



When replying please quote document no: LUC17/47070
Property:

22 December 2017

Winton Stock Feeds
C/- BTW Company Ltd
PO Box 551,
New Plymouth 4340

Attention: Aaron Edwards

Dear Aaron,

LUC17/47070 - CONSENT IS GRANTED TO ESTABLISH AND OPERATE A STOCK FEED STORAGE AND DISTRIBUTION OPERATION AT 93 MANUTAHU ROAD.

I am pleased to be able to **enclose** a copy of a Resource Consent Approval, and my Planners Report prepared under the Resource Management Act 1991, for the above project.

An invoice for the cost of processing this consent above the application fee already paid, generated in accordance with Section 36 of the Resource Management Act 1991, will follow.

Please call me on 759 6060 if you wish to discuss this consent.

Yours sincerely

Jacob Stenner
Environmental Planner - Consents



RESOURCE CONSENT LUC17/47070

Granted under Sections 95, 104 and 108 of the Resource Management Act 1991

Applicant:	Winton Stock Feed Limited
Location:	93 Manutahi Road, Bell Block
Legal Description:	Lot 1 DP 344340
Status:	The Proposal is a Restricted Discretionary Activity under rules Rur101 and Rur 102 of the New Plymouth District Plan (Operative 15 August 2005)
Proposal:	To establish and operate a stock feed storage and distribution operation.

DECISION:

In accordance with Section 104 and 104C of the Resource Management Act 1991, consent is granted to construct a new dwelling within 1.5m of the southern side boundary.

Subject to the following conditions imposed under Section 108 of the Resource Management Act 1991:

1. Except as to meet further conditions of this consent, the use and development of the site shall be as described within the application and shall be substantially in accordance with the following information, plans and assessment of environmental effects submitted with the application LUC17/47070:
 - Resource Consent Application: prepared by BTW Company Ltd, titled 'Stock Feed Depot at 93 Manutahi Road, Bell Block' and dated 4 August 2017.
 - Traffic Impact Assessment prepared by BTW Company Ltd, titled 'Traffic Impact Assessment – 93 Manutahi Road' and dated 4 August 2017.
 - Noise Prediction Report prepared by Marshall Day Acoustics, titled 'Molasses Storage Facility: Noise Prediction, Doc Ref RP 001 20170407 and dated 31 May 2017.
2. The consent holder shall advise the Council's Planning Lead, or nominee, at least ten (10) working days prior to the activity commencing on the site.
3. Landscaping and screening shall be established and maintained in accordance with the plan endorsed by LUC17/47070, entitled 'Landscaping and Screening Plan' prepared by BTW Company Ltd, job number 17363 and dated 15/11/2017.



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4. The landscaping required by Condition 3 of this consent shall be implemented within the first planting season following the construction of the storage pond.
5. The horticultural screening required by Condition 3 shall be erected prior to the commencement of bulk importing activity on the site.
6. On completion of landscaping and screening, the consent holder shall certify that these works have been completed and provide this certification to the Council's Planning Lead.
7. For the duration of this consent, the consent holder shall maintain all planting in a good and healthy condition at a minimum height of 3m. Any planting not in a good and healthy condition shall be replaced so as to be in accordance with the Landscape and Screening Plan referenced in Condition 3 of this consent.
8. The storage pond shall be set back a minimum of 10m from the side boundary adjoining 95 Manutahi Road (Lot 3 DP 344340).
9. Water sprinklers shall be installed and made operational prior to the commencement of the stock feed distribution facility on the site. Sprinklers shall be installed so as to provide coverage of all non-sealed access areas on the site over which truck and trailer units associated with the stock feed distribution facility traverse. Sprinkler use shall be undertaken as follows:
 - a. Sprinklers are to be in operation at all times during bulk importing operations (meaning in use as required to dampen access areas to suppress dust and not running continuously);
 - b. Sprinklers are to be used during normal operations as required to suppress dust generation from truck and trailer units associated with the stock feed distribution facility during dry and windy weather conditions; and
 - c. During normal operations, the consent holder shall actively manage sprinkler use during dry and windy conditions to mitigate adverse dust nuisance effects on adjoining properties.

