

PLANNER'S HEARING REPORT
prepared under s42A of the Resource Management Act 1991

SUBDIVISION AND LAND USE RESOURCE CONSENT APPLICATION
PROPOSED 13 LOT RESIDENTIAL UNIT TITLE SUBDIVISION NOT MEETING SITE
COVERAGE, PARKING AND TRAFFIC GENERATION REQUIREMENTS
AT 13 TAWA ST, INGLEWOOD

Consent Application No:	SUB21/47745 and LUC18/47237
Applicant:	All Good Properties Ltd
Site Address:	13 Tawa St, Inglewood
Legal Description:	Lot 15 DP 1799
Site Area:	2,985m ²
Zone: Operative District Plan Proposed District Plan	Residential A General Residential
Overlays: Operative District Plan Proposed District Plan	None None
Proposal:	Thirteen Lot Residential Unit Title Subdivision not meeting site coverage, parking and traffic generation requirements
Activity Status:	The proposal is a Non-Complying Activity under the Operative New Plymouth District Plan (2005)
Notification:	The application was limited notified to the owners/occupiers of 12 and 15 Tawa Street, Inglewood on 24 September 2021
Submissions Received:	One in opposition by the owners/occupiers of 12 Tawa Street
Hearing Date:	4 July 2022

1.0 INTRODUCTION

- 1.1 13 Tawa St is an existing residential property containing a single one-storey dwelling with associated garage, sheds and garden areas located within an established suburban area in the township of Inglewood. The applicant is proposing to remove the existing buildings and garden and re-develop the site with 13 one-three bedroom units, all to be individually unit titled. A common area to be used for access with services underground will run through the middle of the site with the units on either side. A subdivision consent is required for the unit titles and a land use consent is required as the proposal will not meet District Plan requirements for site coverage, parking or traffic generation.

2.0 PURPOSE OF REPORT

- 2.1 I, Rachael Symons, Senior Environmental Planner at the New Plymouth District Council ('the Council' or 'NPDC') have written this Hearing Report under section 42A of the RMA to assist the Independent Hearings Commissioner in their consideration and determination of the above resource consent application. It is not a decision and my recommendation should not be read as such.

3.0 STATEMENT OF EXPERIENCE

- 3.1 I hold a Bachelor of Arts degree (majoring in Geography), completed in 1998, and a Master of Resource and Environmental Planning, completed in 2001, both from Massey University. I am a Full Member of the New Zealand Planning Institute.
- 3.2 I have 20 years' experience working as a planner in the United Kingdom and New Zealand. I have worked for a county council and a planning consultancy in the U.K, and have been employed at the New Plymouth District Council since February 2006 as both an Environmental Planner and Recreation Planner. During this time I have undertaken a wide range of planning activities including: submitting, assessing and reporting on resource consent applications; parks policy work; and contributing to District Plan policy projects.

4.0 DESCRIPTION OF SITE AND SURROUNDING ENVIRONMENT

Site Description

- 4.1 A full description of the site and surrounding area can be found in my notification report (**Appendix One**), but in summary the site is a flat, rectangular, residential property in an established residential area. It contains a single, one-storey dwelling and associated buildings and relatively large garden areas. The site is accessed in the north-west corner from Tawa Street. An aerial photo of the site (Figure 1) is below:



Figure 1: Aerial Photo of Site

Immediate Environment

- 4.2 Figure 2 below shows the site surrounded by similar residential properties. Those with street numbers denote those owners/occupiers who have given written approval to the proposal and those who were notified of the application (12 and 15 Tawa St).



Figure 2: Surrounding Area with subject site outlined in yellow

5.0 DESCRIPTION OF THE PROPOSAL

- 5.1 The applicant proposes to subdivide an existing residential property with one dwelling into 13 residential unit titles, each with a dwelling, garage, outdoor living space, landscaping and areas for utilities. The overall site will be managed by a body corporate and, according to the application, is designed for retirees or those looking for a smaller property.
- 5.2 The unit titles will be created in one stage with construction of the development split into two stages:
 - Stage 1 – construction of Unit 1 (three bedroom), accessed directly off Tawa St (building consent ref. BC21/129063, issued 3 December 2021); and
 - Stage 2 – construction of Units 2-13 (two bedroom) and of a 5.0m wide Common Area running through the middle for the length of the site to provide access to Units 2-13 and services for the development. Three carparking spaces are proposed at the (southern) end of the Common Area. The turning head here is designed to enable these parked vehicles and those from the end units (Units 6 & 7) to manoeuvre out of the site in a forward facing manner.
- 5.3 Figure 3 below shows the proposed scheme plan outlining the individual unit title areas and the Common Area. Figures 4-6 show 3D modelling of the proposed dwellings and how they will be viewed from different perspectives. Figure 7 shows an example floor and landscaping layout.

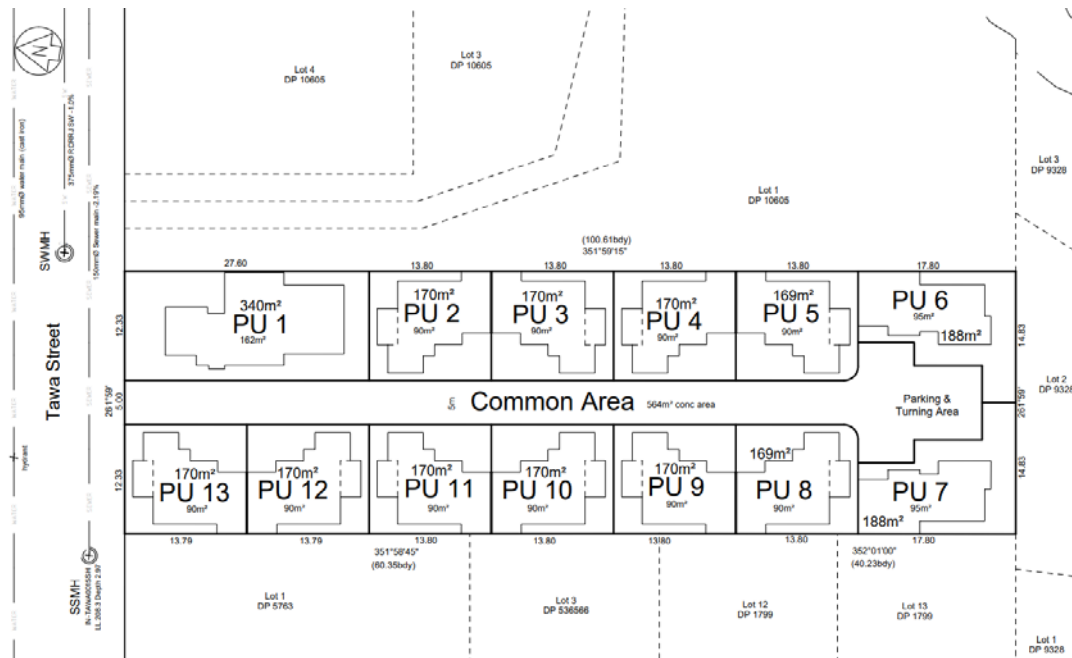


Figure 3: Scheme Plan



Figure 4: Proposed Units viewed from Tawa Street



Figure 5: Proposed Units from southern end (end of Common Area)



Figure 6: Proposed Development looking down Common Area from Tawa Street

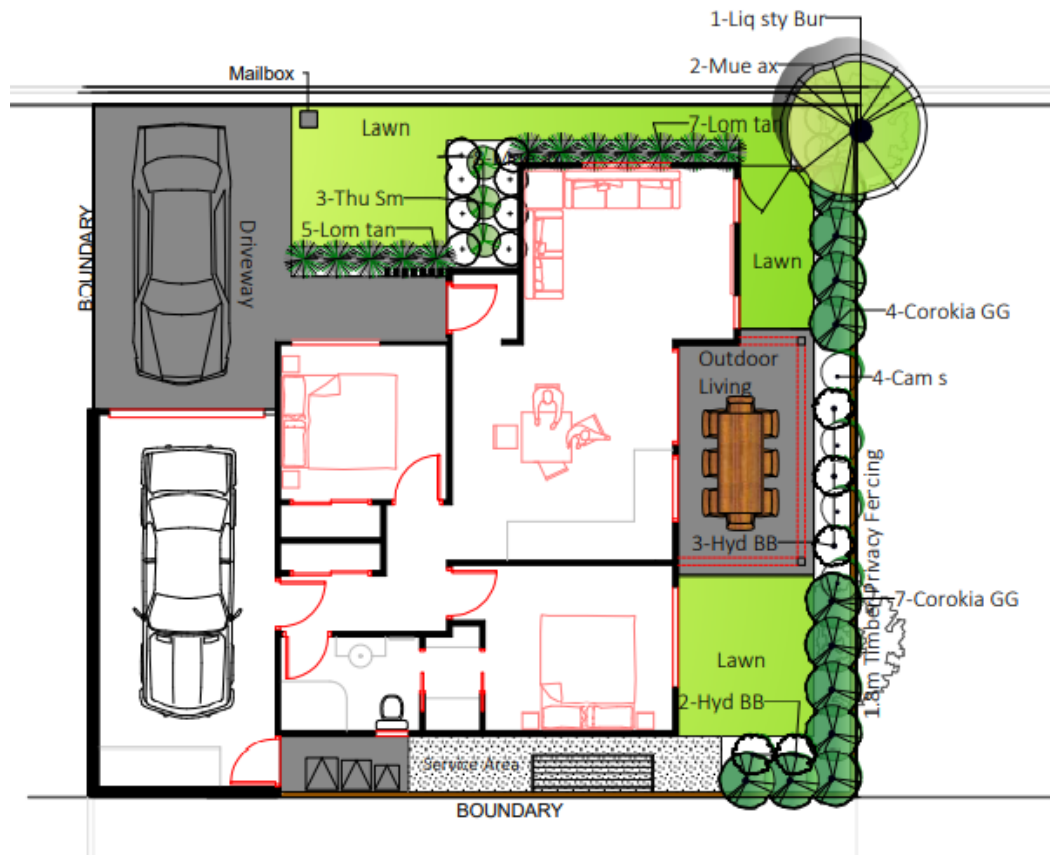


Figure 7: Example Unit Title Floor Layout and Landscaping Plan

- 5.4 The development will result in an overall site coverage of 41.9%. Most of the unit titles will have a site coverage of 53% although units 1, 6 & 7 will be slightly lower.
- 5.5 The site is relatively flat although some earthworks will be required. Further information provided by the applicant states 57m³ of cut and 497m³ of fill will be required across the entire site for a total of 554m³ of earthworks. Earthworks are expected to take up to two weeks to complete (weather permitting) with sediment control measures in place.
- 5.6 All services will be provided within the Common Area. Water supply and sewage disposal services will be provided to connect to Council's reticulation systems. Given the high water table, on-site stormwater disposal will be provided via a raincell system to cater for a 1% AEP event. A 1% AEP (Annual Exceedance Probability) event is the probability, in this case a 1%, or 1 in 100, chance, of a flood of a given (or larger) magnitude will occur in any one year. Every year there is a chance of such an event occurring. The event could occur over several consecutive years then not again for many years such that, over a long term, one event of this size will occur on average every 100 years. The magnitude of such events are set out in the HIRDS table (Version 4 RCP6.0) provided by NIWA (National Institute of Water and Atmospheric Research) which take into account climate change and predict events for the years 2081-2100.
- 5.7 Each unit will include a single car garage. All units except Units 6 & 7 will have sufficient space in the driveway in front of the garage for a 'tandem' carpark for a

second vehicle. Units 6 & 7 will adjoin the three carparks at the end of the Common Area (NB – the concept plans included in the application, including Figure 5 above, incorrectly show cars parked in front of the garages at Units 6 & 7). The application states the expected traffic generation from the development will be 78 car trips per day (6 trips per unit) with eight trips during peak hour.

