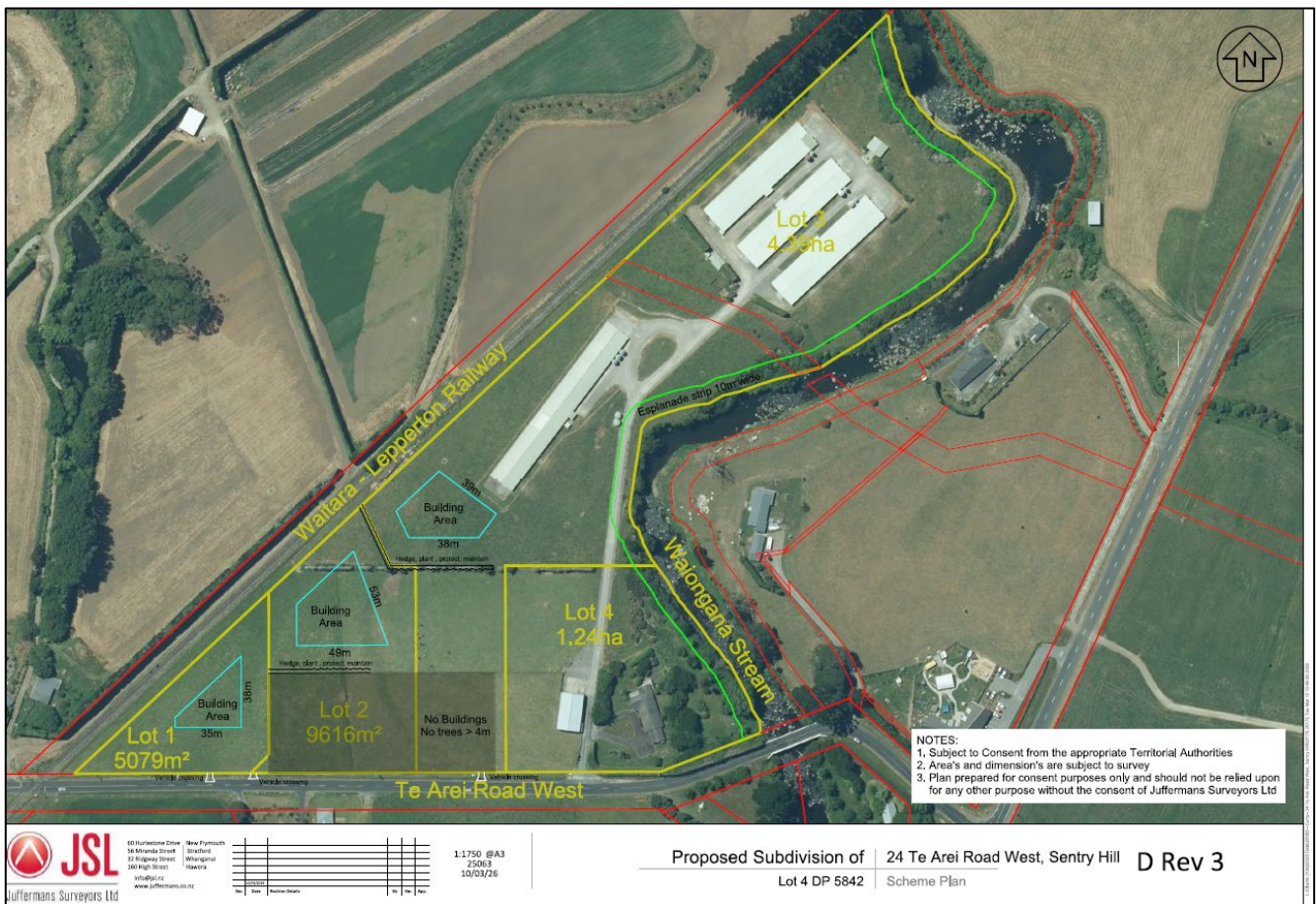
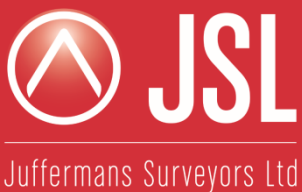


24 TE AREI
ROAD WEST
WAITARA SD

LAND USE CONSENT APPLICATION FOR
BUILDING PLATFORMS



BY:



Our Offices:

@ Te W'anake The Foundry | Hawera
Prospero Place | Stratford

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APPENDICES

APPENDIX A – Standard Application Form

APPENDIX B – Scheme Plan, Overland Flow Path Diagram

APPENDIX C – Certificate of Title and Easement

1. Executive Summary

Attached for Councils' consideration under the rules for the New Plymouth District Plan is an application for a Land Use Resource Consent, on behalf of Wayne Curry (*the Applicant*), to establish building platforms on each of the 4 Lots proposed in background SUB21/47978.

This separate application is required because the original application omitted a Land Use Consent component and since it's time of lodgement the District's Regulatory landscape and significantly changed.

The proposal has been assessed as a **Restricted Discretionary** activity under the New Plymouth District Council's Proposed District – Part Operative Plan 2025.

Further details of the proposed land use are outlined in Sections 1 to 12 of this document.

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

Antony Vogt

Planner, Juffermans Surveyors Limited (JSL)

(029) 048 11006



Application for Resource Consent for Land Use (Proposed Building Platform) at 24 Te Arei Road West, Sentry Hill, New Plymouth.

Applicants:	Popuanui Chickens Limited Wayne Curry
Owners:	Wayne Curry
Land Location:	24 Te Arei Road West, Sentry Hill, New Plymouth
Titles:	TNB1/586
Legal Description:	Lot 4 Deposited Plan 5842
Consent Sought:	Land Use Consent
Application status:	Restricted Discretionary

2. The Subject Site and It's Immediate Surroundings

The application site is located halfway along Te Arei Road West, approximately 600m east from the Mountain Road / Te Arei Road West intersection as shown in Figure 1 below. It is legally described as Lot 4 Deposited Plan 5842. The site has an area of approximately 7.12ha which is comprised of one title (TNB1/586). The surrounding environment is made up predominantly of rural lifestyle and production such as pastoral grazing and poultry operations.

Under the Proposed New Plymouth District Part Operative Plan (PNPD-POP), the site is Rural Production Zone with the Waterbody, Gas Transmission Pipeline, Rail Corridor and Noise overlays identified (Figure 3).