The purpose of the sprinklers is to mitigate adverse dust nuisance effects on adjoining properties by suppressing dust generation from truck and trailer units associated with the stock feed distribution facility traversing over non-sealed access areas on the subject site.

10. The two steel pipe gates located opposite the existing dwelling on 93 Manutahi Road are to be open at all times or removed.
11. No vehicles associated with the stock feed distribution activity shall park on the Right of Way.



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12. The existing access shall be upgraded to a 'Diagram E' type access way as per Appendix 5B of the NZTA Planning policy Manual incorporating road widening to the south side of Manutahi Road. All costs associated with the access upgrade shall be met by the consent holder.
13. An engineering plan and specification for the roading shall be submitted to and approved by the Council prior to the commencement of work.
14. All work shall be constructed under the supervision of a suitably qualified person who shall also certify that the work has been constructed to the approved Engineering Plan requirements.
15. An "As Built" Plan shall be provided.
16. A Council engineering plan approval shall apply at cost.
17. A schedule of assets vested in the Council shall be provided.
18. The consent holder shall maintain the ROW from the Manutahi Road entrance (including the widened entrance) to the end of the legal ROW including, without limitation, all maintenance or repair and costs of forming the ROW from curb to curb for the duration of the consent except where the damage has been directly caused by the neglect or misuse of the ROW by the owners or occupiers of the adjoining properties.
19. The consent holder shall prune any vegetation or branches protruding over the curb line of the ROW.
20. A Traffic and Noise Management Plan (TNMP) shall be submitted to the Council's Monitoring Officer for approval a minimum of one month prior to the commencement of the stock feed distribution activity on the site. The purpose of the TNMP is to set out how the activity will be managed during bulk importing operations to mitigate adverse noise and traffic safety and efficiency effects from truck and trailer units associated with the stock feed distribution facility. The TNMP is to include, but not be limited to the following:
 - a. Route definition:
 - i. Designated primary route requiring all heavy vehicles to turn left in and left out of the site only (outside of peak traffic periods);
 - ii. Designated secondary route enabling heavy vehicles to approach the site from either the east or west along Manutahi Road (during peak traffic periods only) but still being restricted to exit the site via left turn only;
 - b. Driver Education:
 - i. No engine braking when approaching the site vehicle access point and avoiding noisy acceleration and braking on and off the site;



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- ii. Speed limits: Heavy vehicle speed limit of 20km/h at all times on the site (to include use of the shared right of way);
 - iii. Dipped headlights only to be used during night-time hours on the site (to include use of the shared right of way);
 - iv. Management of night-time noise on the site to include no slamming of vehicle gates/doors and driver noise education.
- c. Notification protocols for neighbours in advance of bulk import operations.
21. The conditions of this consent may be reviewed by the Council in accordance with Section 128(1) of the Resource Management Act 1991 by serving notice within a period of three (3) months commencing on each anniversary of the date of notification being received under Condition 2 of this consent for any of the following purposes:
- i. In order to deal with any adverse effects on the environment which may arise from the exercise of this consent that were not foreseen at the granting of the consent. Such effects may include (but not limited to) the frequency of vehicles to, from and within the site and noise; or
 - ii. To deal with inaccuracies contained in the consent application that materially influenced the decision made on the application and is such that it is necessary to apply more appropriate conditions.
22. The consent holder shall provide a copy of the approved TNMP to all truck and trailer unit operators to be adhered to at all times during bulk importing operations.

Advice notes:

1. *Consent Lapse Date*

This consent lapses on 22 December 2022 unless the consent is given effect to before that date; or unless an application is made before the expiry of that date for the Council to grant an extension of time for establishment of the use. An application for an extension of time will be subject to the provisions of section 125 of the Resource Management Act 1991.

This consent is subject to the right of objection as set out in section 357A of the Resource Management Act 1991.

