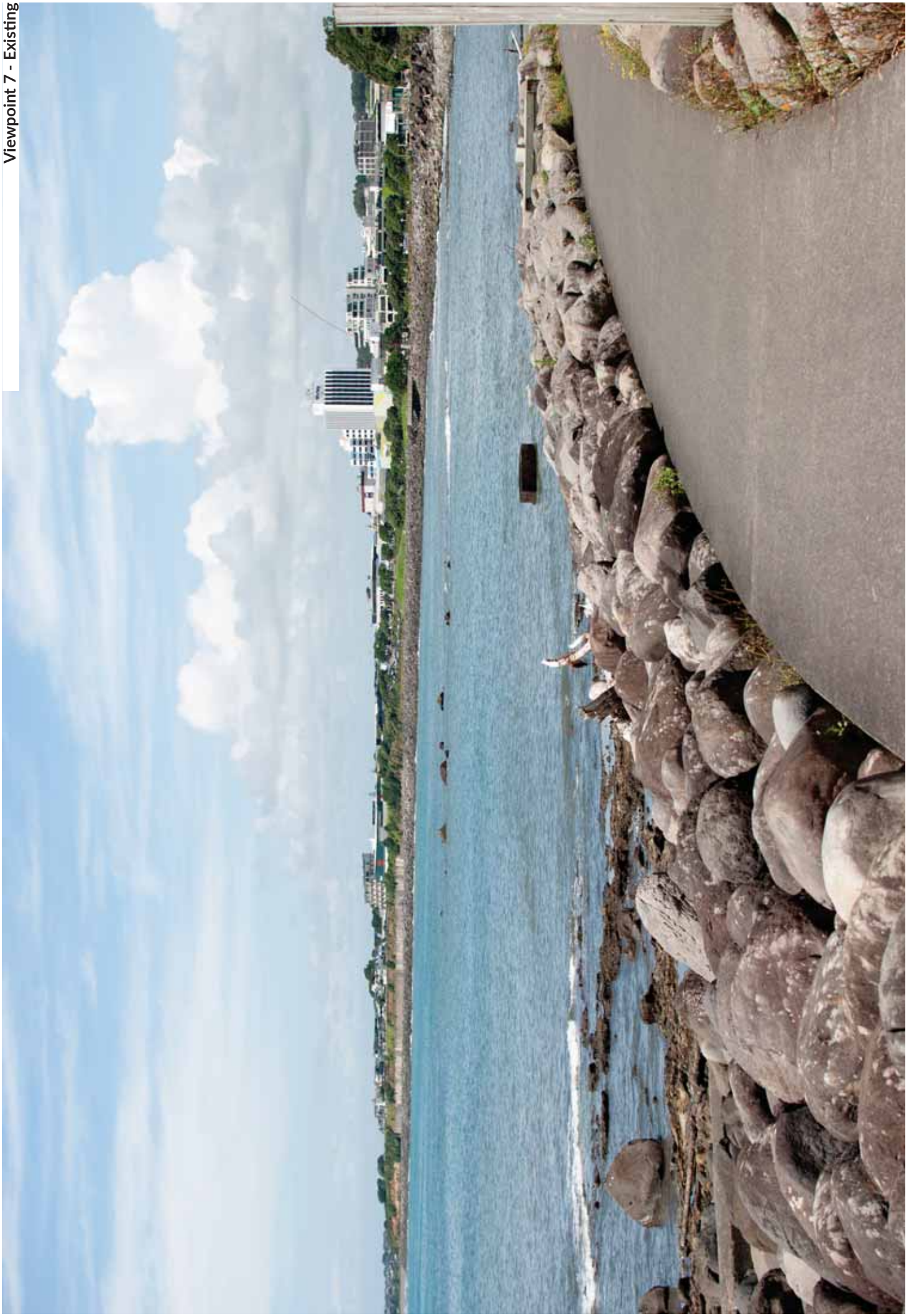


Viewpoint 6 - Existing





Viewpoint 7 - Existing



APPENDIX G RECORD OF CORRESPONDENCE WITH NGĀTI TE WHITI

Darelle Martin

From: Darelle Martin
Sent: Tuesday, 14 March 2023 2:41 pm
To: 'Te Atiawa Consents'
Cc: Ngati Te Whiti Hapu Society
Subject: RE: [#BTW220587.02] Proposed Building Extension at 34 - 41 Molesworth Street, New Plymouth

