

BEFORE THE NEW PLYMOUTH DISTRICT COUNCIL

UNDER

the Resource Management Act 1991 ("RMA")

IN THE MATTER

of PC18/00049 being a request under section 73(2) of the Act by **HAREB INVESTMENTS LIMITED** to the **NEW PLYMOUTH DISTRICT COUNCIL** for a Private Plan Change to rezone 2 Johnston Street, Waitara from Rural (FUD) to Residential A and Open Space.

**SUPPLEMENTARY STATEMENT OF EVIDENCE KATHRYN LOUISE HOOPER
ON BEHALF OF HAREB INVESTMENTS LIMITED**

1. INTRODUCTION

- 1.1 My name is Kathryn Louise Hooper. My qualifications, experience and involvement in the project are confirmed in my statement of evidence in chief ("EIC") dated November 9 2020.
- 1.2 I reconfirm that I have read the Code of Conduct for expert witnesses contained in the 2014 Environment Court Practice Note and that I agree to comply with it.

2. PURPOSE AND SCOPE OF EVIDENCE

- 2.1 This supplementary evidence responds to matters raised in the evidence of Te Kotahitanga o Te Atiawa (TKOTA), and Waka Kotahi.

3. TE KOTAHITANGA O TE ATIWA

- 3.1 Paragraph 15 of TKOTA's evidence caused me to revisit the correspondence I had made with TKOTA throughout this process. I therefore note that;

- (a) In my original evidence (para 15.12(a)) I stated that I contacted TKOTA on 10 October 2018. I omitted to note that I made initial contact on 18 September 2018, with the email of 10 October 2018 my second attempt having heard no response.
- (b) Sera Gibson of TKOTA was also copied in on correspondence with Otaraua and Manukorihi Hapū on 25 October 2018, 13 November 2018, 21 November 2018, 22 January 2019 and 28 January 2019.
- (c) Copies of the correspondence up until receipt of submissions from TKOTA and Manukorihi are provided in '**Attachment A**'.

3.2 The reason I provide this is to demonstrate that there have been opportunities to be involved in shaping the application and structure plan, and to address paragraphs 17 and 18 of TKOTA's evidence noting that they were engaged late in the plan change process. The applicant was advised to talk to Manukorihi and Otaraua in the first instance, and keep TKOTA informed. This is what occurred. I acknowledge there were staff changes within TKOTA in mid 2019, which may not have assisted this situation.

3.3 It is also acknowledge that at the time we were consulting on the plan change, the Waitara Lands Bill was being widely discussed by the Hapū. This I imagine was taking a lot of time and was probably of higher importance at the time.

3.4 Despite the concerns about costs and the lateness in the process to request a CIA (as discussed on page 23 of the Further information response dated 24 February 2020), the CIA was ultimately commissioned by the applicant on 7 July 2020 and the draft was received on 20 October 2020. The applicant was of the understanding that the CIA would be largely completed by 1 September 2020, allowing more time for involvement and discussion prior to the hearing. This was not able to occur, however the applicant has responded to the CIA via evidence and the hearing process.

3.5 Protection and enhancement of the Mangaiti and management of stormwater (quality and volume) have been the main concerns throughout all discussions with Iwi and Hapū and they remain the main concerns. They have also been the main issues associated with the proposed development from the applicants perspective.

3.6 The importance of retaining the open space, enhancing access and planting around the Mangaiti Stream was identified by the applicant as important to Tangata Whenua even before consultation commenced, and this is why it

has been part of the proposal from the start. The benefits of the Open Space area, and access/connectivity it would provide for the community and the role this area would play in enhancing the amenity of the area for future residents were also recognised.

3.7 The provision for open space in this area within the structure plan means that the options for its management and interpretation are able to be developed, and the cultural narrative incorporated.

3.8 Similarly, issues of stormwater are flagged on the FUD overlay associated with the land. Stormwater has therefore been a key focus of the applicant since the outset of this project, and to progress the application, it was considered necessary to demonstrate stormwater could be managed so that it did not make existing matters any worse downstream.

3.9 The specific matters a-d listed at paragraph 23 of TKOTA's evidence are responded to as follows:

(a) Previously unrecorded archaeology;

- Provision for adaptive management in the event of the discovery of previously unrecorded archaeological remains is allowed for in proposed rule OL60H, controlled activity matter (b) and matters of discretion item (k). This requires that provision be made for adaptive management to address archaeological remains at the time of application for any subdivision consent.

(b) Cultural Health Index and the type of stormwater solutions to be implemented are comprehensively addressed by proposed rule OL 600.

(c) Reflection of cultural narrative in street layout and other features of the subdivision is addressed in paragraph 15.4 of my original evidence, but again is specifically addressed in proposed rule OL60H as controlled activity matter (f) and matters of discretion item (k).

(d) Instream structures and the reliance on consent from the Taranaki Regional Council (TRC);

- This provides an additional level of certainty in relation to the development, as any instream structures that could impede flood flows will be scrutinised by TRC. Quite simply, if consent

from the TRC was unable to be obtained, then the applicant would have to develop alternative methods of management.

- I would further note that while stormwater quality and effects on the Mangaiti are concerns raised by Iwi and Hapū, the effects of stormwater flows down stream were in fact the first issue raised in discussions, and these too remain a key issue. Instream structures to buffer flood flows have been demonstrated to be the most effective in this case to not only prevent down stream effects (i.e. ensure they are no worse than they are at present), but also to potentially improve flooding outcomes downstream. I see this issue as one of balance between all three competing interests in this regard; and based on the evidence provided, I am satisfied that instream detention is able to occur in a manner that is appropriate in this environment, particularly when taking into account the state of the existing environment. The benefits of flood detention and protection for downstream properties can be realised, while ensuring the quality of stormwater entering the stream is appropriate (i.e. treated via low impact systems) and the open, flowing nature of the Mangaiti is not compromised.

3.10 Ms Mako identifies some existing objectives at paragraph 25 of her evidence, and I make the following comments in relation to these as follows;

- (a) Objective 11 - to recognise the districts heritage resources, provide for their protection and promote their enhancement;
 - The proposal recognises and provides for heritage resources, and specific provision for adaptive management within the proposed provisions provides an additional assurance that any future activities proposed on the site will be able to adapt to achieve this objective.
- (b) Objective 14 - To preserve and enhance the natural character of the coastal environment, wetlands, lakes and rivers and their margins;
 - This is well provided for in the proposal with the Open Space area around the Mangaiti and the provisions that surround this. The activity will result in significant enhancement of this area compared to what exists presently. Again, the proposed additions to the framework will only add weight to the

importance of this objective when considering any future activities within Waitara - Area D under the proposed planning framework.

(c) Objective 19 - To recognise and provide for the cultural and spiritual values of Tangata Whenua in all respects of resource management in the district in a manner which respects and accommodates Tikanga Maori.

- The proposal responds to this objective by the addition of policy 23.14 is proposed to be added to the Operative New Plymouth District Plan, and this will provide even greater emphasis on recognising and providing for cultural and spiritual values within Waitara - Area D.

3.11 The objectives identified by Ms Mako have been through statutory process, and the existing framework of the ONPDP has been found to effectively and efficiently implement these objectives. Future activities will be considered within this framework. The proposed Plan Change adds additional rules and policies to give even greater weight to the issues which these objectives seek to address (Issue 11 - degradation of heritage resources, Issue 14 - Adverse effects of subdivision, use and development on the natural character of the coastal environment, wetlands, lakes and rivers and their margins and Issue 19 - The traditional relationship of Tangata Whenua with the natural environment of the district).

3.12 I therefore disagree with paragraph 27 of Ms Makos evidence, and consider that, applying an overall balanced approach to all the planning issues that are relevant in this case, the proposed policies are adequate and appropriate.

3.13 To address the specifics identified at Paragraph 28 of Ms Makos evidence:

(a) At paragraph 28 (a) the permitted provisions of proposed rule OL60H are referred to. It is noted that this only refers to development activities that are either approved by a subdivision consent that is in place, or if subdivision consent is not in place, ensures that any activities involving structures or buildings are consistent with the structure plan and abide by the proposed rule framework.

(b) At paragraph 28 (b), Ms Mako seeks clarity in relation to when consent would be required for earthworks under proposed rule

OL60N. The purpose of this rule is to avoid visual effects of cut batters on the surrounding rural environment. Therefore the rule applies when the batter may be visible from neighbouring rurally zoned land, and when the batter is greater than 1.5m in height, unless they batter(s) have been designed by a landscaping professional to be battered at a gradient to match gently and smoothly into existing contours. I am open to suggestions as to alternate wording if this would improve clarity.

- (c) In relation to paragraph 28 (c), the reference to priority waterbodies has been removed and changed to specifically refer to the Mangaiti Stream. This is reflected in the revised set of provisions attached (**Attachment B**).
- (d) In relation to paragraph 28 (d), my comment is that written approval would be sought if Tangata Whenua were considered an affected party to the proposed activity. The protection sought here is, therefore, already provided for.
- (e) In relation to paragraph 28 (e), I have deliberately kept reference to the Norman Catchment works open in the matters of discretion and policy direction, so as to require consideration of any project, regardless of its scope, scale or purpose. Again, I am open to including additional wording here if more specific direction is sought, however believe that the wording as it is allows for these projects to be considered.

3.14 Paragraphs 30-33 of Ms Mako's evidence relating to stormwater have been discussed earlier in this evidence, and have already been addressed by Mr Matangi in his EIC¹.

3.15 In my opinion, the proposal has been appropriately informed in terms of cultural matters, and the development has responded appropriately and comprehensively. It is noted that the key areas of concern - stormwater and the Mangaiti Stream - were identified from the outset by the applicant, not only for cultural reasons but for reasons of amenity and community well being. With the information provided in the CIA, more specific provisions have been added to the policy and rule framework which are intended to address the specific matters raised, where appropriate. The proposal therefore appropriately takes into account and addresses cultural

¹ Paragraphs 16-18, 43 and 48 in particular.

effects, providing opportunity for Tangata Whenua involvement as consents are sought for activities on the subject land.

Waka Kotahi

- 3.16 Waka Kotahi has confirmed in its evidence (paragraph 6.11) that the safety improvements at the intersection of Raleigh Street/Tate Road and SH3 have approved construction funding, and construction is likely to commence in early 2022, with completion in early 2024. This enables a lot more certainty than the applicant has had to date.
- 3.17 Additionally, Ms Reid confirms that the speed limit will be reduced to 80 km/hour from 18 December 2020.
- 3.18 I agree with Waka Kotahi (para. 7.7) that the issue is one of timing.
- 3.19 The provisions proposed at paragraphs 7.11 will be impractical for the applicant, as it is too risky to commence a development when occupation of any dwellings constructed there is not certain.
- 3.20 Accordingly, I propose that any subdivision activity that may result in titles being issued before the safety upgrades at SH3/Raleigh St/Tate Road become a restricted discretionary activity, and the provisions in Attachment B have been modified accordingly.
- 3.21 This will enable further discussions to be had with Waka Kotahi, and for further traffic impact assessment to be undertaken that takes into account precise development details and timing of site activities, and how these will coincide with activities at SH3. I have added a further matter of discretion, being the timing of works and occupation in relation to timing of the SH3 safety improvements.
- 3.22 This gives the applicant two options: 1) to work with Waka Kotahi to allow some of the early stages of the development to come online before the intersection upgrades are completed, or 2) to simply wait until the upgrades are completed before titles are issued.

4. CONCLUSION

- 4.1 I have reviewed the expert evidence of TKOTA and Waka Kotahi, and where appropriate, I have made amendments to the proposed policy and rule framework to address some matters. I confirm however my

conclusions that the proposed Plan Change is consistent with the objectives and policies of the ONPDP, and again reiterate that the application also comes at a time when there is very strong national direction for urban development. Accordingly, I maintain that the proposal is consistent with, and is the most appropriate way to achieve, the purpose of the RMA.

**Kathryn Hooper
Landpro Limited**

24 November 2020

ATTACHMENT A - Email correspondence With TKOTA, Otaraua and Manukorihi

From: Kathryn Hooper kathryn@landpro.co.nz 
Subject: 2 Johnston St - Private Plan Change
Date: 18 September 2018 at 2:14 PM
To: sera@teatiawa.iwi.nz



Kia Ora Sera!
It was only a matter of time before I needed to harass you :-)

I have a client (Matt Hareb, who you probably recall from your Oil and Gas Days), who is soon to apply for a private plan change in Waitara. Shown in blue on the attached and a structure/scheme plan draft is also attached from Richard Bain.

Ivan Bruce has had a look, and nothing stands out to him archaeology-wise, other than avoid working in the waterway (which Richard has incorporated into his design).

NPDC has suggested I chat to you first, before I go and see Donna at Otaraua.

What additional information would you like to see? Would you like to meet up to discuss?
Hope you're well!
Kathryn




R Bain Waitara -
Raleigh...18.pdf



KATHRYN HOOPER
Executive Director

Landpro Limited
New Plymouth
46 Vivian Street

From: Kathryn Hooper kathryn@landpro.co.nz 
Subject: 2 Johnston Street - Waitara - Private Plan Change
Date: 10 October 2018 at 3:13 PM
To: Sera Gibson (sera@teatiawa.iwi.nz) sera@teatiawa.iwi.nz



Hi Sera

Hope you're well!

When would be a good time for me to come and catch up with you to discuss a private plan change a client of mine is progressing at 2 Johnston St, Waitara? Here are some pictures :-). I thought I'd touch base with you before I get in front of Donna from Otaraua - Friday AM works for me? Or tomorrow afternoon? I don't think it'll take long!

Here are some pictures about what is planned. Its rural land but in the FUD zone.

Kathryn



R Bain Waitara -
Raleigh...18.pdf



From: Kathryn Hooper kathryn@landpro.co.nz 
Subject: Engagement on Private Plan Change - 2 Johnston Street, Waitara - M Hareb
Date: 25 October 2018 at 9:40 AM
To: donna@otaraua.co.nz, manukorihi2016@gmail.com
Cc: sera@teatiawa.iwi.nz

KH

Morena Donna & Patsy

Hope you are both well!

I spoke with Sera Gibson last week who has provided me the guidance on the right process for this! She is cc'd on this email, and mentioned you may be able provide a joint response on this one.

Matt Hareb is planning to lodge an application to the NPDC for a private plan change soon, to rezone his land his land at 2 Johnston Street from Rural with the FUD overlay, to Residential – The site is on the corner of Johnston and Raleigh Streets, in Waitara.

Attached is some information for you:

1. A Plan from Richard Bain which shows the proposed layout.
2. The current NPDC planning map
3. The Landscape Impact Assessment
4. And probably most importantly for you, a report from Ivan Bruce on archaeological sites.

There were no recorded or identified heritage or archaeological sites during the survey that Ivan did, however both Ivan and I are aware of some anecdotal concerns, and elevated potential, for taonga to be present in the area surrounding the waterway. We propose to front-foot this by avoiding excavation in the tributary as much as possible, and the work that will be required to upgrade the culvert to form the road (which goes over the existing culvert) will be kept to a minimum (with a focus on fill rather than excavate) and we would be happy to have iwi monitors present for works – happy to work with you to identify when you want to be involved from an earthworks perspective.

We're providing for this stream area as Open Space area through the Structure Plan, so it'll be enhanced and protected. I have referred to it as a tributary as, as usual, I could not find a name for it on the maps I have available. I'm certain it WILL have a name – we'd appreciate it if you could let us know what it is then we can get this right from the start!

A standard accidental discovery protocol will be put in place to ensure compliance with the Heritage New Zealand Pouhere Taonga Act 2014, and there will be some wording accompanying the structure plan to this effect.

I am aware that when Dreaver did Armstrong Ave, there were issues around street naming. I'd like to get your take on that: whether there is anything we can do to avoid a similar experience, and also whether there is anything else we can learn from your experience of that process.

I have some additional reports on Traffic, Economics and Engineering if these are of interest – let me know and I will zap them through.

Probably the best thing to do next is meet face to face and talk through the concerns you have? Let me know how you'd like to do that – Matt & I are happy to come and visit you individually (its been a while, and for once we're not talking about oil wells!!!) to discuss – or if it is better, we could arrange a meeting at the Te Atiawa Offices to go over it all together. My contact details are below if you'd like to have a chat at any time.

Thanks for your time on this and look forward to further discussions.

Nga Mihi
Kathryn



KATHRYN HOOPER

Executive Director

Freephone 0800 023 318

Phone +64 6 769 5631

Mobile 027 759 2044

Landpro Limited
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PO Box 8235
New Plymouth 4310
New Zealand

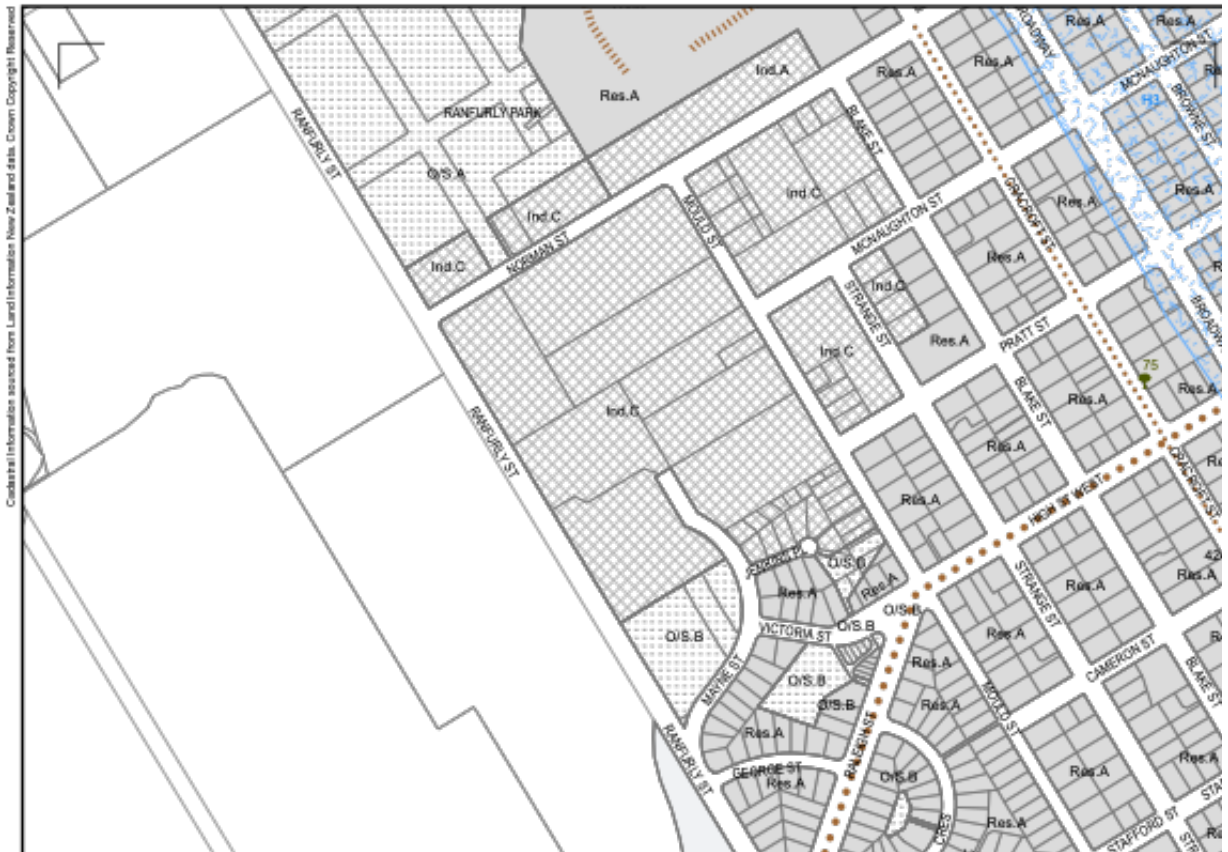
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LANDPRO

Make the most of your land



Appendix A1 -
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On any State Highway the Designator is to provide for the control of access to State Highways and all functions, powers and operations of Transit New Zealand in accordance with the Transit New Zealand Act 1988.


<p>0 100 200 300 Metres Scale 1:5,000 Amended May 2013 (Update 8g) LINZ Base Map April 2013</p> 	 <p>NEW PLYMOUTH DISTRICT COUNCIL newplymouth.govt.nz</p> <p>NEW PLYMOUTH DISTRICT PLAN</p>	<p>AA0 AA1 A CS B40 B41 D6</p> <p>PLANNING M B 40 WAITARA</p>
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Appendix H A - Landsc...18.pdf



Appendix D - Archae...ent.pdf

 <p>LANDPRO Make the most of your land</p>	<p>KATHRYN HOOPER Executive Director</p>	<p>Landpro Limited New Plymouth 46 Vivian Street PO Box 8235 New Plymouth 4310 New Zealand</p>
	<p>Freephone 0800 023 318</p> <hr/> <p>Phone +64 6 769 5631</p> <hr/> <p>Mobile 027 759 2044</p>	<p>New Plymouth Cromwell Gore www.landpro.co.nz</p>

From: Kathryn Hooper kathryn@landpro.co.nz 
Subject: FW: Engagement on Private Plan Change - 2 Johnston Street, Waitara - M Hareb
Date: 13 November 2018 at 9:36 AM
To: donna@otaraua.co.nz
Cc: Sera Gibson sera@teatiawa.iwi.nz



Hi Donna

I am just confirming you received the email below, and to see whether you have any initial comments or would like to catch up?

Kind regards,

Kathryn

From: Kathryn Hooper <Kathryn@landpro.co.nz>
Date: Thursday, 25 October 2018 at 9:40 AM
To: "donna@otaraua.co.nz" <donna@otaraua.co.nz>, "manukorihi2016@gmail.com" <manukorihi2016@gmail.com>
Cc: "sera@teatiawa.iwi.nz" <sera@teatiawa.iwi.nz>
Subject: Engagement on Private Plan Change - 2 Johnston Street, Waitara - M Hareb

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Probably the best thing to do next is meet face to face and talk through the concerns you have? Let me know how you'd like to do that – Matt & I are happy to come and visit you individually (its been a while, and for once we're not talking about oil wells!!!) to discuss – or if it is better, we could arrange a meeting at the Te Atiawa Offices to go over it all together. My contact details are below if you'd like to have a chat at any time.

Thanks for your time on this and look forward to further discussions,
Nga Mihi
Kathryn



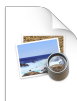
The image shows a business card for Kathryn Hooper, Executive Director at Landpro. The card features the Landpro logo on the left, which includes a stylized map of New Zealand and the tagline "Make the most of your land". The background is a dark blue with a geometric pattern. The contact information is listed on the right side of the card.

KATHRYN HOOPER
Executive Director

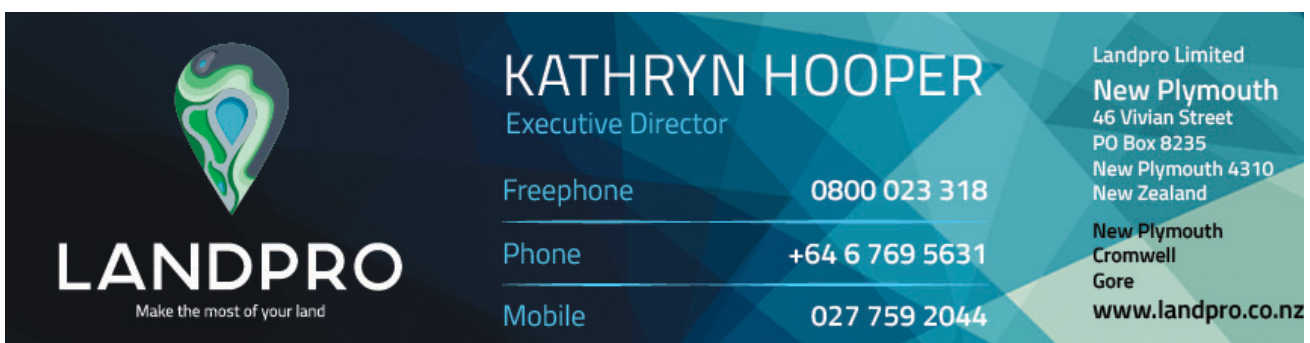
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New Zealand

New Plymouth
Cromwell
Gore
www.landpro.co.nz



Appendix A1 -
Draft S...lan.pdf



This is a duplicate of the business card shown above, featuring the same Landpro logo, contact information for Kathryn Hooper, and company details.

KATHRYN HOOPER
Executive Director

Freephone 0800 023 318
Phone +64 6 769 5631
Mobile 027 759 2044

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From: Kathryn Hooper kathryn@landpro.co.nz 
Subject: FW: Engagement on Private Plan Change - 2 Johnston Street, Waitara - M Hareb
Date: 13 November 2018 at 9:37 AM
To: manukorihi2016@gmail.com
Cc: Sera Gibson sera@teatiawa.iwi.nz



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Kathryn

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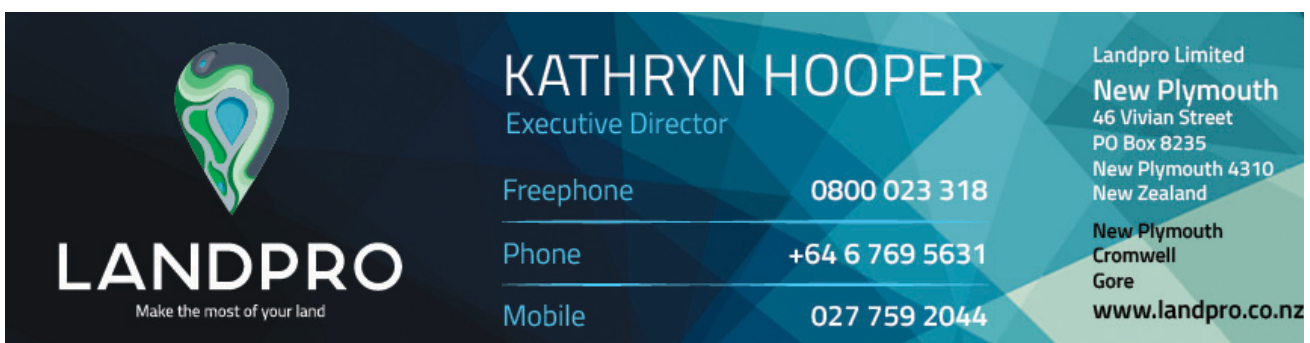
Thanks for your time on this and look forward to further discussions,
Nga Mihi
Kathryn



The image shows a business card for Kathryn Hooper, Executive Director at Landpro. The card features the Landpro logo on the left, which includes a stylized map of New Zealand and the tagline "LANDPRO Make the most of your land". On the right, contact information is provided for Landpro Limited in New Plymouth, including the address (46 Vivian Street, PO Box 8235, New Plymouth 4310, New Zealand), phone numbers (Freephone 0800 023 318, Phone +64 6 769 5631, Mobile 027 759 2044), and the website (www.landpro.co.nz). The card also lists other locations: New Plymouth, Cromwell, and Gore.



Appendix A1 -
Draft S...lan.pdf



This is a duplicate of the business card shown above, featuring the Landpro logo, Kathryn Hooper's contact details, and the company address and website.

From: Kathryn Hooper kathryn@landpro.co.nz 
Subject: 2 Johnston Street
Date: 21 November 2018 at 6:39 PM
To: Donna Eriwata donna@otaraua.co.nz, manukorihi2016@gmail.com
Cc: Sera Gibson sera@teatiawa.iwi.nz



Kia Ora Donna and Patsy

Thanks for your time yesterday to talk about Matt Hareb's plans, among other things! I heard on the radio today that the Otaki community is taking a stand against P and they were marching in the street to take a stand. Maybe Waitara needs a similar uprising!

Attached are all the reports we discussed, engineering being the main one, which addresses the stormwater.

We have:

- Engineering;
- Archaeology;
- Traffic;
- Economics;
- Landscape; and
- Soil Contamination.

I'll print out a full copy of the application for each of you and drop it in. It will be landing on the NPDC's desk tomorrow to get the process started.....

Good news about the SH3 upgrades that must have been announced while we were talking yesterday – it will be interesting to see the final plans from NZTA next year!

Take care
Kathryn



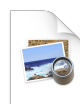
Appendix D
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Appendix E -
Archae...ent.pdf



Appendix F
TRAFFI...nal.pdf




Appendix G -
Econo...nal.pdf



Appendix H A
LANDS...n 2.pdf



Appendix I PSI
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From: Kathryn Hooper kathryn@landpro.co.nz 
Subject: Johnston St
Date: 29 November 2018 at 2:50 PM
To: Donna Eriwata donna@otaraau.co.nz, manukorihi2016@gmail.com



Hi Donna and Patsy

Is there anything else you'd like from me before your meeting on the 4th?

Kath

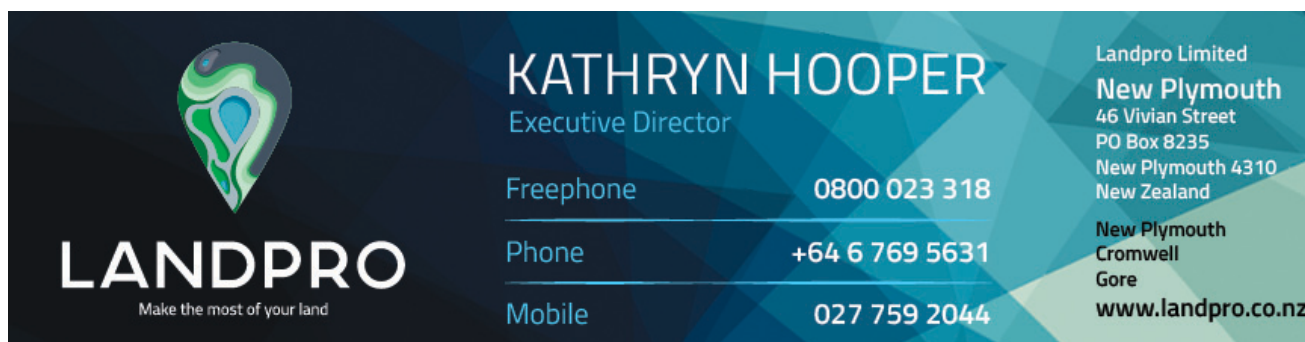




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From: Kathryn Hooper kathryn@landpro.co.nz 
Subject: 2 Johnston Street
Date: 22 January 2019 at 4:53 PM
To: manukorihi2016@gmail.com, Donna Eriwata donna@otaraua.co.nz
Cc: Sera Gibson sera@teatiawa.iwi.nz

KH

Hi Patsy and Donna,

Just following up to see if you had any further comment about 2 Johnston Street? At this stage NPDC are aiming to have it considered (i.e. the decision whether to accept the application, reject it or adopt it as their own) at the Community Board meetings in the week of 4 March and Policy Committee on 26 March. To make their agenda, we're getting all the additional information they have requested through this week. If you have anything further, it'd be great to get it in ASAP. I'll get the further info through to you once its finalised too, and let me know a good time if you still want to catch up with Mike Matangi to talk about engineering and stormwater.

Happy 2019!

Kathryn

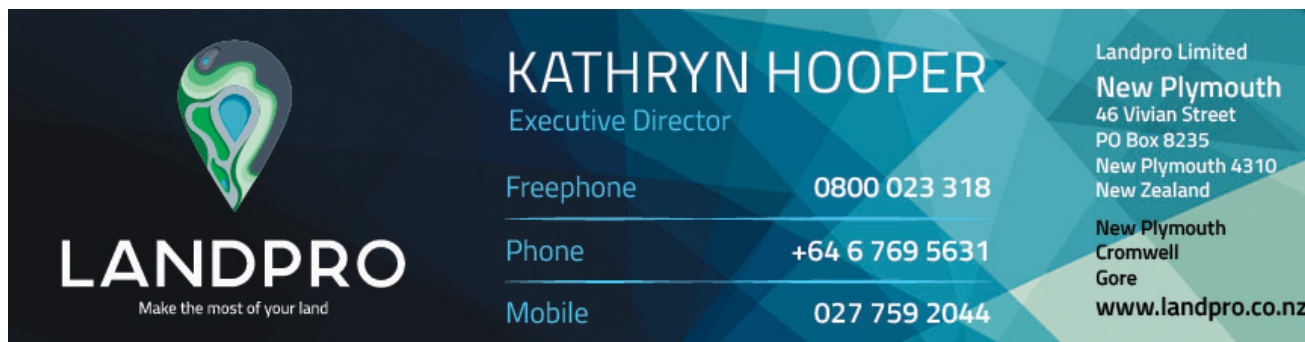




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From: Kathryn Hooper kathryn@landpro.co.nz 
Subject: 2 Johnston
Date: 28 January 2019 at 2:51 PM
To: Donna Eriwata donna@otara.co.nz, manukorihi2016@gmail.com
Cc: Sera Gibson sera@teatiawa.iwi.nz



Hi Donna and Patsy

Here is a link to the latest info for 2 Johnston Street, updated to include NPDC requested information.

https://www.dropbox.com/sh/Isoqh6rffcg63g/AADeum_MDHvpgIF-SpU-Y7M6a?dl=0

I have hard copies of the updated application here for both you – but they are too big for your mail slot Donna!

Let me know a good time to drop them off!

I also understand that you are having a meeting with Matt soon to discuss ideas: let me know if you need anything more from me w.r.t the process/engineering and so on.

Cheers
Kathryn

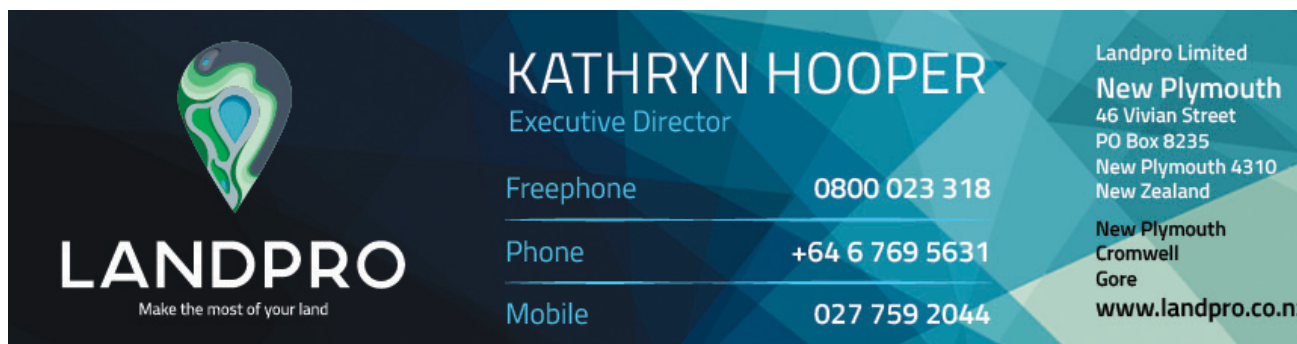




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From: Kathryn Hooper kathryn@landpro.co.nz 
Subject: 2 Johnston St - PPC (Matt Hareb)
Date: 16 April 2019 at 8:11 AM
To: Donna Eriwata donna@otaraua.co.nz, manukorihi2016@gmail.com



Morena Donna and Patsy!

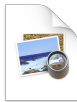
Attached is the report/recommendation from the NPDC Policy Planner for Matt's plans on Johnston st.

Next step: Waitara Community Board will discuss Juliets recommendation on Thursday (9AM in the Library if you want to come!). And the NPDC Planning Committee will also discuss and hopefully agree with the recommendation on 7 May at their meeting.

Once we are through that bureaucracy, then it will be publicly notified and submissions invited etc.

Any questions let me know, otherwise I will keep you posted.....

Kath



NPDC Report
ECM_7...me.pdf

From: Kathryn Hooper kathryn@landpro.co.nz 
Subject: 2 Johnston Street - Plan Change Update
Date: 21 June 2019 at 9:41 AM
To: Donna Eriwata donna@otaraua.co.nz, manukorihi2016@gmail.com
Cc: Matt Hareb matthew@mhareb.co.nz

KH

Morena Patsy and Donna - hope you are both well and staying warm!

NPDC have advised that the preliminary dates for the notification of the 2 Johnston Street Private Plan Change are to notify the plan change on Tuesday 25 June, with submissions closing on Tuesday 23 July.

Below is a link to the information that the NPDC will put up on their website upon notification, FYI.

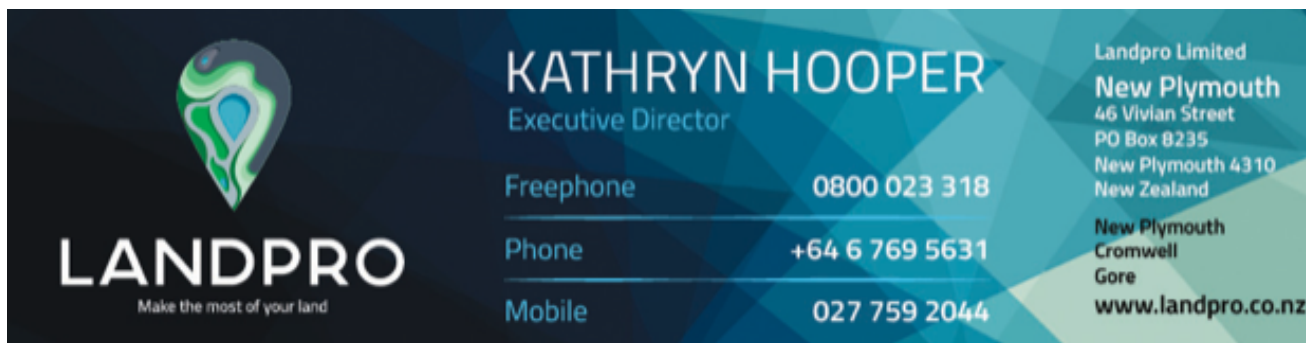
<https://www.dropbox.com/sh/8lbgdsydcgkkm8/AACRaCibZcN1PDtC-Fu5eVmZa?dl=0>


If you have any questions or want to catch up, (or if you detect any 'vibes' on the street that you think we should know about!), please feel welcome to get in touch. Similarly if you would like Matt or I to come and talk to your Hapu members about this proposal, we'd be happy to.

Also let me know if you want a hard copy of the 'final' document - it is the same as the last copy gave you, but with all the coloured font removed!!

Nga Mihi

Kath





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From: Kathryn Hooper kathryn@landpro.co.nz 
Subject: 2 Johnston Street
Date: 14 August 2019 at 10:36 AM
To: Donna Eriwata donna@otaraau.co.nz, manukorihi2016@gmail.com
Cc: Sarah Mako sarah@teatiawa.iwi.nz



Morena Patsy and Donna

I hope you are both keeping dry!

Thank you for your submission regarding 2 Johnston Street. It is clear that there is more discussion to be had in relation to this site and I'm sorry we did not pick up on this sooner in the process.


As usual I am going to place demands on your time.....when would be a good time to catch up to go over your concerns? We would like to sit down and identify these clearly, along with some steps that may help to address them if we can. I have copied Sarah in on this to keep her informed, and certainly if you would like her at any meetings I am very comfortable with this. I will leave this for you to decide.

Weds and Thurs next week I am away, but any other time in the next couple of weeks I can make work.

Nga Mihi

Kathryn




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ATTACHMENT B - Further Amendments to Proposed Plan Provisions

A: Proposed Rules to be added to the OVERLAYS section of the New Plymouth District Plan in relation to the Waitara- Area D Structure Plan (REVISED NOVEMBER 24 2020)

Red - changes to reflect Waka Kotahi submission

Blue - changes to reflect matters raised in CIA

Green - changes to reflect on the officers report and other corrections

Purple - Changes in response to Submitters Evidence

Rule Number	Parameter	Conditions Permitted	Standards and terms Controlled	Discretionary	Matters over which control is reserved	Assessment Criteria COUNCIL has restricted the exercise of its discretion to these matters for land use consents
OL60H	Development and subdivision within the Waitara – Area D structure plan in Appendix 32	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	Subdivision (including allotment size) shall be in accordance with the Waitara – Area D structure plan in Appendix 32. No more than 50 allotments are subdivided from the parent title existing at 25 June 2019. Subdivision that may result in titles being issued prior to completion of safety improvements at Raleigh Street/Tate Road intersection with SH3.	Does not meet the conditions for a permitted activity or standards and terms for a controlled activity	Matters of control as for rules Res54-64 as they apply to the RESIDENTIAL A ENVIRONMENT AREA; and, a) Procedures to be followed if artefacts are discovered including the provision of an opportunity for on-site monitoring during excavation within the area identified as Open Space B by Tangata Whenua b) Provision for adaptive management in the event of the discovery of previously unrecorded archaeological remains; c) Design of planting and landscaping; d) The form of and provision for ‘no complaints’ covenants over all proposed allotments to address reverse sensitivity	1) Where the proposed development is not in accordance with the Waitara - Area D Structure Plan, 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 have been addressed in the design and layout of the area. d) Whether the INDICATIVE ROAD network has taken into account the design/layout of Waitara – Area D structure plan area. e) The effect of modifications to the alignment of the INDICATIVE ROADS on the ROAD TRANSPORTATION NETWORK and the connections and linkages desired for the

Rule Number	Parameter	Conditions Permitted	Standards and terms Controlled	Discretionary	Matters over which control is reserved	Assessment Criteria COUNCIL has restricted the exercise of its discretion to these matters for land use consents
		other applicable overlay and Environment Area rules			with the surrounding rural zone; e) Provision for the development of environmental health indicators for the Mangaiti Stream which benefit from mātauranga Māori; f) Provision for the development of a cultural narrative to inform the development including through cultural expression, integration of te reo Māori (bilingual signage and dual naming) and street furniture.	comprehensive development of Waitara – Area D structure plan area. f) The degree to which the activity achieves public access along the stream. g) The extent to which the design/layout of the INDICATIVE ROADING NETWORK and the Open Space area is integrated. h) Protection of the stream and stream margins is achieved. i) Rooding/pedestrian connectivity is provided. j) The extent to which the design of the ROAD TRANSPORTATION NETWORK considers pedestrian safety. k) How the matters over which control under this rule is reserved are given effect to, including full consideration of the activity in relation to these matters. 2) Where the proposal will subdivision may result in more than 50 allotments subdivided from the parent title at 25 June 2019, the effect on the safety and efficiency of the intersection of Raleigh Street with State Highway 3; including; titles being issued prior to completion of safety improvements at Raleigh Street/Tate Road intersection with SH3; a) Findings of a detailed integrated traffic impact assessment relevant to the traffic environment at the time of application; and, b) The timing of works and occupation in relation to the timing of SH3 safety improvements; c) How feedback from Waka Kotahi has been incorporated into the integrated traffic assessment prepared in (a) above; and, d) Written Approval from Waka Kotahi.
OL60I	Maximum Number of	1	n/a	More than 1	n/a	1) The adverse effects of the increased number of HABITABLE DWELLINGS on the SITE on:

Rule Number	Parameter	Conditions Permitted	Standards and terms Controlled	Discretionary	Matters over which control is reserved	Assessment Criteria COUNCIL has restricted the exercise of its discretion to these matters for land use consents
	HABITABLE BUILDINGS on sites within the Waitara- Area D Johnston Street Structure plan area					<ul style="list-style-type: none"> - the character and visual amenity of the area; the privacy and outlook of adjoining SITES; - the ability to provide adequate outdoor living space on the SITE or the location of alternate recreation areas; - OUTSTANDING or REGIONALLY SIGNIFICANT LANDSCAPES; and - the natural character of the coastal environment or PRIORITY WATERBODIES the Mangaiti Stream. <p>2) The ability to mitigate adverse effects through the use of screening, planting or alternate design.</p>
OL60J	Maximum HEIGHT of HABITABLE and NON HABITABLE buildings on sites within the Waitara- Area D Johnston Street Structure plan area	6m	n/a	Greater than 6m	n/a	<p>1) The extent to which the extra HEIGHT of the proposed BUILDING will:</p> <ul style="list-style-type: none"> - 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 ENVIRONMENT AREA; - adversely affect OUTSTANDING and REGIONALLY SIGNIFICANT LANDSCAPES; and - adversely affect the natural character of PRIORITY WATERBODIES the Mangaiti Stream. <p>2) The extent to which topography, planting or set backs can mitigate the adverse effects of extra HEIGHT.</p> <p>3) The ability to mitigate adverse effects through the use of screening, planting or alternate design.</p>
OL60K	Controls on roofing and exterior cladding on HABITABLE and NON HABITABLE	1)a light reflectivity value (LRV) of 25% or lesser for all roofs; and	n/a	1)a light reflectivity value (LRV) of greater than 25% for any	n/a	<p>1)The extent to which the increased LRV will:</p> <ul style="list-style-type: none"> - adversely affect the character and visual amenity of the surrounding area; and - adversely affect OUTSTANDING and REGIONALLY SIGNIFICANT LANDSCAPES;

Rule Number	Parameter	Conditions Permitted	Standards and terms Controlled	Discretionary	Matters over which control is reserved	Assessment Criteria COUNCIL has restricted the exercise of its discretion to these matters for land use consents
	buildings on sites within the Waitara- Area D Structure plan area	2) a light reflectivity value (LRV) of 40% or less for all exterior cladding materials		roofs (or part of any roof); and 2) a light reflectivity value (LRV) of greater than 40% or less for any exterior cladding materials.		2) The extent to which topography, planting or set backs can mitigate the adverse effects of the increased LRV. 3) The ability to mitigate adverse effects through the use of screening, planting or alternate design.
OL60L	Reduced Front yard Requirements for areas marked as 'Smaller Lots' within the Waitara – Area D Structure Plan.	Minimum 1.5m front yard	n/a	n/a	n/a	
OL60M	Fencing restrictions for sites within Waitara – Area D Structure Plan.	1) Solid fencing greater than 1.2m in height or less Fencing is provided in accordance with the Waitara - Area D structure plan; and 2) no fencing of any sort shall be located on any site between the street and front elevation of its associated HABITABLE DWELLING.	n/a	1) Solid fencing greater than 1.2m in height Fencing is not in accordance with the Waitara - Area D Structure Plan; and/or 2) any fencing located on any site between the street and front elevation of its associated HABITABLE DWELLING.		1) The extent to which the extra HEIGHT of the proposed fence will: <ul style="list-style-type: none"> – 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 the Mangaiti Stream. 2) The extent to which topography, planting or set backs can mitigate the adverse effects of the extra HEIGHT of the fence.

Rule Number	Parameter	Conditions Permitted	Standards and terms Controlled	Discretionary	Matters over which control is reserved	Assessment Criteria COUNCIL has restricted the exercise of its discretion to these matters for land use consents
						3) The ability to mitigate adverse effects of the proposed fence through the use of screening, planting or alternate design.
OL60N	Controls on Cut and Fill batters where visible from the RURAL ENVIRONMENT AREA	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.	Any other cut and fill batters	n/a	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. 4) Consistency with the natural landform	n/a
OL60O	Stormwater disposal from ROADS, right of ways and paved surfaces as part of development and or SUBDIVISION within the Waitara Area D Structure plan area		Stormwater disposal from ROADS, rights of way and paved surfaces as part of SUBDIVISION is designed so that it discharges into low impact design stormwater systems such as (but not limited to) onsite soak holes, detention ponds, wetlands, vegetated swales,	Does not meet the standards and terms for a controlled activity	1) Matters of control as for rules Res54-64 as they apply to the RESIDENTIAL A ENVIRONMENT AREA 2) The consistency and integration of the design with stormwater management projects within the Norman Catchment.	1) The effects of direct stormwater discharges into the stream on the receiving environment. 2) The effects that the disposal of stormwater into the stream has on the archaeological, waahi tapu, cultural and spiritual values held by TANGATA WHENUA. 4) The ability of an alternative stormwater disposal method to minimise the environmental impact of additional stormwater on flood flows. 5) The extent to and reasons why low impact stormwater design cannot be met. 6) The consistency of the design with stormwater management projects within the Norman Catchment.

Rule Number	Parameter	Conditions Permitted	Standards and terms Controlled	Discretionary	Matters over which control is reserved	Assessment Criteria COUNCIL has restricted the exercise of its discretion to these matters for land use consents
			rain gardens, rainwater tanks, soakage pits and soakage holes, filter strips, infiltration trenches/basins, permeable paving, green roofs or tree pits to avoid direct discharges into the stream			
OL60P	Vesting of Open Space Area within Waitara Area-D		Area is in accordance with the Waitara Area-D Structure Plan		<p>a) Detailed design of the Open Space Area including:</p> <ul style="list-style-type: none"> i) Areas of open space and proposed planting, ii) Details of plant species (noting preference for locally indigenous species and a focus on species that provide habitat for taonga and native species),, trail design and surfacing, furniture and any other features; iii) Details of specific features and design elements that have been incorporated to reflect the cultural narrative of the site, including details of consultation with Otaraua and Manukorihi Hapū in relation to the design, location and form of these features and elements; iv) Detailed plans and sections of the proposed road crossings of the Mangaiti Stream, including culverts and 	<p>1) Where the proposed Open Space Area is not in accordance with the Waitara - Area D Structure Plan, 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:</p> <ul style="list-style-type: none"> a) The degree to which infrastructure provisions are co-ordinated within the Waitara – Area D structure plan area. b) The degree to which site specific characteristics (including the cultural matters) of the Waitara – Area D structure plan have been addressed in the design and layout of the area. d) Whether the INDICATIVE ROAD network has taken into account the design/layout of Waitara – Area D structure plan area, e) Whether the alternative layout has taken into account the cultural concerns of Manukorihi and Otaraua Hapū, f) The effect of modifications to the alignment of the INDICATIVE ROADS on the ROAD TRANSPORTATION NETWORK and the connections and linkages desired for the

Rule Number	Parameter	Conditions Permitted	Standards and terms Controlled	Discretionary	Matters over which control is reserved	Assessment Criteria COUNCIL has restricted the exercise of its discretion to these matters for land use consents
					<p>abutments and planting proposed to remediate the stream banks and other features required to ensure an attractive crossing point when viewed from the reserve.</p> <p>v) the location of pipework and sewerage infrastructure within the reserve and provision made to avoid, remedy and mitigate potential spills in the event of pipeline breaches,</p> <p>b) Provision for defects liability.</p>	<p>comprehensive development of Waitara – Area D structure plan area.</p> <p>g) The degree to which the activity achieves public access along the stream.</p> <p>h) The extent to which the design/layout of the INDICATIVE ROADING NETWORK and the Open Space area is integrated.</p> <p>i) Protection of the stream and stream margins is achieved.</p> <p>j) Roading/pedestrian connectivity is provided.</p> <p>h) Procedures to be followed if artefacts are discovered including the provision of an opportunity for on- site monitoring during excavation at installation by TANGATA WHENUA</p> <p>i)Provision for adaptive management in the event of the discovery of previously unrecorded archaeological remains.</p> <p>j) the degree to which the detailed design matters over which control is reserved under this rule are achieved.</p>

B: Proposed new Policies and Reasons to be added to the New Plymouth District Plan in relation to the Waitara – Area D, Structure Plan.

Policy 23.10 Stormwater

To ensure stormwater management within the Waitara – Area D structure plan area is designed in accordance with best practice to minimise environmental impact, including recognising that the proposed stormwater system is to align with any future stormwater management projects for the Norman Catchment and the objectives of reducing flooding and improving water quality in this catchment.

Reasons 23.10

The Mangaiti Stream begins within the Waitara – Area D structure plan area, and runs through the site, entering the NPDC stormwater infrastructure within the Waitara West Industrial Area downstream. This infrastructure discharges at the Waitara Estuary. Te Atiawa Iwi, Manukorihi Hapū and Otaraua Hapū have concerns about the effects of additional stormwater entering the Mangaiti Stream including:

- Potential for exacerbated flooding downstream; and
- Contaminants in the stormwater entering the Mangaiti Stream polluting and damaging it.

The technical stormwater assessments for Waitara - Area D determined that a combination of on-site soakage, disposal to the existing stream (and the NPDC stormwater reticulation network downstream), and stormwater detention (in-stream culvert and bund) is the most appropriate way to manage stormwater for the development, resulting in a hydraulically neutral stormwater system.

Stormwater disposal from ROADS, right of ways and paved surfaces is (at the time of plan change) proposed to be discharged via kerb and channel with cut-outs into rain gardens, into underground stormwater pipes and onward into the stream. Alternative options could also be considered at the time of stormwater design, reflecting the latest technology. Within the stream will be a culvert pipe and detention bund to buffer downstream flows. 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.

Efficient stormwater design can make the stormwater discharge from Waitara – Area D hydraulically neutral by reducing peak flows before they drain north from the area, via onsite soak holes to address stormwater from dwellings and associated impervious areas within an allotment, rain gardens, and detention within the waterway in times of flooding.

The Waitara Community Board has expressed concerns about the low impact systems (Swales and rain gardens) 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, and this must be balanced with cultural effects. Kerb and channel systems can however operate in conjunction with low impact stormwater treatment options.

Waitara is the subject of a number of stormwater management projects, and future stormwater management projects for the Norman Catchment are likely to have objectives of reducing flooding and improving water quality in this catchment. This policy ensures that the design of any stormwater system for Waitara - Area D considers the objectives of these projects.

NZS4404:2010 Land Development and Subdivision will be followed.

Method of Implementation

NZS4404:2010 Land Development and Subdivision is to be followed.

Rule O1600 allows for the use of low impact systems as a controlled activity, and if unable to meet the controlled standards, the activity will be restricted discretionary.

Policy 23.11 Buildings and structures within Waitara - Area D

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.
- **Allowing for provision for reverse sensitivity via a ‘no complaints’ covenant.**

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 **and included as Appendix 33.**
- 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. 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.

f) Covenants on Records of Title (CFR) restricting build form in front yards and within landscape buffers, **and reflecting reverse sensitivity concerns via no complaints provisions.**

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 expressed either through the Waitara - Area D Structure Plan layout and which are not covered by existing rules.

Policy 23.10 and associated rules OL60H, I, 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.

Policy 23.12 Excavated Landforms within Waitara - Area D

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.

Policy 23.13 Effects of Waitara - Area D on the transportation network

To ensure that development of **Waitara -Area D** can be progressed, while also ensuring effects of traffic generation at the intersection of Raleigh Street with State Highway 3 are acceptable to Waka Kotahi.

Reasons 23.13

Waka Kotahi is planning safety upgrades to the stretch of State Highway 3 between Bell Block and Waitara. At the time of this plan change (plan Change 49), Waka Kotahi were unsure on the timing and detail of these upgrades, and what this would mean for the intersection of State Highway 3 and Raleigh Street.

Upgrades to the intersection of State Highway 3 and Raleigh Street are expected, and timing of the upgrades is also expected to co-incide with the later stages of development of **Waitara-Area D**. This policy is included to enable the first stages of the development of **Waitara-Area D** to proceed (stages 1-3 - 50 lots) but to ensure Waka Kotahi are involved in later stages in the event that the works on State Highway 3 are delayed or altered.

Methods of Implementation 23.13

- a) Include rules that require assessment of the effects of the development of **Waitara-Area D** on the safety and efficiency of this intersection via an Integrated Traffic Impact Assessment and accordingly, written approval from Waka Kotahi ~~once the number of lots created exceeds 50 from the parent title (at 25 June 2019).~~ for any subdivision that will result in title being issued prior completion of the safety upgrade at the intersection.

Policy 23.14 Cultural Effects within Waitara - Area D

To ensure that the Cultural Effects associated with development of **Waitara -Area D** are avoided, remedied and mitigated and Manukorihi and Otaraua Hapū are given the opportunity for cultural expression and monitoring.

Reasons 23.14

The provisions of the Te Atiawa iwi environmental management plan *Tai Whenua, Tai Tangata, Tai Ao* must be taken into account when developing this land. The design must adequately address sections 6(a), (d), (e) and (f); 7(a), (b), (c), (f); and 8 of the Act.

To allow for the relationship of Manukorihi and Otaraua with their ancestral lands, waters and sites and the ability of the development and use to give particular regard to Manukorihi and Otaraua Hapū and Te Atiawa Iwi exercising kaitiakitanga; and recognising;

- Their relationship with ancestral lands, waters, sites and wāhi tapu;
- The historic and contemporary cultural context/landscape this application is set within including the Pekapeka block; and,
- The connection of urban development and the narratives which link these sites to the broader cultural landscape of Te Atiawa.

Methods of Implementation 23.13

- a) Inclusion of matters of control and discretion within the rules that provide for the development of a cultural narrative to inform the development including through cultural expression, integration of te reo Māori (such as bilingual signage and dual naming), street furniture, open space;
- b) Ensure the policy and rule framework addresses the cultural concerns of Manukorihi and Otaraua in relation to both quantity and quality of stormwater and potential effects on the Mangaiti Stream, and appropriately provides for the provision of low impact stormwater design;
- c) Inclusion of provisions within the policy framework that allow for the development of environmental health indicators for the Mangaiti which benefit from mātauranga Māori;
- d) Provision for active modes of transport through and across the development by requiring the development by setting the expectation that development occurs in accordance with the structure plan in Appendix 33, and allowing greater scrutiny of the proposal if deviation from the structure plan in Appendix 33 is proposed;
- e) Provisions to ensure retention of the natural landform and management of earthworks
- f) Provision for appropriate cultural monitoring of subsequent subdivision and development; and,
- g) Provisions for specific consideration of adaptive management within the rule/consenting framework and process, requiring that detail on how amendments to the design of the development will occur in the event there is an unrecorded archaeological find are provided.

C: Proposed Appendix 32

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 ([Existing ONPDP Issue 23, Objective 23, Policy 23.1, Method of Implementation 23.1 and Reasons 23.1 and associated rules, and proposed new Policies and Reasons 23.10-14, Policy 23.11, Reasons 23.11 and Rules OL60H to OL60P](#)) are intended to provide for the comprehensive development of the site.

Figure 1. Waitara Area D – Structure Plan



PROJECT: Raleigh Street Proposed Subdivision

DRAWING TITLE: STRUCTURE PLAN

DRAWING NO: GA6.0

REVISION: 02

SCALE: 1:2000@A3

DATE: 09.11.20

FILE NO.: 3077

Structure Plan Guidance

Waitara Area D is made up of one parcel of land and has the ~~Mangaiti~~ ~~an unnamed~~ Stream running through the middle of it. Issue 23, Objective 23, Policy 23.1, Method of Implementation 23.1, Reasons 23.1, Policies 23.10-14, Reasons 23.8-13, and Rules OL60H to OL60P, 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.

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 and OPEN SPACE B 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.

The Mangaiti Stream is of cultural and spiritual significance to Otaraua and Manukorihi Hapū. 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.

Any consent for earthworks or subdivision within Waitara - Area D shall include reference to the above legislation, and shall include a condition requiring the consent holder to prepare and adhere to an Accidental Discovery Protocol.

Stormwater

The Mangaiti Stream begins within the Waitara – Area D structure plan area, and runs through the site, entering the NPDC stormwater infrastructure within the Waitara West Industrial Area downstream. This infrastructure discharges at the Waitara Estuary. Te Atiawa Iwi, Manukorihi Hapū and Otaraua Hapū have concerns about the effects of additional stormwater entering the Mangaiti Stream including:

- Potential for exacerbated flooding downstream; and
- Contaminants in the stormwater entering the Mangaiti Stream polluting and damaging it.

A combination of on-site soakage, disposal to the existing stream (and the NPDC stormwater reticulation network downstream), and stormwater detention (in-stream culvert and bund) is the most appropriate way to manage stormwater for the development, resulting in a hydraulically neutral stormwater system.

Stormwater disposal from ROADS, right of ways and paved surfaces is (at the time of plan change) proposed to be discharged via kerb and channel with cut-outs into rain gardens, into underground stormwater pipes and onward into the stream. Alternative options could also be considered at the time of stormwater design, reflecting the latest technology. Within the stream will be a culvert pipe and detention bund to buffer downstream flows. 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.

Efficient stormwater design can make the stormwater discharge from Waitara – Area D hydraulically neutral by reducing peak flows before they drain north from the area, via onsite soak holes to address stormwater from dwellings and associated impervious areas within an allotment, rain gardens, and detention within the waterway in times of flooding.

The Waitara Community Board has expressed concerns about the low impact systems (Swales and rain gardens) 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, and this must be balanced with cultural effects. Kerb and channel systems can however operate in conjunction with low impact stormwater treatment options.

Waitara is the subject of a number of stormwater management projects, and future stormwater management projects for the Norman Catchment are likely to have objectives of reducing flooding and improving water quality in this catchment. This policy ensures that the design of any stormwater system for Waitara - Area D considers the objectives of these projects.

All structures in and discharges to the Mangaiti Stream are subject to the Taranaki Regional Freshwater Plan, and may require consent under this plan.

Open Space B

An Open Space B environment area has been placed along the stream margin of the eastern and western boundaries of the ~~Mangaiti Stream~~ ~~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.

Mangaiti ~~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.

The Mangaiti Stream, a tributary of the Waitara River runs through Waitara Area D. It is entirely within the Open Space B Environment Area which will allow for opportunities to recognise cultural significance of this Stream.