DATED: 22 December 2017

Rowan Williams
Planning Lead



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Consent No.:	LUC17/47070
Applicant:	Winton Stock Feed Limited
Site Address:	93 Manutahi Road, Bell Block
Legal Description:	Lot 1 DP 344340
Site Area:	9.2548ha
Application:	To establish and operate a stock feed storage and distribution operation.
Overlays:	None
Activity Status:	The Proposal is a Restricted Discretionary Activity under the New Plymouth District Plan (Operative 15 August 2005)
Submissions received:	Two in opposition
Prehearing meeting	18 October 2017

SITE DESCRIPTION AND LOCALITY

1. The subject site is a 9.2548ha property located on the northern side of Manutahi Road. The site contains an existing dwelling within its eastern portion as well as storage sheds and large yard areas. The site is currently used as an agricultural contracting yard.
2. The site has previously been used as a land fill and quarry. Consequentially, there is a relatively large pond associated with the reinstatement of the quarry in the northern portion of the site.
3. Access to the site is by way of a shared right of way with an industrial crossing to Manutahi Road. This right of way is shared by five users in total.
4. The location of the subject site is shown within Figure 1.



Figure 1: Location of subject site (outlined blue) within the surrounding environment.

5. Manutahi Road adjoining the site is classified as a Collector Road in the District Plan and has a posted speed limit of 100km/h.
6. I visited the site on 17 August 2017.

THE PROPOSAL

7. The applicants propose to establish and operate a stock food (molasses) storage and distribution operation at 93 Manutahi Road. The operation would see the establishment of a covered 50m by 50m, lined storage pond. The pond would be surrounded by a 2m high bund, planted in native tussock along the eastern portion. Molasses is transferred to and from the pond by way of a hose and pump. The pond area stays covered at all times.
8. In terms of operations, the activity has two distinct phases; normal operations and bulk importing.
9. Normal operations involve two to three staff, working on site between 7am-9pm. The molasses is collected and distributed throughout the region by way of 2-3 truck and trailers daily. This equates to an average of 21 Vehicle Equivalent Movements (VEM) per day. In addition to this, light vehicles associated with staff would equate to 6 VEM per day.
10. Existing activities - being an agricultural contracting yard and dwelling - will continue on site. Cumulatively, VEM to the site during normal operations would be a maximum of 86 per day with an average of 57 per day.
11. Bulk importing would take place up to eight times per year. This would see the transport of molasses from Port Taranaki to the proposed facility. The bulk importing takes place over a 48 hour period (24 hours a day). During this period 178 truck and trailer movements will take



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place. This equates to 890 VEM over a 24 hour period. Again, existing activities will continue on site and cumulatively 946 VEM will take place over a 24 hour period during bulk importing.

12. A route is proposed for bulk importing whereby trucks travelling from Port Taranaki will travel north bound along the State Highway network to Henwood Road and continue to where Henwood Road merges with Manutahi Road, with a left hand turn into the right of way accessing the proposed activity. At this point the trucks are unloaded to then return to the port to reload. The return route involves a left hand turn out of the site to continue along Manutahi Road, trucks will then turn left onto State Highway 3A and continue along the State Highway network to the port.
13. An alternative either/or route is proposed for peak weekday periods (7am-9am and 3pm-5pm) to avoid potential traffic congestion at the Bell Block/Henwood Road interchange. This route would see trucks travelling from port to the subject site continue along State Highway 3, turning right onto State Highway 3A, then on to Manutahi Road and a right hand turn into the subject site. The return trip would be as per the primary route.

STATUS OF THE APPLICATION

14. The subject site is located within the Rural Environment Area. Manutahi Road is presently a Collector Road with a 100km/h posted speed limit. No overlays affect the subject site.
15. The New Plymouth District Plan outlines that “The elements associated with the rural environment include spaciousness, low density built form, vegetation (such as pasture, crops and forest), and distinctly ‘rural’ noises and smells. These elements are largely developed as a result of traditional ‘rural’ practices such as pastoral farming, horticulture, intensive farming activities and other rural industries, including the established activities of the petroleum exploration and production industry.
16. The proposal does not comply with the following District Plan rules:

Rule Rur101 – specifies a maximum total trip generation to a site of 50VEM over 24 hours. The proposal cannot meet the permitted conditions of this rule because during bulk importing 946 VEM would be generated to the site. This activity is a **restricted discretionary activity**.

Rule Rur102 – specifies a maximum average trip generation to a site of 30VEM over a seven day period. The proposal cannot meet the permitted conditions of this rule because during bulk importing an average of 311 VEM would be generated to the site over a seven day period. This activity is a **restricted discretionary activity**.