Te Arei Road West is a two-lane rural 'local' road with a posted speed limit of 100 km/h with grass berms with stormwater managed by swale drainage systems. It is lined by 11kV Overhead Power lines, and underground telecommunication cables.

In the north half of the site runs an intensive poultry operation (Tegal) spread across 4 sheds. The sheds are used for rearing breeder hens to point-of-lay prior to transfer off-site for egg production. The facility has operated at the site for approx. 18 years.

The Waiongana Stream straddles the sites eastern boundary.



Figure 1: Site local (GRIP 2026).

3. The Proposal

The application is for land use resource consent. It is proposed to create 3 additional building platform areas within the areas identified in Proposed Lot 1, 2 and 3 as per the Scheme Plan provided as Appendix B and its associated subdivision application (SUB21/47978).

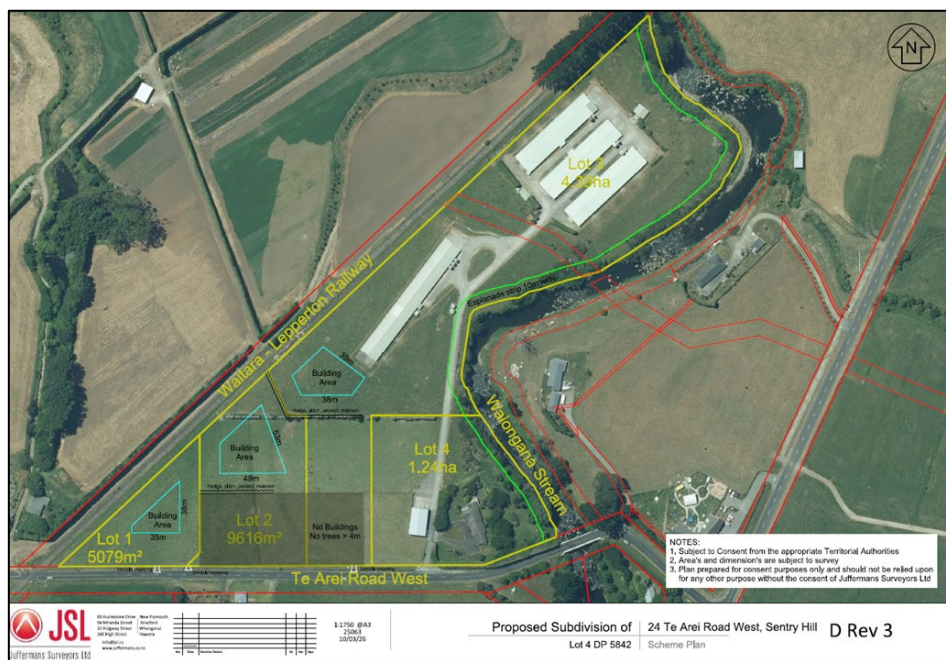


Figure 2: Proposed Building Platform Layout - Overview.

4. Infrastructure

4.1 Legal and Practical Access

Each building platform area will be accessed by a separate access point along Te Arei Road West as shown in the Scheme Plan provided as Appendix B.

4.2 Water

All future building platforms will be serviced by roof collection practises such as rain tanks as per the wider subdivision application (SUB21/47978).

4.3 Sewer Services

All future building platforms will be serviced by on site waste disposal practises such as septic tanks as per the wider subdivision application (SUB21/47978).

4.4 Stormwater

All future building platforms will be serviced by on site stormwater disposal practises as per the wider subdivision application (SUB21/47978).

4.5 Power, Gas and Telecommunications

All future building platforms will be serviced by Power and Telecommunication connections from Te Arei Road West as per the wider subdivision application (SUB21/47978).

5. Activity Classification

5.1 Zoning

Under the Proposed New Plymouth District Part Operative Plan (PNPD-POP), the site is Rural Production Zone with the Waterbody, Gas Transmission Pipeline, Rail Corridor and Noise overlays identified (Figure 3).

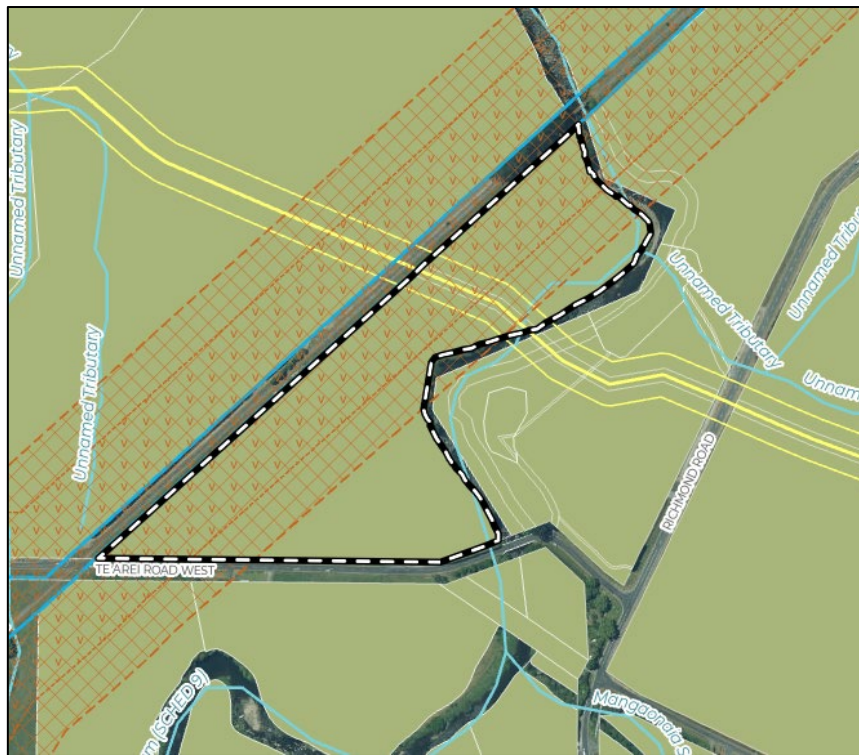


Figure 3: Extract of PDP Planning Map. Site boundary outlined in black and white hash.

5.2 Activity Assessment

Land use and subdivision in the New Plymouth District is controlled by the ONPDP and the PNPDP-POP. An assessment of the proposed activity under the ONPDP is only relevant to provisions which are triggered and currently under appeal as per the PNPDP-POP. This assessment is provided in Table 1 below.

