



New Plymouth District Council
Private Bag 2035
NEW PLYMOUTH

Attention: H. Wesney

24 February 2020

Dear Hamish

Thank you for your letter dated 3 October 2019 requesting further information in relation to PPC49 at 2 Johnston Street, Waitara.

The further information requested is as follows:

1. Further consideration of the nature and magnitude of effects of the proposal at the interfaces with road frontages and surrounding properties, and the measures to respond to these effects.
2. Further consideration of the nature and magnitude of reverse sensitivity effects with rural areas, and the measures to respond to these effects.
3. Further assessment of the demand and supply of land for housing, with particular consideration of the NPDC Housing and Business Land Assessment Report.
4. Further consideration of the measures to manage traffic effects, particularly measures raised by NZTA and neighbouring landowners/occupiers in their submissions.
5. Further consideration of the nature and magnitude of effects of the proposal raised in the submissions from Te Kotahitanga o Te Atiawa and Manukorihi hapū, and the measures to respond to these effects. Consideration should be given to the preparation of a Cultural Impact Assessment and further engagement with the iwi and hapū.

The further consideration for each of these matters above is discussed in the sections below.

1. Further consideration of the nature and magnitude of effects of the proposal at the interfaces with road frontages and surrounding properties, and the measures to respond to these effects.

Interface effects include traffic & transport effects, effects on character/landscape and reverse sensitivity. Once the site is developed, the traffic & transport effects on these interfaces potentially include light and noise emissions from increased vehicles coming and going from a residential land use. All of these are related in many ways.

Traffic Effects are discussed in paragraph 4 and reverse sensitivity is discussed in paragraph 2. This section discusses the interface effects in terms of effects on the general character of the area.

Submissions have raised the following concerns in relation to interface effects;

- A footpath on Raleigh street from the start of the subdivision into town.
- Create a green space on the proposed road frontage to Raleigh Street
- Provide Street Lighting
- This area is one of the gateways to our town and as such, done well, would showcase the benefits of living in the area.

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- As Raleigh Street is one of the main accesses into town, it is even more important that it is retained as an open rural environment. By not congesting the area with dwellings, this must therefore increase safety, reduce distraction and minimise risk of accidents (which is what the SH3 upgrade seeks to achieve).
- The rule to restrict fencing on sites between the street and front elevation of the dwelling diminishes safety for residents – restriction on fencing limits poses a major safety risk with the inability to fence in children or pets which would wander onto busy roads. Fencing at the front allows some definition of the boundary and adds a barrier for pedestrians wandering on to private property.

Discussion - Point 1

Interface with Raleigh Street;

- Alternative options for the interface of the site with Raleigh Street were considered in section 9.8.2 of the PCR dated 13 March 2019. It was determined that the proposal for the lots to have road frontage was the most appropriate for reasons of traffic safety, landscape and community cohesiveness (i.e. avoiding a 'gated' community feel).
- The proposal relating to fencing limits along road frontages is put forward to address landscape effects. The NPDC may take into account the submissions received, and determine whether this is appropriate. If imposed, parties purchasing the lots will be aware of these restrictions and will be able to determine if they are appropriate for them and their families before they make the decision to live there.
- Essentially, Raleigh St on this frontage will be (and should already be) reduced to 50kmph speed, which is a residential street. Turning into driveways on a residential street is expected and anticipated and is part of this area changing from Rural/Future Urban Development to Residential.
- Street lighting, footpaths and road treatments will all be addressed at the subdivision stage and installed to the requirements of the NPDC Standard that applied at the time of subdivision unless appropriate alternatives are agreed with NPDC.

Interface with Johnston Street;

- Larger lots (1000 m²) are proposed on this interface, as shown on the structure plan.
- It is proposed that the walkway along the waterway on the site will interface with Johnston Street, providing pedestrian connectivity for the future.
- Landscaping guidelines for this area have not been specified in the structure plan. The applicant is open to including a similar level of landscape treatment to that along Raleigh Street. It is not intended to provide footpaths along this interface but, a 1.2m solid fence could be provided if access onto Johnston Street was not allowed.
- The land on the opposite side of Johnston Street is rurally zoned, held in smaller lifestyle sized blocks (4000 m² to 4ha).
- The remaining land at the end of Johnston Street is farmed (Dairy).

Summary - Point 1

Further consideration has been given to the effects that the interfaces between the site and the adjoining land and roads will have on the character of the area. It is expected that the character of the area will change, which is the overarching purpose of the PCR. Alternative treatments of the frontage with Raleigh Street have been considered and discussed in the PCR.

Streetlighting and footpaths will be required to be installed in accordance with the NPDC Infrastructure Standards. The applicant is open to considering alternative options if access to Johnston Street is not desired, however notes that this may potentially be more appropriate to consider at the time of subdivision, as at that time the nature of the receiving environment will be known.

Character effects have been assessed in the Landscape Assessment provided with the PCR.

2. Further consideration of the nature and magnitude of reverse sensitivity effects with rural areas, and the measures to respond to these effects.

Submissions have raised the following concerns in relation to reverse sensitivity effects;

- The sections on Raleigh street should also be 'larger lots' as a buffer to rural neighbours
- The area should keep its rural character as much as possible and agree with the larger section buffer, but clarification is sought as to which plan will be implemented. Prefer the one with fewer sections as those directly adjacent to submitter property (40 Johnston St) would affect rural character and outlook.
- This area is one of the gateways to our town and as such, done well, would showcase the benefits of living in the area.
- The area should keep its rural character and the larger lots on the boundaries could help this, as would the water feature and plantings in the proposal.
- No indication whether the lots along Johnston Street will exit onto Johnston street.
- Mitigation of reverse sensitivity effects with a 1.2m fence is inadequate and a full urban height fence should be constructed.
- Rezoning and potential development directly opposite property will impact upon lifestyle and cultural wellbeing and small farming operations.
- The PPC does not meet Issue and Objective 1 in the Operative NPDP in that it is not compatible with the area which is surrounded by lifestyle blocks and farming activities, diminishes the amenity of neighbouring areas by increasing traffic volume and noise, street lighting, pedestrian activity, and the view will change from rural scenery to urban mass.
- Negligible overlay with the urban township does not mean it is fit for urban expansion. It is not a natural fit for extension of an urban area, as most of the site boundary is edged on rural. It is a better fit for lifestyle.
- Opening up potential for conflict between urban and rural activities – complaints relating to rural smells, animal noises, fires, machinery activity, etc and the rural properties become exposed to neighbour noise (Phones, verbal noise), foot traffic and dogs barking.
- Light levels from urban residential areas detract from rural amenity and cause sleep disturbance. Glare from vehicle lights adds to this.
- Prolonged effects from earthworks & construction – dust – in addition to disruption with the SH3 upgrades.
- Sufficient lighting should be provided on Raleigh Street and within the subdivision including the walkway to ensure safety of pedestrians, cyclists and motorists with the increasing population and vehicle flow.
- Character should remain rural – 1000 m² lots size for those adjacent to rural, and restriction sought on transportable buildings, caravans, house buses and restriction to single dwellings.

Discussion - Point 2

- The nature of the interface with the adjoining rural land has changed over the duration of the PCR.

- The land on the north east boundary is now in five separate titles of lifestyle size. See Figure 1.
- The land to the north west is undergoing subdivision, consent is in place for a 1.6ha block of land though title is not yet issued. This land is on the market for sale. See Figure 2.
- The maximum lot size of the immediately adjoining rurally zoned land is now 1.6 ha, and if the opposite road frontage lots are considered, all are now lifestyle in size (2000 m² to 2.6 ha), while noting that larger lots offer potential horticultural uses and this land use is not ruled out.