- 5.8 The applicant provided an assessment of effects on the environment (AEE), along with additional information dated 16 June, 8 July, 14 July, 15 July and 3 August 2021. The AEE and further information is supported by the following technical information:
- Traffic Impact Assessment by Andy Skerrett (Civil and Traffic Engineer) of AMTANZ Ltd and corrected/additional information provided by Mr Skerrett dated 18 April 2021;
 - Engineer's Report dated June 2021, and engineering calculations for stormwater disposal to meet 1% AEP (Annual Exceedence Probability), by Stanley Gray Civil and Structural Engineers to address proposed stormwater disposal and building platforms;
 - Landscaping Plans and further information by McQueens Landscape Architects; and
 - Cirtex Rainsmart Raincell information.

6.0 STATUTORY PROVISIONS AND ACTIVITY STATUS

Operative New Plymouth District Plan (2005)

- 6.1 The subject site is located within the Residential A Environment Area of the Operative New Plymouth District Plan (2005) and is not subject to any overlays. Tawa Street is classified as a Local Road and has a 50 km/h posted speed limit.
- 6.2 The application does not meet the permitted standards of the following District Plan rules:

Rule #	Rule Name	Status of Activity	Comment
Res11	Site Coverage – 40% maximum permitted; over 45% is a Non-Complying Activity	Non-Complying	Overall site coverage of 41.9% and site coverage of up to 53% for each unit title
Res56	Minimum allotment size – 400m ² as a Discretionary Activity or will be a Non-Complying Activity	Non-Complying	Each unit title is an allotment between 169-188m ² , except Unit 1 at 340m ² and the Common Area of 470m ²
Res59	Requirement to provide practicable vehicular access (in accordance Appendix 22.2A) including a maximum of 6 allotments off a right	Discretionary	12 units (excluding Unit 1) shall have access off the proposed Common Area

	of way which includes a common area for access on a unit title plan, or shall be a Discretionary Activity		
Res61	Requirement for services – stormwater and sewage disposal and water supply in accordance with Appendix 22.2 shall be a Controlled Activity	Controlled	<p>Water supply and sewage disposal can be provided as part of Council's reticulation system (as confirmed by Council's Development Engineer).</p> <p>Stormwater disposal to be provided on-site within the Common Area via a raincell system to meet 1% AEP, as per the applicant's Engineering Report. Stanley Gray (para 6.0) consider this can be achieved and preliminary engineering stormwater design confirms there is enough space for such a system.</p>
Res62	Requirement for a building platform in accordance with Appendix 22.1 as a Controlled Activity	Controlled	The site is flat and is currently used for residential purposes. It is expected stable, flood-free building platforms for each proposed dwelling can be found with ' <i>specific engineering design</i> ', such as timber driven SED pile foundations, as recommended by the applicant's Engineers StanleyGray (Engineer's Report para 4.1).
Res74	Two on-site carparking spaces per dwelling or shall be a Restricted Discretionary Activity	Restricted Discretionary	One on-site carpark will be provided per dwelling, with another tandem park for all units except units 6 and 7 which adjoin three carparks at the end of the Common Area
Res81	Traffic Generation over 24 hours maximum of 30 Vehicle Equivalent Movements (VEMs) or shall be a Restricted Discretionary Activity	Restricted Discretionary	78 movements are anticipated per day over 24 hours
Res82	Traffic Generation per day during daytime hours (7am-10pm) maximum 22 VEMs or shall be a Restricted Discretionary	Restricted Discretionary	74 movements per day during daytime hours are anticipated

	Activity		
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- 6.3 The proposal is a Non-Complying Activity under the Operative New Plymouth District Plan being the highest status under the above Operative Plan rules (bundling principle).

Proposed New Plymouth District Plan (Notified 23 September 2019)

- 6.4 The site is located within the General Residential Zone and does not contain any overlays.
- 6.5 No decisions have yet been made on the Proposed Plan and there are no rules with immediate legal effect that apply to this proposal. The objectives and policies do have legal effect and an assessment under these provisions is undertaken later in this report although I do not place much weight on the provisions as compared to the Operative District Plan given the outcome of the hearings currently underway for the Proposed Plan are unknown at this stage.

7.0 NOTIFICATION DECISION

- 7.1 The notification report and decision was made under Section 95 of the RMA and is attached as **Appendix One**. The application was limited notified to the owners/occupiers of 12 and 15 Tawa Street, Inglewood on 24 September 2021.

8.0 SUBMISSION RECEIVED

- 8.1 One submission in opposition was received from Jessica and Dale de Jongh, the owners/occupiers of 12 Tawa Street. This is attached as **Appendix Two**. The location of the submitters' property is shown in Figure 2 above.
- 8.2 The submitters would like the application declined. The main points in the submission are:

General

- Decline the application given the proposal is non-compliant in so many aspects. Re-submit the application with District Plan standards met.

Potential Occupants

- As the future occupants are unknown it is hard to know the effects, for example in terms of numbers of traffic movements, number of occupants, noise and house values;
- Potential occupants being *'retirees or those near retirement'* as referred to in the application are different to those in retirement villages, also referred to in the application, and the applicant considers the proposal may be an alternative to retirement villages in New Plymouth. The reference to *'retirees or those near retirement...'* is also contrary to the proposal which *'provides a different housing choice within the immediate receiving environment and caters for a wide range of the community'* and *'the proposal will provide lifestyle choices, increase housing*

stock and enable home ownership to individuals and families within the community...'. What is the intent of the proposal? Is this what Inglewood needs?

Residential Character and Amenity

- 12 extra units is too many. 4-5 units would be more than adequate. Dwellings need sufficient space, including green space.
- Very few cars are parked along Tawa St as the sites have ample parking. This provides a spacious feel, a huge part of the appeal of the street. All houses are a good distance from the front boundary with picket fences and vegetation in the front. This is a '*classic country feel*' as opposed to the '*modern and contemporary*' units as described in the application. The application states it will be consistent and compatible with the flats and Rest Home at the (eastern) end of the street. However this is section of Tawa St '*that is the least cohesive with the general feel*';
- The site currently has large mature trees which enhance the grand feel of Tawa Street. The proposed planting will be too modern in design.

Traffic (Road Safety and Efficiency)

- The TIA shows how little traffic uses Tawa Street. The proposal will result in up to 68 vehicle movements per day according to the application above the existing assumed 10 vehicles but the existing occupants of 13 Tawa Street do not drive;
- The access for 12 of the new units will be directly across from 12a and 12b Tawa Street which has potential to create adverse effects on them due to the major increase in traffic yet they were not approached regarding this proposal.

Parking

- The application states the proposal will provide sufficient parking for the (majority) two bedroom units, however most people have their own car and up to four adults could live in the units (up to 48 cars). Where will visitors park? The grassed 2.5m wide area within the road reserve between the sealed carriageway and kerb and channel is too wet to be used as a 'parking area' as referred to in the Traffic Impact Assessment (pg 3);
- A three-point turn to exit the development without impinging on other parked cars may be problematic for residents/visitors.

Infrastructure

- The level of rainfall and ground conditions, including the high water table, mean ground is waterlogged for days after rainfall and with more of the site to be covered in concrete than currently, which is mostly grass, means the site will not be able to absorb so much water. With existing problems is the proposed infrastructure adequate for these additional demands?

Rubbish Bins

- There will be not be sufficient space for rubbish/recycling bins for 12 extra houses awaiting collection.

9.0 SECTION 104 AND 104D ASSESSMENTS

- 9.1 Subject to Part 2, a consent authority must have regard to a number of matters under s104 of the RMA when considering an application for resource consent. These include:
- the actual and potential effects of an activity on the environment (s104(1)(a));
 - the relevant provisions of a District Plan or proposed District Plan (s104(1)(b)(vi));
 - the relevant provisions of a National Policy Statement (s104(1)(b)(iii));
 - the relevant provisions of a Regional Policy Statement (s104(1)(b)(v)); and
 - any other matter the consent authority considers relevant and reasonably necessary to determine the application (s104(1)(c)).
- 9.2 As the proposal is Non-Complying Activity, it is also subject to s104D of the RMA which states a consent authority may only grant a resource consent for a non-complying activity if at least one of the following criteria are met ('The Gateway Test'):
- (a) the adverse effects of the activity on the environment will be minor; or
 - (b) the application will not be contrary to the objectives and policies of the relevant plan and the relevant proposed plan.
- 9.3 I address the above considerations in turn below and then assess the proposal against Part 2 of the RMA. As previously stated, I do not place much weight on the provisions of the Proposed District Plan given decisions have not yet been made on any part of the Proposed Plan.
- 9.4 A consent authority must not have regard to trade competition or any effects of trade competition or any effect on a person who has given written approval to the application (s104(3)(a)(i) and (ii)). I confirm I have not taken into account any such effects.

10.0 Assessment of Environmental Effects

- 10.1 I consider the actual and potential effects on the environment from the proposal can be categorised into the following issues, which are addressed in turn below:
- residential character and amenity (including from increased traffic generation);
 - traffic generation (road safety and efficiency);
 - parking and manoeuvring;
 - services and risk of natural hazards;
 - building platforms and risk of natural hazards;
 - construction effects; and
 - other matters raised by submitters.

Residential Character and Amenity

- 10.2 The subject site is an existing residential property located in an established residential area. Properties here, including the subject site, typically contain one single-storey 20th Century dwelling and associated buildings, as well as medium to large sized outdoor living/garden areas. This represents the existing residential character of the site and the surrounding area. In describing their view of the existing character, the submitters characterise Tawa Street as an area where all houses are a good distance from the front boundary with picket fences and vegetation in the front. They describe it as having a '*classic country feel*' with very few cars parked along Tawa Street as the sites have ample parking and that this provides a spacious feel, a huge part of

the appeal of the street. Such appreciation of residential character is residential amenity.