Rule	Activity	Activity Standard	Activity Status/Comments
Operative New Plymouth District Plan (ONPDP)			
No rules identified that are triggered under the PNPDP-POP and under appeal.			
PROPOSED NEW PLYMOUTH DISTRICT – PART OPERATIVE PLAN			
Waterbodies			
WB-R1, R2 and R3	Erection of a building on a site containing or adjoining a natural waterbody.	All buildings are to be set back at least 20 m from any natural waterbody.	Permitted.
WB-R4	Earthworks on a site containing or adjoining a natural waterbody.	All earthworks are set back at least 10m from any natural waterbody.	Restricted Discretionary. Earthworks will be required within 10m of the Waiongana Stream to facilitate driveway removal, which is required for Esplanade Strip Planting proposed.
WB-R6	Subdivision of land containing or adjoining a waterbody.	Where effects standard SUB-S8 are complied with.	Restricted Discretionary. Has been bundled in SUB21/47978.
Rural Production Zone			
RPROZ-S1	Maximum structure height	8m	The dwellings on comply with this provision. Permitted.

Rule	Activity	Activity Standard	Activity Status/Comments
RPROZ-S2	Minimum structure setbacks	From a road boundary: 30m From a side boundary: 15m. From an intensive indoor primary production structure: 400m.	The building platform locations proposed mostly comply with this provision except for the poultry farm. Restricted Discretionary.
RPROZ-S3	Shelter belts	As per RPROZ-Figure 34	Not applicable
RPROZ-S4	Height in relation to boundary	As per RPROZ - Figure 35	The allotment distribution as proposed complies with this provision. Permitted.
RPROZ-S5	Maximum number of residential units	For sites that comprise 20 hectares or more: <ul style="list-style-type: none"> - one residential unit per site; or - one residential unit and one sleep out per site; or - one residential unit and one minor residential unit per site, provided the minor residential unit: <ul style="list-style-type: none"> - is located within 25m of the primary residential unit on site; and - shares single driveway access with the primary residential unit. 	The building platform locations as proposed comply with this provision. Permitted.
RPROZ-S6	Maximum gross floor area	As per RPROZ - Figure 36	Not applicable.
RPROZ-S6	Farm quarry requirements - maximum quarry area	1500m ²	Not applicable.
Transport			
TRAN-S2	Design standards for vehicle access points onto a local road, collector road or arterial road	Compliance with TRAN – Table 4 and TRAN Figure 3.	The building platform locations as proposed comply with this provision. Permitted.
TRAN-S3	Vehicle access points	All new vehicle access points must comply with the standards set out in section 3 of the Council's Land Development and Subdivision Infrastructure Standard Local Amendments.	The building platform locations as proposed comply with this provision. The associated line of sight issues has been bundled in SUB21/47978 .
TRAN-S5	Maximum width of vehicle access points	6m	The building platform locations as proposed comply with this provision. Permitted.
TRAN-S18	Requirements for driveways - design	Every parking, loading, and standing space must have driveways and aisles for entry and exit of vehicles to and from the road, and for vehicle manoeuvring within the site. Access and manoeuvring areas must accommodate the 85th percentile car tracking curves in TRAN - Figure 7 in TRAN-S10. The required driveway must not include any space used for on-site parking, loading, or standing space, or vehicle access point.	The building platform locations as proposed comply with this provision. Permitted.

Rule	Activity	Activity Standard	Activity Status/Comments
		Where an activity or subdivision involves the creation of a vehicle access point, the formation of the vehicle access point must be compliant with TRAN-S4.	
TRAN-S19	Requirements for driveways - construction and formation	All driveways must comply with the following standards: Minimum width of driveway: 3.5m; and Maximum gradient of driveway: 1:5.	The building platform locations as proposed comply with this provision. Permitted.
TRAN-R9	High trip generator activities	1) For new activities: a. any of the activities listed in TRAN - Table 1 that comply with the stated thresholds; and b. all Transport Effects Standards are complied with. 2) For existing activities: a. no change or variation to an existing lawfully established activity listed in TRAN – Table 1.	The building platform locations as proposed comply with this provision. Permitted.
Earthworks			
EW-R10	Earthworks for building activities	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.	All earthworks required for the creation of a building platform will comply. Permitted.
EW-R13	Earthworks otherwise not provided for in this table	In any 12-month period, the total volume of earthworks does not exceed 100m ³ per site; and all Earthworks Effects Standards are complied with.	All earthworks required for the creation of a building platform will comply. Permitted.
EW-R14	Earthworks for roads to vest in the Council		Not applicable
EW-S1	Instability of land	Earthworks or land disturbance must not result in any instability of land or structures at or beyond the boundary of the site where the earthworks occur.	All earthworks required for the creation of a building platform will comply. Permitted.
EW-S2	Maximum cut depth or fill height.	outside the minimum building setback for the underlying zone: 1.5m; and inside the minimum building setback for the underlying zone: 0.5m.	All earthworks required for the creation of a building platform will comply. Permitted.
EW-S3	Site reinstatement	As soon as it is practicable, but no later than six months from the commencement of earthworks or land disturbance:	All earthworks required for the creation of a building platform will comply. Permitted.

Rule	Activity	Activity Standard	Activity Status/Comments
		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.	
EW-S4	Control of silt and sediment	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.	All earthworks required for the creation of a building platform will comply. Permitted.
EW-S5	Requirements for discovery of sensitive material during earthworks or land disturbance	Despite any other rule in this plan permitting earthworks or land disturbance, or any activity associated with earthworks or land disturbance, in the event of discovery of sensitive material during earthworks or land disturbance (which is not expressly provided for by any resource consent or other statutory authority), the owner of the site or the consent holder must take the following steps. 1. Cease works and secure the area 2. Inform Tangata whenua and the following relevant authorities immediately of the discovery 3. Wait for and enable an inspection of the site 4. Recommencement of work.	All earthworks required for the creation of a building platform will comply. Permitted.
Noise			
NOISE-R5	Erection of a new building to be occupied by a noise sensitive activity	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.	The building platform locations as proposed comply with this provision. Permitted.
TRAN-S3	Vehicle access points	All new vehicle access points must comply with the standards set out in section 3 of the Council's Land Development and Subdivision Infrastructure Standard Local Amendments.	The building platform locations as proposed comply with this provision. The associated line of sight issues has been bundled in SUB21/47978 .
Network Utilities			
NU-R41	Land disturbance within the Gas Transmission Pipeline Corridor		The building platform locations as proposed comply with this provision. Permitted.

Rule	Activity	Activity Standard	Activity Status/Comments
NU-R42	Earthworks within the Gas Transmission Pipeline Corridor (not covered by NU-R39).		The building platform locations as proposed comply with this provision. Permitted.
NU-R44	Sensitive activities, including the erection of buildings for sensitive activities, within the Gas Transmission Pipeline Corridor.		The building platform locations as proposed comply with this provision. Permitted.

5.3 Activity Status

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

- **RPROZ-S2** - Minimum structure setbacks – Restricted Discretionary - The proposed building platforms are within 400m of the Poultry Operation.
- **WB-R4** - Earthworks on a site containing or adjoining a natural waterbody – Restricted Discretionary - Earthworks will be required within 10m of the Waiongana Stream to facilitate driveway removal, which is required for Esplanade Strip Planting proposed.

Applying the bundling principle, it is considered that the consent applied for is a **Restricted Discretionary activity**.

6. Assessment of Environmental Effects

While restricted discretionary, the matters over which the NPDC has restricted its discretion provide a useful framework for systematically assessing the effects of the land use. These are discussed below.

6.1 Minimum Structure Setbacks.

1. The extent to which structure design, siting and external appearance adversely impacts on rural character and amenity.
2. Site topography and orientation and whether the structure can be more appropriately located to minimise adverse visual amenity effects or maintain, enhance or restore indigenous biodiversity values.
3. Effect on nearby properties, including outlook, privacy, shading and sense of enclosure.
4. The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the site.
5. The ability to mitigate adverse effects through the use of screening, planting, landscaping and alternative design.

6. The extent to which the reduction in setback would impact on the future ability for road widening requirements.

The non-compliance associated with this application relates to the setback from the poultry operation. In this regard, the wider subdivision application has ensured that the sitting and placement of these platforms are effectively mitigated from road users and the surrounding farmland as a result of smart sitting as well as consent conditions around building form, colour and vegetative screening. The proposed consent conditions associated with SUB21/47978 are adopted in full and are argued to suitably address all rural character and amenity adverse effects.

The written approval from the Poultry Operator is provided as Appendix D.

6.2 Earthworks on a site containing or adjoining a natural waterbody

1. The matters set out in WB-P2 and WB-P3.

P2 and P3 are read as thus:

“WB-P2 - Protect the natural character, ecological, recreational, cultural, spiritual, heritage or amenity values of waterbodies by:

1. *managing the potential adverse effects of subdivision on the values of waterbodies;*
2. *requiring buildings and earthworks to be set back from natural waterbodies to avoid, remedy or mitigate potential adverse effects on their values; and*
3. *maintaining and enhancing public access to rivers and lakes with recreation, scenic, cultural or amenity values through the creation of esplanade reserves or esplanade strips at the time of subdivision.*

WB-P3 - Require that activities proposing to locate on sites adjoining a natural waterbody, demonstrate that the activity is located appropriately having regard to:

1. *the particular natural character, ecological, recreational, cultural, spiritual, heritage or amenity values of the natural waterbody and the extent to which the values of the natural waterbody may be adversely affected by the activity;*
2. *the purpose of the activity and whether it has a functional need and operational need to be located adjoining a natural waterbody;*
3. *the ability to effectively restore and rehabilitate the natural waterbody or off-set adverse effects;*

4. *for natural waterbodies which have cultural, spiritual or historic values of importance to tangata whenua, the outcomes of any consultation with tangata whenua, including any expert cultural advice provided with respect to mitigation measures; and*
5. *whether the activity would create new or exacerbate existing natural hazards, including flooding or stream bank erosion”*

The non-compliance associated with this application relates to the required relocation of the existing driveway servicing the poultry operation. In this regard the wider subdivision application has ensured the protection of this waterbody through suitable consent conditions and the creation of a 10m wide Esplanade Strip. These protective measures cannot be given effect too without the relation of the driveway and the stripping of it' s associated metal/hardfill for fencing as well as restorative planting to occur.

Therefore, it's inclusion in this assessment is a formality to safeguard the wider subdivision application SUB21/47978.

6.3 Summary of Effects

The AEE has found that the adverse effects of the proposed land use are effectively internalised within the scope of the wider subdivision and its adverse effects therefore anticipated to be managed through sensible consent conditions/notices and therefore in line with the provisions of the PNPD-POP.

7. Statutory Considerations

7.1 Section 106 Considerations

No significant risk from natural hazards is identified as part of this consent.

7.2 Schedule 4

Schedule 4 of the RMA requires that an assessment of the activity against the matters set out in Part 2 and any relevant provisions of a document referred to in Section 104 of the RMA is provided when applying for a resource consent for any activity. These matters are assessed as follows.

7.3 Section 104C

Section 104C of the Resource Management Act 1991 states that the Council may grant or refuse an application for a restricted discretionary activity. Council must only consider those matters over which:

- Its discretion is restricted in national environmental standards or other regulations:

- It has restricted the exercise of its discretion in its plan or proposed plan.

If it grants the application, Council may impose conditions on the consent under Section 108 only.

The proposed activity is consistent with the relevant Objectives and Policies of the operative and proposed District Plans and the relevant requirements of the RMA and will comply with the conditions to be set by NPDC.

7.4 Section 104(1) of the RMA

Subject to Part II of the Act, Section 104 sets out those matters to which the consent authority must have regard when considering a resource consent application. Those matters considered relevant to this application are:

- a) Any actual or potential effects on the environment of 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
- c) Any other matters the consent authority considers relevant and reasonably necessary to determine the application.

District Plans need to give effect to NPSs, NESs and RPSs. For an application of this scale, an assessment of the application against the relevant district plans is adequate as these plans ultimately give effect to the higher order statutory instruments. However, where beneficial, the relevant higher order instrument is discussed below and given regard to accordingly.

7.4.1 District Plan Assessments

The relevant Plan against which this activity shall be assessed is the Proposed New Plymouth District - Part Operative Plan 2025.

