

New Plymouth District Plan

Plan Change PPC18/00049

June 2019

Hareb Investments Limited Private Plan Change



New Plymouth District Plan

Plan Change PPC18/00049



Hareb Investments Limited Private Plan Change

EXPLANATION

The purpose of Plan Change PPC18/00049 is to change the Operative New Plymouth District Plan to rezone approximately 11.54 hectares of land on the southern side of Waitara. The proposal would entail a zoning change for the whole of the site from Rural Environment Area (with Future Urban Development overlay) to Residential A Environment Area and Open Space B zonings. The proposal would also introduce a Structure Plan and new provisions to manage subdivision and development for this land (to be referred to as the 'Waitara - Area D Structure Plan Area').

Approximately 110 lots will be able to be created by the plan change ranging in size from 350m² to 1000m², with 9.8 hectares of land identified for residential purposes and 1.54 hectares of land being set aside as open space reserve along the waterway through the site. The balance of the land will be occupied by road reserve.

The new development will be accessed via two new roads off Raleigh Street. The houses are proposed to connect to the Waitara water and wastewater service reticulation networks through an extension to these networks. The proposal entails a staged development which could take a number of years to be fully developed.

The plan change proposes that specific rules apply to the plan change area which differ from the standard Residential Rules. The most notable rule changes sought relate to reducing the minimum lot size, a decrease in the maximum height of buildings, a reduced front yard requirement for areas marked as 'Smaller Lots' on the Structure Plan, the introduction of rules to control external cladding on buildings to lower reflectivity, fencing restrictions, and controls on cut and fill batters where visible from the Rural Environment Area.

The accompanying Section 32 report describes the reasons and the assessment of options that has been undertaken. This report should be read in conjunction with this proposed Plan Change.

Plan Text Amendments

Any new text that is proposed to be added is underlined, while any text to be deleted has been ~~struck through~~.

VOLUME 1 - MANAGEMENT STRATEGY

AREAS FOR FUTURE URBAN DEVELOPMENT

ISSUE 23: THE NEED TO COMPREHENSIVELY PLAN FOR FUTURE URBAN DEVELOPMENT

AMENDMENT 1 Policy 23.10

Insert the following policy into the areas for future urban development topic section of the management strategy to ensure stormwater associated with development within the plan change area, which is included in a Future Urban Development (FUD) overlay, is comprehensively managed to minimise environmental impacts.

Policy 23.10

To ensure stormwater within the Waitara – Area D structure plan area is discharged into an appropriately sized detention pond to minimise the environmental impact.

Reasons 23.10

An unnamed tributary runs through the Waitara – Area D structure plan and then runs to the coast through the Waitara West Industrial Area.

Technical assessments for Waitara – Area D determined the most logical and sensible way to manage stormwater disposal is to have the stormwater disposal from ROADS, right of ways and paved surfaces discharging into a detention dam within the stream. The final ground contour and road network will be designed so that secondary overland flow (surface stormwater greater than a 20% AEP storm event) will naturally drain overland into the stream.

Otaraua and Manukorihi Hapu have concerns over additional stormwater entering the Stream and causing flooding downstream, so the detention dam must be appropriately sized.

Stormwater design is to reflect the need to buffer downstream Stormwater flows. Managing stormwater runoff close to its source through the detention pond will increase aquatic habitat in the area. Efficient stormwater design can make the stormwater discharge from Waitara – Area D hydraulically neutral by reducing peak flows either before they enter the stream (via onsite soak holes to address stormwater from dwellings and associated impervious areas within an allotment) or within the stream channel. There are also opportunities for additional

retention which could be investigated and fed into NPDC stormwater management plans for Waitara.

The Waitara Community Board has also expressed concerns about the low impact systems (Swales and rain gardens) implemented on another development in Waitara, and expressed concern that much of Waitara does not have kerb and channel. The Waitara Community Board has indicated that their strong preference is for a conventional kerb and channel stormwater management system.

Method of Implementation

NZS4404:2010 Land Development and Subdivision sets out the standards for conventional kerb and channel and it is to be followed.