Thank you, see you then at TKOTA office on Eliot St.
Cheers,

DARELLE MARTIN Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Te Atiawa Consents <consents@teatiawa.iwi.nz>
Sent: Tuesday, 14 March 2023 1:28 pm
To: Darelle Martin <darelle.martin@btw.nz>
Cc: Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>
Subject: RE: [#BTW220587.02] Proposed Building Extension at 34 - 41 Molesworth Street, New Plymouth

EXTERNAL MESSAGE

Kia ora Darelle

Thanks for this. I saw you sent through a calendar invite, thanks also for that. I have discussed with Julie, she is available at 11am on the 21st. An hour will be sweet.

Ngā manaakitanga,
Sarah

From: Darelle Martin <darelle.martin@btw.nz>
Sent: Tuesday, 28 February 2023 11:52 am
To: Te Atiawa Consents <consents@teatiawa.iwi.nz>
Cc: Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>
Subject: RE: [#BTW220587.02] Proposed Building Extension at 34 - 41 Molesworth Street, New Plymouth

Hi Sarah, thanks for the considerations so far and offering to hui.

Monday 20th 4pm onwards or 21st 11am onwards would work. Could you please send me an invite as suits you and I can forward it on?

Ngā mihi,

DARELLE MARTIN Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Te Atiawa Consents <consents@teatiawa.iwi.nz>
Sent: Tuesday, 21 February 2023 10:39 am

To: Darelle Martin <darelle.martin@btw.nz>
Cc: Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>
Subject: RE: [#BTW220587.02] Proposed Building Extension at 34 - 41 Molesworth Street, New Plymouth

EXTERNAL MESSAGE

Kia ora Darelle

Thanks for your emails. Ngāti Te Whiti and Te Kotahitanga have visited the site and surrounds. The proposal is considered to be out of step with Tai Whenua, Tai Tangata, Tai Ao and the Ngāmotu New Plymouth Central City Strategy. As proposed, the building fails to recognise and provide for the relationship of Ngāti Te Whiti and our culture and traditions with our ancestral lands and wāhi tapu, including Waimanu Pā and the coast, amongst other important features of the cultural landscape.

Given its successes, proposing to follow a process similar to that of the consented Brougham Street building, including engaging the expert advice of tangata whenua to inform the proposal, would have been appropriate. It appears we are now being afforded the opportunity to provide informal feedback to a fully formed proposal.

I would be happy to attend an initial hui with Ngāti Te Whiti and the applicant's team to discuss a process to enable Ngāti Te Whiti to inform a proposal at the application site and move an application forward. Happy to host the hui at Te Kotahitanga.

Julie and I have the following availability:

- Monday 13 March after 2pm
- Monday 20 March after 2pm
- Tuesday 21 March after 10am

Look forward to hearing from you.

Ngā manaakitanga,
Sarah

From: Darelle Martin <darelle.martin@btw.nz>
Sent: Tuesday, 7 February 2023 10:06 am
To: Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>
Cc: Te Atiawa Consents <consents@teatiawa.iwi.nz>
Subject: FW: [#BTW220587.02] Proposed Building Extension at 34 - 41 Molesworth Street, New Plymouth

Kia ora Julie, Ngāti Te Whiti,

Sarah mentioned she was planning to discuss this one with you last week.

Kevin and the team are hoping to host you at a hui at BOON in the next couple of weeks, so we can discuss the plans and the thinking behind them, and figure out where to from there.

Are there any days and times that suit you best?

Kind regards,

DARELLE MARTIN Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin
Sent: Thursday, 19 January 2023 11:52 am
To: Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>
Cc: Te Atiawa Consents <consents@teatiawa.iwi.nz>
Subject: FW: [#BTW220587.02] Proposed Building Extension at 34 - 41 Molesworth Street, New Plymouth

Kia ora,

Attached are some draft plans for further development of Kevin Doody's building on 39-41 Molesworth Street. This would require a resource consent from Council and I am involved in doing the application for that.

Is this something Ngāti Te Whiti would want to discuss?

Please let me know if you are interested in meeting, and/or if you want me to discuss with Sarah Mako first.