7.4.1.1 Proposed New Plymouth District – Part Operative Plan – 2025

The relevant policies and objectives that are relevant to this proposal are discussed in Table 3 below.

Table 3: Assessment against the Objectives and Policies of the PNPD-POP

Reference	Objective/Policy	Commentary
Transport		
Objective TRAN-03	Activities generate a type or level of traffic that is compatible with the local road network they obtain access to and from.	The adjacent roading network will not be impacted by the proposal as no extra movements a day are proposed outside of the wider subdivision to which this has been bundled. Therefore, there is no compromise for the transport network or result in reverse sensitivity issues or conflict. The proposal is not anticipated to generate any adverse effects as per the listed objectives and policies. As discussed in Section 5, the impacts of the proposal on traffic are non-existent and the proposal is considered consistent with these policies.
Objective TRAN-04	The existing and future transport network is not compromised by incompatible activities which may result in reverse sensitivity effects and/or conflict.	
Policy TRAN-P2	<p>Allow the following activities provided that do not compromise the safety, efficiency, and effectiveness of the transport network:</p> <ol style="list-style-type: none"> 1. Roads and vehicle access points. 2. Building activities and trees within the New Plymouth Flight Path Surface 2 area. 3. Electric vehicle charging stations; and <p>Operation, maintenance and repair or construction of the transport network.</p>	
Policy TRAN-P13	<p>Ensure that activities do not constrain or compromise the safe and efficient operation of the road transport network by:</p> <ol style="list-style-type: none"> 1. minimising potential conflict between vehicles, pedestrians, and cyclists. 2. managing the width of vehicle access points so that on-street parking is not reduced; and 3. managing adverse cumulative effects. 	
Waterbodies		

Reference	Objective/Policy	Commentary
Objective WB-01	Waterbodies with natural character and ecology, recreation, cultural, spiritual and heritage values, and their margins are protected from inappropriate activities.	As proposed, the proposed building platforms will have no impact on the waterbody on site. Rather the wider subdivision requires it be bundled to enable the recommended consent conditions/notices to be able to given effect too. Cultural impacts will be addressed as part of the consenting process.
Objective WB-03	The adverse effects of activities on the values of waterbodies are avoided, remedied, or mitigated	
Objective WB-04	The relationship of Tangata whenua and their traditions, values and interests associated with waterbodies are recognised and provided for.	
Policy WB-P2	Protect the natural character, ecological, recreational, cultural, spiritual, heritage or amenity values of waterbodies by: 1. managing the potential adverse effects of subdivision on the values of waterbodies. 2. requiring buildings and earthworks to be set back from natural waterbodies to avoid, remedy, or mitigate potential adverse effects on their values; and 3. maintaining and enhancing public access to rivers and lakes with recreation, scenic, cultural or amenity values through the creation of esplanade reserves or esplanade strips at the time of subdivision.	
Policy WB-P3	Require that activities proposing to locate on sites adjoining a waterbody, including a significant waterbody, demonstrate that the activity is located appropriately having regard to: - the particular natural character, ecological, recreational, cultural, spiritual, heritage and/or amenity values of the waterbody and the extent to which the values of the waterbody may be adversely affected by the activity.	

Reference	Objective/Policy	Commentary
	<p>- the purpose of the activity and whether it has a functional need to be located adjoining a waterbody.</p> <p>the ability to effectively restore and rehabilitate the waterbody and/or off-set adverse effects.</p> <p>- for waterbodies which have cultural, spiritual and/or historic values and interests or associations of importance to Tangata whenua, the outcomes of any consultation with and/or cultural advice provided by Tangata whenua as kaitiaki, including with respect to mitigation measures; and</p> <p>- whether the activity would create new or exacerbate existing natural hazards, including flooding or stream bank erosion.</p>	
Rural Production Zone		
Objective RPROZ-07	Sensitive activities are designed and located to avoid conflict with primary production and avoid or mitigate adverse reverse sensitivity effects.	As proposed, the proposed building platforms will have no impact on the Rural Production Zone.
Policy RPROZ-P1	<p>Allow activities that are compatible with the role, function and predominant character of the Rural Production Zone, while ensuring their design, scale and intensity is appropriate, including:</p> <p style="padding-left: 40px;">2. residential activities;</p>	Rather the wider subdivision application has ensured that the sitting and placement of these platforms are effectively mitigated from road users and the surrounding farmland as a result of smart sitting as well as consent conditions around building form, colour and vegetative screening.
Policy RPROZ-P7	<p>Require sensitive activities to be appropriately located and designed to avoid or mitigate reverse sensitivity effects, risks to people, property and the environment, and conflict with activities permitted in the Rural Production Zone, including by:</p> <p>1. ensuring sufficient separation by distance or topography between sensitive activities and zone boundaries, transport networks, primary</p>	The proposed consent conditions associated with SUB21/47978 are adopted in full and are argued to suitably address all rural character and amenity adverse effects.

Reference	Objective/Policy	Commentary
	<p>production, significant hazardous facilities and rural industry;</p> <p>2. adopting appropriate design measures to minimise the impact of off-site effects of rural industry that cannot be internalised within the rural industry activity's site; and</p> <p>3. utilising landscaping, screen planting or existing topography to minimise the visual impact of rural industry.</p>	

7.4.2.3 Summary of District Plan Policy Assessment

In the context of the Proposed District Plan and the proposed land use consent applied for, the proposal is consistent with the Objectives and Policies as outlined above.

7.4.3 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human health (NES – CS)

The National Environmental Standard (NES-CS) ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed. If necessary, the land is remediated, or the contaminants contained to make the land safe for human use. These regulations relate to activities such as subdivision, changes of use and soil disturbance where they are to occur on land described under regulation 5(7).

Utilising Taranaki Regional Council records the site is subject to Resource Consent:

R2/4131-2 - To discharge poultry effluent from the cleaning of broiler chicken sheds by spreading onto and into land in the vicinity of the Waiongana Stream.



Figure 4: Screenshot of TRC Consents Database.

Waste Disposal to Land (HAIL Category G) can make a site subject to HAIL (Hazardous Activities and Industries List). The background consenting documentation provides further detail as to the poultry operation and discharge points; this is reproduced below:

“The site is not listed as a HAIL site under the TRC records. The site operates as a breeder poultry facility housing approx. 68,000 birds and up to 4,000 roosters annually. Poultry litter is mechanically removed following each production cycle and exported off-site.

Washdown of sheds occurs infrequently, typically limited to approx. two events per year per shed following litter removal. Prior to washdown, sheds are thoroughly cleaned using loaders and sweeping equipment, ensuring the majority of organic material and associated nutrients are removed.

Washdown is undertaken using high-pressure water blasting to remove residual adhered material from internal shed surfaces and equipment. This activity generates a short-duration, intermittent discharge of washdown water containing minor quantities of residual solids and associated nutrients.

Washdown water is discharged to land via established pastoral contour drains associated with each shed, where it flows along defined pathways and infiltrates into surrounding pasture soils. The discharge is limited in duration and managed to avoid runoff, ponding, or direct discharge to surface water”.



Figure 5: Consented Area for Discharge.

As can be seen from Figure 5 above the discharge areas (white hash) are in direct proximity to the sheds and not within any areas identified for future building platforms. As such, as the site has not been identified as potentially contaminated and the discharge occurring is consented and highly controlled consent is not required under the provisions of the NES-CS.

7.4.4 National Policy Statement for Highly Productive Land (NPS-HPL 2022)

The National Policy Statement for Highly Productive Land 2022 (NPS-HPL) took effect on the 17th of October 2022. Its objective is to ensure that “Highly productive land is protected for future use in land-based primary production, both now and for future generations (Part 2.1).

This is set out through nine key policies which must be given effect to through the objectives, policies, and rules in the relative district plan no later than two years after the maps of highly productive land in the relevant regional policy statement become operative.

An assessment of this application against each of the NPS-HPL policies as well as its overall implementation is considered unnecessary given that the application site has already been through a

rigorous peer review process as part of the wider subdivision application which concluded that it is not Highly Productive land.

7.4.5 Tai Whenua, Tai Tangata, Tai Ao is the Te Atiawa Iwi Environmental Management Plan.

Tai Whenua, Tai Tangata, Tai Ao is the Te Atiawa Iwi Environmental Management Plan (EMP). It is an expression of rangatiratanga (right to exercise authority) and kaitiakitanga (guardianship) from Te Atiawa iwi over the environmental and cultural resources within their Rohe. The EMP identifies issues regarding the use of resources of significance to Te Atiawa, setting objectives, policies, and methods for achieving the sustainable and culturally appropriate management of these resources.

The relevant issues, objectives and policies as described in Tai Whenua, Tai Tangata, Tai Ao Environmental Management Plan are discussed in detail below.

Overall, the proposed development is considered to be consistent with the objectives and policies of Tai Whenua, Tai Tangata, Tai Ao.

Table 4: Assessment of the proposal against Tai Whenua, Tai Tangata, Tai Ao.

6.1 Te Tai Hauora - Guardianship
Issue TTHA3: The lack of acknowledgment and appropriate engagement with Tangata whenua.
Issue TTHA4: The lack of acknowledgment of kaitiakitanga as part of resource management policy and planning, and decision-making processes.
Issue TTHA5: The lack of active involvement in decision-making processes around the development and use of natural and physical resources.
Relevant Objectives and Policies: <ul style="list-style-type: none">• Objectives: Ob. TTHA3.1, Ob. TTHA3.2, Ob. TTHA4.1, Ob. TTHA4.2, Ob. TTHA4.3, Ob. TTHA5.1 and Ob. TTHA5.2• Policies: Pol. TTHA3.5, Pol. TTHA4.1, and Pol. TTHA5.3:
The consenting process recognises that Te Atiawa are kaitiaki over natural, physical, and cultural resources within their Rohe. In this regard, the proposed building platforms are part of a wider subdivision application that has given sufficient regard to cultural interests through suitable consent notices.

6.2 Te Tai Awhi-Nuku – Inland and Coastal Whenua

Issue TTAN3: The lack of participation in urban and township planning and development.

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

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

Relevant Objectives and Policies:

- **Objectives:** General (Gen) Ob. TTAN1.1, Gen. Ob. TTAN1.2, Gen. Ob. TTAN1.3, Ob. TTAN3.1, Ob. TTAN3.2, Ob. TTAN4.1, Ob. TTAN4.2, Ob. TTAN4.3, Ob. TTAN4.4, Ob. TTAN7.1
- **Policies:** Pol. TTAN4.3, Pol. TTAN4.4, Pol. TTAN4.6, Pol. TTAN4.9, Pol. TTAN4.10, Pol. TTAN4.11, Pol. TTAN4.12, Pol. TTAN4.13, Pol. TTAN7.1, Pol. TTAN7.2, Pol. TTAN7.4

The consenting process recognises that Te Atiawa are kaitiaki over natural, physical, and cultural resources within their Rohe. In this regard, the proposed building platforms are part of a wider subdivision application that has given sufficient regard to cultural interests through suitable consent notices.

6.3 Te Tai o Maru – Freshwater

Issue TTOM2: The lack of recognition of Te Atiawa Statutory Acknowledgements and the cultural values associated with these areas being weighted appropriately during decision-making may generate adverse effects on Te Atiawa values.

Issue TTOM6: Activities within the beds and margins of rivers, streams, tributaries, wetlands, and lakes can affect Te Atiawa cultural values, water quality and flow, mahinga kai habitat and species, customary use activities and bed/margin integrity.

Issue TTOM7: Loss of access to waterways, ancestral mahinga kai areas and sites of significance to Māori will generate adverse effects on Te Atiawa values.

Relevant Objectives and Policies:

- **Objectives:** Gen. Ob. TTOM1.1, Gen. Ob. TTOM1.2, Gen. Ob. TTOM1.4, Gen. Ob. TTOM1.5, Gen. Ob. TTOM1.6, Gen. Ob. TTOM1.7, Ob. TTOM2.1, Ob. TTOM6.1, Ob. TTOM7.1
- **Policies:** Gen. Pol. TTOM1.5, Pol. TTOM6.1, Pol. TTOM6.2, Pol. TTOM6.4, Pol. TTOM7.1

There are no waterbodies on site.

6.6 Te Tai o Tāne Tokorangi – Flora and Fauna

Issue TTTT1: The loss of mahinga kai areas and species as a result of habitat loss, discharges, abstractions, diversion of waterways, barriers to fish passage and introduction of exotic species is impacting on Te Atiawa values, and our health and wellbeing.

Issue TTTT2: The loss of native biodiversity and taonga species is affecting Te Atiawa values and the health of our land, water, and people.

Issue TTTT3: Due to the loss of native biodiversity there is a need for species restoration initiatives.

Relevant Objectives and Policies:

- **Objectives:** Gen. Ob. TTTT1.1, Gen. Ob. TTTT1.2, Ob. TTTT1.1, Ob. TTTT2.1, Ob. TTTT3.1
- **Policies:** Pol. TTTT3.2, Pol. TTTT3.3

The consenting process recognises that Te Atiawa are kaitiaki over natural, physical, and cultural resources within their Rohe. In this regard, the proposed building platforms are part of a wider subdivision application that has given sufficient regard to cultural interests through suitable consent notices.

7.4.6 Part 2 Matters

Part 2 of the Act contains the Act’s purpose and principles and comprises Sections 5-8.

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

The efficient use of the resource includes sustainable management by utilising what exists now, while enabling social and economic wellbeing.

Part 2 Matters	Assessment
Section 5 - sets the purpose of the Act – the sustainable management of natural and physical resources, while enabling people and communities to provide for their social, economic, and cultural well-being.	This application does not compromise the sustainable management of natural and physical resources. Granting the proposed land use consent will not affect the sustainable management of the rural environment that surrounds the site and will enable the applicants to provide for their social, economic, cultural well-being and health without compromising this ability for any other party.

<p>Section 6 - sets out the matters of national importance which need to be recognised and provided for and includes the preservation of the natural character of the lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development, the protection of outstanding natural features and landscapes, the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna, the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tāpu, and other taonga, and the management of significant risks from natural hazards.</p>	<p>The proposed activity is unlikely to cause any effect on the matters set out in Section 6.</p>
<p>Section 7 - Lists all aspects to be considered equally. In the case of this proposal, the following matters are considered relevant:</p> <ul style="list-style-type: none"> • the efficient use and development of natural and physical resources. • the maintenance and enhancement of amenity values; and • maintenance and enhancement of the quality of the environment. 	<p>This proposal will not adversely affect natural and physical resources or result in an inability to maintain or enhance the amenity values, or environmental quality.</p>
<p>Section 8 - requires the consent authority to take into account the principles of the Treaty of Waitangi.</p>	<p>The proposal does not appear to have any specific Treaty issues.</p>

7.5 Other Consents, Statutory Acknowledgments and Cross Boundary Matters

There are no Taranaki Regional Council consents required for the application as no air or marine discharge are created by the proposal.

There are no other consents required from other statutory bodies in relation to this application.

There are no other National Environmental Standards or National Policy Statements creating an effect in relation to this application.

The site is not subject to any other Statutory Acknowledgements.

7.6 Other Matters - Section 104(1)(c)

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

8. Written Approvals and Consultations

The building platforms are incapsulated within the areas subject to the surrounding subdivision. In this regard the application has been through a limited notified pathway and its only submitter subject to the wider hearing process.

It is requested this notification be adopted for this application.

9. Notification Assessment

9.1 Public Notification

Section 95A of the RMA sets out the steps which must be followed by a consent authority when determining whether to publicly notify applications for resource consent. The proposed development is assessed against the Section 95A below in Table 8.

Table 8. Assessment of proposed activities against Section 95A of the RMA

Step 1	Mandatory public notification in certain circumstances. An application must be publicly notified if any of the following criteria are met: <ul style="list-style-type: none">• the applicant has requested public notification; or• public notification is required under section 95C; or	The applicant does not request public notification, and public notification is not required under s95C.
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	<ul style="list-style-type: none"> the application is made jointly with an application to exchange recreation reserve land. 	
Step 2	<p>If notification is not required by step 1, public notification is precluded in certain circumstances.</p> <ul style="list-style-type: none"> An application cannot be publicly notified if either of the following criteria are met: <ul style="list-style-type: none"> the application is for one or more activities, and each activity is subject to a rule or NES that precludes notification; or the application is for a resource consent for 1 or more of the following but no other activities: <ul style="list-style-type: none"> a controlled activity a restricted-discretionary, discretionary, or non-complying activity but only if the activity is a boundary activity. 	<p>Public notification is not precluded by a rule or NES.</p> <p>The proposed activities are outside the scope of a boundary activity.</p>
Step 3	<p>If not precluded by step 2, public notification is required in certain circumstances.</p> <p>Public notification is required if:</p> <ul style="list-style-type: none"> the application is for a resource consent for 1 of more activities, and any of those activities is subject to a rule or NES which requires public notification; or the consent authority decides, in accordance with s95D, that the activity will have, or is likely to have, adverse effects on the environment that are more than minor. 	<p>Public notification is not required by a rule or NES.</p> <p>Environmental effects are considered less than minor.</p>
Step 4	<p>Public notification in special circumstances.</p> <p>If notification is precluded under step 2, or isn't required under step 3, consideration must be given to</p>	<p>Special circumstances are those that are unusual or exceptional, but they may be less than extraordinary or unique. No such circumstances exist in</p>

	<p>whether special circumstances exist that warrant public notification of the application. If no such circumstances exist, the application must not be publicly notified but the consent authority must determine whether to give limited notification of the application under Section 95B.</p>	<p>relation to this proposal; therefore, public notification of the application is precluded.</p>
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9.2 Limited Notification

Where a consent authority determines that public notification is not required by Section 95A, it must then follow the relevant steps to determine if limited notification is required under Section 95B. The proposed development is assessed against the Section 95B steps below in Table 9.

Table 9. Assessment of proposed activities against Section 95B of the RMA

Step 1	<p>If the consent authority determines that certain people or groups are affected, these persons/groups must be given limited notification:</p> <ul style="list-style-type: none"> • affected protected customary rights groups. • affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity) • an affected person under section 95E to whom a statutory acknowledgement is made (if the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement). 	<p>No protected customary rights groups are affected by the proposed activities.</p> <p>The application site is not adjacent to a statutory acknowledgement area.</p>
Step 2	<p>If not required by step 1, limited notification is precluded in certain circumstances.</p> <p>An application cannot be limited notified if either of the following criteria are met:</p> <ul style="list-style-type: none"> • the application is for a resource consent for 1 or more activities, and each activity is subject 	<p>Limited notification is not precluded by a rule or NES.</p> <p>Resource consent is required for a restricted discretionary activity.</p>

	<p>to a rule or national environmental standard that precludes limited notification; or</p> <ul style="list-style-type: none"> the application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land). 	
Step 3	<p>If not precluded by step 2, certain other affected persons must be notified.</p> <ul style="list-style-type: none"> In the case of a boundary activity, an owner of an allotment with an infringed boundary; and In the case of any other activity, determine whether a person is an affected person in accordance with Section 95E. 	<p>The proposed activities are within the scope of a boundary activity.</p> <p>Environmental effects are considered minor to those parties identified through the Limited Notification process of the wider subdivision.</p>
Step 4	<p>Further notification in special circumstances.</p> <p>If the consent authority determines special circumstances exist that warrant limited notification of the application to any other persons not already determined to be eligible for limited notification (excluding persons assessed under section 95E as not being affected persons), the council must give limited notification to those persons.</p>	<p>As per the assessment of Step 4 in Table 6. Assessment of proposed activities against Sections 95A of the RMA, there are no special circumstances that would warrant further notification of the proposed activities.</p>

10. Conclusion

Land Use consent is applied for on behalf of Wayne Curry (*the Applicant*), to establish building platforms on each of the 4 Lots proposed in background SUB21/47978.

The proposal is consistent with the relevant provisions of the RMA, the New Plymouth District Plan objectives, policies and other relevant matters because the platforms have been designed to be consistent with the scale of development anticipated in the background subdivision and all potential adverse effects have been shown to be acceptable subject to the wider mitigative consent notices proposed.

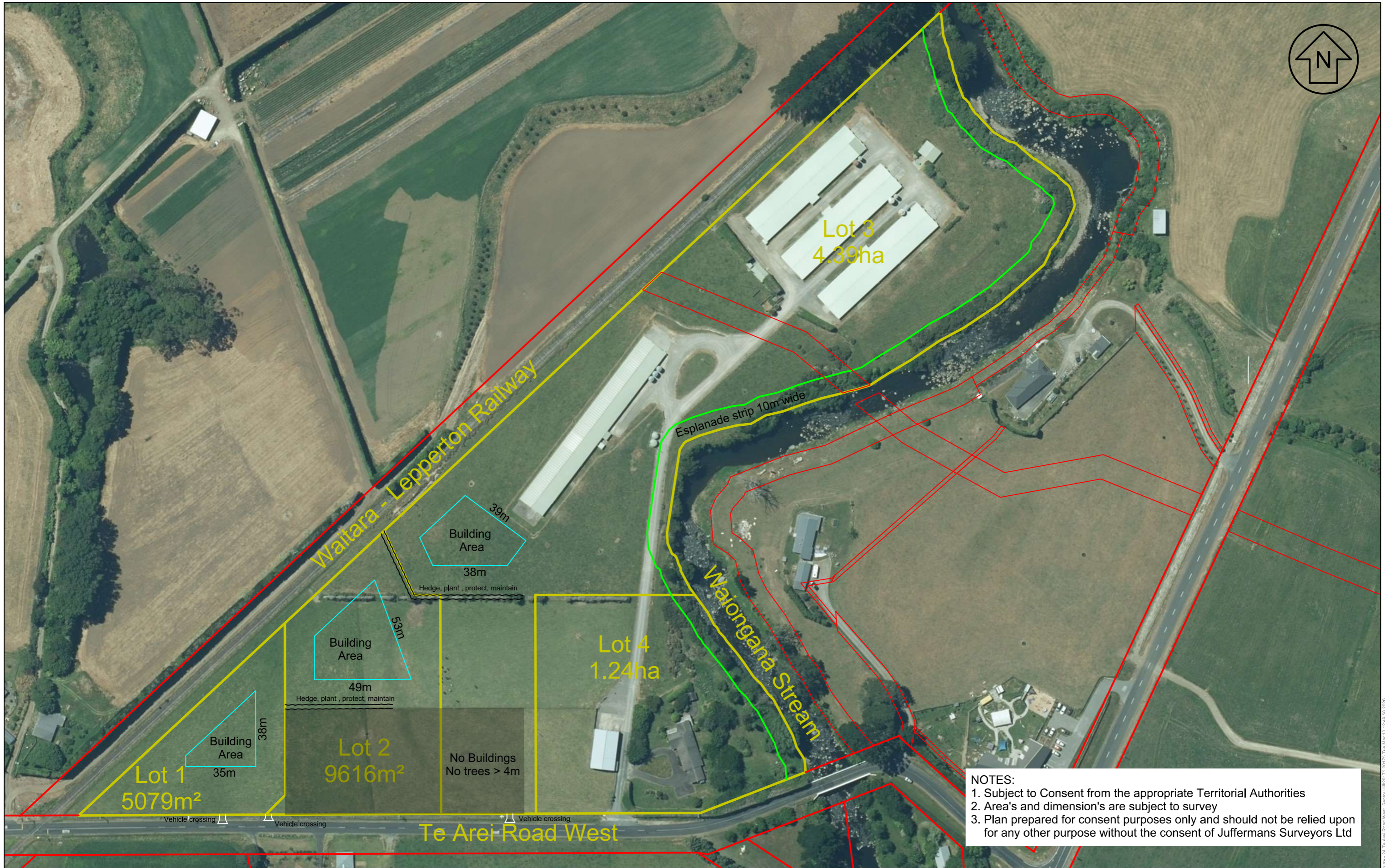
Having undertaken an Assessment of Environmental Effects, it is considered that the adverse effects of the proposed land use on the subject site and surrounding environment will be acceptable and therefore, can be granted.

11. Appendices

APPENDIX A – Standard Application Form

APPENDIX B – Scheme Plan, Overland Flow Path Diagram

APPENDIX C – Certificate of Title and Easement



NOTES:
 1. Subject to Consent from the appropriate Territorial Authorities
 2. Area's and dimension's are subject to survey
 3. Plan prepared for consent purposes only and should not be relied upon for any other purpose without the consent of Juffermans Surveyors Ltd



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Rev.	Date	Revision Details	By	Ver.	App.

1:1750 @A3
 25063
 10/03/26

Proposed Subdivision of 24 Te Arei Road West, Sentry Hill D Rev 3
 Lot 4 DP 5842 Scheme Plan