17. The proposal is therefore considered to be a **restricted discretionary activity**.

Objectives and Policies

18. The following objectives and policies apply to the application:

Objective 1

To ensure activities do not adversely affect the environmental and amenity values of areas within the district or adversely affect existing activities.

Policy 1.1



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Activities should be located in areas where their effects are compatible with the character of the area.

Objective 4

To ensure the subdivision, use and development of land maintains the elements of rural character

Policy 4.8

Activities within the rural environment should not generate traffic effects that will adversely affect rural character and the intensity of traffic generation should be of a scale that maintains rural character.

Objective 20

To ensure that the road transportation network will be able to operate safely and efficiently.

Policy 20.3

Potential conflict between vehicles, pedestrians and cyclists moving on the road transportation network should be minimised to protect the safety and efficiency of road and footpath users.

NOTIFICATION AND SUBMISSIONS

19. A notification decision was made on 1 September 2017 and is subject to a separate report.
20. The notification decision found that the effects of the proposal were no more than minor under Section 95A. Therefore the application was not required to be publicly notified.
21. It was determined that the application created effects on the owners and occupiers of three properties within the immediate vicinity and that the application was required to be limited notified under Section 95B.
22. The application was limited notified with a 20 working day submission period closing on 1 September 2017.
23. Two submissions were received in opposition to the proposal, as summarised below. Their submissions are attached in Appendix D. Both parties initially indicated that they wished to be heard in support of their submissions. However, following a pre-hearing meeting and further consultation between the applicant and submitters, both submitters withdrew their wish to be heard.

Submitter No.	Name & Address	Matters raised in submission
1	Bruce Candy	<ul style="list-style-type: none">• Noise.• Generation of traffic during bulk importing unacceptable.• Visual effects – would have view into area and would see trucks loading and unloading.
2	Rex Cowley	<ul style="list-style-type: none">• Indicated that to support the application conditions would be required (these conditions were subsequently set out in the pre-hearing meeting).• Requested that the tank be setback a minimum of 10m from the eastern boundary.• Requesting planting.• Issues around dust control.



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PREHEARING MEETING

24. As noted above, a prehearing meeting took place at the Council on 18 October 2017.
25. The meeting re-iterated concerns raised by submitters in their original submissions.
26. Mr Cowley presented a list of items he wished to be addressed as a part of the application. The applicant suggested at the conclusion that they would like to work with Mr Cowley in order to address his concerns.
27. Mr Candy reiterated his concerns in relation to noise as well as the potential for light overspill.
28. At the conclusion of the meeting, it was agreed between Mr Candy and the applicant to undertake a 'dry run' of a truck entering and exiting the site, in order to gain an understanding of potential noise and light associated with the proposal.
29. Consultation between the applicant and submitters following the pre-hearing meeting resulted in the applicant offering several conditions of consent in relation to the submitters concerns. It is understood that one the basis of these conditions being offered, the two submitters withdrew their wish to be heard.

STATUTORY ASSESSMENT OF THE APPLICATION

30. Under Section 104 of the RMA the Council must have regard to the actual and potential effects on the environment of allowing the activity and any relevant provisions of a National Environmental Standard, a National or Regional Policy Statement, a plan or proposed plan, and other regulations. I do not consider that any National Environmental Standards apply to the proposal.
31. The New Plymouth District Plan notes that a district plan must give effect to and must not be inconsistent with any regional policy statement. I have regarded the Regional Policy Statement (RPS) in this assessment and note that the District Plan assessment criteria and objectives and policies were also formulated having regard to the RPS.
32. The District Plan is an 'effects' based document and therefore does not contain lists of uses or activities that are generally considered appropriate within a particular zone (referred to in the plan as "Environment Areas"). Rather, it looks at the effects of an activity, and sets standards that the activity must meet – such as the height of buildings, noise levels etc. – based on the Environment Area in which it is located. It also recognizes additional values, such as heritage or landscape values or areas of concern, such as hazard areas, by identifying them as "Overlays" and placing additional requirements accordingly.
33. Where an activity is able to meet the requirements of the District Plan for a permitted activity, no resource consent is required. Where an activity cannot meet the required standard, or where there is no permitted standard, resource consent is required. Depending on the rules that are not met, the application is treated as a Controlled, Restricted Discretionary, Fully Discretionary or Non-Complying Activity.
34. When considering a resource consent application for a restricted discretionary activity, as is the case with this application, under section 104C of the RMA the Council must only consider those matters over which its discretion has been restricted in the District Plan. The relevant resource management objectives and policies of the District Plan must also be considered. The objectives and policies form the basis for the rules relating to land development and contain