Ngā mihi

DARELLE MARTIN Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin

Sent: Friday, 13 January 2023 10:50 am

To: Te Atiawa Consents <consents@teatiawa.iwi.nz>

Subject: FW: [#BTW220587.02] Proposed Building Extension at 34 - 41 Molesworth Street, New Plymouth

Good morning,

Just checking in to say we (BTW, BOON, Kevin) are back in our offices now and available to discuss this project. If this is something you would like to provide feedback on, we look forward to hearing from you.

Kia ora,

DARELLE MARTIN Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin

Sent: Friday, 16 December 2022 8:36 am

To: Te Atiawa Consents <consents@teatiawa.iwi.nz>

Subject: [#BTW220587.02] Proposed Building Extension at 34 - 41 Molesworth Street, New Plymouth

Kia ora,

A few months ago Ngāti Te Whiti provided feedback on a consent application for earthworks on a property Kevin Doody owns on 39-41 Molesworth Street, adjacent Waimanu Pā. Those activities have commenced and cultural monitoring was undertaken during the works.

I am writing to provide you with some draft plans (attached) for further development of the site, and ask – how would you like to engage on this?

Basically, the plans would see a building extension (with minor earthworks) out into the western carpark area, and two more levels (one much smaller in area) on top of the current two.

The building would be used for office / business tenancies on ground level and first level, then have a three-bedroom dwelling on level two, with a smaller lounge / lookout on the very top.

We could site visit, hui, or a standard 'review a draft application – provide feedback' approach. There are many options.

Look forward to any guidance on how we could discuss this project, and potentially some available times or days in late January / early Feb, if you would like to get together?

Ngā manaakitanga,

DARELLE MARTIN Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Te Atiawa Consents <consents@teatiawa.iwi.nz>

Sent: Monday, 5 September 2022 8:39 am

To: Darelle Martin <darelle.martin@btw.nz>

Cc: Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>

Subject: [#BTW220587] Proposed Earthworks at 34 - 41 Molesworth Street, New Plymouth

EXTERNAL MESSAGE

Kia ora Darelle

Thank you for meeting with Ngāti Te Whiti and Te Kotahitanga in August 2022 to discuss the proposal at 34 - 41 Molesworth Street, New Plymouth. I can confirm we have reviewed the AEE prepared by BTW Company dated 25.7.2022, we thank you for explaining the proposal in further detail at the hui.

Ngāti Te Whiti have worked with Kevin on other proposals and understand he intends to redevelop this site. Ngāti Te Whiti are happy to provide further advice given the significance of the area, to ensure the redevelopment proposal recognises and provides for Waimanu and the relationship of Ngāti Te Whiti with our ancestral lands.

Provided there is the opportunity to undertake cultural monitoring and tikanga associated with the proposed earthworks (secured by condition) and appropriate silt and sediment control measures are in place during the works (secured by condition), Ngāti Te Whiti are comfortable the proposal will protect Waimanu and the surrounding landscape, as well as recognise and provide for the relationship of Ngāti Te Whiti as kaitiaki with our ancestral lands and wāhi tapu.

In addition to the above, Ngāti Te Whiti and Te Kotahitanga o Te Atiawa, will the recommended conditions, are comfortable the proposal will not affect the Te Atiawa Coastal Marine Area scheduled Statutory Acknowledgement under the Te Atiawa Claims Settlement Act 2016. Statutory acknowledgement is the recognition of the cultural, traditional, spiritual and historical relationships Te Atiawa had with those areas.

Ngāti Te Whiti and Te Kotahitanga are comfortable the proposal is consistent with the provisions and outcomes of *Tai Whenua*, *Tai Tangata*, *Tai Ao*, the Te Atiawa iwi environmental management plan.

Could you please advise who the NPDC environmental planner is processing the application. The invoice for informing this mahi will be provided directly to NPDC for on-charging to the applicant.

If you require anything further, please let me know.

Ngā manaakitanga,
Sarah

Darelle Martin

Subject: FW: [#BTW220587.02] Minutes from meeting to discuss proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody

From: Darelle Martin

Sent: Tuesday, June 6, 2023 8:07 AM

To: Te Atiawa Consents <consents@teatiawa.iwi.nz>; 'Ngati Te Whiti Hapu Society' <ngatitewhitisocietyinc@gmail.com>; Sarah Mako <sarah@teatiawa.iwi.nz>

Cc: Shaun Murphy <s.murphy@boon.co.nz>

Subject: RE: [#BTW220587.02] Minutes from meeting to discuss proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody

Kia ora Julie and Sarah, are you please able to let me know how this is going this week?

Thanks for your time,

DARELLE MARTIN Pou Whakamāhere Taiao | Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>

Sent: Tuesday, May 30, 2023 7:24 AM

To: Darelle Martin <darelle.martin@btw.nz>

Cc: Sarah Mako <sarah@teatiawa.iwi.nz>; Shaun Murphy <s.murphy@boon.co.nz>; Te Atiawa Consents <consents@teatiawa.iwi.nz>

Subject: RE: [#BTW220587.02] Minutes from meeting to discuss proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody

EXTERNAL MESSAGE

Kia ora Darelle

Ngati te Whiti will have feedback soon, just waiting for board to come back on a couple of things.

nga mihi nui

Julie Healey

Chairperson

Ngati Te Whiti Hapu

On Mon, May 29, 2023 at 2:33 PM Darelle Martin <darelle.martin@btw.nz> wrote:

Hi Sarah, are you please to get in touch soon?

Ngā mihi

DARELLE MARTIN Pou Whakamāhere Taiao | Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin
Sent: Tuesday, May 23, 2023 11:32 AM
To: 'Ngati Te Whiti Hapu Society' <ngatitewhitisocietyinc@gmail.com>
Cc: 'Sarah Mako' <sarah@teatiawa.iwi.nz>; Shaun Murphy <s.murphy@boon.co.nz>; 'Te Atiawa Consents' <consents@teatiawa.iwi.nz>
Subject: RE: [#BTW220587.02] Minutes from meeting to discuss proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody

Hi Julie, Sarah is away this week.

Is there anything you may be able to advise us please, so that Kevin may be able to keep working on this project?

Thanks for your time,

DARELLE MARTIN Pou Whakamāhere Taiao | Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin
Sent: Monday, May 22, 2023 12:52 PM
To: Te Atiawa Consents <consents@teatiawa.iwi.nz>
Cc: Sarah Mako <sarah@teatiawa.iwi.nz>; Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>; Shaun Murphy <s.murphy@boon.co.nz>
Subject: RE: [#BTW220587.02] Minutes from meeting to discuss proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody

Kia ora Sarah,

Are you please able to come back to us on outcomes of your hui with Ngāti Te Whiti last week?

Kind regards,

DARELLE MARTIN Pou Whakamāhere Taiao | Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin
Sent: Wednesday, May 10, 2023 11:22 AM
To: 'Te Atiawa Consents' <consents@teatiawa.iwi.nz>
Cc: 'Sarah Mako' <sarah@teatiawa.iwi.nz>; 'Ngati Te Whiti Hapu Society' <ngatitewhitisocietyinc@gmail.com>
Subject: RE: [#BTW220587.02] Minutes from meeting to discuss proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody

Kia ora Sarah and thank you to everyone involved in making the hikoi happen yesterday. We appreciated the time and insights shared.

Just wanting to check in on your expectations for how we can proceed in receiving and responding to more targeted feedback.

Could it work if hapū provide some more detailed feedback, Kevin and BOON consider and draft up some sketches, and then we meet again for those to be presented and discussed?

Look forward to any further thoughts, thank you,

DARELLE MARTIN Pou Whakamāhere Taiao | Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin

Sent: Monday, April 24, 2023 12:25 PM

To: 'Te Atiawa Consents' <consents@teatiawa.iwi.nz>

Cc: Sarah Mako <sarah@teatiawa.iwi.nz>; Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>

Subject: RE: [#BTW220587.02] Minutes from meeting to discuss proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody

Kia ora, thank you for organising this.

At least Kevin, Shaun Murphy and I will be there.

Thank you,

DARELLE MARTIN Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Te Atiawa Consents <consents@teatiawa.iwi.nz>

Sent: Friday, April 21, 2023 5:42 PM

To: Darelle Martin <darelle.martin@btw.nz>

Cc: Sarah Mako <sarah@teatiawa.iwi.nz>; Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>; Shaun Murphy <s.murphy@boon.co.nz>

Subject: RE: [#BTW220587.02] Minutes from meeting to discuss proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody

EXTERNAL MESSAGE

Kia ora Darelle

I phoned yesterday - sorry I wasn't able to catch you. Sorry for sending this late in the day.

Ngāti Te Whiti, led by Damon Ritai, will host a hīkoi through central Ngāmotu, as part of the hapū process in informing and providing advice to proposals in the central area. The hīkoi forms part of the process for Ngāti Te Whiti in informing the proposal on Waimanu Pā (Kevin Doody).

Ngāti Te Whiti are proposing this be held on Tuesday 9 May commencing at 7.45am at Puke Ariki. The hīkoi will cover the cultural landscape of significance to Ngāti Te Whiti, highlighting some of the key sites and areas of significance including Puke Ariki, Waimanu, Te Kawau, Pūkākā, the Huatoki and Mangaotuku, Tangaroa, and the wider whenua and ancestral lands.

Ngāti Te Whiti wish to invite Kevin Doody and team to participate in the hīkoi. We expect the hīkoi will take approximately 2 - 2.5 hours.

To let you know we are also inviting applicants for three other projects in the central city area to attend also, to ensure efficiency of hapū members time.

To let you know, Ngāti Te Whiti had a wānanga last weekend and a number of kaupapa were discussed, including Kevin's proposal. Ngāti Te Whiti have raised concerns about the proposed building's overall bulk, particularly in relation to the building's response to the whenua and form. This will be discussed at a high level during the hīkoi; however, more detail will be made available following the hīkoi.

Please let us know availability of Kevin and team for the hīkoi.

Ngā manaakitanga,

Sarah

From: Darelle Martin <darelle.martin@btw.nz>
Sent: Wednesday, 19 April 2023 2:27 pm
To: Te Atiawa Consents <consents@teatiawa.iwi.nz>
Cc: Sarah Mako <sarah@teatiawa.iwi.nz>; Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>; Shaun Murphy <s.murphy@boon.co.nz>
Subject: RE: [#BTW220587.02] Minutes from meeting to discuss proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody

Kia ora, just wondering how this is tracking please?

Ngā mihi

DARELLE MARTIN Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin
Sent: Thursday, April 13, 2023 10:38 AM
To: Te Atiawa Consents <consents@teatiawa.iwi.nz>
Cc: Sarah Mako <sarah@teatiawa.iwi.nz>; Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>
Subject: FW: [#BTW220587.02] Minutes from meeting to discuss proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody

Kia ora Sarah, do the next couple of weeks look any quieter for a possible hikoi with Damon?

Thanks for your efforts,

DARELLE MARTIN Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

From: Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>
Sent: Friday, April 7, 2023 2:37 AM
To: Darelle Martin <darelle.martin@btw.nz>
Subject: RE: [#BTW220587.02] Minutes from meeting to discuss proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody

EXTERNAL MESSAGE

Kia ora Darelle

I am sure this hikoi will take place just being a short week. I know Damon is busy next week, because I have booked him to address the Commissioners at NPDC, we also have the opening of Te Whare Hononga at St Mary's and a couple of other things happening.

Sarah will let you asap.

Enjoy your weekend Darelle.

nga mihi nui

Julie Healey

Chairperson

Ngati Te Whiti Hapu

On Thu, Apr 6, 2023 at 8:02 AM Darelle Martin <darelle.martin@btw.nz> wrote:

Kia ora Julie, Sarah is away this week, just wondering if there was any news about a hui or hikoi with Damon please?

Ngā mihi

DARELLE MARTIN Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin
Sent: Thursday, March 30, 2023 9:28 AM
To: 'Sarah Mako' <sarah@teatiawa.iwi.nz>
Cc: 'Ngati Te Whiti Hapu Society' <ngatitewhitisocietyinc@gmail.com>; 'Te Atiawa Consents' <consents@teatiawa.iwi.nz>
Subject: RE: [#BTW220587.02] Minutes from meeting to discuss proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody

Hi Sarah,

Just wondering if Damon had any thoughts on availability for a hui?

Ngā mihi

DARELLE MARTIN Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin

Sent: Thursday, March 23, 2023 8:23 AM

To: Sarah Mako <sarah@teatiawa.iwi.nz>

Cc: Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>; Te Atiawa Consents <consents@teatiawa.iwi.nz>

Subject: [#BTW220587.02] Minutes from meeting to discuss proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody

Kia ora, thank you for the hui on Tuesday to discuss this project.