- 10.3 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'*. The protection of residential amenity is expressed through the objectives, policies and rules of the Operative and Proposed District Plans, including by way of setting permitted rule standards such as minimum allotment (e.g. unit title) sizes when subdividing, maximum coverage of buildings across a site and maximum traffic generation numbers. Not meeting such standards may result in loss of residential character and, consequently, a reduction in residential amenity values.
- 10.4 The submitters do not believe the *'modern and contemporary'* units as described in the application are in keeping with the existing *'classic country feel'* of Tawa St. The application states it will be consistent and compatible with the flats and Rest Home at the (eastern) end of the street, however the submitters believe this is section of Tawa Street *'that is the least cohesive with the general feel'*. The submitters consider 12 extra units, beyond the existing one dwelling, is too many as dwellings need sufficient space, including green space. They believe that 4-5 units would be *'more than adequate'*. I take this statement to mean that 4-5 units would be more *'appropriate'* than the 13 units proposed and that 4-5 units would still provide *'adequate'* additional housing in the area.
- 10.5 There are no limits on the number of dwellings permitted on a site in a Residential Zone in the Operative District Plan, though the proposal does breach maximum permitted site coverage of 40% for all the Unit Titles individually and for the site overall as set out below in Figure 8 (pg 6 of the AEE):

Unit number	Building Unit Area	Total Area of Primary Unit	Site coverage for PU
1	162m ²	340m ²	47.6%
2	90m ²	170m ²	53%
3	90m ²	170m ²	53%
4	90m ²	170m ²	53%
5	90m ²	169m ²	53%
6	95m ²	188m ²	50.5%
7	95m ²	188m ²	50.5%
8	90m ²	169m ²	53%
9	90m ²	170m ²	53%
10	90m ²	170m ²	53%
11	90m ²	170m ²	53%
12	90m ²	170m ²	53%
13	90m ²	170m ²	53%
Common Area	0	470m ²	0%
Total	1252m ²	2985	41.9%

Figure 8: Proposed Site Coverages

- 10.6 Specifically in terms of this development, not only is the overall permitted site coverage exceeded, the dwellings will be concentrated along either side of the 5m wide Common Area running through the middle of the site at the eastern and western boundaries and most Unit Titles will be individually at 53% site coverage. Infill developments,

particularly those with a greater than anticipated density of development such as this current proposal, can result in adverse effects including a reduction in the amount of outdoor space, privacy and daylighting and an increase in the use of hard paving, rather than landscaping. This can lead to a feeling of crowding and therefore a reduction in residential amenity. This may be exacerbated by the lot/unit titles not meeting the 400m² required in the District Plan.

- 10.7 However, despite the proposed density of built development, and the relatively small lot (unit title) size, there are a number of mitigating factors that I believe result in adverse effects on residential character and amenity to be no more than minor.
- 10.8 I do not believe the built forms of the units will dominant or be overbearing within the surrounding residential area. The units will be only one-storey in height and will be modest in floor area at 90m² or 95m² (Unit 1 at 162m² the exception but still considered fairly modest in size). Nor will the one-storey units shade or overlook into neighbouring unit titles or neighbouring properties. Levels of daylight or privacy will therefore be retained.
- 10.9 In terms of possible crowding resulting from 13 units in the one development, I believe the proposed outdoor living and utility areas, landscaping and the Common Area will break up the built forms of the units to avoid the appearance of overcrowding.
- 10.10 The hardstanding surface of the Common Area, visible from Tawa Street, will be only a transient view when travelling along the street and represents only 16% of the development's land area. Visual impacts resulting from this hardstanding area will therefore not be more than minor.
- 10.11 The submitters refer to the site currently having large mature trees which enhance the grand feel of Tawa Street. They believe the proposed planting will be too modern in design. Although the existing vegetation within the site will be lost, this is not formally protected and new landscaping, designed by McQueens Landscape Architect, is being provided. Although different species to those currently in the site, the proposed trees, when mature, will be seen above the buildings and fences of the development. This will help, to some degree, to break up and soften the visual appearance of the built development, infrastructure and hard surfaces.
- 10.12 Although the existing residential character of the site, similar to many other surrounding properties, will not be retained in exactly its current manner, I am of the opinion that change in the type of residential character of the subject site is not necessarily an adverse effect in itself and that, for the reasons discussed above, the more modern resulting character will not unduly affect the level of residential amenity currently afforded to neighbours or those within or traversing along Tawa St.
- 10.13 In terms of practical considerations, the landscaping has been reviewed by Council's Landscape Architect, Kim Northcott, who considers the vegetation to be of appropriate species for the proposal. The applicant's Landscape Architect has confirmed she believes the larger specimen trees e.g. 'sweet gum' and *Liquidambar styraciflua* 'Burgundy' (chosen for its seasonal interest, narrower, compact growing habit and deciduous nature) will have sufficient space to grow in their proposed locations. The Landscape Architect also considers that being planted at least 1.0m from the reticulation systems proposed in the common area, that they will not affect such systems. This was a concern for Council's Development Engineer, Debbie Taplin, as

Council setback requirements for trees in relation to reticulation systems is 2.2m. However, given the advice of the McQueens Landscape Architects, I accept the trees are appropriate in this location, and, as stated above, consider they add to the residential and visual amenity of the area and will to some degree reduce any adverse effects from the proposed density of development.

Traffic Generation

- 10.14 As stated in my notification report, a typical residential site is expected to generate approximately 10 vehicle movements per day i.e. five car/light service vehicles travelling to and from the site per day. The District Plan however does anticipate some multi-unit development within one site, with up to 30 VEMs per day permitted per site, i.e. three dwellings. The proposed development is for 13 residential units. However, rather than 10 VEMs per day per dwelling, it is anticipated that the units, being generally relatively small two-bedroom 90m² and 95m² dwellings and one three-bedroom unit, will generate 6 VEMs on average for a total of 78 movements per day (39 cars in and out of the overall site) and eight at peak hour, as assessed by the applicant's Traffic Engineer and agreed by Council's Roading and Development Engineers (discussed further in the Road Safety and Efficiency section below). This is 48 light vehicle movements per day over the permitted level in the District Plan. For neighbouring owners/occupiers at 12 and 15 Tawa St I considered this number of movements over the permitted activity level may result in adverse effects from the noise and visual impact on these neighbours, particularly when utilising outdoor areas and at night, including glare from headlights. I concluded such effects will likely be at least minor.
- 10.15 However, the submitters have not referred to any of these potential adverse effects specifically as an issue. They only state the current occupants do not drive, and I therefore extend this to mean that the submitters' residential amenity is not currently affected by traffic generated at 13 Tawa St. The submitters also express concern that owners/occupiers of 12a and 12b Tawa Street may be adversely affected by the increase in traffic but were not approached regarding the application. The process to have the notification decision re-visited is a separate judicial review process and cannot be re-visited here. However, for clarification, I considered any other parties beyond the owners/occupiers of 12 and 15 Tawa Street (disregarding those who have given written approval) would be adversely affected in a way that would be less than minor in degree and therefore they did not constitute affected parties to the application.
- 10.16 And with an expected peak number of vehicles generated by the development to be only eight, I consider the vehicles associated with the development will likely seem to other road users to be part of the normal flow of traffic along Tawa Street and that they will disperse quickly into the flow of existing vehicle movements in the wider road network. I therefore do not consider effects on residential character and amenity from increased traffic generation on the public or wider environment will be more than minor.

Summary of Residential Character and Amenity Effects

- 10.17 Having taken into account the concerns of submitters, I consider, overall, the effects on residential character and amenity will no more than minor and I do not believe any particular mitigation is required in this regard. However, to ensure any adverse effects are no greater than anticipated i.e. the development is constructed with no greater

site coverage than proposed and the landscaping is installed and maintained in accordance with the landscaping plans, I recommend the following conditions are placed on the land use consent, if granted:

- Site Coverage of the Units, Common Area and overall site shall not exceed that set out in the Assessment of Environmental Effects.
- Landscaping in accordance with the landscaping plans to be implemented within the first planting season after the completion of the construction of all the units.
- On completion of the landscaping, a landscape architect shall certify planting has been completed in accordance with the approved landscaping plans and shall provide this certification to the Council.
- All planting shall be maintained in a good and healthy condition. Any planting not in a good and healthy condition shall be replaced as soon as reasonably practicable.

Traffic Generation (Road Safety and Efficiency)

- 10.18 To assess any effects on the safety and efficiency of the road network resulting from the proposal, the application includes a Traffic Impact Assessment by Andy Skerrett (Civil and Traffic Engineer) of AMTANZ Ltd and corrected/additional information provided by Mr Skerrett dated 18 April 2021. The application has also been reviewed by Council's Development Engineer, Debbie Taplin and Council's Road Engineering, John Eagles.
- 10.19 As I described in my notification report, Tawa Street is a 20m wide local residential road with the site located 60m from the Tawa /Mahoe Street intersection in the west. The road outside the site is straight and flat with no features, such as topography, that would obstruct motorist visibility. In addition, there is a 6+m wide shoulder/footpath/berm area where vehicles can wait when exiting the site before entering the carriageway into the flow of traffic. Further to this description, Mr Skerrett describes Tawa Street as *'20m wide boundary to boundary, it has a sealed width of 8m over much of the length narrowing to 6m at the eastern end as it drops down to intersect with Matai St (SH3). Over the 8m wide section the seal finishes at a flush nib kerb where the seal has been narrowed in the past and the shoulders are grassed back to the kerb and channel forming a 2.5m wide parking area. Behind the kerb and channel are grassed berms and concrete footpaths'* (pg 3).
- 10.20 The features of the road described above are shown in the aerial photo below (Figure 9):

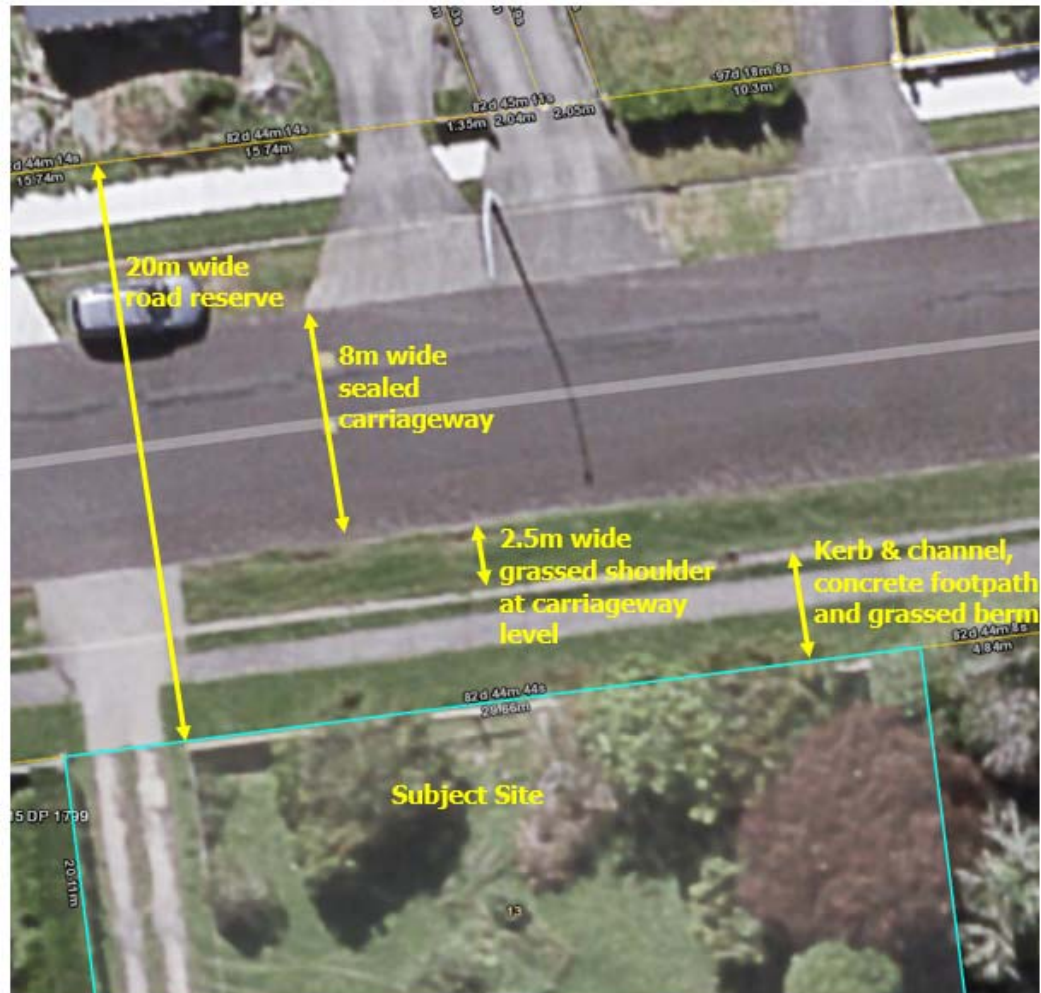


Figure 9: Features of the road reserve outside the site

- 10.21 The expected traffic generation from the development has been assessed by Mr Skerrett as 78 light (car) vehicle movements per day with eight trips during the peak hour. This equates to 48 movements per day over the permitted level of 30 (under Rule Res81). Mr Skerrett has adopted a rate of 6 trips/day/unit which is in between the typical 8-11 vehicle movements of a standard dwelling and 1-2 movements per day for a unit in a retirement village.
- 10.22 Mr Skerrett is of the opinion these *'predicted traffic volumes will not impact on the efficiency of the local roading network... and that the Matai St (SH3)/Tawa Street intersection (to the east of the subject site) and the Mahoe /Tawa Street intersection (to the west of the subject site) 'are both currently performing well... in terms of capacity' and that 'the predicted increase in peak hour traffic of 8 vehicles (resulting from the proposal) will not change their performance in this regard. Neither intersection has a crash record and the predicted increase of vehicle movements is unlikely to increase the risk of crashes occurring. Mahoe St, Tawa St and Matai St all have sufficient capacity to accommodate the increase of 68 vehicle movements per day, assuming the existing dwelling is currently generating the average of 10 movements per day. The two crashes near the proposed development were a result of driver error and it is unlikely that the additional traffic will affect the risk of similar*

crashes occurring in the future... the effects are less than minor in our opinion (18 April 2021).

- 10.23 In addition to traffic generation over permitted levels, resource consent was also applied for as Discretionary under Rule Res59 as the Common Area will serve more than six properties as it will serve 12 units (Units 2-13). Neither the applicant's nor Council's Engineers have raised this as a matter of concern.

Summary of Road Safety and Efficiency Effects

- 10.24 Ms Taplin and Mr Eagles have accepted Mr Skerrett's assessment and conclusions within his Traffic Impact Assessment and further information and have raised no concerns regarding road safety and efficiency. Based on the three Engineers' advice and no contradictory expert opinion, I also accept Mr Skerrett's findings in regards to adverse effects on the safety and efficiency of the road network being no more than minor. This includes any effects on the road network outside the subject site or effects on the owners/occupiers of 12 or 15 Tawa Street.

- 10.25 I do not therefore believe any mitigation is required in this regard but, to ensure the development is constructed as proposed, the following conditions are recommended for the subdivision consent at s224 stage:

- The consent holder shall submit for approval engineering plans, including construction materials and depths, for the Common Area taking into account the traffic loading to protect the on-site stormwater disposal system prior to any works commencing.
- The Common Area shall be constructed in accordance with the plans approved under Condition 17 above.
- An as-built plan of the Common Area shall be provided.
- A multi residential vehicle crossing shall be constructed to serve 12 of the units and constructed to Council Standards
- A residential vehicle crossing shall be constructed to serve PU1 and constructed to Council Standards.
- The existing vehicle crossing shall be reinstated with kerb, channel, footpath and berm.

Parking and Manoeuvring

- 10.26 On 20 February 2022, under the National Policy Statement on Urban Development 2020 (NPS-UD), all minimum carparking rate requirements were removed from District Plans. However, as this application was originally lodged before this date (on 26 March 2021), the applicant applied under Rule Res74 of the Operative District Plan as a minimum of two carparks were required per dwelling with four or fewer bedrooms and this rule still applies. Additionally, as stated in the Ministry for the Environment's factsheet on Carparking under the NPS-UD (dated July 2020, revised Jan 2021): *'Territorial authorities will have the ability to consider car parking effects using resource consents with a discretionary or non-complying activity status'*.
- 10.27 The proposal does not provide a minimum of two carparking spaces per unit clear of any other carpark. However, eleven of the 13 units can provide a tandem carpark in front of the garage, except for Units 6 & 7 at the end of the Common Area, which adjoin three carparks within at the end of the Common Area. Submitters have

questioned whether this is sufficient parking as potentially up to four adults may live in each unit and they question where visitors will park. The submitters believe the grassed 2.5m wide area within the road reserve between the sealed carriageway and kerb and channel is too wet to be used as a parking area as referred to in the Traffic Impact Assessment (pg 3) provided in the application. They also query whether the three-point turn necessary for cars in the three carparks at the end of the Common Area will be possible without impinging on other parked cars, or at least may be problematic for residents and visitors.

- 10.28 Mr Skerrett, the applicant's Traffic Engineer, has referred in his report (pg 7) to the two (tandem) carparks proposed for each unit except two and the carparks at the turning head of the Common Area near Units 6 & 7 and has not raised any concerns with the parking arrangements of these. He states: *'the swept path analysis shows that all the dwellings can be accessed and exited from (the site) based on the NZTA 90th percentile car which we consider to be as it is likely that the vehicles used by the occupants (are) likely to be smaller and therefore more manoeuvrable. The swept path analysis shows that a 3 point turn is required in order (to) change direction and exit the development without impinging on any other parked cars and we believe this is acceptable'* (pg 7). Diagrams of the swept path analysis for the vehicle movements within the development were also included in Mr Skerrett's report (Figures 8-10 on pgs 6-7) (Figures 10-12 of this report below):

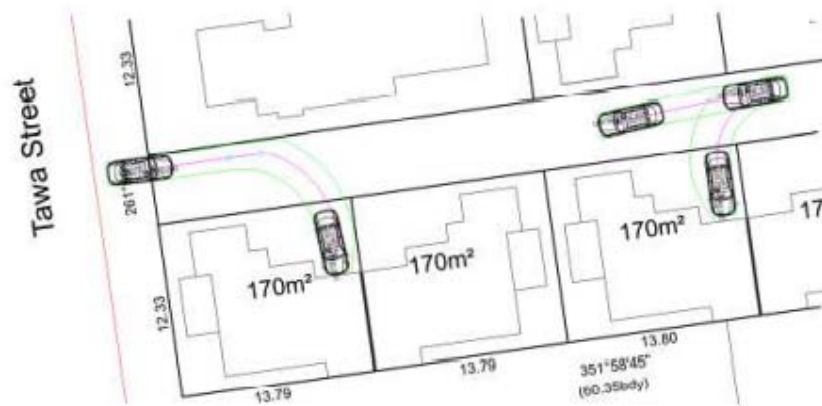


FIGURE 8 - CAR ENTERING AND EXITING A DWELLING

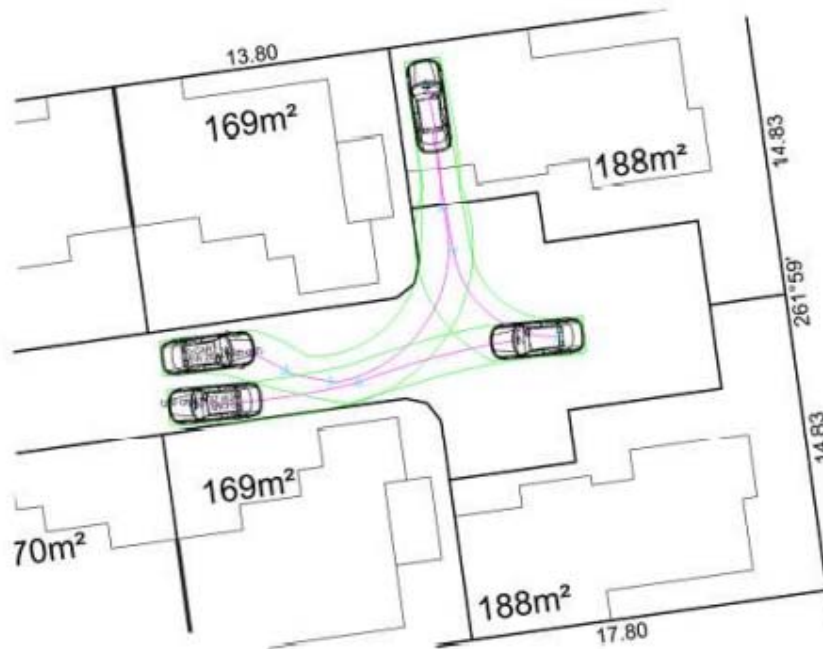


FIGURE 9 - ENTRY AND EXIT FROM REAR MOST DWELLINGS

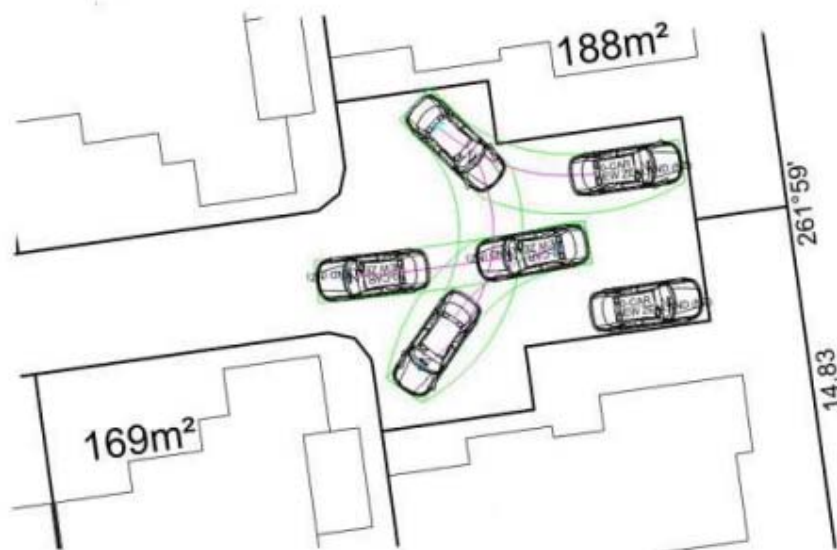


FIGURE 10 - SWEEP PATH FOR CAR PARKING TO REAR OF DEVELOPMENT

Figures 10-12: Swept Path Analysis for On-site Vehicle Manoeuvring

- 10.29 Neither Council's Development nor Roading Engineer have raised any concern regarding the parking proposed or Mr Skerrett's on-site manoeuvring analysis. I therefore accept Mr Skerrett's opinion that the 90th percentile of vehicles (namely cars) will be able to manoeuvre within the Common Area without encroaching on any other Unit Title area or without affecting any parked vehicles.
- 10.30 Should the number of vehicles associated with any unit exceed two, including visitors, they can legally park within the Tawa Street road reserve, either within the 2.5m grassed area adjoining the carriageway, or if deemed too wet by the motorist then on the edge of the sealed carriageway.

Summary of Effects from On-site Parking and Manoeuvring Provision

- 10.31 Given the above factors, I believe the proposed on-site parking and manoeuvring provision will be sufficient and will not result in adverse effects that will be more than minor in degree. However, to ensure the on-site parking and manoeuvring areas are constructed as set out in the application I recommend the following conditions are placed on the subdivision consent, if granted:
- Except for Units 6 and 7, each unit shall be provided with one carpark in the driveway immediately in front of the garage.
 - Three communal carparks shall be provided at the turning head of the Common Area with manoeuvring areas on either side of the carparks to ensure all vehicles can exit the Common Area in a forward facing manner.
- 10.32 I also recommend an advice note to remind the consent holder that 'All driveways, carparks and manoeuvring areas within the Common Area shall be constructed, sealed

and marked in accordance with the Operative New Plymouth District Plan (Appendix 23)'.

Services

- 10.33 In respect of proposed water supply and wastewater disposal, Ms Taplin, and Council's Water Engineer, Mark James, agree that, as per the application, the development can connect to Council's reticulation systems in Tawa Street. It is recommended conditions are placed on the subdivision consent, if granted, to require new sewer and water connections. Due to the higher than usual number of dwellings in the development, a higher specification than usual for a residential property is recommended for both the backflow preventer (medium-risk compared to low-risk) and the water meter (to be Senus AMR iPERL specification). To ensure the connections have been built to Council requirements, as-built plans should also be required. It is also recommended the consent holder is advised that the individual water connections to each unit title (including any water meters) shall be privately owned and shall be maintained by the Body Corporate at its cost (i.e. not Council).

Stormwater and Risk of Natural Hazards

- 10.34 The submitters have raised concerns regarding the level of rainfall in Inglewood and the ground conditions, including the high water table, which together can result in waterlogged ground. They then refer to the fact that proposed development will result in a significantly higher level of impermeable surfaces than the site currently contains. The submitters therefore question whether the proposed infrastructure, i.e. stormwater disposal, will be adequate for the development.
- 10.35 Originally the application stated '*... it is anticipated the water table will be shallow hence specific engineering design for shallow rock filled trenches will be required*' (section 3.1.3, AEE) and that an engineer's report would be provided at a later stage. However, given the high water table and issues with stormwater disposal in the locality the engineer's report was required as part of a s92 further information request. This Stanley Gray report was provided with the calculations for a 20% AEP rainfall event (a 20%, or 1 in 5, chance that such an event will happen in any one year). Council's Development and Water Engineers reviewed this report and given the known issues in Inglewood and the fact the report stated '*the water table was encountered at 1.2m deep. Subsequently, the site is not suitable for conventional soak holes and will require specific engineering design..... we recommend the stormwater for each dwelling, together with the common area, should be disposed of via one specifically engineered system and situated beneath the Common Area*' (para 4.2), Council Engineers requested a stormwater disposal system be devised to accommodate a 1% AEP event.
- 10.36 Stanley Gray revised the calculations and found the proposed CIRTEX Rainsmart raincell system can accommodate such an event but that '*in view of the higher water table in Inglewood, the Rainsmart pods cannot be laid at the recommended depth below a trafficable surface (the Common Area). To allow for the pods being laid higher and almost immediately below the concrete driveway surface, the engineer has designed for increased mesh to strengthen the concrete and spread the load with the pods contained within a geotextile barrier*' (email from Colin Jackson, Bland & Jackson Surveyors dated 3 August 2021).

- 10.37 Council's Engineers are now satisfied the services will be adequate without unduly affecting the surrounding area or waterbodies. That is, it is expected the development will be hydraulically neutral in a 1% AEP event and have the capacity to deal with stormwater within the site so the post-development discharge is no greater than the existing overland flow. The risk of flooding or inundation within or beyond the site should not increase with this development.

Summary of Effects on Natural Hazards

- 10.38 I accept this assessment by the Council's Engineers, and given they have not expressed any outstanding concerns that have not been addressed by the applicant, I consider any adverse effects from proposed services will be no more than minor and therefore acceptable. To ensure the on-site stormwater disposal system is constructed as proposed, as recommended by the Development Engineer, I in turn recommend the following conditions are placed on the subdivision consent, if granted,:

- The stormwater from units and the Common Area shall be disposed of to a Raincell on-site soakage system as described and designed in the Stanley Gray Engineer's Report (revised) calculations for a 1% AEP dated 27 July 2021.
- An as-built plan of the on-site stormwater disposal system shall be provided.
- Secondary flowpaths shall be shown a Plan and shall not cross into neighbouring properties.
- Confirmation is required that existing soakholes serving the existing dwelling are reinstated.

- 10.39 And as also recommended by Ms Taplin, I recommend an advice note to ensure the consent holder is aware that the Raincell system will be privately, not Council, owned and shall be maintained by the Body Corporate at its cost. It is also recommended an Operations and Maintenance Manual is provided to the Body Corporate to assist with the on-going maintenance of the Raincell system. I note the surveyor has indicated access to the system for maintenance could be achieved either by a manhole at each end or two access traps from above the system (email dated 15 July 2021).

Building Platforms and Risk of Natural Hazards

- 10.40 As stated in my notification report, *'Following a site visit and borehole testing, the Stanley Gray report concludes 'that a stable, flood free building site can be created on the proposed Lots 1 to 13 inclusive... subject to specific engineering design, together with further testing directly beneath the proposed dwelling(s)' (para 6.0).'* As in my previous report, I accept the applicant's engineering advice and note Council's Development Engineer had not expressed any concern in this regard. I therefore consider any adverse effects regarding the creation of building platforms within the proposed unit titles will be or likely be no more than minor. I recommend a condition on the subdivision consent, if granted, that *'all common areas and units shall be constructed and completed in accordance with the conditions of LUC21/47723'* as a requirement of s224 approval. This will ensure the building platforms are also constructed in accordance with the requirements of the building consent/s prior to s224 approval being granted and do not need to be assessed further as part of the subdivision process. I also recommend an advice note on the subdivision consent that refers to s224(f) of the RMA requiring matters under s116A of the Building Act to be complied with, such as means of escape from fire, before s224 can be approved.

- 10.41 The submitter's concerns regarding the high rainfall and water table in Inglewood have been addressed under the Infrastructure section above.

Construction Effects

- 10.42 Again, as stated in my notification report, *'adverse effects from construction will include noise from machinery and other operations as well as construction personnel, dust, and heavy vehicle generation... In addition to the finite nature of construction effects, existing buildings will help to obstruct noise and other such effects, and together with some separation distance I consider they will likely reduce the level of construction effects to no more than minor in scale.'*

In terms of public users of Tawa St, where construction vehicles will enter/exit the site, neither the applicant's or Council's Engineers have raised concerns in this regard and the developer will need to put in place any necessary traffic management procedures and/or repair any damage within the road corridor. I do not therefore consider adverse effects on the road network or to road users will be more than minor.

I have considered whether there will be any adverse environmental effects on the Kuapete Stream within the PG Nops Scenic Reserve. The site is relatively flat and does not slope towards the Reserve or Stream and proposed earthworks will not be excessive or exceed permitted levels. The applicant has also stated there will be sediment control measures in place during construction. In the event these fail and sediment or silt runoff occurs, residential properties in between the subject site and reserve/stream would be affected first rather than the public reserve or waterbody. I therefore do not believe adverse effects from construction on the reserve or stream will be more than minor.'

- 10.43 I also considered that *'due to their finite nature... any adverse effects from construction on the adjacent neighbours at 12 and 15 Tawa St, being those who have not given written approval) will be less than minor in degree'.* The submitters have not raised any issues regarding the construction period.

Summary of Construction Effects

- 10.44 Adverse effects from construction and construction traffic are not anticipated to be more than minor and to ensure the level of adverse effects from construction are no more than anticipated, I recommend conditions are placed on the land use consent, if granted, regarding management of earthworks, construction and construction traffic activities:
- no earthworks or construction before 7am or after 6pm or at any time on Sundays or Public Holidays;
 - provide locations within the site for storage of earthwork material (if required) and construction plant and materials;
 - inform owners/occupiers of 12 and 15 Tawa Street of the timetable of construction work and any revisions as soon as practicable;
 - establish a 24 hour contact phone number/s of the designated site liaison person/s responsible for handling queries and complaints regarding the construction programme and all earthworks or construction activities;
 - record all queries and complaints regarding the earthworks and construction programme and activities and provide these to Council as soon as practicable, if requested;

- provide a temporary construction vehicle access point;
- provide areas for traffic circulation through the site and vehicle loading and parking spaces for construction vehicles over the entire earthworks and construction period;
- truck washing facilities shall be provided on-site with no silt or other material from these facilities entering the Council stormwater system, road reserve or neighbouring properties; and
- any dust/soil or other material on the road shall be fully cleaned up at the end of each day of excavation by the excavation contractor and not left overnight.
- Best practical methods for preventing erosion and minimising the escape of silted water, sediment or dust from the site shall be utilised during any earthworks or construction and shall take into account, but not be limited to:
 - the areas, quantity and height/depth of earthworks, which shall retain the existing contour as much as possible;
 - the measures that are to be installed during earthworks and construction to prevent runoff into adjacent waterbodies; and
 - the timeframe expected for ground to be exposed and the corresponding length of time these measures will be required.
- The consent holder shall ensure safe and continuous passage by pedestrians and vehicles along Tawa Street and be responsible for the repair to any damage to council assets, including to the footpath, road and any services beneath the road.

10.45 And as recommended by the Engineer I also suggest an advice note regarding the need for an approved Corridor Access Request (CAR) and Traffic Management Plan prior to any excavation in the road reserve, including for the service connections and vehicle crossing construction.

Other Matters Raised by Submitters

General

10.46 The submitters wish the Council to decline the application given the proposal is non-compliant in so many aspects and that if the applicant wishes to continue with a development proposal that it is re-submitted with District Plan standards met. These submission points refer to legal and process matters under the RMA and do not relate to environmental effects per se. The application cannot be declined only on the basis that the proposal does not meet the permitted standards of a number of District Plan rules. An applicant is legally entitled to apply for consent for any activity, or any number of activities in a District Plan that are not prohibited and each application is then assessed on its merits on a case-by-case basis. In fact, there are no permitted standards for subdivision rules in the Operative Plan, with the purpose of ensuring that all subdivisions, such as this unit title application, are always assessed by the consent authority.

Potential Occupants

10.47 The submitters have raised questions/concerns over the potential future occupants of the units. The submitters make a number of statements in the application that refer to possible types of owners/occupiers and that some of the statements in the application appear contradictory in this regard. I agree such statements in the application may not seem consistent. However, the nature of the potential occupants of the units is not a matter I can consider. This cannot be foreseen, nor should it be

regulated for various reasons including to avoid discrimination and to uphold social justice. In terms of the related question, is the proposal 'what Inglewood needs?', I believe this report answers this question, as summarised in my conclusion and recommendations at the end.

Rubbish Bins

- 10.48 The submitters have raised concerns that there will not be sufficient space outside the site to accommodate the 13 units' rubbish bins. Properties in the New Plymouth District have two larger enclosed wheelie bins for rubbish and recycling, a smaller enclosed compost bin and an open crate for glass recycling. The compost is picked up weekly with the rubbish and glass bins alternating every two weeks with the recycling bin. I have received advice from Council's Resource Recovery (Waste) Lead, Amy Brasch. Ms Brasch calculated the area outside the development and believes there will be sufficient space for the bins if the compost and glass bins are placed behind the one wheelie bin to be collected that week. Residents generally are advised by Council to put the wheelie bins right on the kerb to enable the collection trucks' arms to pick them up, with glass and compost bins picked up manually. Given this advice by the Waste team, I do not consider any further assessment or mitigation is required in regards to the rubbish bin collection and if problems arise it will be a matter for the Body Corporate to address.