Figure 1. Subdivided land (titles issued) immediately to the north of the subject property.



Figure 2. 1.6ha currently listed for sale , immediately north of the subject land (Source. realestate.co.nz)

There is already an established pattern of lifestyle development in this area, and the magnitude of effects on rural character need to be considered in the context of the urban fringe/lifestyle location and the Future Urban Development overlay that applies to the land. Rural production uses in this area are the exception, not the norm with lifestyle and smaller lots prevailing. This is natural given the urban fringe location, and this is reflected in the Future Urban Development zoning of the land. The Future Urban Development overlay has signalled change since 2008.

The subject land now adjoins lifestyle sized blocks on all immediate and road frontage boundaries, with the subject land being by far the largest fronting Raleigh Street. Reverse

sensitivity effects are therefore considered in this context. The potential and magnitude of reverse sensitivity effects in this environment are different to those that exist if urban expansion borders on a pure rural production environment, and is considered to be less when comparing the interface between residential and lifestyle to residential and rural production.

There is one dairy farm accessed off the end of Johnston Street, and others further away on Tate Road. The dairy shed for the Johnston Street farm is located approximately 230 m from the north west boundary of the subject site. There are three existing residential/lifestyle dwellings located between the subject land and this dairy shed.

The 1.6 ha block shown in Figure 2 is subdivided from this farm. The most likely potential for reverse sensitivity effects on the subject land would be the daily tanker movements on Johnston Street, and on some occasions, activities associated with general farming activities will be audible, and there may be occasional rural smells (silage, dairy effluent), particularly in the paddocks nearest to the subject land. These are not anticipated to be significant in magnitude. In terms of activities on the subject land that may affect the farming operation, these would include light, traffic, wandering pets and a general increase in the number of people in proximity to operations. These effects already exist to a degree in the vicinity of this farm, given the number of lifestyle blocks in the area and the proximity of the farm to the residential boundary of Waitara. This notwithstanding, the PPC proposes a change to the environment. The measures detailed in section 9.7 of the PCR have been re-evaluated and confirmed, and the applicant does not believe that there is any other mitigation that would be of benefit.

While it is still anticipated that there will be livestock and small farming activities on some of the immediately adjoining smaller blocks (including maize production and other cropping), these are by nature smaller in scale. There are, for example, no dairy sheds, feedlots, grain silos, irrigators, woolsheds, large scale cropping areas that would be harvested over a long timeframe, commercial tunnel houses or glasshouses, poultry farms or piggeries in the immediate vicinity. Market gardening is a potential land use in the area, though surrounding crops are predominantly maize at present. Small beef herds are grazed in the area, with other drystock activities (for example but not limited to sheep, goats & alpacas) either present or potentially present. The location of the surrounding blocks and their vicinity to the Waitara residential area already would preclude intensive piggery or poultry operations. The one dairy operation in the vicinity no longer immediately adjoins the land, and is discussed above.

In relation to covenants on the land to control the nature and type of buildings, these are more appropriately imposed at the time of subdivision.

Matters such as lighting, footpaths and earthworks/construction will be addressed in the application for subdivision consent, and potentially land use consents depending on earthworks volumes. Taranaki Regional Plans place controls on the emission of dust and discharge of sediment which must be complied with.

In terms of the other effects identified, it is important to note that the land is identified for Future Urban Development, signalling future change and restricting what the landowner could do there so as not to jeopardise future growth opportunities.

Summary - Point 2

Further consideration has been given to reverse sensitivity effects has been given, and the measures identified in section 9.7 of the PCR confirmed. Many of the matters identified are relevant, but best addressed at the time of consent application as they are quite specific. The rules in regional plans relating to control of discharges to the environment, including air and dust, provide adequate protection, though specific mitigation may be identified when the exact scope of works is known (at the time of subdivision).

3. Further assessment of the demand and supply of land for housing, with particular consideration of the NPDC Housing and Business Land Assessment Report.

Submissions that reflect on this matter include;

Support

- If the submitters section (14 Borthwick St) could also be available to be legally subdivided into ~350m2 lots
- Support of the PPC – ‘future growth for our city is needed’
- The proposed development will be hugely beneficial for our community. Waitara needs this boost to its economy and infrastructure.
- The proposal presented represents a superb opportunity for the NPDC to meet the objectives of its future urban growth plans in a logical location both socially, economically and infrastructurally.
- The planning committee should support this proposal and invest, in conjunction with the NZTA, in roading infrastructure that is commensurate with the demands of future use.
- Waitara needs new housing. There is a shortage of accommodation.
- Be great for our town.
- For our Waitara community to go ahead.
- Exactly what North Taranaki needs to increase the supply of affordable housing for people trying to get on the property ladder. Its location will boost Waitara.
- The demand for housing in North Taranaki is very tight.
- Waitara is a great value area and this development will allow many people to get into the housing market.
- Once appropriate services and infrastructure is in place the proposal will enhance the value of the area and township as a whole, and is worth getting right first for the benefit of landowners and ratepayers.
- This area is one of the gateways to our town and as such, done well, would showcase the benefits of living in the area.
- Shortage of residential sections available and the proposed PPC will benefit the community by making more land available for new housing.
- The NPDC should take this opportunity to rezone not only this land, but that adjoining it. This is a great opportunity for the NPDC to look forward and make available land for residential growth now.
- New Plymouth is growing north and it makes real sense to have Waitara grow towards New Plymouth.
- There is real benefit in utilising the existing services available, and it is understood the land is outside the flood zone which many properties in Waitara are subject to.
- The land is already held in smaller blocks and adjoins residential land. The benefit of rezoning now is that the land is held in 2 owners [relating to the potential to include an adjoining property with this land if rezoned].

- The next revisit of the NPDC plan is unlikely to be less than 10 years away which will restrict growth in Waitara for 15-20 years.
- The alternative is growth north, which will mean the development of new infrastructure and facilities – south the infrastructure is in place.

Against

- NP is not short of Urban Growth Areas. NPDC is meeting its responsibility to ensure adequate supply. There is construction in Wills Road, Bell Block, recently Armstrong Ave and Nukuroa Close, Whalers Gate and Marfell to name a few, and rezoning intended in Cowling Road, Tukapa St, Frankley Road and FUD areas on Smart Road.
- The NPDC analysis is there are other areas better suited for Future Urban Development, which is why the current forward thinking is to remove the temporary FUD overlay from this land, and the Draft District Plan signals this.
- The land would be better suited for Rural Lifestyle under the Draft NPDC Plan and this has not been explored with the PPC.

Discussion - Point 3

Attached in response to this request is a memo dated 16 October 2019, prepared by Derek Foy, Economist at M.E Ltd, who prepared the original supporting economic assessment to the application for PPC49 (**Attachment B**). Mr Foy summarises that;

“Overall the NPS report has confirmed our earlier assessment that there are no downsides to PPC49 from an economic perspective, and there are a number of positive aspects of the proposed development which will contribute to providing for community dwelling needs in a manner that is consistent with NPDC’s planning policies”.