Recapping

Attendees: Julie Healy, Sarah Mako, Kevin Doody, Shaun Murphy, Murali Bhaskar, Cam Twigley, Darelle Martin

Kevin briefed his thoughts to continue the theme of the building upwards, with two commercial levels and a house with an upper lounge on top, structurally strengthened. Concept plans (attached) showing those ideas were shared. There are commercial tenants keen to proceed.

Initial feedback from Julie and Sarah:

- Brougham St is an example of an excellent process for working together on a development and those methods could be used again.
- Extent of Waimanu Pā is potentially greater than the Central City Strategy reflects, and could be a focal point.
- Consider what the proposal looks like sitting offshore looking onshore.
- Bunnings and others in this block are potentially ripe for redevelopment in the future, possibly taller as the PDP suggests, and this site is the first of the block.
- TKOTA and Ngāti Te Whiti can assist with further kōrero to refresh us on the history and values of the site and potential design aspects.

Next steps:

- Julie and Sarah to consider someone they recommend for design advice.
- Sarah to discuss with Damon about hosting a hui as explained above.

Look forward to your advice on these,

Ngā mihi

DARELLE MARTIN Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

-----Original Appointment-----

From: Darelle Martin

Sent: Monday, 6 March 2023 8:50 am

To: Darelle Martin; Sarah Mako; Te Atiawa Consents; Ngati Te Whiti Hapu Society; Shaun Murphy; Murali Bhaskar; Cam Twigley; kdooddy@xtra.co.nz

Cc: Kevin Doody

Subject: Confirmed - Meeting to discuss proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody

When: Tuesday, 21 March 2023 11:00 am-12:00 pm (UTC+12:00) Auckland, Wellington.

Where: 19 Eliot Street (19 Eliot Street, New Plymouth Taranaki 4310)

Hi all,

Confirming this day and time for a 1 hour hui at Te Atiawa office on Eliot St.

Kind regards

DARELLE MARTIN Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

Ngāti Te Whiti CIA process to inform the Kevin Doody redevelopment
Molesworth Street, New Plymouth (Te Kotahitanga providing assistance) - Estimated Costing

Hourly Rates	
Ngāti Te Whiti Hapū	
Ngāti Te Whiti designer	
Te Kotahitanga o Te Atiawa	

No.	Deliverables	Detail	Deadline	Rate	Hours	Cost
1	Cultural Impact Assessment process					
1a	Initial hui/ site visit/ historical overview prep - Ngāti Te Whiti	Initial hui with applicant Representatives from Ngāti Te Whiti and Te Kotahitanga Ste visit for Ngāti Te Whiti Representatives from Ngāti Te Whiti Historical overview preparation Representatives from Ngāti Te Whiti and Te Kotahitanga Hīkoi Representatives from Ngāti Te Whiti and Te Kotahitanga	COMPLETED COMPLETED TBC COMPLETED			
1b	Wānanga 1 - Ngāti Te Whiti (only) Capture earlier kōrero and observations from the initial hui, site visit, etc.	Wānanga Representatives from Ngāti Te Whiti Te Kotahitanga o Te Atiawa to provide assistance Disbursements (marae hireage, etc)	TBC			
1c	Hīkoi and hui - Ngāti Te Whiti and applicant Agreement with applicant around IP in relation to design	Hui - presentation of narrative- aspirations Representatives from Ngāti Te Whiti and Te Kotahitanga Hapū designer to work with applicant's architect Hapū designer	TBC TBC			
1d	Hui - Ngāti Te Whiti and applicant Hapū designer and applicant to present back	Hui Representatives from Ngāti Te Whiti (Te Kotahitanga to assist) Hapū designer Disbursements (marae hireage, etc)	TBC		Confidential	
1e	Wānanga 2 - Ngāti Te Whiti (only) Wānanga regarding design/ endorsement of design	Wānanga Representatives from Ngāti Te Whiti (Te Kotahitanga to assist) Hapū designer Disbursements (marae hireage, etc)	TBC			
1f	Hui - Ngāti Te Whiti and applicant Design provision confirmation	Hui Representatives from Ngāti Te Whiti (Te Kotahitanga to assist) Hapū designer Disbursements (marae hireage, etc)	TBC			
1g	Drafting Consent conditions	Drafting and hui Representatives from Ngāti Te Whiti and Te Kotahitanga	TBC			
1h	Review of draft consent application	Review and final advice Representatives from Ngāti Te Whiti and Te Kotahitanga	TBC			
	TOTAL (Excluding GST)					
	TOTAL (Including GST)					