the reasons behind them. Assessment criteria included in the rules provide guidance in assessing applications that fulfil the intent of the policies and objectives. Where the assessment is unclear, the objectives and policies should provide clarity.

35. Part 2 of the RMA is relevant in informing the Council's decision in relation to those matters, and the Council can and should address Part 2 so far as it is relevant to those matters of discretion. However, Part 2 cannot be used to broaden out the matters over which discretion has been reserved (eg you could not decide to grant, decline or impose conditions on the basis of effects on biodiversity in reliance on section 6(c) if the plan says you only have discretion over traffic effects). Therefore Part 2 is limited in its application by sections 87A and 104C, but it is not excluded.
36. I am aware of case law which states that there is no need (or ability) to refer back to Part 2 of the RMA when determining a resource consent application under section 104 of the Act, as the plan will have been developed in accordance with Part 2 and can be assumed to have given substance to Part 2. In this instance, I consider that the plan provisions (in particular the relevant objectives and policies) which relate to this application adequately address all relevant Part 2 issues, and therefore it may not be necessary to undertake a separate analysis of the application against the Part 2 provisions. However, for the sake of completeness I have briefly set out my analysis of the relevant parts of Part 2 later in this report.

REQUIREMENT FOR OTHER CONSENTS

37. The Taranaki Regional Council have rules and guidelines in relation to earthworks. The applicant has indicated that no further consents are required. I understand that no other resource consent is required from the Taranaki Regional Council.

ASSESSMENT OF ENVIRONMENTAL EFFECTS

38. As stated earlier, the proposal is a restricted discretionary activity. In assessing the application, only the matters to which the Council has restricted its discretion under Rules Rur101 and Rur102 can be considered. The assessment criteria in relation to rules Rur101 and Rur102 are as follows:

- 1) *The ability to mitigate the adverse effects of extra traffic generation to and within the SITE.*
- 2) *The extent to which any increase in the number or pattern of traffic movements will affect the safety or convenience of any ROAD or RIGHT OF WAY, including the time of day/night that the additional traffic movements occur and/or their concentration at any particular point.*
- 3) *The extent to which any increase in the number or pattern of traffic movements is likely to adversely affect the amenity values of nearby residential properties and in particular the likelihood for increased noise resulting in sleep disturbance.*
- 4) *The extent to which the increase in the pattern of traffic movements is not in keeping with RURAL CHARACTER and whether the use is in an appropriate location and of an appropriate scale for the area.*
- 5) *Any adverse effects on the safety and efficiency of the ROAD TRANSPORTATION NETWORK and ROAD users.*
- 6) *The type and intensity of increased vehicles using the ROAD and how this may adversely impact on the quality and maintenance requirements of the ROAD pavement, taking into consideration the need for a ROAD maintenance agreement to address matters such extraordinary repair work, widening or resurfacing to and within the SITE.*



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- 7) *The effect on the rural ROAD HIERARCHY and whether additional traffic generation increases the use of the road beyond what is expected for its status.*
 - 8) *Where the use of a SITE is for renewable electricity generation activities, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising:*
 - *the practical constraints associated with renewable electricity generation activities; and*
 - *the environmental benefits of renewable electricity generation activities.*
39. The actual and potential effects on the environment from the proposed activity are considered to relate to the broad categories of character, amenity, safety and convenience effects resulting from the VEM over and above the permitted standards.