Recent publicity identifies that the demand for housing in Waitara is strong, particularly as a result of the Waitara Lands Act, which is enabling people to freehold the leasehold sections in the town. A link to the article is provided below:

<https://www.stuff.co.nz/taranaki-daily-news/news/119057939/waitara-housing-market-continues-to-heat-up-as-community-fund-hits-38m>

Summary - Point 3

The submissions in support of PPC49 reflect the comments made by Mr Foy, and indicate that there is a body of support for rezoning in this area generally due to its good location, the benefits it will have for Waitara.

Recent publicity (which refers to recent real estate statistics) highlights that while historic data is of some relevance to Waitara, it does not reflect the changes that are occurring in the town’s real-estate market, from both a rental and home-buying perspective.

4. Further consideration of the measures to manage traffic effects, particularly measures raised by NZTA and neighbouring landowners/occupiers in their submissions.

This section relates to wider traffic effects and the submissions that relate to this matter are summarised as follows;

- A safe turning bay for turning onto Borthwick Street
- Speed restriction of 50 KMPH is put in place
- The internal road should enter from Johnston Street and exit lower Raleigh Street.
- The position of the indicative road to Raleigh street is directly opposite 81 Raleigh Street, directly facing the west side view of the dwelling there and meaning that lights from traffic will spill over into the house. (On top of the general overspill from street lighting etc).
- Is it safe to have vehicles exiting on to Raleigh Street
- The traffic table from 2015 does not reflect the current traffic movements.
- Proposed slip lanes into the new subdivision with nothing at Johnston St intersection will cause confusion and safety risk.
- The statement that the proposal is 'not anticipated to have any discernible impact on the safety of the road' is totally incorrect.
- Many proposals and promises over time to fix the known road issues identified in the immediate area, there are still no concrete decisions or timeframes. Not prudent to make significant changes such as that proposed until these changes are made.
- Change from rural to residential will adversely affect traffic movements, safety and travel of existing and new residents particularly on Johnston Street (which appears to have been largely ignored in the reports) as well as SH3 and Raleigh St intersection.
- The ITA is based on five 1500 m² lots on Johnston Street, whereas the structure plan shows ten 1000 m² lots. This has caused confusion and makes a difference in extra traffic volume on Johnston Street which is a little country road.
- The 2015 traffic table indicates 25 daily traffic movements on Johnston Street. This was at a time when only 3 properties were fully occupied. There are now 5. There is concern about the effect of an extra 6-10 properties accessing Johnston Street and turning in and out of Johnston Street from Raleigh Street.
- There are no definite timeframes on the upgrade to SH3/Raleigh St intersection and unless addressed, the proposal will seriously affect traffic and safety for all motorists in the area.
- Not enough consideration of effects on Johnston St. The daily milk tanker is not mentioned, nor is heavy agricultural machinery, stock trucks and potential interaction with urban vehicles on a narrow road.
- Existing letterboxes on Johnston Street are a hazard in a situation where cars pass, and there is berm damage. A wider road (Johnston Street) that heavy vehicles and cars can pass safely on & removal of the letterboxes would resolve this.
- The SH3/Raleigh St intersection upgrade will see an increase in traffic, on top of that proposed by the PPC. Compound effects for traffic volume, noise, pedestrian safety as a result of the PPC.
- Existing traffic already causes annoyance, including sleep disturbance, vehicle lights and truck vibrations. Additional traffic from the site will only add to this, and further reduce rural amenity.
- Raleigh Street infrastructure is not in place to support existing traffic, let alone increasing it with site use, and development (e.g. earthworks, trucks, tradespeople).
- No streetlighting, footpaths for pedestrian use or cycle lanes.
- No kerbing between Stafford St and SH3 intersection onto Raleigh Street.
- Reducing speed from 80 to 50 kmph is not enough to address the effects.
- Residents have noticed a marked increase in traffic from 2015 data.
- A light added on the corner of Johnston and Raleigh streets to allow safe turning at night.
- Widening of Johnston Street. Additional sections are for sale on this street and traffic is increasing.

Discussion - Point 4

It is anticipated that matters such as kerbing, footpaths, cycle lanes, street lighting and roading design will be addressed at the subdivision stage, with these items required to be installed in accordance with the NPDC Infrastructure Standard that applies at the time consent is sought. It would be possible to develop concepts for these now, however there is the risk that any designs done at this time are not up to future standards and do not reflect the receiving environment at the time.

- Essentially, Raleigh St on this frontage will be (and should already be) reduced to 50kmph speed, which is a residential street. Turning into driveways on a residential street is expected and anticipated as this area transitions to a residential environment area.
- Street lighting, footpaths and road treatments will all be addressed at the subdivision stage and installed to the requirements of the NPDC Standard that applied at the time of subdivision unless appropriate alternatives are agreed with NPDC.
- The indicative road access points on to Raleigh street are able to be moved slightly if required. In terms of the dwelling at 81 Raleigh Street and effects associated with vehicle lights, as the area would become residential in nature, headlights will be dipped. The access point is not directly opposite the dwelling but offset to the south however, if more offset is desired this can be accommodated.
- The confusion in relation to Johnston Street is acknowledged. Any traffic effects could be avoided completely on Johnston Street by avoiding frontage onto Johnston Street, and requiring that the lots access via the internal roads. This is completely feasible to achieve if it is desired by the residents, council and/or community. It is recommended that this not be set in stone at this point, and the effects on Johnston Street be considered at the time of application for subdivision consent in the future. There has already been subdivision down this street, and submissions (and the TIA that has been prepared) reflect that there are existing concerns with this narrow road.
- That residents have noticed an increase in traffic from the 2015 data is recognised, and this is consistent with the applicants experience. The reasons for this are unknown, however anecdotally, this seems to co-incide with the general increased attractiveness of Waitara, with more people commuting from the town to New Plymouth and Bell Block, and the increase in demand for both rental accommodation, and dwellings to purchase (as confirmed by real estate professionals).

Discussions with NZTA

Further discussion has been held with NZTA and there remains uncertainty about the timing of the works to improve SH3A and what these will entail at the intersection of Raleigh Street and SH3.

The passing lane on SH3 near Raleigh Street has been removed, and towards the end of 2020, NZTA plan to start making significant changes to the road. In terms of the wider route, roundabouts are to be installed at the intersections of SH3 and Princess Street, Waitara, and the intersection of SH3 with SH3a. NZTA is consulting on reducing the speed limits on the highway to 80kmph to improve safety and this will directly improve the SH3/Raleigh Street intersection.

It is still uncertain what works, if any, will occur at the Raleigh Street intersection, and it is noted that as it has not been identified for improvement at this stage, this indicates it is a lower priority intersection than the others identified on the route.

Given the time that it will take to complete the PPC process, then consent and develop the land, it is expected that the current round of safety improvements on SH3 will be completed before any dwellings

are established and the status of the intersection will be known. At this point it is envisaged that NZTA will be satisfied with the safety of the highway, and satisfied it will meet the needs of the community for a period of time until further upgrade is required.

NZTA have been keeping HIL updated, and the latest correspondence (31 January 2020) has confirmed that no decisions have yet been made.

HIL has considered and discussed with NZTA the development of planning provisions that linked the development of future stages of the work to consultation with NZTA, via restricted discretionary mechanisms, and does not disagree with this concept in principle.

Unfortunately, given the lack of certainty from NZTA in relation to their proposed works, at this time, we HIL is unwilling to take the risk that future stages will either be declined or made overly expensive by NZTA. There is potential for significant change to the use of this intersection, demands placed on it and overall development within Waitara as a whole that would use it – including rezoning proposed by the NPDC under the PNPDP – in the coming years. It would seem unreasonable at this stage that HIL be required to undertake special processes relating to their development, when others, including infill, will not have the same requirements.

Ultimately, there is likely to be ongoing growth in Waitara in general, and it would be inappropriate to prohibit this PPC on the basis of effects on SH3 when a) there is work in progress on SH3 to improve road safety and b) other developments have been, and will continue to be, allowed to proceed, particularly when the land is identified already for Future Urban Development and has been subject to consultation and full public notification around this.

Summary - Point 4

Further consideration has been given to the roading/traffic effects particularly in areas where these interface with road frontages, in light of the submissions received, which are summarised above.

The traffic environment will be one of reduced speed (50kmph), which has been identified as necessary already on this part of Raleigh Street. This lower speed has been identified as mitigating some of the key effects identified. Raleigh Street in particular will become more like a residential street for this stretch, rather than an open road. Frontage onto such a street is expected in a residential area, which is what this will become. Options that involve no frontage onto Raleigh Street have been explored by the applicant, and discounted for the reason that these will potentially result in adverse community effects (less cohesion and a 'gated community' feel which the applicant does not believe is beneficial for Waitara).

The applicant is open to considering alternative layouts, but has put forward an indicative street pattern that it believes will be effective for the development of this site, but also endure into the future when other adjoining lots transition to residential use.

Frontage onto Johnston Street is indicated in the structure plan, but can be avoided at the subdivision stage if it is determined that the effects on Johnston Street are more than minor. As this will occur in later stages, the nature and design of Johnston Street may evolve for other reasons over this time. The concerns raised in submissions alert the NPDC to existing issues on this street that should be addressed regardless of the proposed development.

5. Further consideration of the nature and magnitude of effects of the proposal raised in the submissions from Te Kotahitanga o Te Atiawa and Manukorihi hapū, and the

measures to respond to these effects. Consideration should be given to the preparation of a Cultural Impact Assessment and further engagement with the iwi and hapū.

The submissions from Te Kotahitanga o Te Atiawa and Manukorihi hapū are summarised in the following table with reference to further discussion below the table, or back to the relevant section of the PCR.

Table 1. Submissions from Te Kotahitanga o Te Atiawa and Manukorihi hapū

Submission Point	Comment	Reference
No in-principle objection to growth, but any significant residential development should be provided for in appropriate locations by way of appropriate methods.	This is ultimately what the NPDC will be deciding in consideration of the PCR.	-
The proposal is not the most appropriate way to achieve the purposes of the RMA, nor is it designed to accord with and assist the territorial authority to carry out its functions in order to achieve the purpose of the Act.	This is a planning matter to be considered in the wider context of the PCR, and ultimately, the NPDC will be deciding whether the proposal is an appropriate way to achieve the purposes of the RMA, and whether it is designed to accord with and assist the territorial authority to carry out its functions in order to achieve the purpose of the Act.	-
The proposal is inconsistent with the NPSUDC, NPSFW, proposed NPSIB, the RPS, all of the Regional plans for Taranaki, the Land Supply Review and final framework for growth, the Waitara Community Board Plan, and is not the most appropriate method for giving effect to the Operative NPDP.	The PCR provides details in relation to all of these matters and confirms that the proposal is consistent with these frameworks.	See paragraph 5.7 below
The proposal would conflict with the objectives of Te Atiawa's iwi environmental management plan <i>Tai Whenua, Tai Tangata, Tai Ao</i> .	An assessment of the proposal against the DRAFT objectives of Te Atiawa's iwi environmental management plan <i>Tai Whenua, Tai Tangata, Tai Ao</i> is made below. It is noted that this was not available at the time the PCR was originally drafted. It is also noted that this document is draft and is not, as this submission appears to imply, a formal document at this time. It is difficult to determine whether the proposal is in accordance with these objectives when the document is not yet final.	See paragraph 5.1 below.
The unnamed stream is a tributary of the Waitara Awa	This is identified.	See paragraph 5.2 below.

Submission Point	Comment	Reference
and forms statutory acknowledgements to Te Atiawa and Manukorihi Hapu.	<p>The applicant has been in discussions with Otaraua and Manukorihi hapū. Full copies of draft and final applications were provided.</p> <p>It is noted that Otaraua and Manukorihi were asked if the Awa had a name, and to date no name has been provided.</p> <p>Further discussion is provided in paragraph 5.2.</p>	
Potential for ecological, environmental and social effects.	Ecological, environmental and social effects are addressed in the PCR.	<p>Section 9.2 (Ecology)</p> <p>Environmental and social effects are addressed throughout the PCR.</p>
Amenity values, landscape (including visual) and rural character effects	Amenity values, landscape (including visual) and rural character effects are addressed in the PCR.	Section 9.1
Traffic and transport effects, including accessibility and connectivity	Traffic and transport effects, including accessibility and connectivity, are addressed in the PCR.	Section 9.8
Infrastructure, services and community infrastructure effects.	Infrastructure, services and community infrastructure effects are addressed in the PCR.	Section 9.6
Cultural effects – limited engagement with the Iwi and hapū to provide expert cultural advice in relation to the proposal. Lack of consultation.	Further discussion on this matter is provided below.	<p>Section 9.3 and 10.2 PCR</p> <p>Paragraph 5.3 below</p>
Lighting and light overspill effects	This is considered under reverse sensitivity, and discussed in other sections of this response in more detail.	Section 9.7
Noise, vibration and privacy effects	This is considered under reverse sensitivity, and discussed in other sections of this response in more detail.	-
Stormwater and wastewater management and effects	Stormwater and wastewater management and effects are addressed in the PCR.	Section 9.6
Agricultural Land (loss and fragmentation) & soil conservation effects.	<p>NES Productive soil is still draft.</p> <p>Further comment provided below.</p>	See Paragraph 5.4 below
Reverse sensitivity effects	Specific reverse sensitivity effects that relate to Tangata Whenua are discussed below.	Section 9.7

Submission Point	Comment	Reference
Earthworks and construction effects	This is discussed in 9.7 under reverse sensitivity and reiterated in this response. Further discussion is provided below for completeness.	See Paragraph 5.5 below
Cumulative effects	Discussed below.	See Paragraph 5.6 below

Discussion – Point 5

Preparation of a Cultural Impact Assessment

The provision of a Cultural Impact Assessment (CIA) was discussed at a meeting and the Iwi and Hapu agreed to progress cost estimates for this (as documented further below). The preferred cost estimate was provided to the applicant on 14 October 2019, and considered carefully.

The cost was deemed too high in comparison to the other expert studies undertaken for the site, given that the site is open, and has no documented archaeology; and this was communicated to Sarah Mako by phone on 22 October 2019. Ms Mako agreed to discuss this with the Hapu, and reverted stating that the costs were considered fair and reasonable. While acknowledging the position of Otaraua, Manukorihi and Te Atiawa, the applicant has opted not to progress a CIA at this time due to concerns about the proposed cost given the nature of the site. The applicant is also concerned that it has been engaging with Te Atiawa, Otaraua and Manukorihi for some time and the need for a CIA has not been identified until now.

While the assessment provided in this response is in no way intended to substitute a full CIA, failure to agree to the preparation of this CIA for reasons of cost does not preclude such an assessment and this assessment includes potential cultural effects which are able to be identified through the Draft IEMP and through experiences of the writer on other similar projects.

Failure to reach agreement on costs of a CIA also does not (and should not) preclude ongoing discussion with Otaraua, Manukorihi and/or Te Atiawa, or the establishment of a relationship with them and this is something the applicant genuinely hopes to achieve, and thought was being achieved at the time they submitted their application for PPC49. Nor does it preclude discussions in relation to potential cultural effects and ways to mitigate them in a less formal setting, many of which have been touched on to date.

Given there are no identified Wāhi Tāpu, and an archaeological assessment has been prepared to confirm this, a more informal approach is not considered unreasonable given the circumstances.

5.1 The proposal would conflict with the objectives of Te Atiawa’s iwi environmental management plan *Tai Whenua, Tai Tangata, Tai Ao*.

It is noted that at the time of preparing the application for PPC, there was no IEMP for Te Atiawa.

A draft of the IEMP is now available, and assessment against this has been prepared, while noting that the IEMP is still in draft form. It would have been prudent for this to have been noted in the submission – the IEMP has no statutory weight at this time.

From this draft document it is possible to identify some potential effects on cultural values that may occur as a result of PPC49. This is undertaken below.

Consideration of Te Kotahitanga o Te Atiawa – Draft Iwi Environmental Management Plan For Te Atiawa

Tai Whenua, Tai Tangata, Tai Ao, Te Atiawa Iwi Environmental Management Plan ('Draft IEMP') is currently in draft format, with consultation occurring in early 2019.

While noting that the document is in a draft form, it identifies issues that are relevant to the project, and provides a way to systematically assess potential concerns. The key issues and objectives within the Draft IEMP are summarised and discussed below.

Issue TTHA3: The lack of acknowledgment and appropriate engagement with mana whenua.
Ob.TTHA3.1 Te Atiawa, as mana whenua, are recognised as experts on resource management issues in our rohe.
Ob. TTHA3.2 Engagement with Te Atiawa, as mana whenua, on resource management issues meets our expectations.

The submission alleges that consultation has not been adequate. Consultation that HIL has undertaken with Otaraua, Manukorihi and Te Atiawa was discussed in the PCR, but is expanded upon below as follows:

Te Atiawa (Sera Gibson) was contacted on 18 October 2018 and advised that Otaraua and Manukorihi Hapu should be informed (See **Attachment C**). This occurred on 25 October 2018, with relevant information sent to both parties. Follow up was conducted on 12 and 13 November 2018, and a meeting was held on 20 November 2018 with D. Eriwata, Manager of Otaraua Hapu, and P. Bodger, Chairperson of Manukorihi Hapu.

Key concerns initially raised included management of stormwater and whether there is demand for these sections in Waitara. There was also discussion about the difficulty that some younger hapū members are having buying into their first home in the town now. The advice from Otaraua and Manukorihi in relation to stormwater was that both Hapu will need to be satisfied that stormwater can be managed in such a way that there are no adverse effects downstream. The response to this advice was to provide both Hapu with the Engineering Report for the land for their review and discuss it in general. An offer was also made to arrange a meeting between the author of the Engineering Report and the hapu to discuss stormwater management in more detail, and explain the findings of the report. With respect to the demand for sections in Waitara, a copy of the Economic Report was provided. The next step is for each representative to discuss the proposal further with their respective Hapu and provide any feedback to the applicant.

The hapū advised that they were having a meeting on 4 December 2018 where this matter would be discussed. Prior to this meeting, both hapū were emailed and asked if there was anything they needed from me for the meeting. We were advised that there was nothing more required.

On 28 January 2019, both hapū were provided with the updated application which reflected the additional information requested by the NPDC. This was provided via email and two hard copies were also hand delivered to the Otaraua Hapu office on Thursday 31 January 2019.

In January 2019, Otaraua Hapu approached the applicant directly to discuss the PCR. It was agreed that the hapu would be given first option on 5 sections in the development, for the purpose of assisting local hapu into home ownership in the town. The letter to Otaraua confirming this is attached in **Attachment A**.

A full copy of the final PCR application was also provided upon lodgement.

The applicant was of the understanding that these discussions were meeting expectations until the submission from was received, and certainly had not been advised to the contrary prior to that.

Issue TTHA4: The lack of acknowledgment of kaitiakitanga as part of resource management policy and planning, and decision making processes.

Ob. TTHA4.1 Te Atiawa are recognised as kaitiaki over natural and cultural resources within our respective rohe boundaries.

Ob. TTHA4.2 Te Atiawa exercise our duties as kaitiaki within our respective rohe boundaries.

Ob. TTHA4.3 Protect, maintain and enhance the mauri of natural resources which in turn sustains the social, economic, and cultural wellbeing of our people.

The role of Te Atiawa, Otaraua and Manukorihi as kaitiaki was identified early in the PPC process and they were consulted. The applicant has put forward a proposal that will enhance the Mauri of the currently unnamed Awa on the property, which will provide for public access to the waterway and over time present the conditions required for the ecological values of the waterway to recover. It is hoped that this will assist to restore the mauri of the natural resource, and will be an improvement in terms of the existing environment.

As mentioned above, the applicant also agreed to make 5 sections available to Otaraua Hapu on a first option basis to address concerns about local hapū members finding it difficult to get on the property ladder, and to provide for the social wellbeing of their people. A copy of the letter confirming this in February 2019 is attached (**Attachment A**).

Further documentation of correspondence with Tangata Whenua is included in **Attachment C**, and this is discussed throughout this response.

Issue TTAN3: The lack of participation in urban and township planning and development. The objectives and policies to address this issue within the rohe of Te Atiawa are:

Ob. TTAN3.1 Te Atiawa has a prominent and influential role in urban planning and development.

Ob. TTAN3.2 Acknowledge and provide for Te Atiawa values and the expressions of our narrative in the built form and landscaping.

The issue in this case appears to be directed at regulatory authorities, however there is relevance to this PCR.

The desire to be involved in urban planning and the decision making process is recognised, and while the discussions in relation to the PCR commenced before the Draft IEMP was released for consultation, early and ongoing engagement with Otaraua, Manukorihi and Te Kohtahitanga o Te Atiawa was undertaken so that there was participation in this process. Certainly the opportunities for participation were provided very early in the project to ensure that there were no surprises for Te Atiawa, Otaraua or Manukorihi.

It is also understood that Te Atiawa was also consulted in the original FUD overlay being placed on this land through the NPDC planning process.

In relation to Ob. TTAN3.2, landscaping of public space is proposed as part of this development and the design and planting of the public space adjacent to the unnamed tributary represents a significant opportunity (as does allowing for public access to it). The applicant is open to working with Tangata Whenua in terms of the nature and form of this landscaping, and any interpretation that would be beneficial in this area. The final design of this area will be required to be submitted to the NPDC for approval before works commence, and the NPDC will need to be satisfied with it in order to enable the vesting to occur. There are accordingly a number of points in the process where Tangata Whenua can be involved, however it would be desirable that this occur from the beginning of the process, and the applicant would be agreeable to involving Iwi and Hapu in the early stages of design of this area should this be desired by Te Atiawa, Otaraua and Manukorihi.

Issue TTAN4: Inappropriate subdivision and development can generate affects on Te Atiawa values.

Ob. TTAN4.1 The interests, values and protection of wāhi tapu/wāhi taonga, urupā and sites of significance to Māori are provided for in the process and design of subdivisions.

Ob. TTAN4.2. Acknowledge and provide for Te Atiawa values and the expressions of our narrative in the built form and landscaping.

Ob. TTAN4.3 Water, stormwater and waste water solutions are co-designed with Te Atiawa to ensure Te Atiawa values associated with waterbodies impacted at the time of subdivision are protected and enhanced.

Ob. TTAN4.3 Acknowledge and provide for Te Atiawa cultural landscapes in the built design to connect and deepen our 'sense of place'.

There are no identified Wāhi Tāpu, urupā or sites of significance on this site in the ONPDP, or in the PNPDP (noting the significant work that has been done in preparing this information for the PNPDP).

The applicant is open to considering the co-design of water, stormwater and waste water solutions with Te Atiawa to ensure Te Atiawa values associated with the waterbody on this site are protected and enhanced, providing this occurs in a timely manner.

Water will be provided via the municipal supply. Wastewater will be directed to municipal sewer. This leaves stormwater, and discussions in relation to this have been held with Otaraua, Manukorihi and Te Atiawa.

Three concerns about stormwater were raised at the meeting in September 2019, as follows;

What will the downstream effects of stormwater be at the point where the culvert pipe from this area enters the Waitara Estuary?

The response from Mike Matangi, CIC (Engineer) provided on 12 December 2019 was;
With a number of options available to us (including on site soakage, on site tanks and reuse, pond detention, rain gardens etc.), there will be no change increase in the maximum stormwater flow for a given design storm. This is normally designed for the 1 in 100 year storm.

Could it be clarified what is meant by 'hydraulically neutral', so that the Hapu can understand how covering this area in houses and driveways could be achieved without making more runoff?

The response from Mike Matangi, CIC (Engineer) provided on 12 December 2019 was;
Hydraulically neutral (in this instance) means that there is no increase in maximum stormwater flows from post development to pre-development. All hardstand areas such as concrete driveways and roofs could drain to on site soakage or garden tanks. This is water that would normally fall on the existing ground and drain to the stream.

One point to keep in mind is that although we don't want to have an increased stormwater flow from the development, we also don't want to have a greatly reduced stormwater flow into the stream, as this will have an effect on plant and fish life.

Also, the quality of stormwater can be improved if collected via surface methods eg. rain gardens, wetland etc. rather than directly into underground soak holes and into the ground water table.

The Iwi and Hapu were also interested in mechanisms to treat the stormwater runoff from the roading areas to avoid contaminants entering the waterway. It was asked whether this would be possible, and what would some potential options be.

The response from Mike Matangi, CIC (Engineer) provided on 12 December 2019 was:
Rain gardens and wetlands are the main options if stormwater treatment is required. Rain gardens are typically planted with slow growing reeds or similar. The planning and rain garden soil helps to absorb contaminants before the stormwater drains into the receiving waters.

This would require discussion with the NPDC in terms of design, but the option is available.

Many of these options are likely more appropriately discussed at the detailed design stage (i.e, at the time of subdivision consent).

Appendix 4 of the Draft IEMP links to TTAN4 and identifies Te Atiawa Subdivision and Development Guidelines. While these relate more to the specifics of subdivision and development, they are noted here for completeness, alongside a commitment by the applicant to review these at the time of subdivision, adhere to these principles as appropriate (bearing in mind that at this stage, these are draft guidelines and may change).

Issue TTAN6: Land disturbance activities can damage and destroy wāhi tapu/wāhi taonga, urupā and sites of significance to Māori.

Ob. TTAN6.1 Wāhi tapu/wāhi taonga, urupā and sites of significance to Māori are protected from damage, modification or destruction.

The Archaeological Assessment prepared by Ivan Bruce (and submitted with the original PCR) states that:

As no archaeological site will be affected by this project and I am not aware of archival material that would lead me to expect that unrecorded sites could potentially be affected, I consider that there is no requirement at this time for any further mitigation with regards to archaeological sites. In particular there is no requirement that earthworks for subdivision are undertaken under authority from Heritage New Zealand Pouhere Taonga (HNZPT)'

This assessment identified that it was for the purposes of archaeology and that *"Waahi tapu and sites of cultural significance to Maori are outside the scope of this assessment and the appropriate representatives from the relevant Iwi and hapu should be approached independently about any concerns they may have"*.

Since the assessment was made both the Iwi and Hapu have been approached and met with on a number of occasions (see section 5.3.2 above and the PCR for details on consultation). The applicant has not been told of any Waahi Tapu sites located on the land, and none are identified in either the Operative or Proposed NPDC Plan. The unnamed Tributary on the property has been identified by the applicant as holding potential cultural significance. There has not been specific discussion or detail provided on this matter by Te Atiawa, Manukorihi or Otaraua.

The importance of the Waitara Awa and its Tributaries is identified and formally recognised in the Statutory Acknowledgements of Te Atiawa. The Awa and its tributaries is identified as an important resource for Mahinga Kai. Based on the Ecological Impact Assessment undertaken to support the PCR, the waterway on the property is currently degraded, and is unlikely to be providing Mahinga Kai resource. It is also not publicly accessible as it is surrounding by private land. The proposal would see the waterway enhanced and fencing and planting will enable the ecological values, including the biodiversity of the waterway, to be improved. Opportunities for Te Atiawa and its hapū to be involved with this are discussed above.

Nutrient inputs will be reduced with the change in land use, and stormwater management will ensure effects from discharges from the land. The applicant proposes permanent and irrevocable public access along the waterway (as opposed to private ownership/body corporate type covenants) and securing this will enable unrestricted access to the waterway by Iwi and Hapu, enabling reconnection with this tributary of the Waitara, which is currently not possible. This will provide the opportunity to restore relationships with this part of the Waitara Awa. While there is downstream degradation, with a significant portion of the waterway culverted before it reaches the Waitara Awa, the proposal will provide the opportunity to restore the values of at least this part of the waterway and it is hoped this will provide impetus for improvements to the lower reaches of this tributary.

Issue TTAN7: The discharge of contaminated stormwater from activities within urban, rural, commercial and industrial environments can generate unacceptable effects on water quality, water quantity, and incremental and cumulative effects on the entire catchment.

Ob. TTAN7.1 Support the “zero stormwater discharge off-site” approach which utilises the natural ability of Awhi-Nuku to filter and cleanse stormwater before a waterbody.

Stormwater management for the site has been assessed by appropriately qualified engineers. While a ‘zero discharge’ approach will not be possible given the existing nature of the site, nor is it desirable given the need for flows into the Awa to be maintained (for the reasons discussed above); the site will be developed to be hydraulically neutral. Stormwater from the allotments on the site will be managed via onsite soakage, which is consistent with this policy. In areas where stormwater runs from roadways and public pathways, options for stormwater management in a way that mitigates the potential for contamination have been identified (e.g. rain gardens) and is discussed in section 5.3.2, as this was one of the questions Te Atiawa, Otaraua and Manukorihi had for the applicant. This is an aspect that can be incorporated into specific design at the subdivision consent stage.

The proposed amendments to the NPDC Plan provided as Appendix C to the application specifically identify the tributary in the structure plan guidance. This currently states:

However, it is likely that the stream is of cultural and spiritual significance to Otaraua and Manukorihi hapu. Despite the stream not being listed as WAAHI TAONGA/SITES OF SIGNIFICANCE TO MAORI or ARCHAEOLOGICAL SITE in the District Plan, 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 stream and the protection of it is therefore recognised and provided for through the Waitara - Area D Structure Plan and also through specific consideration to stormwater disposal.

The applicant proposes that this guidance be changed to the following to remove doubt, to read as follows;

The unnamed Tributary on the site is of cultural and spiritual significance to Otaraua and Manukorihi hapu. Despite the stream not being listed as WAAHI TAONGA/SITES OF SIGNIFICANCE TO MAORI or ARCHAEOLOGICAL SITE in the District Plan, 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 stream and the protection of it is therefore recognised and provided for through the Waitara - Area D Structure Plan and also through specific consideration to stormwater disposal.

Issue TTAN10: Lack of involvement in decision-making regarding contaminated land.

Ob. TTAN10.1 Use and development of land is done in a manner where levels of contamination remain below guideline levels.

The PSI report confirms that the development is on land where the contamination remains below guideline levels. The proposed activities themselves are unlikely to increase the concentrations of contaminants in soil.

Issue TTAR3: The effects of light, noise, odour and visual pollution can generate adverse effects on our taonga species, and our health and wellbeing.

Ob. TTAR3.1 Ensure the effects of light, noise, odour, radiation and visual pollution are managed in a manner that does not impact on the environment, species, and on our health and wellbeing or cause nuisance to our people.

The transition of this land from rural to residential will change the nature of the area, but levels of light, noise, odour and visual pollution will be consistent with residential levels that do not compromise well being and health. The mitigation of effects is detailed throughout the PCR.

There are limited taonga species (in this case, generally considered indigenous species) present at this site given its agricultural use and the degraded state of the stream. As part of this proposal, more habitat will be provided alongside the stream and it is hoped this will encourage indigenous terrestrial and aquatic fauna to recolonise the waterway and its surrounds. In terms of plant species, indigenous species will be used to revitalise this area.

Issue TTHE1: The lack of acknowledgement and protection of cultural landscapes can generate adverse effects on Te Atiawa's values, and our health and wellbeing

Ob. TTHE1.1 Acknowledge and protect geographical areas with a concentration of interconnected wahi tapu/wahi taonga, urupā and sites of significance to Māori.

By improving public access and connectivity to this land through access to the waterway, the applicant hopes that the cultural landscape can be enhanced.

Issue TTHE2: The lack of acknowledgment and protection of wāhi tapu/wahi taonga, urupā and sites of significance to Māori.

Ob. TTHE2.1 Ensure that wāhi tapu/wāhi taonga, urupā and sites of significance to Māori within our Te Atiawa rohe are protected from inappropriate use, development and destruction.

As discussed above under TTA6, there are no identified wāhi tapu/wahi taonga, urupā or other sites of significance to Māori located on the property. This notwithstanding, protocols will be developed to address accidental discoveries of previously unrecorded sites.

Issue TTHE3: Limited access to wāhi tapu/wahi taonga, urupā and sites of significance to Māori can affect Te Atiawa's values, and our health and wellbeing.

Ob. TTHE3.1 Support General Objectives which provide for Te Tai Hekenui.

There is no current public access to the land or waterway. Public access to the waterway will be provided as part of the development.

5.2 The unnamed stream is a tributary of the Waitara Awa and forms statutory acknowledgements to Te Atiawa and Manukorihi Hapu.

Further assessment made in relation to the unnamed tributary and its status within the Statutory Acknowledgement Area of the Waitara River is included in this section of our response.

A statutory acknowledgement is a formal recognition by the Crown of the particular cultural, spiritual, historic, and traditional associations that an Iwi has with a statutory area. A statutory area can include an area of land, a landscape feature, a lake, a river or wetland, or a specified part of the Coastal Marine Area that is in Crown ownership. A deed of recognition has been established between the Crown and Te Atiawa, and this includes the Waitara River and its Tributaries.

The purposes of statutory acknowledgements are:

- (a) to require consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgements;
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the governance entity;
- (c) to enable the governance entity and a member of the IWI to cite the statutory acknowledgements as evidence of the association of the IWI with the relevant statutory areas; and
- (d) to provide a statement by the IWI, for inclusion in a deed of recognition, of the association of the IWI with a statutory area.

In this case, the consent authority (NPDC) has had regard to the statutory acknowledgement relating to a statutory area and directly notified Te Kotahitanga O Te Atiawa of the PCR, enabling them to participate in this process. It is noted that Statutory Acknowledgements place responsibilities on the Regulatory Authority (in this case the NPDC), not directly on the applicant. However, in exercising these responsibilities, the NPDC has requested further information from the applicant.

In consideration of the Draft IEMP, the effects of the proposed activities on the unnamed tributary of the Waitara River have been widely discussed. In summary, by providing permanent public access to the waterway, by planting (with indigenous species, the selection of which Iwi and Hapu can be involved with if they wish), enhancing it and providing pathways and feasible access to it, and also by providing opportunity for the Iwi and Hapu to be involved with the design of this area (including landscape and planting), the applicant considers that the effects on the Waitara River will be beneficial.

Statutory acknowledgement for Waitara River and its tributaries

Statutory Area	Location
Waitara River and its tributaries	As shown on OTS-043-49

The Waitara River is one of the major rivers in the Te Ātiawa rohe and takes its name from the legend of Te Whaitara-nui-a-Wharematangi-i-te-kimi-i-tana-matua-i-a-Ngarue. The Waitara flows through the rohe of the hapū of Manukorihi, Otaraua, Pukerangiora and Ngāti Rahiri.

The Waitara River, unlike other substantial rivers within Taranaki, does not flow directly from Maunga Taranaki but springs from the Manganui River, which flows off the mountain and converges with the Waitara River.

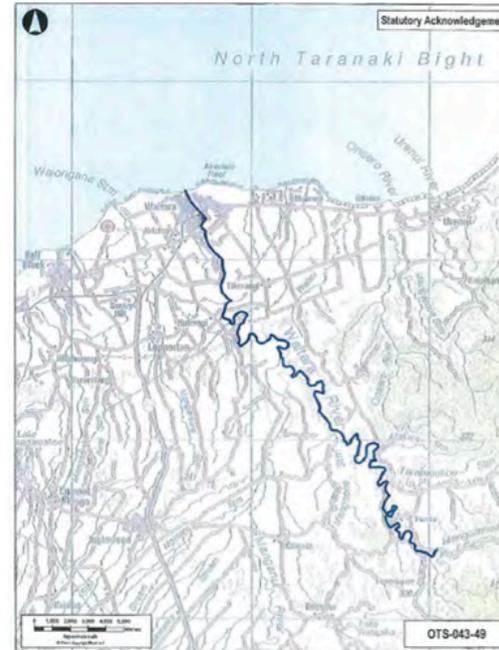
The Waitara River mouth was one of the first areas to be settled in Aotearoa and life was sustained here by the abundant resources provided by the reefs and wetlands. There were many kāinga and tauranga waka at the mouth of the Waitara and the kāinga later became seasonal fishing villages as Te Ātiawa spread along and inhabited the entire length of the Waitara River. One of the streams, Mangahinau, was the mooring site for the largest Te Ātiawa war waka, Eanganui.

There were many papakāinga along the banks of the Waitara, such as Ngangana, Kuikui, Te Whanga, Huirapa, Werohia, Aorangi, Puketapu, Mamaku, Tokitahi, Purimu, Karaka, Te Awaiotetaki, Manukorihi, Pukerangiora, Mangaemiemi / Te Ahikaroa, Wakatete, Kerepapaka, Tahunakau, and Taumaatene. The Waitara River provided an abundance of fish, īnanga, tuna/eel, piharau, kahawai, yellow eyed mullet, flounder, herrings, kōkopu, weka, pukeko, and ducks. One of the river's tributaries, the Tangaroa, was an important spawning area for īnanga and native fish. The hapū fished from purpose built platforms and this technique continues today to describe customary fishing locations on the river. Each whakaparu was named; these names remain and continue to be used by Te Ātiawa today. The mara/gardens along the river included Te Rore, Mangahinau, Panekeneke, Opakaru, Te Ramarama and Mangaemiemi. The urupā include Te Rohutu, Manaaiti, Pukehou, Teremutu and Ngangana. The natural defences and height provided by the cliffs provided control of the Waitara River. Aorangi, along with Pukekohe and Manukorihi, formed a triangle of strongly defended pā in the valley. In its upper reaches, its cliffs provided defence for Pukerangora Pā and in one battle, many Pukerangiora people jumped from the cliffs into the Waitara River.

The river continues to be an important resource for mahinga kai. Contemporary uses of the site include cultural harvesting (fish, whitebait) and the site is valued because of its biodiversity and conservation values.

Te Ātiawa has a physical, historical and spiritual relationship with the Waitara River. All elements of the natural environment possess a life force, or mauri. This is a critical element of the spiritual relationship of Te Ātiawa to the Waitara River, which has a spiritual force and personality of its own.

The Waitara River has been, and continues to be, an integral part of the social, spiritual and physical fabric of Te Ātiawa and is celebrated in karakia, waiata and pepeha.



STATUTORY ACKNOWLEDGEMENTS 158B

Figure 3. Te Ātiawa Statutory Acknowledgement – Waitara River, From the ONPDP.

5.3 Cultural effects – limited engagement with the Iwi and hapū to provide expert cultural advice in relation to the proposal. Lack of consultation.

5.3.1 Consultation

Consultation with Te Kotahitanga o Te Atiawa, Otaraua and Manukorihi Hapu is detailed in section 10.2 of the PCR.

It is also further noted that in consultation with Otaraua, confirmation was provided to them that HIL would be pleased to work with the hapu to make home and section packages available to its hapu members, providing first option on 5 sections over stages 1 and 2, should the site be developed. See **Attachment A**.

Since the submissions were received, a meeting was held with Te Atiawa, Manukorihi and Otaraua Hapu on Friday 23 August 2019.

Further information was requested including;

- Confirmation that there will be no effects at the point where the culverted stormwater from this part of Waitara enters the Waitara River Estuary.
- Explanation of how hydraulic neutrality is able to be achieved given the site will be covered in houses and driveways etc.
- Whether there will be the ability to treat stormwater runoff from the road ways before it enters the waterway, to reduce contamination.

Comments on these matters were received from the applicants engineer, and provided to Te Atiawa, Otaraua and Manukorihi on 12 December 2019.

The provision of a Cultural Impact Assessment (CIA) was also discussed at this meeting and the Iwi and Hapu agreed to progress cost estimates for this. The preferred cost estimate was provided to the applicant on 14 October 2019, and considered carefully.

The cost was deemed too high in comparison to the other expert studies undertaken for the site, given that the site is open, and has no documented archaeology and this was communicated to Sarah Mako by phone on 22 October 2019. Ms Mako agreed to discuss this with the Hapu, and reverted breaking down the costs, and stating that the costs were considered fair and reasonable. While acknowledging the position of Otaraua, Manukorihi and Te Atiawa, the applicant has opted not to progress a CIA at this time due to concerns about the proposed cost given the nature of the site. The applicant is also concerned that it has been engaging with Te Atiawa, Otaraua and Manukorihi for some time and the need for a CIA has not been identified until now.

The email correspondence on this matter is attached (**Attachment C**).

5.4 Agricultural Land (loss and fragmentation) & soil conservation effects

The block is already small, and uneconomic in its current form. In effect it has already been fragmented. Furthermore, the land is already identified for future urban development.

Soil conservation is largely centred around the avoidance of loss of soils through wind or waterborne erosion. These are addressed in section 2 of this response in relation to avoiding effects

of dust and sediment discharges. It is noted that the change of land use away from maize cropping will reduce the loss of soil through erosion and the amount of sediment generated from the site.

It is possible that this element of the submission is referring to the conservation of high class soils in NZ. In September 2019, the Ministry for Primary Industries released a draft National Policy Statement for the Protection of Highly Productive Land. This involved discussion around protection of NZ's elite or 'high class' soils from urban growth.

Submissions were received and MPI is currently preparing the final NPS. One of the factors being weighed up is how this NPS sits alongside the NPS for Urban Development.

This draft provides guidance on what 'Highly Productive Land' is, and factors for consideration include not only land class, but the size of the land parcel, climate, accessibility and any other factors the territorial authority considered relevant. During consultation on the proposed NPS, it was noted that land already identified for future development would not be subject to the NPS so that it did not undermine the work already done by authorities to address the need for growth.

5.5 Earthworks and construction effects

Earthworks and construction effects include sediment discharges and dust. These are discussed in earlier sections of this response under section 2 and above in section 5.4 in relation to soil conservation effects.

5.6 Cumulative effects

Cumulative effects are discussed throughout the PCR.

5.7 Further discussion on National Policy Statements

NPS Urban Development Capacity (NPSUDC)

There has been significant discussion on this matter in the PCR and supporting documentation. The proposal is not inconsistent with this NPS – see section 4.

NPS Freshwater (NPDFW), proposed NPS Indigenous Biodiversity (NPSIB)

The activity is entirely consistent with these documents (while noting the NPSIB is not final). The proposal will result in an enhanced waterway. Stormwater will be managed.

Other documents referred to in the submission

The RPS, all of the Regional Plans for Taranaki, the Land Supply Review and final framework for growth, the Waitara Community Board Plan were all considered in the PCR.

It is in particular maintained that the PCR is the most appropriate method for giving effect to the Operative NPDP, and this is evidenced in the FUD overlay applied to the land.

Waitara Community Board

Consultation with the Waitara Community Board is documented in section 10.3 of the PCR.

Summary - Point 5

Further consideration of the nature and magnitude of effects of the proposal raised in the submissions from Te Kotahitanga o Te Atiawa and Manukorihi hapū, and the measures to respond to these effects has been given. The submission is wide ranging and broad.

Consideration was given to the preparation of a Cultural Impact Assessment, however the applicant was unable to agree to the cost proposed for this work. Instead a detailed assessment of the activity against the Draft IEMP has been undertaken, and identification of potential effects was drawn from this assessment, statutory acknowledgement documentation and previous experience.

Further discussion of the points raised in this submission is provided and it is hoped this is of assistance to the NPDC in considering the PCR.

Conclusion

We trust this additional information is of assistance and will enable the PCR process to be progressed.

It is noted that the applicant was waiting on the submissions on the Proposed New Plymouth District Plan to be received before making a decision on the path to be taken with this PCR, with a mind to reviewing these and determining if there was any alignment.

Given that there have been a large number of submissions, it is clear that the timeframes for the two processes are unlikely to be aligned. Accordingly the applicant advises that we wish to progress the PCR privately in its own right, separate to the NPDC process, as soon as practicable.

If you have any questions, please do not hesitate to get in touch.

Yours sincerely

Kathryn Hooper

LANDPRO LIMITED

Attachment A: Letter to D Eriwata, February 2019.

Attachment B: Memo – Market Economics

Attachment C: Emails between Tangata Whenua and Applicant

Attachment A: Letter to D Eriwata, February 2019.

Attachment B: Memo – Market Economics

Attachment C: Emails between Tangata Whenua and Applicant