Darelle Martin

From: Darelle Martin
Sent: Thursday, 24 August 2023 9:07 am
To: 'Ngati Te Whiti Hapu Society'
Cc: 'Te Atiawa Consents'; 'Shaun Murphy'; 'Kevin'; 'Callum Barnett'; Cam Twigley
Subject: RE: [#BTW220587.02] proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody Inbox

Hi Julie,

Please let us know if there is any news on CIA progress / feedback from Ngāti Te Whiti,

Thank you,

DARELLE MARTIN Pou Whakamāhere Taiao | Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin
Sent: Tuesday, August 8, 2023 1:55 PM
To: 'Ngati Te Whiti Hapu Society' <ngatitewhitisocietyinc@gmail.com>
Cc: 'Te Atiawa Consents' <consents@teatiawa.iwi.nz>; 'Shaun Murphy' <s.murphy@boon.co.nz>; 'Kevin' <kdoody@extra.co.nz>; 'Murali Bhaskar' <m.bhaskar@boon.co.nz>; 'Callum Barnett' <c.barnett@boon.co.nz>; Cam Twigley <Cam.Twigley@btw.nz>
Subject: RE: [#BTW220587.02] proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody Inbox

Hi Julie,

Just wondering if there was any update please, after your hui with Sarah on Friday?

I mentioned to Sarah that BOON and I could work on preparing drawings and the consent application to lodge with Council in the next few weeks, so that Council could start considering it. We are going to go ahead with that method, as I do not expect anything to move fast with Council since the new PDP decisions / appeals are out. We hope to keep consultation running alongside, and if/when design outcomes from wānanga and hui with BOON and Kevin can be realised, the application could be amended to reflect that.

Sarah said she would discuss that method with you, and also some potential times and dates for working on the CIA tasks together.

Look forward to any update, thank you,

DARELLE MARTIN Pou Whakamāhere Taiao | Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin
Sent: Monday, July 24, 2023 10:51 AM
To: 'Ngati Te Whiti Hapu Society' <ngatitewhitisocietyinc@gmail.com>
Cc: 'Te Atiawa Consents' <consents@teatiawa.iwi.nz>; 'Shaun Murphy' <s.murphy@boon.co.nz>; 'Kevin' <kdoody@extra.co.nz>; 'Murali Bhaskar' <m.bhaskar@boon.co.nz>; 'Callum Barnett' <c.barnett@boon.co.nz>; Cam

Twigley <Cam.Twigley@btw.nz>

Subject: RE: [#BTW220587.02] proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody Inbox

Hi Julie,

Was there any further news on this, please?

Thank you,

DARELLE MARTIN Pou Whakamāhere Taiao | Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin

Sent: Wednesday, July 12, 2023 1:48 PM

To: 'Ngati Te Whiti Hapu Society' <ngatitewhitisocietyinc@gmail.com>

Cc: Te Atiawa Consents <consents@teatiawa.iwi.nz>; Shaun Murphy <s.murphy@boon.co.nz>; Kevin <kdooddy@extra.co.nz>; Murali Bhaskar <m.bhaskar@boon.co.nz>; Callum Barnett <c.barnett@boon.co.nz>; Cam Twigley <Cam.Twigley@btw.nz>

Subject: RE: [#BTW220587.02] proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody Inbox

Thanks for the update Julie,
Kind regards

DARELLE MARTIN Pou Whakamāhere Taiao | Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>

Sent: Wednesday, July 12, 2023 5:30 AM

To: Darelle Martin <darelle.martin@btw.nz>

Cc: Te Atiawa Consents <consents@teatiawa.iwi.nz>; Shaun Murphy <s.murphy@boon.co.nz>; Kevin <kdooddy@extra.co.nz>; Murali Bhaskar <m.bhaskar@boon.co.nz>; Callum Barnett <c.barnett@boon.co.nz>; Cam Twigley <Cam.Twigley@btw.nz>

Subject: RE: [#BTW220587.02] proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody Inbox

EXTERNAL MESSAGE

Atamarie Darelle

Thank you for your email.

Working with Hapū on the kaupapa, will get back with a date to hui as school holidays busy for most of us, babysitting etc.

I will get back to you as soon as possible.

Nga mihi nui
Julie Healey

On Tue, Jul 11, 2023, 11:38 Darelle Martin <darelle.martin@btw.nz> wrote:

Hi all,

Just following up to see if we can please get some hui on the move.

I am away from Matariki until 23rd July, back from 24th.

During that time if you can please advise Cam about any available dates and time for hui, he can coordinate our people.

Look forward to your response,

Ngā mihi

DARELLE MARTIN Pou Whakamāhere Taiao | Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin

Sent: Monday, July 3, 2023 12:52 PM

To: 'Ngati Te Whiti Hapu Society' <ngatitewhitisocietyinc@gmail.com>; 'Te Atiawa Consents' <consents@teatiawa.iwi.nz>

Cc: Shaun Murphy <s.murphy@boon.co.nz>; kdooddy@extra.co.nz; Murali Bhaskar <m.bhaskar@boon.co.nz>; Callum Barnett <c.barnett@boon.co.nz>

Subject: RE: [#BTW220587.02] proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody Inbox

Hi Sarah and Julie,

I left a message with front desk last week Sarah, are we please able to have an update on how this is progressing?

Are we working on the following steps through July?

Can you please let me know availability for:

- Hīkoi and hui about narrative aspirations in the next three weeks
- Hui for presenting back – in the last week of July



Nā

DARELLE MARTIN Pou Whakamāhere Taiao | Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin

Sent: Thursday, June 22, 2023 2:57 PM

To: 'Ngati Te Whiti Hapu Society' <ngatitewhitisocietyinc@gmail.com>

Cc: 'Te Atiawa Consents' <consents@teatiawa.iwi.nz>

Subject: RE: [#BTW220587.02] proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody Inbox

Hi Julie and Sarah, just wanting to check you are all OK to proceed with the CIA process?

Ngā mihi

DARELLE MARTIN Pou Whakamāhere Taiao | Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin
Sent: Wednesday, June 14, 2023 10:46 AM
To: Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>
Cc: Te Atiawa Consents <consents@teatiawa.iwi.nz>
Subject: FW: [#BTW220587.02] proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody Inbox

Hi Julie,

Kevin is keen to engage and start the process you outlined, and to hear if we could make this happen in the next few months.

When you come to invoicing, if you can please do so to K D Holdings, rather than BTW.

Is there anything formal you would like him to sign?

Thank you for your help,

DARELLE MARTIN Pou Whakamāhere Taiao | Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin
Sent: Tuesday, June 13, 2023 9:13 AM
To: 'Ngati Te Whiti Hapu Society' <ngatitewhitisocietyinc@gmail.com>
Subject: RE: [#BTW220587.02] proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody Inbox

Kia ora Julie, thanks for providing this. I have forwarded it on.

Would Ngāti Te Whiti be able to schedule out the forwards steps to complete a couple a month, so that a consent application could be lodged in about September? (see attached suggested months / colours)

If there are times when the marae is busy but you need a venue for the shared hui, I can probably host at BTW.

Ngā mihi

DARELLE MARTIN Pou Whakamāhere Taiao | Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Ngati Te Whiti Hapu Society <ngatitewhitisocietyinc@gmail.com>

Sent: Monday, June 12, 2023 9:03 PM

To: Darelle Martin <darelle.martin@btw.nz>

Subject: [#BTW220587.02] proposed building extension at 34 - 41 Molesworth Street, New Plymouth - Kevin Doody
Inbox

EXTERNAL MESSAGE

Kia ora Darelle

I hope you are well, sorry for the late reply.

please see the attached estimate for Kevin Doody Building, Molesworth street.

Happy to chat if you have any concerns.

nga mihi nui

Julie Healey

Chairperson

Ngati Te Whiti Hapu

APPENDIX H INDICATIVE VEHICLE MOVEMENTS

Park Number	Movements in and out of site (one way = 1 mvmt)	Comment
Garage for campervan	0	Typically stored, campervan not used day to day
1	2	Typically unlikely to be in full use. Possibly someone stays all day, or a courier temporarily unloads
2	4	User goes out once for lunch
3	6	User goes out twice to meetings / lunch / errand
4	6	As above
5	6	As above
6	6	As above
Total	30	
7	4	User goes out once for lunch
8	6	User goes out twice to meetings / lunch / errand
9	6	As above
10	6	As above
dwelling	10	Generally accepted VEMs per dwelling
Total	16	Exit only therefore total is divided by 2