Traffic Generation

Amenity and Rural Character

Assessment Criteria 3 and 4

40. I consider that the amenity of neighbouring owners/occupiers to be an important aspect in the assessment of this application. The proposal has actual and potential effects on rural character including amenity and these matters require assessment.
41. The expectation of retaining rural character is identified in the District Plan through its objectives, policies and rules. The reasons for this are that rural land within the district is an important resource and the District Plan aims to ensure that the *'character of the rural environment is maintained both to protect amenity values and to ensure the sustainable management* (p.26c, District Plan Management Strategy).
42. People's appreciation of rural character is rural amenity. The RMA defines amenity values as *'those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes'*. That is, amenity values of an area are formed through distinct characteristics that people recognise. However, amenity values evolve and when the essential characteristics of a place change the amenity values in turn may change.
43. Rural character is defined in the District Plan as *'the combination of elements that make an area 'rural' rather than 'urban'*. Rural areas are typically distinguished by a dominance of openness and rural practices over manmade structures not related to the primary use. Rural character includes the key elements of spaciousness, low density, vegetated, production orientated, working environment (including noises and odours), rural based industry and rural infrastructure (generally lacking urban type infrastructure).
44. However, as a range of land uses establish and use the rural environment there is the potential for rural character to be lost and subsequently rural amenity values to be reduced. The movement of traffic along rural roads and in/out and around a site can adversely affect amenity. The District Plan uses traffic standards relating to generation of vehicle movements to identify circumstances where movements of traffic are high and mitigate their adverse effects on the amenity of the rural area.
45. The District Plan recognises that activities other than *traditional* rural activities may establish in the rural environment and contribute to the character of the rural environment generally. Whilst the District Plan is generally supportive of this, this is moderated with the requirement to ensure activities do not adversely affect the environment or amenity values



of an area. With regard to traffic, this is achieved by controlling the volume generated from a site.

46. The District Plan permits up to 50VEM to be generated from a site on any one day; and up to 30VEM per day on average over 7 days. There are no controls in the District Plan regarding the timing of traffic in the rural environment area.
47. The application is substantially greater than the above permitted standards; being a maximum of 946VEM over a 24 hour period and 311VEM for the seven day average for traffic generation during bulk importing. During 'normal' operations a maximum of 86VEM over a 24 hour period and 57VEM are anticipated.
48. As such, the traffic generation can be considered in two distinct phases; bulk importing for 8 events (or 16 days) per year and normal operations.
49. The character of this rural area is considered to be commensurate with rural and rural industrial areas. Subdivision has fragmented the surrounding area, resulting in allotments smaller than traditional productive rural sites. To the south of Manutahi Road, there are several larger, productive farming units.
50. Typically allotments in the area of the subject site are approximately ten hectares in size and smaller. Some of these allotments have been developed or under development with new dwellings and associated buildings. As such, while the character of the area has a largely rural appearance, it does not display many of the rural character elements that the District Plan describes and seeks to retain through its objectives and policies. That is a higher density than a typical rural environment due to the lot sizes and less open area and not being a production orientated environment.
51. Traffic associated with the immediate environment is likely varied from traffic travelling along Henwood/Manutahi Road from State Highway 3 to State Highway 3A to that of landowners commuting to places of work away from their residence. The District Plan (p.26b) notes, generally, in the rural area (with the exception of state highways) traffic levels are lower than are experienced in an urban environment. The most recent New Plymouth District Council traffic counts were undertaken in October 2015, which recorded an AADT of 2140.
52. The BTW Company Traffic Impact Assessment (TIA) includes a description of the traffic in the area at time of a 2015 count. This count indicates an AADT of 2140, with heavy vehicle making up 3%.
53. The District Plan anticipates that people living in the rural area have an expectation that activities will not significantly increase traffic levels. In particular circumstances, increased volumes of traffic can result in annoyance to rural dwellers adjoining the site and along the traffic route (P.26b, District Plan).
54. In this case conflict may occur between the proposed vehicles travelling to and from the subject site and existing users of the road and right of way.
55. Submissions received consider that traffic generated from the application site is not at a scale or intensity compatible with the area's character and that this will have an adverse effect on amenity values.