Positive Effects

- 10.49 Positive effects will result in terms of increased housing supply to meet housing demand as well as providing more choice in different types of housing. The surrounding area, and much of the residential areas of Inglewood, predominantly provide detached dwellings on relatively large, or at least medium sized sections with subsequently medium to large garden areas, typical of many 20th Century residential developments. These do not now necessarily meet the needs or desires of modern dwellers who may require or wish for a relatively small dwellings and gardens which require lower maintenance, including retirees. This development will therefore in my opinion, provide a different housing choice from that largely currently available in the surrounding area, and Inglewood generally, as well as helping met increased housing demand by providing 13 dwellings compared to one house currently. This matter is also discussed under Proposed District Plan Provisions and the National Policy Statement on Urban Development 2020 (NPS-UD) in later sections of this report.

Summary of Environmental Effects Assessment

- 10.50 The above assessment has considered the actual and potential effects of the proposed activities, and those effects raised by submitters. Overall, I consider the adverse environmental effects of the proposal will be no more than minor, including in relation to residential character and amenity and natural hazards through no increased of risk of flooding.

11.0 Relevant Operative District Plan Provisions

- 11.1 The Operative District Plan contains a number of objectives and policies (listed in **Appendix Three**) that directly relate to this application. They can be categorized into four main issues:

- Residential Character and Amenity
- Natural Hazards
- Road Safety and Efficiency; and
- Provision of Infrastructure.

Residential Character and Amenity

- 11.2 The use and character of the site will remain residential (meeting **Objectives 1 & 5 and Policy 1.1**) of the Operative Plan. Although the development will result in a greater density of development and a more modern character than the site currently exhibits, I believe the development will be able to be integrated, or absorbed, into the existing residential area and that residential amenity will be retained (meeting **Policy 1.2, Objective 6 & Policies 6.1-6.3**). As discussed under the Environmental Effects Assessment above, this is due to a number of factors, including: the relatively small scale of the built forms, in terms of both their modest floor area and single storey height; the landscaping in between and around the units; sufficient space for outdoor living and utility areas; and adequate access to sunlight and privacy for both occupants of the site and neighbouring properties.
- 11.3 The proposed landscaping will help achieve **Policy 5.3** by recognising the positive contribution vegetation makes to urban amenity. I do not believe that the proposed intensity of traffic generation will be of a scale, or vehicle type (being predominantly cars/light service vehicles), to significantly adversely affect residential character and amenity. Therefore I believe the proposal will not be contrary to **Policy 6.4**.
- 11.4 Overall, I conclude that adverse effects on residential character and amenity, will be no more than minor and that the proposal will not be contrary to **Objectives 1, 5 or 6 and their policies** which seek to protect residential character and amenity.

Natural Hazards

- 11.5 **Objectives 12 & 13 and Policies 12.1 & 13.1** seek to avoid adverse effects, and not increase the likelihood or magnitude, of natural hazards resulting from subdivision, land use and development, including effects on human life, property, infrastructure and the environment. I believe the proposal will meet these provisions. The design of the on-site stormwater disposal system to cater for a 1% AEP rainfall event has been assessed by the applicant's Civil Engineer and Council's Development and Water Engineers. They believe such a design will result in the site being hydraulically neutral and that therefore the risk of flooding, either within the development or into neighbouring properties, will not increase with the proposal. I accept this expert advice and do not believe any adverse effects relating to natural hazards will be more than minor.

Road Safety and Efficiency

- 11.6 **Objective 20** aims to ensure the road network is able to continue to operate safely and efficiently after new subdivision and developments are created. Associated **Policies 20.2, 20.3 & 20.7** state that the movement of traffic to and from a site that has been subdivided or developed, and especially where parking is not provided as per District Plan requirements, should not adversely affect the road network.

- 11.7 This current proposal has been assessed by the applicant's Traffic Engineer, who is of the opinion adverse effects on road safety and efficiency will be no more than minor. This opinion has been accepted by both Council's Development Engineer and Road Engineering. I consequently accept this combined expert advice and therefore do not believe the proposal will be contrary to Operative District Plan provisions relating to road safety and efficiency.

Provision of Infrastructure

- 11.8 To avoid adverse effects of inappropriate and insufficient infrastructure under **Objective 22, Policy 22.1** requires developers to provide a safe water supply, means for the collection and disposal of stormwater and sanitary sewage disposal. The applicant is proposing to connect to Council's water supply and sewer reticulation systems as required by the Operative District Plan. I recommend such connections, as well as the proposed on-site stormwater disposal system designed to cater for a 1% AEP rainfall event, be required for s224 approval.

Summary of Operative District Plan Provisions

- 11.9 The development as proposed, and as recommended be enforced by consent conditions, will not result in adverse effects that will be more than minor in relation to the matters addressed under these Plan provisions. I do not therefore believe the proposal will be contrary to the relevant objectives and policies of the Operative District Plan.

12.0 Relevant Proposed District Plan Provisions

- 12.1 The Proposed District Plan contains a number of objectives and policies that directly relate to this application and are listed in **Appendix Four**. As previously stated, they have legal effect but I do not place much weight on them given the Plan is still at the hearing stage. I consider the provisions of the Proposed New Plymouth District Plan relevant to this proposal can be categorised into the following main issues:

- Well-designed Urban Form, including variety of housing types
- Traffic Generation
- Natural Hazards
- Well-designed Subdivision, including provision of infrastructure
- Residential Character, Use and Amenity

Urban Form

- 12.2 **Urban Form and Development Strategic Objectives UFD-13, 15 & 19** aim for development that results in:
- a cohesive, compact urban form;
 - connected, liveable, well-designed communities;
 - utilisation of existing infrastructure, as well as proposed infrastructure; and
 - housing needs being met through a variety of housing types, sizes and tenures in established residential neighbourhoods with a range of densities and housing forms in new subdivisions.
- 12.3 The proposal is for infill development in an established residential area being located within the existing urban form of Inglewood. The development will be accessed off,

and thereby connected to, the existing road network. Council's existing reticulation system infrastructure will be utilised and the proposed dwelling will provide a different type of housing compared to the typical housing stock found in the surrounding area.

Traffic

- 12.4 The safe and efficient movement of vehicles along the road network will not be unduly affected by the proposal. As assessed by the applicant's Traffic Engineer and Council Engineers the Common Area has been designed to enable vehicles within the site to all exit the development in a forward facing manner and Tawa Street has the capacity to deal with the expected additional vehicle movements (**TRAN-O3, TRAN-P13 & TRAN-P14**). I note the Proposed Plan does not class this development as a 'high trip generator' as it is not for 20 dwellings or over (under TRAN – Table 1, TRAN-R8 – NB this rule does not currently have legal effect). Being a residential development it is expected vehicles will be mostly cars/light service vehicles which is considered appropriate in this established residential area and will help retain residential amenity (**TRAN-P17**). The development will provide on-site parking, with Tawa Street available for on-street parking if necessary (**TRAN-P9**). Recommended consent conditions address construction traffic matters to ensure no unforeseen adverse effects result in this regard, thereby addressing **TRAN-P19**.

Natural Hazards

- 12.5 Despite the higher level of impermeable surfaces, through the increase building coverage and hardstanding of the Common Area, the proposal is unlikely to result in an increased risk of flooding. The proposed raincell stormwater disposal system has been designed with the capacity to deal with high rainfall events, including a 1%AEP event and render the site hydraulically neutral with no net increase in overland flow compared to that currently, thereby meeting **Objectives NH-O1 to NH-O3 and associated Policy NH-P2 and Policy SUB-P3**.

Subdivision, including Provision of Infrastructure

- 12.6 As previously stated, I believe the proposal will be absorbed, or integrated, into the surrounding area (**meeting SUB-O2**), with residential amenity maintained, including privacy and sufficient sunlight and outdoor living areas (**SUB-P6 & P7**). This will be achieved while providing a more efficient use of land (**SUB-P1**) which offers an alternative to the housing type typically found in properties in the area (**SUB-P6**). The development will also provide appropriate infrastructure, including on-site stormwater management designed to avoid flooding/inundation within the subdivision and adjoining land (**SUB-O2, SUBO3, SUB-P1, SUB-P3, SUB-P4 & SUB-P5**).

Residential Character, Use and Amenity

- 12.7 I do not believe the development is strictly in keeping with the recommendations of the Residential Design Guide of the Proposed Plan referred to in **GRZ-P8 & GRZ-P9** in relation to site layout and orientation of the dwellings and outdoor living areas which should maximise sunlight where possible (pg 13 & 17). The proposal is linear and designed around the central Common Area. In addition some outdoor living areas are located on the southern side of the units (Units 3, 5, 6, 7, 8, 10 and 12) may mean they are shaded during much of the day. However the units do have some other, albeit smaller, outdoor areas to the east or west which will likely receive sun at this

time and I acknowledge the constraint of the overall site shape and orientation (relatively narrow with short north and south boundaries) which has likely influenced the site layout. However, I believe these issues are outweighed by the development's consistency with other relevant Proposed Plan objectives and policies, including those of the General Residential Zone. This includes the fact the site will continue to be for residential use (**GRZ-01**) while:

- providing a different type of housing compared to that typically found in the area
- maintaining residential character and amenity with appropriately (small) scaled buildings separated by landscaping and outdoor areas to ensure the density is not too out of character or domineering in the area; and,
- providing occupants and neighbours with sufficient sunlight and privacy.

- 12.8 The proposal will therefore be consistent with, and not contrary to, **GRZ-03, GRZ-P1, GRZ-P8, GRZ-P9, GRZ-P10 & GRZ-P11**. In addition, earthworks on this relatively flat site are not expected to be substantial and effects of construction works can be mitigated by the recommended consent conditions regarding construction and construction traffic (**GRZ-P7**). And, as already stated, I do not place a lot of weight on these provisions given decisions on the Proposed Plan have not yet been made.

Summary of Proposed Plan Provision Assessment

- 12.9 Overall, on balance, the proposal will not be contrary to the relevant provisions of the Proposed District Plan. Although I consider it does strictly meet some provisions of the Residential Design Guide referred to in the General Residential Zone Objectives and Policies, it is consistent with all the other provisions of the Proposed Plan, including maintaining residential character and amenity and providing appropriate urban form. The development will not create significant adverse effects relating to road safety and efficiency and will provide appropriate infrastructure, including a stormwater disposal system designed to avoid an increase in the risk of natural hazards, namely flooding.

13.0 National Policy Statement on Urban Development 2020 (NPS-UD)

- 13.1 The National Policy Statement on Urban Development (NPS-UD) aims 'to ensure that New Zealand's towns and cities are well-functioning urban environments that meet the changing needs of our diverse communities and that building housing in the areas where development is most needed to help achieve this' (Te Tūāpapa Kura Kāinga/Ministry for Housing and Urban Development website).
- 13.2 I consider the following objectives and policies of the NPS-UD are particularly relevant to this proposal:

Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

Objective 2: Planning decisions improve housing affordability by supporting competitive land and development markets.

Objective 4: New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.

Policy 1: *Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum: have or enable a variety of homes that: (i) meet the needs, in terms of type, price, and location, of different households...*

Policy 2: *Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.*

Policy 6: *When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:*

(a) National Policy Statement on Urban Development 2020 the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:

(i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and

(ii) are not, of themselves, an adverse effect

(a) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1).

Policy 8: *Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:*

(a) unanticipated by RMA planning documents;

Policy 11: *In relation to car parking: the district plans of tier 1, 2, and 3 territorial authorities do not set minimum car parking rate requirements, other than for accessible car parks;...*

13.3 I believe the proposal aligns well with the intent of the NPS-UD in providing additional housing stock and in a manner that provides a size and type of housing that offers a different option to that traditionally, and still commonly found, in residential zones in Inglewood. The proposal is for smaller and denser dwellings that typically found in the township which may detract from some amenity values of some people, but may be attractive to others looking for a smaller dwelling and outdoor area with less maintenance and potentially more affordable than larger properties. And I do not believe this will be undertaken in a manner that will result in adverse effects to residential character and amenity that will be more than minor due to the factors discussed previously such as modest built forms broken up by outdoor and common areas. Such development will not dominant or be overbearing, and will, I believe, be absorbed into the surrounding residential area.

13.4 As discussed under 'Parking and Manoeuvring' in the Assessment of Environmental Effects section above, the removal of District Plan parking minimums in February 2022 does not apply to this application as it was lodged prior to this date.

14.0 Taranaki Regional Policy Statement (RPS)

14.1 I consider the following provisions of the RPS are relevant to this proposal:

- **UDR Objective 1 & UDR Policy 1** – *recognising that resource use and development can enable social, economic and cultural wellbeing;*
- **AMY Objective 1 & AMY Policy 1** - *recognising the positive contributions of appropriate use and development in terms of providing for the maintenance and enhancement of amenity values while avoiding, remedying or mitigating the adverse effects of inappropriate use and development on amenity values.*
- **SUD Objective 1 and SUD Policy 1** - *To promote sustainable development in urban areas by:*
 - (a) *encouraging high quality urban design, including the maintenance and enhancement of amenity values;*
 - (b) *promoting choices in housing, work place and recreation opportunities;...*

14.2 The proposed subdivision can be seen to be an example of sustainable urban development as the proposal is to develop an existing residential, rather than greenfield, site. It will also result in a more efficient use of natural land resources as an area of land currently occupied by one residential property will become occupied by 13 residential properties. It will promote a greater choice in housing type by offering smaller dwellings and outdoor areas than is currently generally available in the area and wider Inglewood. This may suit some sectors of the population, such as older persons and smaller family households. This, together with the net increase in 12 new dwellings, will help make a positive contribution to social wellbeing. Although I do not believe it exactly reflects 'high quality urban design' (as discussed under the Residential Design Guide provisions of the Proposed District Plan) I consider this one factor is outweighed by the retention of residential amenity through, for example, the relatively small scale built forms and continuing use of the site for residential purposes as discussed in previous sections.

14.3 I conclude that the application will not be consistent with, and not contrary to, these RPS provisions.

15.0 Other Matters

Iwi Environmental Management Plan

15.1 Te Kotahitanga o Atiawa Taranaki (Te Atiawa) is the Iwi whose rohe includes the township of Inglewood. I consider 'Tai Whenua, Tai Tangata, Tai Ao', the Iwi Environmental Management Plan for Te Atiawa, to be a relevant matter to consider in the assessment of this application with the following objectives and policies being most relevant to this application:

Gen. Ob. TTAN1.2 - Protection of wāhi tapu/wāhi taonga, urupā and sites of significance to Māori, from damage, modification, desecration, destruction and loss of access.

Gen. Pol. TTAN1.4 - Require land use activities to occur in a manner that is consistent with land capability, natural resource capacity, availability and limits, and the overall capacity of catchments.

Pol. TTAN2.2 - Include the provision for conditions of consent requiring:

- a) *on-site disposal of storm water to achieve stormwater neutrality;...*

Pol. TTAN4.4 - Require applicants, regional and district councils to prepare subdivision applications that are comprehensive so all aspects of the activity can be evaluated upfront and thus avoid issues being missed. This information must include but is not limited to the following:

- a) plans showing the location of building platforms;
- b) plans showing intended locations of infrastructure such as network utilities, sewer and water and stormwater solutions;
- c) plans showing roading networks; and
- d) the possible extent of land disturbance.

Pol. TTAN4.13 - Encourage retaining the natural landform and topography within the subdivision.

Pol. TTAN6.3 - Require that all resource applications made under the Resource Management Act 1991 involving land disturbance activities (e.g landuse consent, building consent and earthworks consent regardless of the permitted earthworks thresholds) are assessed with particular regard to:...

- e) management measures such as erosion and silt control methods

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

Pol. TTAN7.1 – Require that stormwater is managed on-site in all new applications to develop within the urban, rural, commercial and industrial environments.

- 15.2 The main issue contained in *Tai Whenua, Tai Tangata, Tai Ao* relating to this application is providing on-site stormwater disposal that is hydraulically neutral and deals with all stormwater generated by the development. Based on advice from Council Engineers, I believe the applicant’s Engineer has, with the revised stormwater engineering calculations to a 1% AEP event, demonstrated that the raincell stormwater disposal system underneath the Common Area will have the capacity to deal with the stormwater resulting from the development, including in high rainfall events.
- 15.3 The proposal will not damage, modify, desecrate or destroy any wāhi tapu/wāhi taonga, urupā or site of significance to Māori or restrict any access to such sites. Nor will the proposal unduly affect any whenua or waterbody. The proposed new development will be within an already existing, relatively flat residential site in an established residential area which will not result in the need for substantial earthworks or changes in landform. The site is not adjacent to any waterbodies.
- 15.4 Overall, the proposal does not appear to be contrary to the provisions of the relevant iwi environmental management plan.

16.0 S104D Assessment

- 16.1 As a Non-Complying Activity, consent can only be granted if the proposal meets at least one of the following:
 - (a) the adverse effects of the activity on the environment will be minor; or
 - (b) the application will not be contrary to the provisions of the relevant plan and the relevant proposed plan.

- 16.2 As already discussed, I consider that any adverse effects of the proposal will be no more than minor. I have also assessed the proposal against the relevant provisions of the Operative and Proposed District Plans and have not found the proposal to be contrary to the objectives and policies of either document. Therefore, I am satisfied the proposal passes both threshold tests as set out in s104D(1), and as such, I believe the consent authority may grant resource consent under s104 of the Act if considered appropriate to do so.

17.0 Part 2 of the RMA

Section 5 – Purpose of the Act

- 17.1 The purpose of the Resource Management Act 1991(RMA) is to promote sustainable management of natural and physical resources 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.
- 17.2 The proposal will enable wellbeing through the creation of additional housing stock, including smaller dwellings and outdoor areas than is currently typically found in the area. Such housing type may meet the particular needs of sectors of the population that are not currently provided for. This can be achieved, I believe, with adverse effects on the environment being no more than minor. Overall, I therefore believe the proposal not contrary with the purpose of the RMA.

Section 6 – Matters of National Importance

- 17.3 Section 6 sets out matters of national importance that shall be recognised and provided for, however I do not believe any of these are relevant to this application. The proposal will therefore not be contrary to section 6.

Section 7 – Other Matters to have Particular Regard

- 17.4 I consider the following matters are relevant to this proposal:
(b) the efficient use and development of natural and physical resources:
(c) the maintenance and enhancement of amenity values:
(f) maintenance and enhancement of the quality of the environment:
- 17.5 The proposal will provide a more efficient use of land with the development of 13 units within a site which currently contains only one dwelling, while providing outdoor living, access to daylight and sunlight and small scale built forms. Amenity values will therefore be maintained. The quality of the environment will be maintained through retention of the site for residential use and development while being appropriately connected to Council reticulation systems and by providing an on-site stormwater system that will have the capacity to deal with normal and high rainfall events. The proposed vegetation will also contribute to the quality of the environment.

Section 8 – Treaty of Waitangi

- 17.6 Section 8 refers to taking into account the principles of the Treaty of Waitangi while managing the use, development, and protection of natural and physical resources. I am not aware that the proposal will be contrary to the principles of the Treaty.

Summary of Part 2 Assessment

- 17.7 In assessing the proposal against sections 5 to 8 of the RMA, I conclude that the application is not contrary to the purposes and principles of the RMA.

18.0 CONCLUSIONS

- 18.1 In this s42A report I have considered the proposed activity against the relevant provisions of the relevant statutory and planning documents and other matters. The activity itself is not precluded from the Residential Environment Area but its effects, namely, on residential character and amenity, the road network and infrastructure, and the potential increase in natural hazards must be avoided, remedied or mitigated adequately to meet the objectives and policies of the Operative and Proposed District Plans, other relevant documents and the purpose and principles of the RMA.
- 18.2 Although one submission has been received in opposition, raising some questions and concerns with the proposal, I consider that with the inclusion of the following recommended conditions which will ensure the development is carried out as proposed, that the adverse effects on the environment will be no more than anticipated which, taking into account expert advice, I believe will be no more than minor and will be acceptable.
- 18.3 It is my opinion the proposed development will not be contrary to the relevant objectives and policies of the Operative and Proposed District Plans, National Policy Statements, Regional Policy Statement or Iwi Environmental Management Plan.
- 18.4 Overall, I believe the proposal will be consistent with the purpose and principles of the Resource Management Act 1991 and should be granted resource consent.

19.0 RECOMMENDATION

- 19.1 That consent be granted subject to the following conditions under Sections 104, 104B, 104D, 108 and 220 of the Resource Management Act 1991:

SUGGESTED CONDITIONS - SUBDIVISION CONSENT SUB21/47746

1. Except as modified by the consent conditions below, the development and use of the site shall be generally in accordance with the plans and all information and further information submitted with the application referenced by the Council as consent numbers SUB21/47746 and LUC21/47723, including the following:
 - Unit title scheme plan – entitled '*Units 1 to 13 on Lot 15 DP 1799 – Comprised in TNF3/86*', drawn by Bland & Jackson Surveyors Ltd, Project No. 9699, Sheet No. 1, Rev01, dated 02.03.21;
 - Existing Site Levels Plan – entitled '*Site Survey – Lot 15 DP 1799*', drawn by Bland & Jackson Surveyors Ltd, Project No. 9699, Sheet No. 1, dated 25.03.21;
 - Unit Concept and Site/Floor Layout Plans, drawn by 4Site Design Job No. 4692, Project: Tawa St Residential Development 13 Tawa Street Inglewood, CONCEPT - Version A Development Plan, dated 24/07/20;

- Landscaping Plans, drawn by McQueens Landscape Architects Ltd, Pages 1-14, dated November 2020;
- '*Traffic Impact Assessment*' by AMTANZ Ltd, RevB dated 24/3/21, except where corrected by:
- Further Information letter provided by AMTANZ Ltd, dated 18 April 2021;
- Section 92 Response letter, written by Bland & Jackson Surveyors Ltd, dated 16 June 2021;
- 'Engineer's Report – Lot 15 DP 1799 Tawa Street, Inglewood', by StanleyGray Civil & Structural Engineering, Job No. AGB-21-25, dated June 2021;
- 'Silt Sediment Control Plan' drawn by Bland & Jackson Surveyors Ltd, imposed on the Existing Site Levels Plan – entitled '*Site Survey – Lot 15 DP 1799*', drawn by Bland & Jackson Surveyors Ltd, Project No. 9699, Sheet No. 1, dated 25.03.21;
- Raincell information in email from Colin Jackson, Bland & Jackson Surveyors Ltd, dated 15 July 2021 and attached:
 - Cirtex Rainsmart '*Suggested Maintenance Procedures*' brochure; and
 - 'Earthworks Plan', drawn by Bland & Jackson Surveyors Ltd, Project No. 9699, Drawing E01, Sheet 2, dated 04.05.21; and
- Information in the email from Colin Jackson, Bland & Jackson Surveyors Ltd and attached Revised Stormwater Calculations by StanleyGray Civil & Structural Engineering, dated 3 August 2021.

Section 223

2. Except as modified by conditions of consent below, the Land Transfer plan shall conform to the subdivision scheme plan submitted with application no: SUB21/47746 Unit title scheme plan – entitled '*Units 1 to 13 on Lot 15 DP 1799 – Comprised in TNF3/86*' drawn by Bland & Jackson Surveyors Ltd, Project No. 9699, Sheet No. 1, Rev01, dated 02.03.21.

Section 224

3. All common areas and units shall be constructed and completed in accordance with the conditions of LUC21/47723.

Stormwater

4. The stormwater from units and the Common Area shall be disposed of to a Raincell on-site soakage system as described and designed in the Stanley Gray Engineer's Report (revised) calculations for a 1% AEP dated 27 July 2021.

Advice Note:

The Raincell system shall be privately owned and shall be maintained by the Body Corporate at its cost. The consent holder should ensure an Operations and Maintenance Manual is provided to the Body Corporate for on-going maintenance of the Raincell system.

5. An as-built plan of the on-site stormwater disposal system shall be provided.
6. Secondary flowpaths shall be shown a Plan and shall not cross into neighbouring properties.

7. Confirmation is required that existing soakholes serving the existing dwelling are reinstated.

Sewer

8. A new sewer connection shall be provided for the development from a new manhole which shall be installed in Tawa Street. The existing sewer connection may be used for the closest unit or shall be disconnected at the sewer main and decommissioned (capped).

Advice Note:

An application for a sewer service connection shall be lodged with the Council with the appropriate fee. Upon approval, the connections are to be undertaken and the meters installed by a Council approved contractor at the consent holder's cost.

9. An as-built plan shall be provided.

Water

10. The existing water connection shall be disconnected at the water main and decommissioned (blanked).
11. A new water connection shall be installed at the boundary incorporating a manifold assembly and water meter for the development. As a minimum, a medium risk backflow preventer and Sensus AMR iPERL meter are required.

Advice Note:

An application for water service connection and meter shall be lodged with the Council with the appropriate fee. Upon approval, the connections are to be undertaken and the meters installed by a Council approved contractor at the consent holder's cost.

The individual water connections to each unit title (including any water meters) shall be privately owned and shall be maintained by the Body Corporate at its cost.

12. An as-built plan of the new water connection shall be provided.

Common Area and Parking

13. The consent holder shall submit for approval engineering plans, including construction materials and depths, for the Common Area, taking into account the traffic loading to protect the on-site stormwater disposal system, prior to any works commencing.
14. The Common Area shall be constructed in accordance with the plans approved under Condition 13 above.
15. Except for Units 6 and 7, each unit shall be provided with one carpark in the driveway immediately in front of the garage.
16. Three communal carparks shall be provided at the turning head of the Common Area with manoeuvring areas on either side of the carparks to ensure all vehicles can exit the Common Area in a forward facing manner.

Advice Note:

All driveways, carparks and manoeuvring areas within the Common Area shall be constructed, sealed and marked in accordance with the Operative New Plymouth District Plan (Appendix 23).

17. An as-built plan of the Common Area shall be provided.

Vehicle Crossings

18. A **multi residential** vehicle crossing shall be constructed to serve 12 of the units and constructed to the Standard specified in the Council's Land Development & Subdivision Infrastructure Standard (Cl.3.3.17.1).
19. A **residential** vehicle crossing shall be constructed to serve PU1 and constructed to the Standard specified in the Council's Land Development & Subdivision Infrastructure Standard (Cl.3.3.17.1).
20. The existing vehicle crossing shall be reinstated with kerb, channel, footpath and berm.

Advice Note:

An application for new vehicle crossings shall be lodged with the Council with the appropriate fee. Upon approval the vehicle crossings will be installed and the existing crossing reinstated by a Council approved contractor at the consent holder's cost.

General Advice Notes

1. *This unit title application has not included any assessment with regards to section 224(f) of the Resource Management Act 1991 (as it relates to s116A of the Building Act). A section 224(f) assessment will be initiated when application is made for section 223/s224(c) certificates. For more information, please contact your Licensed Cadastral Surveyor.*
2. *A Development Contribution of \$89,356.47 excluding GST is payable. The s224 release of this subdivision will not be approved until this payment is received by the Council.*
3. *This consent lapses on **xxxx 2027** unless: 1) the consent is given effect to before this date; or 2) an application is granted before the expiry of this date under section 125 of the Resource Management Act 1991 to extend the expiry date.*
4. *This consent is subject to the right of objection as set out in section 357A of the Resource Management Act 1991.*

SUGGESTED CONDITIONS - LANDUSE CONSENT LUC21/47723

1. Except as modified by the consent conditions below, the development and use of the site shall be generally in accordance with the plans and all information and further information submitted with the application referenced by the Council as consent numbers SUB21/47746 and LUC21/47723, including the following:

- Unit title scheme plan – entitled '*Units 1 to 13 on Lot 15 DP 1799 – Comprised in TNF3/86*', drawn by Bland & Jackson Surveyors Ltd, Project No. 9699, Sheet No. 1, Rev01, dated 02.03.21;
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 - Raincell information in email from Colin Jackson, Bland & Jackson Surveyors Ltd, dated 15 July 2021 and attached:
 - Cirtex Rainsmart '*Suggested Maintenance Procedures*' brochure; and
 - 'Earthworks Plan', drawn by Bland & Jackson Surveyors Ltd, Project No. 9699, Drawing E01, Sheet 2, dated 04.05.21; and
 - Information in the email from Colin Jackson, Bland & Jackson Surveyors Ltd and attached Revised Stormwater Calculations by StanleyGray Civil & Structural Engineering, dated 3 August 2021.
2. Council's Environmental Planner Monitoring Team shall be advised of the date of commencement of works at least five working days prior to commencement of earthworks within Lot 2 by phone (06 759 6060) or email PlanningConsents.Monitoring@npdc.govt.nz with Consent Numbers SUB21/47746 and LUC21/47723 referenced and the property address given.

Earthworks/Construction

3. The consent holder shall undertake the following measures to ensure adverse effects of earthworks and construction are appropriately managed and minimised:
- (a) no earthworks or construction before 7am or after 6pm or at any time on Sundays or Public Holidays;
 - (b) provide locations within the site for storage of earthwork material (if required) and construction plant and materials;
 - (c) inform owners/occupiers of 12 and 15 Tawa Street of the timetable of construction work and any revisions as soon as practicable;
 - (d) establish a 24 hour contact phone number/s of the designated site liaison person/s responsible for handling queries and complaints regarding the construction programme and all earthworks or construction activities; and
 - (e) record all queries and complaints regarding the earthworks and construction programme and activities and provide these to Council as soon as practicable, if requested.

4. The consent holder shall undertake the following measures to ensure adverse effects construction traffic are appropriately managed and minimised:
 - (a) provide a temporary construction vehicle access point;
 - (b) provide areas for traffic circulation through the site and vehicle loading and parking spaces for construction vehicles over the entire earthworks and construction period;
 - (c) truck washing facilities shall be provided on-site with no silt or other material from these facilities entering the Council stormwater system, road reserve or neighbouring properties; and
 - (d) any dust/soil or other material on the road shall be fully cleaned up at the end of each day of excavation by the excavation contractor and not left overnight.
5. The earthworks and construction shall be managed at the site in accordance with the requirements of Conditions 3 and 4 above until construction of all buildings and infrastructure, including the Common Area and vehicle access points, are complete.
6. Best practical methods for preventing erosion and minimising the escape of silted water, sediment or dust from the site shall be utilised during any earthworks or construction and shall take into account, but not be limited to:
 - (a) the areas, quantity and height/depth of earthworks, which shall retain the existing contour as much as possible;
 - (b) the measures that are to be installed during earthworks and construction to prevent runoff into adjacent waterbodies; and
 - (c) the timeframe expected for ground to be exposed and the corresponding length of time these measures will be required.

These best practice measures shall remain in place until such time as exposed ground areas are stabilised and vegetated, metalled or built over.

Advice Note: Council's 'A Guide to Sediment Control on Building Sites' brochure provides a starting point on sediment control measures:

<https://www.npdc.govt.nz/media/vsqj3paz/a-guide-to-sediment-control-on-building-sites.pdf>

7. The consent holder shall ensure all contractors and workers involved in the project are advised of the requirements set out in Conditions 3—6 above and they must operate in accordance with them.

Advice Note:

Any excavation that takes place within road reserve during this development, including for the service connections and vehicle crossing construction, shall require an approved Corridor Access Request (CAR). Refer to the "National Code of Practice for Utility Operators' Access to Transport Corridors" for additional information. Applications can be made via the website www.beforeUdig.co.nz or 0800 248 344. A CAR along with a Traffic Management Plan must be submitted a minimum of 5 working days before an operator intends to start work for minor works or 15 working days for major works and project works. All costs incurred shall be at the consent holder's expense.

8. The consent holder shall ensure safe and continuous passage by pedestrians and vehicles along Tawa Street during all stages of work, including earthworks, construction and landscaping. This shall be carried out in accordance with New Plymouth District Council Bylaw 13 – Traffic: Clause 25.

9. The consent holder shall be responsible for the repair to any damage to council assets, including to the footpath, road and any services beneath the road, resulting from any works associated with this development. The consent holder shall employ, at their cost, a Council approved contractor to repair such assets.
10. Site Coverage of the Units, Common Area and overall site shall not exceed that set out in Section 3.0 of the Assessment of Environmental Effects:

Unit number	Building Unit Area	Total Area of Primary Unit	Site coverage for PU
1	162m ²	340m ²	47.6%
2	90m ²	170m ²	53%
3	90m ²	170m ²	53%
4	90m ²	170m ²	53%
5	90m ²	169m ²	53%
6	95m ²	188m ²	50.5%
7	95m ²	188m ²	50.5%
8	90m ²	169m ²	53%
9	90m ²	170m ²	53%
10	90m ²	170m ²	53%
11	90m ²	170m ²	53%
12	90m ²	170m ²	53%
13	90m ²	170m ²	53%
Common Area	0	470m ²	0%
Total	1252m ²	2985	41.9%

Landscaping

11. Landscaping in accordance with the landscaping plans approved under Condition 1 above shall be implemented within the first planting season after the completion of the construction of all the units.
12. On completion of the landscaping, a landscape architect shall certify that these works have been completed in accordance with the approved landscaping plans and provide this certification to the Council's Planning Lead no less than 30 days following the completion of the landscape planting.
13. For the duration of this consent, the consent holder shall maintain all planting in a good and healthy condition. Any planting not in a good and healthy condition shall be replaced as soon as reasonably practicable.

Monitoring Costs

14. The consent holder shall pay the actual and reasonable costs for monitoring undertaken by the Council when monitoring the conditions of this consent.

General Advice Notes

1. This consent lapses on **xxxx 2027** unless: 1) the consent is given effect to before this date; or 2) an application is granted before the expiry of this date under section 125 of the Resource Management Act 1991 to extend the expiry date.
2. This consent is subject to the right of objection as set out in section 357A of the Resource Management Act 1991.



Report and Recommendation by:

Rachael Symons
SENIOR ENVIRONMENTAL PLANNER



Reviewed by:

Zane Wood
Planning Consents Lead

Date: 9 June 2022

Document No.: 8776235

APPENDIX ONE:	Notification Report/Decision
APPENDIX TWO:	Submission
APPENDIX THREE:	Relevant Operative District Plan Objectives and Policies
APPENDIX FOUR:	Relevant Proposed District Plan Objectives and Policies
APPENDIX FIVE:	Residential Design Guide of the Proposed District Plan