

APPENDIX 32

STRUCTURE PLAN (PPCI8/00049)



Waitara Area D Structure Plan

The provision for the subdivision and development of the Waitara Area D Structure Plan apply specifically to Lot 3 Deposited Plan 446773 as identified in this appendix, and as identified as a structure plan area on planning map B40.

The Structure Plan guidance notes and associated rule framework, including:

- Existing Issues, Objectives, Policies, Methods, and associated rules;
- Policy 23.8;
- Policy, Reasons and Methods 23.9;
- Policy, Reasons and Methods 23.10; Policy, Reasons and Methods 23.11;
- Policy and Reasons 23.12;
- Policies 23.14 and 23.15 and Reasons and Methods 23.14; and
- Rules OL60I to OL60Q

are intended to provide for the comprehensive development of the site.

Figure 32.1 Waitara Area D Structure Plan



Structure Plan Guidance

A structure plan is a framework to guide the development of an area. It contains maps and concept plans, supported by text explaining the background to the issues and the desired environmental outcomes for an area. Waitara Area D is being rezoned from RURAL ENVIRONMENT AREA (FUD overlay) to RESIDENTIAL A ENVIRONMENT AREA and OPEN SPACE B ENVIRONMENT AREA. A structure plan has been developed to promote an understanding of the issues specific to the area and to achieve comprehensive development of the area.

The Mangaiti Stream is of cultural, traditional, historical and spiritual significance to Te Atiawa Iwi, Manukorihi and Otaraua Hapū. Despite the Mangaiti Stream not being listed as WAAHI TAONGA/SITES OF SIGNIFICANCE TO MAORI or ARCHAEOLOGICAL SITE in the District Plan, it is identified as Statutory Acknowledgement to Te Atiawa under the Te Atiawa Claims Settlement Act 2016. Landowners, developers and contractors need to be aware of the requirements of the Heritage New Zealand Pouhere Taonga Act 2014 and/or any national legislation relating to archaeological sites, should an archaeological find arise during ground disturbance. The Mangaiti Stream and its protection must be recognised and anticipated to be provided for through the Waitara Area D Structure Plan design and also through site specific policies.

Stormwater

The Mangaiti Stream begins within the Waitara Area D Structure Plan Area, and runs through the site, entering NPDC stormwater infrastructure within the Waitara West industrial area downstream. This infrastructure discharges at the Waitara Estuary, a site and area of significance to Manukorihi Hapū and Otaraua Hapū. Because of its undulating topography, soils, climate and relatively small catchment size, Mangaiti Stream can be prone to surface flooding during medium to large scale storm events. Subdivision, and the resulting land uses, can increase the amount of impermeable surfaces within a catchment, increasing levels of stormwater runoff and the potential for flooding. Therefore, when undertaking a subdivision of land, it is important that the stormwater is managed to best practice to as far as practical avoid additional flooding. This is achieved by ensuring that the stormwater system installed achieves hydraulic neutrality.

Direct stormwater discharges to a waterway can cause adverse effects on its natural processes and ecological function. An increase in stormwater discharge could contaminate the waterway or result in the growth of nuisance weeds. Te Atiawa Iwi, Manukorihi Hapū and Otaraua Hapū have concerns over additional stormwater entering the Mangaiti Stream and polluting and damaging it. A solution for this is to have the stormwater discharged into low impact stormwater systems. Low impact design approaches to stormwater management can be simple and effective tools that ensure potential adverse effects on people, property and infrastructure is minimised. If stormwater is discharged into a low impact stormwater system this will ensure that additional stormwater entering the Mangaiti Stream will have a positive effect on the stream health and aims to enhance water quality.

Waitara is the subject of a number of stormwater management projects, and future stormwater management projects for the McNaughton Catchment are likely to have objectives of reducing flooding and improving water quality in this catchment. This policy ensures that the design of any stormwater system for Waitara Area D considers the objectives of these projects along with providing for the concept of Te Mana o Te Wai.

The Mangaiti Stream is of cultural, traditional, spiritual and historical significance to Te Atiawa Iwi, Manukorihi Hapū and Otaraua Hapū. Stormwater discharges and modification of the stream function can adversely affect those cultural, traditional, spiritual and historical values. This policy requires consideration to be given to protecting those values.

In designing and implementing the stormwater management system, it is important it integrates with outcomes for the transportation and open space/reserve areas. This integration would ensure the long-term sustainable use and development of the land, including the open space/reserve areas.

All structures in and discharges to the Mangaiti Stream are subject to the Taranaki Regional Freshwater Plan and the National Policy Statement for Freshwater, and may require consent under the rules in these documents.

Open Space B

An OPEN SPACE B ENVIRONMENT AREA has been placed along the margin of the eastern and western boundaries of the Mangaiti Stream. The reserve will manage and preserve the stream margin as a whole and ensure that the Mangaiti Stream remains in one ownership to assist this. Placing the OPEN SPACE B ENVIRONMENT AREA along the margins of the Mangaiti Stream will provide for linkages along the stream, protect and enhance the natural character of the area, protect the waterway and allow the stream edges to be actively managed and maintained.

Mangaiti Stream

Section 6(a) of the ACT requires councils to recognise and provide for the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development.

Section 6(d) of the ACT requires councils to recognise and provide for the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers.

Section 6(e) of the ACT requires councils to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

Section 6(f) of the ACT requires councils to recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development.

Section 7(a) of the ACT requires councils to have regard to the ability to exercise kaitiakitanga.

Section 8 of the ACT requires councils to take into account the principles of the Treaty of Waitangi.

Policy 1 of the National Policy Statement for Freshwater Management 2020 requires that freshwater is managed in a way that gives effect to Te Mana o te Wai.

The Mangaiti Stream, a tributary of the Waitara River runs through Waitara Area D. The Waitara River and its tributaries are Statutory Acknowledgement to Te Atiawa under the Te Atiawa Claims Settlement Act 2016. It is entirely within the OPEN SPACE B ENVIRONMENT AREA which will allow for opportunities to recognise and provide for the cultural, traditional, historical and spiritual significance of the Mangaiti Stream.

Archaeological Discovery Protocol

The area identified as Waitara Area D is located within the Pekapeka Block, a cultural landscape of national significance, surrounded by known pā, papakāinga and other sites and areas of significance.

The Mangaiti Stream is of cultural, traditional, historical and spiritual significance to Te Atiawa Iwi, Manukorihi Hapū and Otaraua Hapū. Despite the Mangaiti Stream not being listed as WAAHI TAONGA/SITES OF SIGNIFICANCE TO MAORI or ARCHAEOLOGICAL SITE in the District Plan, it is identified as Statutory Acknowledgement to Te Atiawa under the Te Atiawa Claims Settlement Act 2016. Landowners, developers and contractors need to be aware of the requirements of the Heritage New Zealand Pouhere Taonga Act 2014 and/or any national legislation relating to archaeological sites, should an archaeological find arise during ground disturbance. Tai Whenua, Tai Tangata, Tai Ao, the Te Atiawa iwi environmental management plan contains specific provisions in relation to WAAHI TAONGA/SITES OF SIGNIFICANCE TO MAORI or ARCHAEOLOGICAL SITE and any disturbance of these.

Any consent for earthworks, subdivision and/or development within Waitara Area D shall include reference to the above legislation, and shall include a condition requiring the consent holder to adhere to the following Archaeological Discovery Protocol:

In the event that taonga (Māori artefacts), burial sites or kōiwi tangata (human remains), or Māori archaeological sites are discovered, the following procedure must be followed. Prior to commencement of any works, a copy of

this Archaeological Discovery Protocol (ADP) must be made available to all contractors working on site:

- *Work must cease immediately at the site of the discovery and within 200 metres of the discovery site until an appropriate site extent is determined by the relevant Heritage New Zealand Pouhere Taonga Regional Archaeologist and iwi groups or kaitiaki representatives including Te Kotahitanga o Te Atiawa, Manukorihi Hapū and Otaraua Hapū (contact details to be provided and recorded at time of development).*
- *All machinery immediately at the site of the discovery and within 200 metres of the discovery site must be shut down and the area must be secured. The relevant Heritage New Zealand Pouhere Taonga Regional Archaeologist and the Consent Authority must be notified.*
- *If the site is of Māori origin, the Consent Holder must also notify the appropriate iwi groups or kaitiaki representatives (as above) to ensure site access and to enable appropriate cultural procedures and tikanga to be undertaken to ensure the site is safe, whilst ensuring all statutory requirements under legislation are met (Heritage New Zealand Pouhere Taonga Act 2014, Protected Objects Act 1975).*
- *If kōiwi (human remains) are uncovered, the Consent Holder must advise the New Zealand Police, the relevant Heritage New Zealand Pouhere Taonga Regional Archaeologist, the Consent Authority and the appropriate iwi groups or kaitiaki representatives (as above). Remains are not to be disturbed or moved until such time as the New Zealand Police, Heritage New Zealand Pouhere Taonga, and iwi groups or kaitiaki representatives have responded.*
- *Works affecting the archaeological site and any kōiwi must not resume until Heritage New Zealand Pouhere Taonga gives written approval for work to continue and/or the appropriate authority is obtained. Further assessment by an archaeologist may be required.*
- *Where Te Atiawa Iwi, Manukorihi Hapū and Otaraua Hapū so request, any information recorded as the result of the discovery (such as a description of location and content) must be provided for their records.*