56. While no other activities established in this locality individually or cumulatively generate heavy vehicles the frequency or amount as set out in the application the subject site has historically been used as a rural industrial activity, being an agricultural contracting yard. Submissions in opposition to the application were received from parties adjoining the subject site whom have rights over the right of way. At this point vehicles visiting the subject site are either accelerating or decelerating to enter or exit the property.
57. The objectives and policies of the District Plan set the framework to achieve anticipated environmental outcomes. Policies 1.1, 1.2, 1A.3 and 4.8 are considered particularly relevant to this application.
58. In this instance it is considered that the amenity in this locality would change as a result of the overnight activities associated with the facility which could result in effects from an increase in the volume, frequency and pattern of vehicles on their amenity. However, it is noted that residential activities are limited in the surrounding area, with the predominant land use rural activities, or rural industry.
59. The application includes a noise prediction report which indicates that compliance will be achieved with the New Plymouth District Plan noise standards. The report, also makes recommendations in relation to managing noise associated with the vehicle movements. These measures are considered appropriate and should consent be granted, will be recommended as conditions of consent.
60. Following the pre-hearing meeting it was agreed between Bruce Candy and the applicant to undertake a 'dummy-run', whereby an equivalent truck to that used by the operation would be brought to site and noise readings recorded to determine noise levels.
61. Further concerns were raised by Mr Candy in relation to light from truck headlights. As a means to mitigate this, the applicant has offered conditions in relation to establishing screening (planting and agricultural screening) along the western site boundary.
62. With the mitigation measures offered by the Applicants, subject to recommended amendments, it is considered that the application would result in an acceptable change in the character and amenity of the immediate environment.

Safety and Convenience and Rooding Hierarchy/Network

Assessment Criteria 2, 5, 6 and 7

63. I consider that traffic generation and the safety and efficiency of Manutahi Road to be a key aspect of this application that requires assessment.
64. The application is supported by a TIA prepared by Chris Miller of BTW Company Limited which addresses the safety of traffic proposed to be generated at the subject site and travelling along the proposed traffic route. This assessment also recommends measures to mitigate adverse effects on the safety and convenience of the road network. The Council's Development Engineers and Transportation Team has reviewed this assessment.
65. Policy 20.3 seeks that potential conflict between vehicles moving on the road transportation network should be minimised to protect the safety and efficiency of road users. Within the Rural Environment Area it is considered appropriate to control the maximum levels of traffic generation per site to enable consideration of the suitability of roads to be assessed in



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relation to their ability to handle larger volumes of traffic and the safe and efficient operation of the road network.

66. The road transportation network is a physical resource of strategic importance the system needs to be safeguarded from those activities that can adversely affect its safe and efficient operation (Issue 20, District Plan), for example by high traffic generators locating on low order roads in the roading hierarchy. Manutahi Road is classified as a Collector Road in the location of the subject site.
67. The TIA recommends formation of a 'Diagram E' vehicle crossing in the location of the existing vehicle crossing to the right of way serving the subject site. The TIA notes that the widening associated with the upgraded crossing "*will help mitigate potential queuing or conflicting turning movements impacts to the existing*". The TIA also notes that minimum of 250m will be achieved in both directions from the access point.
68. A primary traffic route has been proposed during the bulk importing phase, which will provide for primarily left hand turns in to, and out of, the subject site. It is proposed to have an alternate route available during peak traffic periods to avoid conflict at the intersection of SH3 and Manutahi Road. The TIA recommends provision of a traffic management plan specifying the traffic route.
69. The traffic impact assessment has identified compliant sight visibility for vehicles entering and exiting the subject site from the vehicle access point proposed. On the basis of the advice received from Council's Development Engineer, it is considered that no additional works are required to Manutahi Road, beyond works relating to the access upgrade, to address potential adverse safety effects from the volume and type of the traffic generated from the subject site, nor is it considered the increased number of vehicles using the road network would impact significantly on the quality or maintenance requirements of the road.
70. However to handle the proposed traffic volumes, the new vehicle access point will need to be sealed and constructed to a 'Type E' standard. These requirements are recommended by Council's Development Engineer should consent be granted.
71. Roads are classified within the District Plan on the basis of existing levels of traffic generation and the design of the road. A collector road is more commonly a locally preferred route between or within areas of population or activity. They collect, distribute or link traffic from the arterial network, and have property access a high priority.
72. Policy 20.3 seeks that potential conflict between vehicles moving on the road transportation network should be minimised to protect the safety and efficiency of road users. Within the Rural Environment Area it is considered appropriate to control the maximum levels of traffic generation per site to enable consideration of the suitability of roads to be assessed in relation to their ability to handle larger volumes of traffic and the safe and efficient operation of the road network.
73. It is considered that once traffic generation anticipated by the proposed facility is on a collector road the effects of such traffic are appropriate as such roads are anticipated to carry high volumes of traffic and provide links for traffic to properties rather than using a myriad of local roads of narrower formation where traffic volumes anticipated are considerably lower.
74. Overall, on the basis of the TIA provided and advice from Council's roading team, it is considered that potential adverse safety effects on Manutahi Road and the roading network