AMENDMENT 2 Policy 23.11

Insert the following policy into the areas for future urban development topic section of the management strategy to ensure development within the plan change area, and which is included in a Future Urban Development (FUD) overlay, is managed to minimise environmental impacts.

Policy 23.11

To control the design of buildings and structures within the Waitara – Area D structure plan area by;

- avoiding visual clutter and maintain a sense of appropriate building density with the adjacent rural area
- avoiding a dominance of built form over open space and to maintain visual permeability
- creating a subdivision that blends with its rural context
- allowing for small lot sizes in the area labelled ‘Smaller’ lots, front yard requirements will be reduced
- ensuring an open streetscape and reducing urban clutter.

Methods of Implementation 23.11

- a) Develop a Structure Plan for Lot 3 Deposited Plan 446773 that shows the desired pattern of development by ENVIRONMENT AREAS. This will be titled Structure Plan – Waitara Area D.
- b) Identify the extent of the Waitara - Area D Structure Plan area on the relevant planning maps.
- c) Develop a new set of rules explicit to the Waitara – Area D Structure Plan, including rules requiring development and subdivision to be undertaken in accordance with the Structure Plan in Appendix 33.
- d) Rules specifying standards relating to:

- I. Maximum HEIGHT of BUILDINGS and STRUCTURES within the Structure Plan Area. II.
 - II. Number of HABITABLE BUILDINGS per ALLOTMENT.
 - III. Maximum COVERAGE of SITES in the Medium Density Area.
 - IV. Reduced COVERAGE in the FRONT YARDS in the area identified as 'smaller lots' on the Structure Plan.
 - V. Light Reflectance Values for roof and other exterior claddings for STRUCTURES and BUILDINGS.
- e) Covenants on Records of Title (CFR) restricting build form in front yards and within landscape buffers.

Reasons 23.11

The Waitara - Area D Structure Plan area has been developed to avoid effects. The location, size, and orientation of the various character types have been carefully considered and designed to create varied but integrated development.

Policy 23.11 covers those matters relating to structures and buildings that are not able to be expressed either through the Waitara - Area D Structure Plan layout and which are not covered by existing rules.

Policy 23.10 and associated rules OL60I, J K L and M are to ensure that the effects of residential development on the character of the area are able to be considered.

AMENDMENT 3 Policy 23.12

Insert the following policy into the areas for future urban development topic section of the management strategy to manage earthworks.

Policy 23.12

To control excavated landforms (cut and fill batters) within the Waitara – Area D structure plan area by placing controls on excavated landforms to minimise visual effects.

Reasons 23.12

In order to ensure that likely changes in topography appear natural over time, cut and fill batters, where visible from rural environment areas, should be battered at a gradient to match gently and smoothly into existing contours. This is most likely to be relevant at the northern end of the site along the north-western boundary, where the landform drops towards the stream.

Policy 23.12 and associated rule OL60N covers those matters associated with excavated landforms that are not able to be expressed either through the Structure Plan layout and which are not covered by existing rules.

VOLUME 1 – RULES

RESIDENTIAL ENVIRONMENT AREA RULES

AMENDMENT 4 Rules specific to activities – Structures – Buildings & Subdivision:

Amend the Residential Environment Area A rules to include specific provisions for the Waitara – Area D Structure Plan Area as below:

- *Amend Maximum Height parameters;*
- *Amend Maximum Number of Habitable Buildings parameter;*
- *Amend Maximum Coverage of the site parameters;*
- *Add the proposed Light Reflectance Value parameters;*
- *Add the Proposed Waitara – Area D Structure Plan to subdivision parameters;*
- *Add the proposed Fencing Restrictions parameters;*
- *Add the proposed Cut and Fill batter control parameters;*
- *Add the proposed Reduced Front Yard parameters for proposed ‘Smaller Lots’ and*
- *Amend the Minimum Allotment Size parameters.*

Rule Number	Parameter	Conditions Permitted	Standards and terms	Matters over which control is reserved	Assessment Criteria COUNCIL has restricted the exercise of its discretion to these matters for land use consents
Waitara – Area D Structure Plan					
<u>OL60H</u>	<u>Development and subdivision within the Waitara – Area D structure plan in Appendix 32</u>	<u>1) Development that is undertaken as part of any subdivision that has already been approved in accord with the Waitara – Area D structure plan in Appendix 32; or 2) Where subdivision has not been undertaken the erection of STRUCTURES and BUILDINGS and associated development work that is in accord with the Waitara – Area D Structure Plan and meets OL60I to OL60N and other applicable overlay and Environment Area rules</u>	<u>Subdivision shall be in accordance with the Waitara – Area D structure plan in Appendix 32</u>	<u>Does not meet the conditions for a permitted activity or standards and terms for a controlled activity</u>	<u>Matter of control as for rules Res54-64 as they apply to the RESIDENTIAL A ENVIRONMENT AREA.</u>
					<u>1) The extent of the non compliance with the Waitara – Area D structure plan and how this effects the ability for comprehensive development and or comprehensive SUBDIVISION of the structure plan area and the environmental outcomes including the following: a) The degree to which comprehensive development and integrated management of all the land within Waitara – Area D is able to be achieved when the structure plan area is held in multiple ownership. b) The degree to which infrastructure provisions are co-ordinated within the Waitara – Area D structure plan area. c) The degree to which site specific characteristics of the Waitara – Area D structure plan</u>

Rule Number	Parameter	Conditions Permitted	Standards and terms		Matters over which control is reserved	Assessment Criteria COUNCIL has restricted the exercise of its discretion to these matters for land use consents
						<p><u>have been addressed in the design and layout of the area.</u></p> <p><u>d) Whether the INDICATIVE ROAD network has taken into account the design/layout of Waitara – Area D structure plan area.</u></p> <p><u>e) The effect of modifications to the alignment of the INDICATIVE ROAD on the ROAD TRANSPORTATION NETWORK and the connections and linkages desired for the comprehensive development of Waitara – Area D structure plan area.</u></p> <p><u>f) The degree to which the esplanade reserve achieves public access along the stream.</u></p> <p><u>g) The extent to which the design/layout of the INDICATIVE ROADING NETWORK and the Esplanade Reserve is integrated h) Protection of the stream and stream margins is achieved.</u></p>

Rule Number	Parameter	Conditions Permitted	Standards and terms		Matters over which control is reserved	Assessment Criteria COUNCIL has restricted the exercise of its discretion to these matters for land use consents
						<p>i) <u>Roading/pedestrian connectivity is provided.</u></p> <p>j) <u>The extent to which the design of the ROAD TRANSPORTATION NETWORK considers pedestrian safety.</u></p>
<u>OL60I</u>	<u>Minimum ALLOTMENT size within Waitara – Area D Structure Plan area</u>	<u>n/a</u>	<u>350m²</u>	<u>No minimum</u>	<u>All of the Matters in Rules Res54 – Res62</u>	<u>All of the Matters in Rules Res54 – Res62</u>
<u>OL60J</u>	<u>Maximum Number of HABITABLE BUILDINGS on sites within the Waitara – Area D structure plan area</u>	<u>1</u>	<u>n/a</u>	<u>More than 1</u>	<u>n/a</u>	<p>1) <u>The adverse effects of the increased number of HABITABLE DWELLINGS on the SITE on:</u></p> <ul style="list-style-type: none"> - <u>the character and visual amenity of the area; the privacy and outlook of adjoining SITES;</u> - <u>the ability to provide adequate outdoor living space on the SITE or the location of alternate recreation areas;</u>

Rule Number	Parameter	Conditions Permitted	Standards and terms		Matters over which control is reserved	Assessment Criteria COUNCIL has restricted the exercise of its discretion to these matters for land use consents
						<ul style="list-style-type: none"> - <u>OUTSTANDING or REGIONALLY SIGNIFICANT LANDSCAPES; and</u> - <u>the natural character of the coastal environment or PRIORITY WATERBODIES.</u> 2) <u>The ability to mitigate adverse effects through the use of screening, planting or alternate design.</u>
<u>OL60K</u>	<u>Maximum HEIGHT of HABITABLE and NON HABITABLE buildings on sites within the Waitara – Area D structure plan area</u>	<u>6m</u>	<u>n/a</u>	<u>Greater than 6m</u>	<u>n/a</u>	<p>1) <u>The extent to which the extra HEIGHT of the proposed BUILDING will:</u></p> <ul style="list-style-type: none"> - <u>adversely affect the character and visual amenity of the surrounding area;</u> - <u>reduce privacy of adjoining SITES;</u> - <u>have an overbearing effect on SITES within the RESIDENTIAL ENVIRONMENT AREA;</u> - <u>adversely affect OUTSTANDING and REGIONALLY SIGNIFICANT LANDSCAPES; - and -</u>

Rule Number	Parameter	Conditions Permitted	Standards and terms		Matters over which control is reserved	Assessment Criteria COUNCIL has restricted the exercise of its discretion to these matters for land use consents
						<u>adversely affect the natural character of PRIORITY WATERBODIES.</u> <u>2) The extent to which topography, planting or set backs can mitigate the adverse effects of extra HEIGHT.</u> <u>3) The ability to mitigate adverse effects through the use of screening, planting or alternate design.</u>
OL60L	<u>Controls on roofing and exterior cladding on HABITABLE and NON HABITABLE buildings on sites within the Waitara – Area D structure plan area</u>	<u>1) a light reflectivity value (LRV) of 25% or lesser for all roofs; and 2) a light reflectivity value (LRV) of 40% or less for all exterior cladding materials</u>	n/a	<u>1) a light reflectivity value (LRV) of greater than 25% for any roofs (or part of any roof); and 2) a light reflectivity value (LRV) of greater than 40% or less for any exterior cladding materials.</u>	n/a	<u>1) The extent to which the increased LRV will:</u> <u>- adversely affect the character and visual amenity of the surrounding area; and</u> <u>- adversely affect OUTSTANDING and REGIONALLY SIGNIFICANT LANDSCAPES;</u> <u>2) The extent to which topography, planting or set backs can mitigate the adverse effects of the increased LRV.</u> <u>3) The ability to mitigate adverse effects through the use</u>

Rule Number	Parameter	Conditions Permitted	Standards and terms		Matters over which control is reserved	Assessment Criteria COUNCIL has restricted the exercise of its discretion to these matters for land use consents
						<u>of screening, planting or alternate design.</u>
<u>OL60M</u>	<u>Reduced Front yard Requirements for areas marked as ‘Smaller Lots’ within the Waitara – Area D Structure Plan.</u>	<u>Minimum 1.5m front yard</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	
<u>OL60N</u>	<u>Fencing restrictions for sites within Waitara – Area D Structure Plan.</u>	<u>1) Solid fencing 1.2m in height or less; and 2) no fencing of any sort shall be located on any site between the street and front elevation of its associated HABITABLE DWELLING.</u>	<u>n/a</u>	<u>1) Solid fencing greater than 1.2m in height; and/or 2) any fencing located on any site between the street and front elevation of its associated HABITABLE DWELLING.</u>		<u>1) The extent to which the extra HEIGHT of the proposed fence will: - adversely affect the character and visual amenity of the surrounding area; - reduce privacy of adjoining SITES; - have an overbearing effect on SITES within the RESIDENTIAL or RURAL ENVIRONMENT AREA; - adversely affect OUTSTANDING and REGIONALLY SIGNIFICANT LANDSCAPES; and - adversely affect the natural character of PRIORITY WATERBODIES.</u>

Rule Number	Parameter	Conditions Permitted	Standards and terms		Matters over which control is reserved	Assessment Criteria COUNCIL has restricted the exercise of its discretion to these matters for land use consents
						<p><u>2) The extent to which topography, planting or set backs can mitigate the adverse effects of the extra HEIGHT of the fence.</u></p> <p><u>3) The ability to mitigate adverse effects of the proposed fence through the use of screening, planting or alternate design.</u></p>
OL600	<u>Controls on Cut and Fill batters where visible from the RURAL ENVIRONMENT AREA</u>	<u>1) Cut and Fill batters less than 1.5m in height, or 2) Cut and Fill batters greater than 1.5m in height where designed by an appropriately qualified landscape professional to be battered at a gradient to match gently and smoothly into existing contours.</u>	<u>Any other cut and fill batters</u>	n/a	<u>1) The revegetation of the batters. 2) The timing within which works and revegetation shall be completed. 3)Mitigation of effects through the use of screening. Planting or alternate design.</u>	n/a

VOLUME 2 – APPENDICES

Amendment 5 APPENDICES

Insert the following appendix to add the proposed Waitara – Area D Structure Plan.

APPENDIX 33
STRUCTURE PLAN (Plan Change 49)
Waitara – Area D Structure Plan

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

The Structure Plan guidance notes and associated rule framework (Issue 23, Objective 23, Policy 23.1, Method of Implementation 23.1, Reasons 23.1, Policy 23.10, Reasons 23.10, Policy 23.11, Reasons 23.11 and Rules OL60H to OL60M, Policy 23.12, Reasons 23.12, Rule OL60N are intended to provide for the comprehensive development of the site.

Amendment 6 APPENDICES

Insert the following appendix diagram for the proposed Waitara – Area D Structure Plan.

Diagram 33.1 Waitara Area D – Structure Plan



Amendment 7 APPENDICES

Insert the following appendix guidance for the proposed Waitara – Area D Structure Plan.

Structure Plan Guidance

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

However, it is likely that the stream is of cultural and spiritual significance to Otaraua and Manukorihi hapu. Despite the stream not being listed as WAAHI TAONGA/SITES OF SIGNIFICANCE TO MAORI or ARCHAEOLOGICAL SITE in the District Plan, landowners, developers and contractors need to be aware of the requirements of the Heritage New Zealand Pouhere Taonga Act 2014 and/or any national legislation relating to archaeological sites, should an archaeological find arise during ground disturbance. The stream and the protection of it is therefore recognised and provided for through the Waitara - Area D Structure Plan and also through specific consideration to stormwater disposal.

Stormwater

The technical assessments for Waitara - Area D determined the best way to manage stormwater disposal within allotments via onsite soakage, while noting that if necessary roof water could (if approved by NPDC) also be connected into the piped stormwater reticulation and drained into the stream, providing additional detention volume within the waterway is allowed for. Stormwater from berms, footpaths and roads will be collected by conventional kerb and channel, and drained via concrete pipes to the existing stream. The final ground contour and road network will be designed as such that secondary overland flow (surface stormwater greater than a 20% AEP storm event) will naturally drain overland into the stream.

Open Space B

An Open Space B environment area has been placed along the stream margin of the eastern and western boundaries of the unnamed tributary. The reserve will manage and preserve the stream margin as a whole and ensure that the stream remains in one ownership to assist this. Placing the Open Space B Environment Area along the margins of the stream will provide for linkages along the stream, protect and enhance the natural character of the area, protect the waterway and allows the stream edges to be actively managed and maintained.

Waitara Area D is made up of one parcel of land and has an unnamed stream running through the middle of it. Issue 23, Objective 23, Policy 23.1, Method of Implementation 23.1, Reasons 23.1, Policy 23.8, Reasons 23.8, Policy 23.9, Reasons 23.9 and Rules OL60H to OL60M, Policy 23.10, Reasons 23.10, Rule OL60N address comprehensive development and structure plans providing a policy framework to ensure development within a structure plan area is in accordance with the structure plan.

Unnamed Stream

Section 6 (e) of the Resource Management 1991 requires councils to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

An unnamed tributary runs through Waitara Area D. Open Space B Environment Area is provided to allow for any cultural significance of this Stream to be recognised.

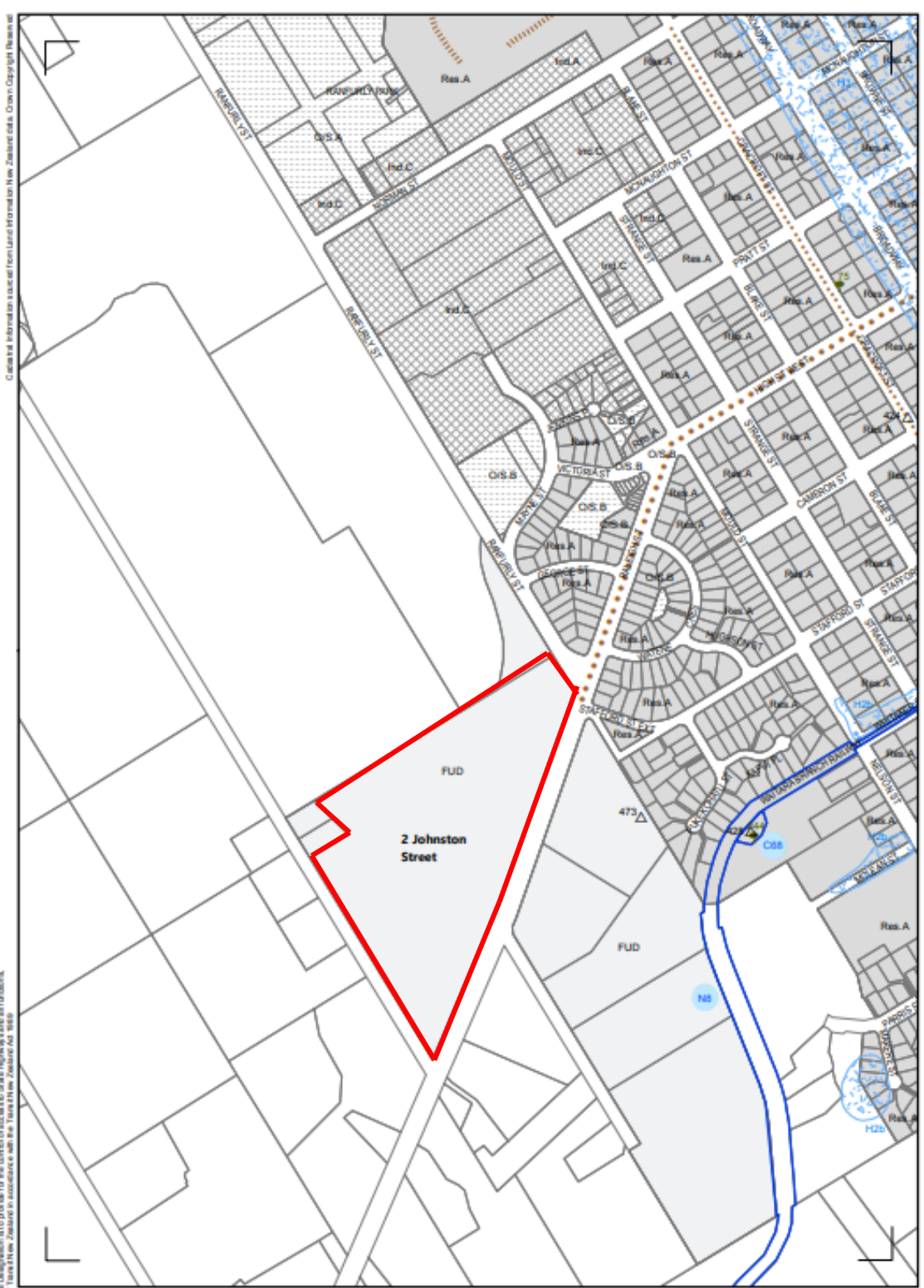
Volume 3 – MAPS

DISTRICT PLAN INDIVIDUAL MAPS

WAITARA URBAN MAPS

AMENDMENT 8 MAP B40: MAP

Amend Planning Map B40: Waitara Urban by rezoning the identified land from Rural Environment Area to Residential Environment Area A and Open Space Environment Area B.



General information sourced from Land Information New Zealand data. Crown Copyright Reserved

Our maps show the boundaries of the District Council's jurisdiction. The boundaries are shown in grey. The boundaries are shown in grey. The boundaries are shown in grey.

0 100 200 300 Meters
 Scale 1:5,000
 Amended May 2013 (Update 8g)
 LINZ Base Map April 2013

NEW PLYMOUTH DISTRICT COUNCIL
 newplymouth.govt.nz
NEW PLYMOUTH DISTRICT PLAN

PLANNING MAP
B 40
 WAITARA