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resulting from the type of traffic proposed by the application are sufficiently avoided or mitigated.

Ability to Mitigate Effects of Additional Traffic Generation

Assessment Criteria 1

75. The applicant has set out the following mitigation measures as a part of the application:

- Provision of traffic and Noise management plan to include
 - Designated primary route requiring all heavy vehicles to turn left in and left out of the site only (outside of peak traffic periods);
 - Designated secondary route enabling heavy vehicles to approach the site from either the east or west along Manutahi Road (during peak traffic periods only) but still being restricted to exit the site via left turn only;
 - No engine braking when approaching the site vehicle access point and avoiding noisy acceleration and braking on and off the site;
 - Heavy vehicle speed limit of 20km/h at all times on the site (to include use of the shared right of way);
 - Dipped headlights only to be used during night-time hours on the site (to include use of the shared right of way);
 - Management of night-time noise on the site to include no slamming of vehicle gates/doors and driver noise education;
 - Notification of neighbours in advance of bulk import operations;
 - All transport operators to be provided with a copy of the approved TMP with a clear requirement for tanker drivers to understand the need to minimise noise.
- Provision of a 'Diagram E' vehicle crossing;
- Landscape planting and horticultural screening
- Ongoing maintenance of the right of way; and
- Installation of water sprinklers as a means of dust suppression.

A full list of mitigation measures/conditions offered by the Applicants is reported in the AEE as well as the email from Aaron Edwards of BTW Company Limited and dated 15 November 2017, subject '17363 - WSF - Proposed conditions of consent'.

76. The mitigation measures proposed by the Applicants are considered to minimise the potential adverse effects on amenity arising from the pattern and volume of heavy vehicle traffic generated to and from the subject site.



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77. Overall it is considered that proposed measures sufficiently avoid or mitigate potential adverse traffic effects on the character of this area and associated amenity, to an extent which is acceptable.

Other Matters Raised by Submitters

78. Dust was raised as a concern by submitters. These matters fall under the jurisdiction of the Taranaki Regional Council and are outside the scope of this consent. However, I note that the applicant has offered sprinklers as a means to suppress dust during dry periods.

RMA - Part 2

79. In my opinion the proposal will meet the purpose and principles of the RMA, particularly Part II(7)(c) – the maintenance and enhancement of amenity values - in this case the amenity values of the surrounding environment.

CONCLUSIONS

80. The purpose of the Resource Management Act 1991 is to promote sustainable management by enabling people and communities to provide for their social, economic and cultural wellbeing while avoiding, remedying or mitigating any adverse effects of activities on the environment.
81. The District Plan provides for the Council to consider the effects of the proposed development on the surrounding environment. Effects of the proposed activity have been considered in relation to the relevant policies and rules of the District Plan.
82. I consider that the relevant tests of the Resource Management Act 1991 can be met and the application approved, subject to appropriate conditions to mitigate adverse effects resulting from the proposal's non-compliance with the District Plan's maximum vehicle equivalent movement rules. I consider that with the inclusion of the following recommended conditions, the proposed development and use of the site will not generate adverse effects that are incompatible with the receiving environment and will not compromise the relevant Objectives and Policies of the District Plan. It is further considered that the proposal is consistent with the Purpose and Principles of the Resource Management Act 1991.

RECOMMENDATION

That consent be granted subject to Sections 104, 104C and 108 of the Resource Management Act 1991 and subject to the following conditions imposed under Section 108 of the Resource Management Act 1991:

Report and Recommendation by:

Jacob Stenner
Environmental Planner

Date: 18 December 2017

Property: