

## SECTION 2: OBJECTIVES AND POLICIES

The District Plan sets out “objectives” being the end state or outcome that the District Plan aims to achieve or maintain for a particular zone, area or resource. The “policies” are the course of action being followed through the District Plan to achieve the objectives. Each set of policies has an “explanation” that offers further clarity and understanding to the policies framework. The “methods” show how the policies would be implemented.

The objectives and policies set out in Section 2 provide the policy framework that any resource consent application, notice of requirement or District Plan Change will be assessed against. It is likely that a number of objectives and policies will be applicable to any proposal, and therefore no single objective or policy should be considered in isolation. An overall broad judgement of the proposal should be made against all relevant objectives and policies

### Section 2.1 Rural Zone

#### Issues

- 2.1.1** Need to provide for productive land use and other complementary rural based activities while ensuring the adverse effects on the rural environment are not excessive and do not result in incompatibility between different land uses.
- 2.1.2** Rural subdivision can provide for economic and lifestyle/living opportunities but can also negatively impact on the functioning of productive and other rural land use activities, rural character and amenity values, and create demand for services.

#### Land Use Activities

The Rural Zone covers the majority of the South Taranaki District, and is an important land resource resulting from the interaction of climate, topography and soil type. The characteristics of the rural environment are shaped by the interaction between natural and physical resources and human activities. Rural character, amenity values and productive use of rural land resources underpins the social, economic, and cultural wellbeing of the District.

The rural environment has been, and continues to be used in many different ways to support and provide for those living in South Taranaki. The predominant activity in the South Taranaki rural environment is dairy farming which extends across the fertile ring plain. Over time the nature of dairy farming has undergone changes, such as an increase in average farm area and stocking rate per hectare, coupled with an increase in the use of off-farm supplements. The changing nature of farming practice has resulted in changes to the scale and nature of actual and potential effects on the environment.

The present day rural environment supports a variety of other land based farming activities including dry stock farming, cropping, horticulture, exotic forestry, small niche farming land uses, and rural service activities. The nature and distribution of farming activities is largely determined by natural patterns of landform, climate and soil type. These farming activities typically have an assortment of buildings and equipment, such as packing and processing sheds, milking sheds, fertiliser depots and rural contractor’s yards. Infrastructural and other industrial-type activities also occur in the Rural Zone, such as network

utility facilities (e.g. transmission lines), quarrying, aggregate processing and gravel extraction, all of which are critical to the functioning of the District.

The above activities play a large role in the formation of a common rural character and amenity. Rural amenity values include landscape and scenic values, individual privacy, open rural outlook and open space, vegetation prevailing over built elements, openness, and ease of access, clean air, unique odours, overall quietness, water availability and the wellbeing of the community. Productive working environments are common and may contain large utilitarian buildings associated with farming. In general, buildings or structures are typically relatively low, and non-urban in density, with generous setbacks from external property boundaries, and with the height, scale, density and number of buildings not dominating the landscape and open space qualities of the rural environment. Properties are self-serviced with respect to water supply, wastewater disposal, and stormwater management.

While most of these activities are generally considered acceptable, they have the potential to generate adverse effects on the rural environment, depending on their size and location, and the proximity and sensitivity of adjacent land uses. Effects that can be experienced beyond the boundaries of the site (which sometimes cannot be avoided) include dust, odour, vibration, noise, traffic, visual dominance and location effects of buildings, and intrusion on privacy. Machinery noise, stock movements, burning and spraying are necessary and usual aspects of life in a rural area.

Some types of activities that are generally not considered appropriate in the rural environment are commercial, retail and industrial activities. These may be incompatible with rural character and amenity values, or create conflict with other existing lawfully established activities. Furthermore, these other activities may introduce urban characteristics or features, and they lend themselves to be more appropriately located in an urban location, where the servicing, infrastructure and facilities are more suitable to assist in avoiding, remedying or mitigating their potential adverse effects.

Avoidance of inappropriate and incompatible land uses that are contradictory to the rural environment's location-specific values is important to maintain environmental quality and ensure that the productive use of land resources (for a resilient and diverse economy) is not compromised. There is a need to strike a balance between providing for a range of uses and development of natural and physical resources, and the preservation of that character, and those amenity values (such as vegetation prevailing over built elements, open space, privacy, ease of access and landscape and scenic values).

### **Rural Subdivision**

Subdivision and subsequent use of rural land in particular can impact on the quality and functioning of the rural environment by affecting amenity values and rural character. It can also impact on the efficient and successful functioning of farming activities.

Cumulative pressures and demands for rural subdivision can generate tensions between those who opt for a rural lifestyle for open space, privacy, peace and quiet, and scenic values and those who rely on the productive capability of the rural land resource. Rural living can result in reverse sensitivity conflicts, as residents with higher expectations of amenity move into a rural environment, where previously, noise, dust and stock movements were generally considered a usual aspect of the rural environment. If increasing density of rural subdivision is allowed in close proximity to existing intensive farming activities, it can undermine the viability of farming activities should complaints about heavy traffic or objectionable noise, dust or odour arise. Increasing density of subdivision can also intensify pressure on the range of infrastructure servicing (roads and reticulated services), which also conflicts with infrastructure services for intensive farming activities (e.g. if rural roads are expected to be of a higher quality).

A key challenge in the management of the rural environment is the desire to provide for such rural lifestyle opportunities and other sensitive activities in a manner that protects existing rural activities

from reverse sensitivity effects. The rural environment is valued for a variety of uses and purposes, therefore the Council has a responsibility to maintain this environment, and allow people to appreciate and enjoy rural lifestyles, while also enabling farming activities to operate without unreasonable restriction.

In response to this issue, and the reverse sensitivity issues of rural subdivision on farming activities, rural-residential living opportunities should be of a size, intensity and scale that is consistent with productive land uses so that the wider rural environment and associated land use activities are not compromised.

## Objectives

- 2.1.3** To ensure that subdivision, land use and development in the rural environment is of a nature, scale, intensity and location that maintains and, where appropriate, enhances rural character and amenity values.
- 2.1.4** To enable the efficient and effective functioning of farming and rural based activities, and ensure that activities are not inhibited by adverse effects of new incompatible land uses.

## Policies

### Rural Subdivision

- 2.1.5** Provide for rural subdivision at a scale, design and intensity where it is compatible with the character and qualities of the surrounding environment, and limit more intensive or poorly designed subdivision where the character and qualities would be degraded or compromised.
- 2.1.6** Manage larger-scale and more intensive subdivision, land use and development to maintain and, where appropriate, enhance the attributes that contribute to rural character and amenity values, including:
  - (a) Productive working landscape.
  - (b) Predominance of vegetation of varying types (pasture, crops, forestry, amenity plantings) over buildings.
  - (c) Varying forms, scales and separation of buildings and structures associated with the use of the land.
  - (d) Low population density relative to urban areas.
  - (e) On-site servicing and a general lack of urban infrastructure such as street lighting and footpaths.
- 2.1.7** Residential subdivision and use at the periphery of the Township Zones is appropriate, if on-site servicing is achievable, reverse sensitive effects are avoided, and where adverse effects on the established character and amenity of the township are avoided, mitigated or remedied.

### **Rural Amenity and Character**

- 2.1.8** Manage the adverse effects of noise, vibration, odour, dust, traffic, glare and other nuisances from land use activities and development through relevant performance standards and appropriate spatial buffers and setback requirements for specific activities.
- 2.1.9** Ensure that new land use activities are of a nature, scale, intensity and location consistent with maintaining the character and amenity of the rural environment, and avoids or mitigates potential reverse sensitivity effects.

### **Land Use Activities**

- 2.1.10** Provide for the establishment and operation of farming activities which rely on a location in the rural environment, provided they avoid, remedy or mitigate adverse effects without unduly affecting landowner's ability to use their land productively.
- 2.1.11** Provide for the establishment and operation of new non-farming activities and the ongoing operation of existing lawfully established activities which are compatible and / or associated with farming activities in the rural environment, provided they avoid, remedy or mitigate adverse effects.
- 2.1.12** Minimise, and where possible, avoid subdivision, land use and development that has the potential to inhibit the efficient use and development of versatile land for farming purposes or other lawfully established rural activities or rural industrial activities in an adjoining Rural Industrial Zone.

### **Buildings (Location, Design and Setbacks)**

- 2.1.13** Reduce obtrusive built elements in the rural environment by integrating building location and design with the surrounding landform and landscape qualities, while recognising that the location and design of some buildings, and infrastructure is influenced by their function and/or resource constraints.
- 2.1.14** Avoid, remedy or mitigate adverse effects on rural privacy and rural character in the Rural Zone by maintaining road and site boundary setbacks for all buildings, while recognising that the degree of privacy and rural spaciousness is different in areas comprising existing smaller rural-residential lots.
- 2.1.15** Manage potential reverse sensitivity conflict between farming, other rural activities and sensitive activities through appropriate separation distances or other measures, while giving priority to existing lawfully established activities.

### **Industrial, Forestry and Aggregate/Soil Extraction**

- 2.1.16** Provide for small scale soil and aggregate extraction activities by controlling the scale and location of extraction and the need to internalise environmental effects within the site.
- 2.1.17** Ensure that activities based on the extraction or processing of rural products, as well as large scale soil and aggregate extraction activities, avoid, remedy or mitigate potential adverse effects on the surrounding environment and that the environmental effects are internalised on site as much as possible.

- 2.1.18** Encourage industrial activities not based on rural servicing or the processing of rural products to establish in the Industrial Zone in an urban centre where this is an appropriate location for such an activity.

### **Health, Safety and Traffic**

- 2.1.19** Control the scale, intensity, size and design of rural subdivision and land development so that on-site wastewater treatment and disposal systems do not result in contamination of soil, groundwater or other natural resources.
- 2.1.20** Ensure that rural residences can access on-site sufficient quantities of potable water to avoid risks to human health and amenity.
- 2.1.21** Manage the effects of heavy vehicle movements from rural activities on the environment, including cumulative effects on the safety and efficiency of the District's roading network.

### **Explanation of Policies**

The policies seek to provide for a range of farming and rural-industrial type activities in the rural environment, while maintaining rural amenity, open space, privacy, ease of access and landscape and scenic values associated with the rural environment that are enjoyed by the community. It is recognised that farming is the principal land use in the Rural Zone and the District Plan enables these activities (and commonly associated and ancillary activities) to occur. Rural land use activities which have the potential to generate adverse effects on the environment (e.g. rural subdivision, forestry, aggregate or soil extraction and processing, other rural industrial-type activities, and associated large utilitarian buildings) must be compatible with the character and qualities of the surrounding environment, and shall not generate adverse effects on surrounding properties (noise, dust, odour, or nuisance) or on the efficient and effective operation of existing farming activities, versatile land or transport networks. Notwithstanding this, residents living in the rural environment need to recognise that farming activities can generate some external effects which are accepted (e.g. temporary noise associated with the use of farm machinery).

Parts of the rural environment may also be suitable locations for infrastructure, including renewable electricity generation activities, due to the location of natural or physical resources and due to the low population density compared to other parts of the district. The District Plan establishes a framework for the management of the actual or potential effects of the activities and it recognises that these activities may be appropriate in the rural environment.

The policies above support rural subdivision that would maximise the likelihood of the continued use of versatile land for productive rural land use and provide flexibility for the configuration and ownership of rural properties. Introducing a minimum site size for rural-residential subdivision is anticipated to relieve the pressures for small lot subdivision, while avoiding intensified rural subdivision which fragments versatile land in the wider rural environment. The overall objective is to safeguard the life-supporting capacity of versatile land, and the continued operation of farming activities.

The relationship between rural subdivision and the Township Zones is recognised in the policies. The Township Zones enables the use, development and protection of existing development (Commercial, Industrial and Residential) at each of the small South Taranaki settlements. The zone boundaries do not provide outward growth or development. However, provide some growth to these existing communities, rural subdivisions at the interface with the Township Zones would be appropriate. Any application for a rural subdivision at a Township would be required to demonstrate that the site layout and lot design responds positively to the character and amenity of the existing township and rural environments. The provision of on-site servicing for each new lot must be demonstrated, and any

potential reverse sensitivity effects on existing rural, industrial or commercial activities are to be avoided, remedied or mitigated.

It is also important to minimise the occurrence of reverse sensitivity, which is a term used to explain the effect that new development of one kind may have on activities already occurring in an area. Typically, this situation arises where new residential activities (dwellings) locate in close proximity to farming activities or existing large-scale processing activities and infrastructure facilities, and the new occupants have unreasonable expectations about the level of amenity values which they wish to enjoy. In turn, this can affect established land uses and result in conflict and ongoing difficulties in environmental management. The District Plan seeks to control the siting of such sensitive activities to avoid or mitigate the potential for such adverse effects to occur.

Conversely, it is important that new farming and other rural based activities with potential to create significant adverse external effects are controlled to avoid future conflicts. This policy may require controls on siting of some activities or appropriate setback requirements.

With the absence of reticulated services in rural areas, on-site water supply is required as well as the management and disposal of all wastes. The individual water supplies and on-site management of waste can have adverse effects in addition to the activity itself. Where water is taken from surface or ground water sources, or waste discharged, these are managed by the Regional Council. The District Council is responsible for managing the use of land, including where waste causes a nuisance or adversely effects amenity values.

### Methods of Implementation

The methods of implementation include:

- District Plan rules and performance standards to control activities and subdivision that have the potential to adversely affect the character and amenity of the rural environment, including small-lot subdivision, forestry, soil or aggregate extraction, and commercial and industrial activities.
- Performance standards, spatial buffers and setback requirements for activities so that rural land use activities do not generate adverse effects of reduction in privacy and openness, noise, vibration, odour, dust, glare and other nuisances.
- Assessment of environmental effects through the resource consent process for proposals involving incompatible land use or activities in the Rural Zone or those not meeting performance standards. This includes assessment of cumulative effects on the long term sustainability of versatile land and productive land use.
- Conditions on resource consent applications to avoid, remedy or mitigate adverse effects on the rural character, amenity and quality of the environment, for example a road maintenance agreement to repair roads from heavy vehicle traffic damage, restrictions on hours of operation and noise levels, or landscaping, fencing and site restoration.
- Advocate alternative locations to allow for more efficient servicing or management of potential adverse effects, particularly in respect of industrial activities.
- Promote the use of management plans and industry codes of practice as a means of self-regulation.
- A bylaw under the Local Government Act to manage the effects of heavy vehicle traffic on the safety and efficiency of the road network.

## Section 2.2 Residential Zone

### Issues

- 2.2.1** Variable rates of development and the mixed condition of towns and neighbourhoods can both improve or detract from residential character and amenity.
- 2.2.2** Whilst there are some similarities in the character and amenity values of each South Taranaki town, there are also differences in identity and context relating to each town's historical and current development.

Amenity and character values contribute to the look and feel of a place. Residential streets and neighbourhoods have established character and amenity values which can be both positive and negative. Places change through small increments or large redevelopments, and therefore the established residential character and amenity may also change for the better or for the worse, depending on what is valued.

The elements and features that contribute to the amenity and character values of a residential area can include the level of residential and non-residential activity, the density of dwellings and the scale, bulk and position of buildings in relation to property boundaries, including the street. The extent of open space and the level of greening that is present also add to character and amenity. The width of streets, the use of kerb and channel or mown berms, and the presence of street furniture and street trees are important too. The overall ambient noise levels, the level of privacy enjoyed, minimal visual and nuisance effects (odour, dust and glare), and the proximity or connection to open spaces (parks, public gardens, walkways, cycle routes) all contribute to residential amenity.

South Taranaki's towns and settlements have their own distinctive identity, geography and history, yet there are similar residential elements and features which can be managed in the same way in the District Plan.

Some towns have been in gradual decline due to an overall economic downturn after key employment generating industries closed or amalgamated. Consequently, in some towns there have been low levels of reinvestment in properties and an overall sense of low activity and high vacancy rates. Reinvestment and development has occurred within some towns, in the form of 'infill' residential development within established residential areas and greenfield residential development on the urban periphery.

South Taranaki District Council has 167 areas managed as parks and reserves varying in size from Lake Rotokare Reserve (220 hectares) to small gardens and lawn reserves of only a few square metres. Residential areas typically support neighbourhood parks, domains, recreation grounds and facilities, gardens, nature and coastal reserves. All these Council open spaces contribute to the character and amenity of residential environments and provide access and opportunities for formal and informal recreational activities.

Many smaller towns have parks and domains on the urban/rural boundary, for example Dallison Park in Waverley, Manaia Domain and Pātea Domain, and Ōpunakē's beach front. These larger parks and domains contribute to the visual outlook experienced from residential properties. Hicks Park and King Edward Park in Hāwera, and the Ōpunakē Domain support larger multipurpose community and recreation facilities and currently operate under resource consent conditions so that effects on the environment are adequately avoided or mitigated.



## Objectives

- 2.2.3** The Residential Zone is predominately a living environment with a range of housing to accommodate different lifestyles and residential needs.
- 2.2.4** To allow complementary and compatible non-residential activities to support the functioning of the local community, provided that the adverse effects are avoided, remedied or mitigated.
- 2.2.5** To maintain and enhance the character and amenity values of residential neighbourhoods ensuring:
  - (a) Residential density is generally low, except where quality medium and high density developments are appropriately located and designed.
  - (b) Activities do not detract from amenity values.
  - (c) The appropriate use, development and protection of Council's open spaces within residential areas shall contribute to character and amenity of places, and provide access to formal and informal recreation activities.
  - (d) Access to privacy, open space around buildings, and quality outdoor living space.
  - (e) Open street frontages.
  - (f) Protection from noise, vibration, odour, dust and glare.
  - (g) Separation of dwellings from industry.
  - (h) Front yards and public places are landscaped.
  - (i) Adequate footpaths and cycleways.

## Policies

- 2.2.6** Provide for a range of housing opportunities by enabling standard residential development and as well as a greater intensity of residential development where it can be designed to minimise adverse effects on residential character and amenity.
- 2.2.7** Provide for standard residential development at a density and nature which is consistent with the character of the existing residential areas, including the provision of a minor dwelling which is secondary to the main dwelling on a site, to enable flexible living arrangements for family and non-family members.
- 2.2.8** Provide for denser housing throughout the Residential Zone which enables more intensive housing (compared to a standard residential development) where the effects on the surrounding residential character and amenity can be avoided, remedied or mitigated by achieving an appropriate site layout, scale, and design of housing.
- 2.2.9** Provide for higher density housing close to the Hāwera Town Centre where compact living opportunities are well designed and are at a walkable distance to local amenities, public open spaces and community facilities.



- 2.2.10** Provide for housing for the elderly where the site layout and design of the complex including dwelling units, medical and staff facilities, access and parking (when provided) minimises the adverse effects on the surrounding residential area.
- 2.2.11** Ensure denser housing developments are designed to maximise on-site amenity and to manage adverse effects on the surrounding residential character and amenity.
- 2.2.12** Maintain access to sunlight and protect the level of privacy for residential properties by managing the bulk and location of buildings in relation to residential site boundaries.
- 2.2.13** Maintain an open and spacious residential character on standard and larger lot residential properties by ensuring building size and footprint is proportional to the size of the lot and ensuring the provision of private outdoor living areas for each dwelling unit.
- 2.2.14** Ensure the provision of quality private outdoor spaces within more intensive residential developments to ensure a high quality living environment and enhanced amenity values.
- 2.2.15** Protect visual amenity by maintaining a relatively low building height and open space between buildings, and requiring outdoor storage to be appropriately screened or kept tidy.
- 2.2.16** Encourage the retention of established trees where they can contribute to the character and amenity of the site and the surrounding residential neighbourhood.
- 2.2.17** Recognise the importance of accessory buildings as they support a wide range of secondary uses which can be integral to the overall functioning of the main residential activity (garaging, storage, hobbies and home occupations), while managing their size and location to maintain the streetscape and residential character.
- 2.2.18** Recognise and provide for non-residential activities within the Residential Zone which are complementary in scale, nature and intensity to residential activities, in a way that avoids, remedies or mitigates adverse effects on adjoining residential properties and the wider neighbourhood.
- 2.2.19** Recognise and provide for small-scale home based child care facilities and home based visitor accommodation where they exhibit similar characteristics to a home occupation.
- 2.2.20** Manage larger scale child-care facilities that operate independently from a residential activity to ensure the adverse effects on residential character and amenity (including but not limited to noise, traffic, carparking and drop off zones, buildings, structures and signs) are avoided, remedied or mitigated.
- 2.2.21** Recognise the role of Council open spaces, including gardens, parks, reserves, domains, recreation grounds and scenic and coastal reserves, in maintaining and enhancing the character and amenity values of the residential environment.
- 2.2.22** Review and revise existing reserve management plans to provide strategic direction for the use, development and management of Council's open spaces.
- 2.2.23** Provide integrated and safe connections between Council open spaces and residential developments, by providing opportunities for walking and cycling.
- 2.2.24** Provide for buildings and structures associated with formal and informal recreation activities on Council open spaces.

- 2.2.25** Restrict industrial activities to avoid incompatibility issues and significant adverse effects on residential character and amenity.
- 2.2.26** Avoid the establishment of panel beating and spray painting businesses as they are incompatible with the character and amenity values in the Residential Zone.

### Explanation of Policies

The community places a considerable value on the existing character and amenity values associated with the Residential Zone. The performance standards reflect the community's preference for a more flexible approach to housing development, where different types of housing can be provided, including the use of minor dwelling units and/or accessory buildings to provide for family or non-family members.

Denser residential development which results in multiple dwelling units on standard sized residential properties (400m<sup>2</sup> – 1000m<sup>2</sup>) provides opportunities for compact living and suits a range of lifestyles. In addition, this more intensive development supports the consolidation of development within existing settlements. This is particularly relevant to coastal settlements to promote the protection of the natural character values of the coastal environment. This more intensive type of residential development has the potential to generate adverse effects on established residential environments, particularly where the existing character is dominated by low density suburban housing. However, intensive residential development can be designed so the layout and scale of housing complements established neighbourhoods. Change can still be expected, but adverse effects such as loss of or reduced privacy, access to sunlight and overall amenity can be minimised through good site planning and design of the dwelling units.

Overall, denser residential development is to be anticipated in the Residential Zone, but managed so that each development ensures a high level of on-site amenity, minimises adverse effects on neighbouring residential properties, and contributes to the overall residential character and amenity value of the different areas.

A higher concentration of residential development near the town centre of Hāwera is also encouraged where there is close proximity (e.g. walking distance) to shops, amenities, community activities and public open space. Distances that encourage people to walk to Hāwera's town centre may vary. However, a distance of 500 - 750 metres would provide for a range of different walking abilities and tolerances. From the centre of Hāwera's retail area (High Street/Union Street) a catchment of residential properties can be identified for greater levels of development. It is noted that immediately outside Hāwera's immediate town centre there are key amenities such as King Edward Park, Bayly Park and large format businesses (e.g. The Warehouse). Therefore opportunities for more intensive housing in close proximity to these types of facilities would be appropriate, particularly given infill housing development has occurred already on Grant VC Street, Laurent VC Street, and Dixon Avenue. Good outcomes are expected for housing close to the town centre, although greater density can be expected as the character transitions from suburban residential to larger scale commercial buildings and different levels of amenity.

Developments that provide housing for the elderly can range from a number of smaller compact residential units through to comprehensive developments that include units, serviced apartments, on-site medical care and recreation facilities. The Residential Zone anticipates the small to medium sized developments, where the density and effects from the non-residential components can be adequately managed. The larger, more comprehensive development would be better located in a Commercial Zone where the effects on residential amenity are not as significant.

Front yard setbacks maintain a continuous and relatively uniform streetscape with open space between the residential dwelling and the public street, and can provide opportunities for landscaping should the landowner seek to do so. The front yard setback also provides sufficient length for a vehicle to park in

front of a building to avoid the parked vehicle encroaching on or blocking the footpath. Site coverage and building setbacks from all other boundaries enable space between dwellings to be maintained for privacy and visual relief. Sunlight recession planes ensure adequate sunlight penetration to adjacent sites. Private outdoor space is expected to be provided on residential sites for dwellings units and minor dwelling units, to achieve a baseline level of on-site amenity.

Established trees contribute to residential character and amenity values. Development can often result in the removal of established trees. Proposed landscaping can mitigate adverse visual effects, but it often takes a long period of time before tree species can, if at all, replace older more established trees. The ideal situation is where a proposed development integrates existing healthy mature trees into the new development, rather than removing them.

Non-residential activities such as churches, recreation facilities, childcare facilities, retail and commercial activities can range in size and scale. These activities contribute to residential environments, yet can also generate adverse effects if not managed appropriately, or if the scale is too large and dominant for a residential site. While there is flexibility in the range of activities that can locate in Residential Zones, beyond a certain scale non-residential activities require a case by case assessment of effects on neighbours and the surrounding residential area to determine whether they are appropriate or not.

The Council is also a substantial provider of public open space through its parks, reserves, domains, recreation grounds and facilities. These open spaces are distributed throughout the residential areas of South Taranaki's towns and settlements and contribute to the overall character and amenity. Rather than include a specific open space and recreation zone, the use, development and protection of open spaces are managed by performance standards and rules of each relevant zone, including the Residential Zone. The eventual use of Reserve Management Plans to provide the strategic direction for individual reserves, will require the review and update of the Council's existing documents.

### Methods of Implementation

The principal methods of implementation are:

- Performance standards and rules in respect of the number of dwelling units and density, bulk and location, private outdoor living areas, lighting, outdoor storage and odour;
- Performance standards and rules in respect of non-residential activities, including home occupations, home child care services, childcare facilities, community activities, and temporary activities.
- Identification of areas within the Residential Zone, close to the Hāwera town centre to provide for more intensive residential development.
- Residential Design Guide to provide practical ideas and assessment for residential developments that provide for greater levels of residential density.
- Assessment of environmental effects through the resource consent process for proposals involving more intensive residential developments, using performance standards to assess the different components of the development.
- Use of conditions on resource consents to control the effects of activities to acceptable levels for the Residential Zone.
- Use of Reserve Management Plans for the strategic direction and planning of the Council's individual parks and reserves.

## Section 2.3 Township Zone

### Issue

#### **2.3.1 The mix of land use activities and development within small townships results in distinct character and amenity values that provide for their ongoing viability and role in the local community.**

The Taranaki ring-plain is a highly productive area where a number of small settlements have established throughout the rural area. These small settlements historically or currently provide goods and services to support the effective functioning and processing of farming and community activities. These townships are: Warea, Pungarehu, Rahotu, Pihama, Okaiawa, Alton, Kakaramaea and Waitotara.

These townships are effectively mixed use areas where community, industrial, retail, commercial and residential activities have developed side by side with historic industry rather than in defined areas. This nature of land use has given these townships a distinct character, with the pattern of development often linear, having developed along state highways and local roads. There may be a concentration of businesses in the core of the township, and/or individual businesses may be scattered around the township. None of the townships have reticulated wastewater systems and rely on individual on-site treatment and disposal. Only two townships (Rahotu and Okaiawa) are connected to a Council reticulated water supply, with other townships relying on individual on-site water supplies (e.g. septic tanks and wells, bores and rainwater collection tanks).

The majority of the townships have not grown significantly in recent years or been subject to major developments; in fact most are declining in population. The historical pattern of subdivision often suggests that these townships were anticipated to grow much larger than they have. Alternatively, the townships established and grew relatively large based on a single business (e.g. dairy processing factory), and due to economic, political or other changes (e.g. amalgamation of the dairy processing industry and the closure of many independent dairy factories, due to increased mobility), the size and intensity of these townships is in decline. Notwithstanding this, these townships still service the local community and provide important community and business activities, as well as living opportunities.

The residents of these townships may anticipate a different type and level of amenity than those in defined residential zones, as a result of residing adjacent to facilities such as fertiliser depots, garages and contractors yards. They may be less sensitive to noise and odour, although conversely they may be desensitised to existing effects, yet may still be adversely affected by a new proposal.

The size and scale of land use activities is generally small and domestic. Commercial and industrial activities and buildings are typically a similar size to dwellings and employ a small number of people. Buildings are typically 1-2 storeys. Streetscapes have variable characteristics, with some buildings sited on or near the street frontage, particularly commercial buildings (e.g. general store, garage or pub), while most residential buildings are setback with landscaping in front similar to most residential areas.

Typically, these settlements are traversed by or situated adjacent to the state highway, and are often not subject to speed restrictions. Development and use of land will typically require traffic to be managed in such a way that there is safe passage to and from the road and space on-site for safe manoeuvring, particularly when on-site parking is provided.

## Objective

- 2.3.2** To provide for a mix of activities that support the needs of the local community while maintaining and enhancing the distinct character and amenity values of the small rural settlements.

## Policies

- 2.3.3** Recognise and provide for the existing small rural settlements that serve an important local role and have a distinct character through a Township Zone.
- 2.3.4** Provide for a mix of land use activities and development which are complementary and compatible while ensuring an acceptable level of amenity for residents through the application of rules and standards.
- 2.3.5** Ensure new land use activities, development and subdivision maintains and enhances the established character and amenity values of the individual township with an overall low building form and density, and exceptions for existing commercial, industrial and community activities and facilities.
- 2.3.6** Provide for existing commercial, industrial and community activities and facilities, while ensuring any changes or expansion of these activities do not adversely affect the qualities of the township.
- 2.3.7** Ensure all land use activities, development and subdivision provides a suitable on-site wastewater treatment and disposal system, stormwater systems, and water supply (except in Rahotu and Okaiawa where Council reticulated systems are available).
- 2.3.8** Manage the overall size of the Township Zones to maintain their character, amenity values and servicing constraints while allowing for potential viable expansion to accommodate any potential future demand.

### Explanation of Policies

The small rural settlements meet the needs of the local community through the provision of commercial, industrial and community activities and facilities, as well as a range of residential living opportunities. This mix of land use activities have developed over time and are generally compatible. The adverse effects from these different activities are generally acceptable for most residents, as the activities are relatively small-scale and operate limited hours (e.g. during the day). To recognise the role, nature and qualities of these small rural settlements, they are managed using a single Township Zone.

The District Plan provides for the ongoing use and development of activities to give certainty on the nature of land uses that can occur within this mixed use environment. In addition, these activities will need to maintain an acceptable or increased level of amenity, particularly for residents. This outcome is achieved through the use of minimum environmental standards specifying requirements for site development and land use. Such standards should not prevent ongoing land use and development within the Township Zone, provided the environmental effects are acceptable within the mixed use environment.

Given the small overall size of each settlement, their dispersed location, and small size of individual activities, it is required that each site is self-sufficient in terms of their servicing requirements (where a community supply is not available). An on-site potable water supply is to be provided (e.g. rainwater tank) where otherwise not available, all waste water is to be treated on-site, and stormwater managed on-site.

### Methods of Implementation

The principal methods of implementation are:

- A Township Zone will be identified on the Planning Maps
- Rules will specify permitted land use activities which currently exist in the small rural settlements. Performance standards will be used to ensure these activities are generally compatible and complementary, and maintain and enhance the character and amenity values.
- Performance standards in respect of the number of dwelling units and density, bulk and location, lighting, outdoor storage, odour, noise, and vehicular access, manoeuvring and the design of parking areas (when provided) will be used to maintain and enhance the character and amenity values.
- Assessment of environmental effects will be assessed through the resource consent process for proposals that are not permitted, either because of non-compliance with environmental standards or because of the nature of the land use activity.
- Conditions on resource consents will be used to control the effects of activities to acceptable levels for the Township Zone.

## **Section 2.4 Commercial Zone**

### **Issues**

- 2.4.1** Changes in commercial trends (such as larger format stores, fewer local owner/operator stores and more national chain stores) along with increased mobility (resulting in less demand for local retail stores) has the potential to affect the vitality and vibrancy of each town's commercial area, and its role and identity for the local community it serves.
- 2.4.2** Need to enable a diverse range of commercial activities that provide economic growth and employment opportunities for residents, while also accommodating changes within a dynamic commercial environment, and different functional and operational needs of commercial activities, in a manner that does not result in incompatibility issues.
- 2.4.3** New building development and alterations to existing buildings have potential effects on the streetscape character, amenity and heritage values of commercial areas, and on the efficient use of existing infrastructure and development.

The commercial areas in South Taranaki act as a 'focal point' for the community, and perform a key role in the functioning of the District as they are primarily places of employment, exchange of goods and services, and social interaction. Most of the district's community facilities such as libraries, museums, medical facilities, supermarkets and shops are located in the commercial areas, with the potential to bring together a range of activities and people. These facilities and services support the economic and social wellbeing of the residents of the town and the surrounding rural area.

The commercial areas in each of the towns have their own distinctive features that need to be recognised and provided for. The District Plan needs to provide for commercial and retail development

to enhance vibrancy, functionality, economic growth and community wellbeing in these rural towns, and contribute to the success of the towns by making them more attractive places to live, work and play.

Over the past decade there has been a national shift in retail format towards larger scale, vehicle oriented and more autonomous formats. The Hāwera town centre is the largest town in the District (with a commercial area servicing a population of 9,000 residents) but has limited suitable sites for large format retail, which has led to significant ad-hoc retail dispersal to the fringes of the town, particularly ribbon development of trade and service activities along Glover Road (e.g. Super Cheap Auto, Farmlands, Bunnings etc.). These trends are evident throughout many New Zealand towns, and have the potential to lead to the inefficient use of existing physical resources, and result in a decline in the pedestrian amenity, viability and vitality of the Hāwera town centre. Furthermore, there is the potential for adverse amenity effects caused by large buildings that are not appropriately designed and can have a lasting and dominant presence, to potentially have a greater influence on urban design outcomes in commercial areas than smaller developments.

Although South Taranaki's other commercial areas in Eltham, Normanby, Pātea, Manaia, Ōpunakē, Kaponga and Waverley are not experiencing ad-hoc large format retail expansion, they face issues of high vacancy rates of buildings, and poor maintenance of vacant buildings. When buildings are left vacant, economic loss to the landowner occurs, and the building can be detrimental to the streetscape and the town's overall sense of vibrancy if it is poorly maintained as a consequence. Furthermore, the streetscape, amenity values and character of these commercial areas can be affected if existing buildings are demolished and sites left vacant, or replaced with poor quality development. In addition, the heritage buildings within the commercial areas make a significant contribution to the identity, character and streetscape. Listed heritage buildings are protected via the historic heritage provisions of the District Plan.

Given the above, it is important that the District Plan provides flexible provisions that recognise the functional and operational needs of commercial activities to encourage new forms of development and revitalisation within commercial areas, especially in smaller towns, with a focus on economic growth and good design outcomes based on the key characteristics of each town. Well-designed retail and other commercial developments, together with public spaces, have an important role in maintaining and improving the environmental quality, attractiveness and vitality of the District's commercial areas.

## Objectives

- 2.4.4** Maintain and enhance the character and amenity values of commercial areas in a manner that enables commercial and other activities to support the local community, while avoiding or mitigating adverse effects within and adjoining the commercial areas.
- 2.4.5** Complementary and compatible non-commercial activities within the commercial areas that support the functioning of commercial areas and recognise the sensitivities and amenity levels within and adjoining commercial areas.
- 2.4.6** Maintain and enhance the attractiveness and vibrancy of the town centres across the District.



## Policies

- 2.4.7** Recognise and provide for the commercial functioning, character and amenity values of the District's commercial areas through a single Commercial Zone.
- 2.4.8** Recognise the variability of the commercial areas across the District through the use of areas ('overlays') that manage and reinforce the role, function, characteristics and qualities of these areas as follows:
- (a) Hāwera Town Centre Area, applied to High Street and surrounding sites, being the principal retail and servicing focus of South Taranaki with a concentration of mainly specialty retail activities, supermarkets and a pedestrian orientated area.
  - (b) Large Format Trade and Service Area, applied to the Glover Road Commercial area in Hāwera, and the Commercial area adjacent to State Highway 3 between Hāwera and Normanby, being the area for larger-scale trade and services, and vehicle oriented activities.
  - (c) Mixed Use Area, applied to the commercial area surrounding the Hāwera Town Centre Area, and to commercial areas in Eltham, Normanby, Pātea, Manaia, Ōpunakē, Kaponga and Waverley, which recognises the smaller scale and diverse mix of activities and characteristics.
- 2.4.9** Provide for a wide range of activities within the Commercial Zone which meet the needs of the local community with convenient access to goods and services, and opportunities for economic growth and social interaction.
- 2.4.10** Restrict certain activities which may be incompatible with other activities and/or degrade the character and amenity values of the Commercial Zone.
- 2.4.11** Prevent commercial activities from establishing or extending outside of the Commercial Zone to encourage the concentration of commercial centres, and to maintain the viability and vitality of existing commercial areas.
- 2.4.12** Manage adverse effects from activities and development within the Commercial Zone to maintain and enhance the amenity values within the Commercial Zone, as well as the adjoining Residential and Rural Zones. Adverse effects from activities and development in the Commercial Zone may include building dominance, shading, noise, vibration, odour, dust, glare, and also reverse sensitive effects from sensitive activities.
- 2.4.13** Ensure that the design, scale, location and layout of development and buildings in the Commercial Zone recognises the local context and character, and maintains or enhances the safety, convenience, accessibility and amenity of commercial areas, while also recognising the functional and operational needs of commercial activities.
- 2.4.14** Maintain and enhance the historic heritage character of town centres by controlling new development relating to identified heritage buildings and sites, and additions and alterations to identified heritage buildings and sites to ensure development is in keeping with the existing heritage and streetscape character.
- 2.4.15** Maintain access to sunlight, protect amenity values, and protect the level of privacy for properties in the Residential Zone adjacent to the Commercial Zone by managing the bulk and location of commercial buildings and requiring landscaping.

- 2.4.16** Provide for anchor activities such as large retail or community activities at the interface with the Hāwera Town Centre overlay and the Commercial Zone Mixed Use or Large Format Trade and Service overlays.
- 2.4.17** Ensure the site layout, design and functioning of new or redeveloped anchor activities deliver the Hāwera Town Centre Strategy, enhance the vibrancy and vitality of the town centre, and manage adverse effects on streetscape amenity from building bulk, parking, traffic, and signage.

#### **Hāwera Town Centre Area**

- 2.4.18** Provide for commercial development which enhances the vibrancy and functionality of the Hāwera Town Centre, while ensuring that development protects and enhances existing amenity and character, and does not generate adverse effects on the environment.
- 2.4.19** Promote consolidation, reuse and redevelopment to achieve an efficient use of existing infrastructure and enhance the vibrancy of the Hāwera Town Centre.
- 2.4.20** Provide for residential activities and visitor accommodation above ground floor level in the Hāwera Town Centre Area to retain retail and commercial activities at street level and to support other activities in the area, provided that new residential and visitor accommodation developments are well designed and create quality living environments.
- 2.4.21** Maintain and enhance amenity values in the Hāwera Town Centre by encouraging the provision of open public space, landscaping, artwork, seating, and public amenities and services that are easily accessible, walkable, safe, attractive and enjoyable.
- 2.4.22** Maintain an attractive streetscape and safe pedestrian environment within the Hāwera Town Centre by identifying a Defined Pedestrian Frontage and managing development along these frontages to ensure:
  - (a) Continuous verandahs and building frontages
  - (a) Prominent corner site buildings
  - (b) Active and transparent building frontages; and
  - (c) Limited on-site vehicle access and parking.
- 2.4.23** Ensure adequate provision and maintenance of community activities and buildings to meet the cultural, administrative and social needs of the community.
- 2.4.24** Allow for flexibility when addressing parking provision within the Hāwera Town Centre, such as alternative sites, multi-use vehicle parking areas, and ensuring that any on-site parking areas do not significantly detract from pedestrian amenity or streetscape character.

#### **Large Format Trade and Service Area**

- 2.4.25** Recognise that Large Format Trade and Service activities function as an integral part of Hāwera's commercial activity and provide important services to the local community, but are most appropriately located in the Large Format Trade and Service Area due to their size, scale and form, locational and operational requirements, and reliance on the transport network.

## **Mixed Use Area**

- 2.4.26** Provide for a mixed range of compatible activities within the Mixed Use Area to support existing commercial activities and reinforce the variability of current land uses.
- 2.4.27** Promote consolidation, reuse and redevelopment and an efficient use of existing infrastructure, to enhance the vibrancy of commercial areas.
- 2.4.28** Provide for residential activities in the Mixed Use Area to support other activities in commercial areas and make efficient use of existing buildings and facilities, provided they are well designed and quality living environments.

## **Explanation of Policies**

The District Plan aims to facilitate the ongoing use and development of existing properties to promote positive change for the identity and functioning of commercial areas. To achieve this outcome, all commercial areas are zoned Commercial, with this zoning providing for a mix of activities and development. However, it is recognised that the nature, role, character and amenity values of the commercial areas differ amongst the towns in the District, with the Hāwera commercial areas being distinctly different from the commercial areas in the smaller towns. Therefore, different 'areas' are applied to recognise and reinforce these differences. The different areas are based on existing and anticipated future land uses and developments in different areas. This approach is to ensure commercial activities and developments establish within specific areas, to ensure that new activities and developments are of a size, scale, design and form that is appropriate and compatible with the surrounding environment, while continuing to provide for the functional and operational needs of commercial activities. This approach achieves an efficient use of existing services and infrastructure, and allows the greatest diversity, scale and intensity of activities to occur within the Hāwera Town Centre and Mixed Use Areas. In addition, it supports the effective functioning of the different areas by minimising the potential for incompatibility issues, as well as encouraging the vitality and vibrancy of the commercial areas.

The Hāwera Town Centre Strategy provides direction on how the revitalisation can occur, through a range of mechanisms. The revitalisation of the Hāwera Town Centre can be achieved by incentivising appropriate pedestrian orientated retail activities and development, supermarkets and other compatible land uses to establish within the Hāwera Town Centre Area. The Hāwera Town Centre Strategy recognises the role of 'anchor' activities; activities which generate people to travel into town and from there continue to walk through the town centre. Anchor activities can be civic buildings, libraries, Council buildings, supermarkets, or other large retailers. The ideal location for anchor activities is at the interface between the Hāwera Town Centre Area the adjoining Mixed Use or Large Format Trade and Service Area. To ensure anchor activities do not have a detrimental impact on the Town Centre, any new anchor activity will need to be assessed for the actual and potential effects on the vitality and vibrancy on the Town Centre, street amenity, parking and traffic movements.

The Hāwera Town Centre Area and Mixed Use Areas should have the greatest concentration of buildings and mixture of activities, and promote a pedestrian oriented environment which maintains the compact, convenient and vibrant character of the area. The District Plan provides permissive and flexible parking and loading area requirements to enhance this pedestrian oriented environment and maintain streetscape and heritage character along Defined Pedestrian Frontages. In addition, the maintenance of the historical character and streetscape values of the existing town centres is important for community identity.

### Hāwera Town Centre Area

The Hāwera Town Centre Area is focused on and surrounds High Street, which is the principal retail and servicing focus of South Taranaki. This area is characterised by a concentration of diverse retail and business activities, including specialty retail and restaurants. The main retail core of the town centre is focused on meeting the convenience and comfort of pedestrians, with public spaces, pedestrian oriented areas, continuous and glazed shop frontages, and continuous verandas which contribute to the overall streetscape. The District Plan supports the continued commercial and retail activity in this area by encouraging the concentration of commercial and retail activities of a similar character, nature and scale. The concentration of these shops and public spaces is expected to enhance the functionality, vibrancy and vitality of the town centre, and the overall social and economic wellbeing of the District.

Providing for residential and visitor accommodation activities in the town centre can positively contribute to the vitality and vibrancy of the area. Residents would have convenient access to retail, commercial, community and civic amenities, resulting in a more lively and active area and contributing to the economic and social well-being of the residents. However, residential and visitor accommodation activities are restricted on the ground floor to ensure activities on the ground floor have a positive relationship to the street where they provide interest, visual connection and an active edge.

To protect the ongoing viability of the Hāwera Town Centre, some control on the scale of new retail activity outside the town centre is required in order to manage the potential adverse distributional effects of large-scale retailing activities on the vitality of the town centre. Within the pedestrian core of the Hāwera town centre itself, the multiple ownership and small size of properties and buildings means that new large-scale vehicle oriented retailing activities generally need to be located in the Large Format Trade and Service Area.

### Large Format Trade and Service Area

The Large Format Trade and Service Area is located along the west side of Glover Road in Hāwera, and the commercial area (which is yet to be developed) adjacent to the railway line between Hāwera and Normanby. Existing commercial development in these areas is generally characterised by large format trade and service activities, which are more directly vehicle oriented than the activities within the Hāwera Town Centre Area. In the past decade, the Glover Road area has transitioned from traditional commercial service area, with a mix of residential activities, light industrial, vehicle sales and service activities to a predominance of vehicle orientated, space extensive retail/trade/wholesale activities (e.g. Bunnings, Placemakers). The Large Format Trade and Service Area functions as an integral part of Hāwera's commercial activity, but provides for a larger scale and form of activities that cannot be accommodated in the Hāwera Town Centre. In addition, Hāwera contains an area of traditional industrial development east of the railway line near Glover Road, where effects are generally incompatible with small scale retail, or food and service activities such as those provided for in the Hāwera Town Centre Area.

### Mixed Use Area

The Mixed Use Area recognises the mixed use of activities that make up the commercial zones in the smaller town centres, and the periphery of the Hāwera Town Centre Area. The commercial areas in the smaller towns generally include a range of small shops or a small supermarket of a local nature to provide for the day to day shopping and service needs of surrounding residential, industrial and rural areas. Due to current economic conditions, many buildings in the commercial areas in the smaller towns are vacant or used for residential activities. Consequently, some buildings are in poor condition. The District Plan seeks to encourage the adaptive re-use and proper maintenance of existing buildings to increase the vitality and quality of the environment in these town centres, by allowing a range of different land uses and activities.

The Mixed Use Area on the periphery of the Hāwera Town Centre Area includes a mixture of residential activities, housing for the elderly, food and service activities, small-scale retail and commercial activities, light industry and some large-scale retail (e.g. the Warehouse). To reinforce the existing range of land uses, cater for various community needs, and to encourage the development, vibrancy and efficient use of the Hāwera Town Centre, the District Plan provides for higher density residential development close to the Hāwera Town Centre. This approach is consistent with the Hāwera Intensification Area in the adjacent Residential Zone.

The framework of policies and rules relating to the District's commercial areas remains flexible and responsive to the ongoing change in methods for delivery of goods and services by businesses. However, the rules manage this dynamic in a way that does not undermine existing physical resources and amenity values, or disadvantage the community or businesses.

### Methods of Implementation

The principal methods of implementation are:

- Identification of three separate commercial areas to recognise and reinforce the form, function, scale and intensity of development appropriate to the existing commercial environments.
- Performance standards and rules in respect of the size, scale, and location of buildings in the different areas, maximum standards for parking and vehicle access, lighting and odour, to ensure that amenity values are not compromised.
- Performance standards and rules in respect of non-commercial activities, including residential and industrial activities.

- Assessment of environmental effects through the resource consent process for proposals involving large scale development, or non-commercial activities, using performance standards.
- Use of conditions on resource consents to control the effects of activities to acceptable levels for the Commercial Zones.
- Implementation of the Hāwera Town Centre Strategy – To sustain and encourage the growth of services and amenities in Hāwera Town Centre, through the partnership of the local authority and various organisations and people.
- Use of non-notification clauses for activities that require resource consent within the Hāwera Town Centre Area, to incentivise development.
- Works and services such as parking areas, service lanes and public landscaping.
- The exercise of discretion in relation to particular performance standards and rules where development will result in the provision of public facilities and amenities.
- Provision of incentives to encourage building owners and occupiers to improve the visual amenity of commercial areas (e.g. painting subsidy scheme).

## Section 2.5 Industrial Zone

### Issues

- 2.5.1** Need to provide for and enable the efficient and effective functioning of industrial activities as they contribute to the economic and social wellbeing of the District. However, due to the nature, scale and intensity of industrial land use activities, they can generate significant adverse effects on the environment, particularly on adjacent residential and commercial areas, and the transport network resulting in reduced quality of the environment and incompatibility between different land uses.
- 2.5.2** New sensitive activities close to existing industrial activities or within industrial zones can create actual or potential reverse sensitivity effects.

Manufacturing and processing industries are a significant employer in South Taranaki, accounting for 42% of the workforce, mainly in the processing of dairy or meat products. Heavy and light engineering industries have also developed in South Taranaki to service the needs of the dairy and petrochemical sectors and the meat, energy, industrial, chemical and timber processing industries.

Industrial Zones apply to the Yarrows Bakery in Manaia, Fonterra's two dairy manufacturing sites in Eltham, and various other factories and sites of industrial nature within the urban areas of Hāwera, Eltham, Kaponga, Pātea, Waverley, Normanby, Ōpunakē, and Manaia. Most sites zoned Industrial are already developed with industrial activities, with the exception of the Hāwera-Normanby Industrial zone (re-zoned as part of the Urban Growth Strategy 2008).

The efficient and effective functioning of industrial activities is crucial for the economic and social wellbeing of the District. Given the nature and scale of these processing and manufacturing activities they have the potential to generate a wide range of adverse effects on the environment, including noise, dust, vibration, odour, lighting, glare, traffic, shading and visual impacts of structures and industrial activities, and other effects which may cause a nuisance to surrounding land users. Pressure on urban land supply, the urban transport network or demand for utilities can also occur from increased industrial development. These effects need to be managed because of the effect they could have on other

activities in the area, including adjacent residential, commercial or rural zones where a higher level of amenity is generally expected.

As the Industrial Zones are within urban areas, and adjoin Residential, Commercial or Rural Zones, there is potential for reverse sensitivity effects to arise. New residents, or retail or commercial activities that establish within an Industrial Zone or in close proximity to an industrial site, can be sensitive to effects of odour, air quality, noise, lighting and building scale, which are otherwise generally accepted as part of an industrial environment. The incompatibility of these activities can result in complaints about effects, and can inhibit the efficient and effective functioning of industrial activities (e.g. limiting the hours of operation, noise levels, or traffic movements), which could impact on their economic and social contribution to the District.

## Objectives

- 2.5.3** To provide for the efficient and effective operation and development of industrial activities in the Industrial Zone while ensuring their adverse effects on the urban environment are avoided or mitigated, recognising the sensitivities and amenity levels of adjoining commercial and residential areas and the safety and efficiency of the transport network.
- 2.5.4** To protect existing industrial activities in urban areas from incompatible subdivision, land use and development which could adversely affect the efficient and continued operation of existing activities.

## Policies

- 2.5.5** Recognise and provide for industrial activities in urban areas through a specific zone designed to recognise the individual operating requirements and future development of these activities while ensuring an acceptable level of environmental quality and amenity within the zone.
- 2.5.6** Recognise and provide for the existing activities and facilities associated with the bakery and manufacture of yeast products in Manaia and ensure that future development is in accordance with the Concept Plan.
- 2.5.7** Protect the amenity values of the commercial, residential and rural areas surrounding the Industrial Zones by managing the nature, scale and level of environmental effects originating from the Industrial Zone.
- 2.5.8** Restrict activities that may be incompatible with other industrial activities from establishing in the Industrial zone, to ensure the safe and efficient operation of industrial activities, and to protect the vitality and vibrancy of the Commercial and Residential Zones of urban areas where these activities may be more appropriately located.
- 2.5.9** Manage potential reverse sensitivity conflicts between the existing industrial activities and new sensitive activities through appropriate separation distances, landscaping, noise insulation or other measures, giving priority to existing lawfully established activities.
- 2.5.10** Ensure that all buildings are located to minimise shading and disruption to privacy enjoyed on nearby residential, open space and rural properties.



### Explanation of Policies

The manufacturing and processing industries are of significant importance to the local economy and provide goods and services for the local, regional, national and international markets. It is therefore crucial that industrial activities within or in close proximity to existing urban areas are appropriately recognised and provided for.

A single Industrial Zone is applied to all industrial areas across the District, as all industrial activities generally have similar character and amenity values. The character and amenity values of industrial areas reflect their role, location, functioning attributes and general working environment conditions. Within the Industrial Zone, character and amenity values are generally mixed, with various different building scale and forms, site layouts and visual appearance. The Industrial Zone comprises mainly small-scale service providers, with some larger scale manufacturing and processing plants (e.g. Fonterra's two dairy manufacturing sites at Eltham, and Manaia Yarrows Bakery production factory). The Industrial Zone recognises the character of these existing land uses and also provides sufficient space within or in close proximity to urban areas to encourage the development of new industrial activities on appropriate land, close to existing services (such as roads and network utilities). The Industrial Zone accommodates the operational requirements of industrial land uses by allowing more flexible standards to recognise the existing character and amenity values of industrial land uses. Performance standards are primarily focused on avoiding, remedying or mitigating actual and potential adverse effects on surrounding areas. The zoning also gives the community certainty on the location of this type of industrial development, where the amenity and character is anticipated to be different to that in the commercial and residential areas generally.

More sensitive, incompatible activities (e.g. residential, visitor accommodation, commercial and retail) are restricted from establishing within the Industrial Zone as they generally have different character and amenity expectations, or their location in the Industrial Zone would detract from the vitality and vibrancy of commercial or residential areas. Commercial, retail and residential activities are more appropriately located in areas that specifically provide for this use, as there is already a high level of investment in maintaining and enhancing commercial/retail focused areas. Where activities or development do not comply with the rules or performance standards, the resource consent process enables the effects of the proposal to be assessed. If the application is granted, conditions of consent would manage those effects.

There is potential for conflict between incompatible activities with different character and amenity expectations at zone boundaries. Each Industrial Zone is surrounded by commercial, residential or rural land, where the adverse effects of industrial activities may impact on the character and amenity values of these areas. These effects include noise, excessive light, heavy vehicle movements and the visual appearance of buildings. Therefore, at the interface between the Industrial Zone and other Zones, effects will be managed to minimise the potential for conflict. These interface tools include building setback requirements, screening, and lower maximum noise requirements at the zone boundary.

In addition, given the importance of industrial activities and sites to the District, priority is given to protecting the industrial activities from new sensitive activities using setbacks, screening and separation distances, to ensure the industrial activities can continue to operate in an effective and efficient manner.

### Methods of Implementation

The principal methods of implementation are:

- District Plan rules and performance standards to provide for the functioning of industrial activities.

- Performance standards and setback requirements for activities so that industrial activities do not generate significant adverse effects on visual amenity, noise, vibration, odour, dust, glare and other nuisances.
- Setback requirements for new sensitive activities in relation to the Industrial zone.
- Assessment of environmental effects through the resource consent process for proposals involving incompatible land use or activities in the Industrial Zone or those not meeting performance standards.
- Conditions on resource consent applications to avoid, remedy or mitigate adverse effects on urban character, amenity, and quality of the environment (e.g. fencing, screening, noise monitoring, and traffic management).
- Education to raise awareness about the economic benefits, nature, and operations of industrial activities, and potential adverse effects associated with these activities in urban areas.
- Financial contributions to mitigate the effects of industrial activities on the transport network and infrastructure.

## Section 2.6 Rural Industrial Zone

### Issues

- 2.6.1 Need to recognise the presence of existing large-scale operations in the rural environment and provide for their ongoing efficient and effective functioning, while recognising they can have adverse effects on the rural environment.**
- 2.6.2 New sensitive activities close to existing large-scale operations in the rural environment can create reverse sensitivity effects.**

The Rural Industrial Zone applies to well-established and large-scale industrial activities and sites located within the rural environment. This zoning recognises the established nature of these activities and their contribution to the economic and social wellbeing of the immediate area as well as the District and Taranaki Region as a whole.

The Rural Industrial Zone applies to ten sites, being:

- Shell Todd Oil Services Maui Production Station
- Fonterra Kapuni Dairy Manufacturing Site
- Ballance Agri-nutrients Ammonia Urea Plant
- Shell Todd Oil Services Kapuni Production Station
- Vector Gas Treatment Plant
- Silver Fern Farms Hāwera Meat Processing Plant
- Graeme Lowe Protein Rendering and By-Product Processing Plant
- Fonterra Whareroa Dairy Manufacturing Site
- Smith Bros Trading (Taranaki By-Products) Processing Plant
- Silver Fern Farms Ltd, Waiinu Beach Road, Waitotara

The sites and operations process, manufacture and/or treat natural resources and/or primary products produced in the rural environment. In addition to the processing, manufacturing and/or treatment

activities, the sites can include other ancillary activities such as transport depots, rail facilities, energy generation, effluent/waste treatment and disposal, and administration facilities.

Most sites zoned Rural Industrial are fully developed with limited plans for future expansion outside their existing footprints. However, Fonterra's Whareroa and Kapuni dairy manufacturing sites, Ballance-Agri-nutrients Kapuni plant and Smith Bros Trading (Taranaki By-Products) plant may be expanded in the future with additional processing and storage facilities.

Given the nature and scale of these activities they have the potential to generate a wide range of adverse effects on the environment. These effects can include noise, dust, vibration, odour, lighting, glare, shading, visual impacts of structures and industrial activities, and other effects which may cause a nuisance to surrounding land users. These effects need to be managed because of the effect they could have on other activities in the area.

In managing odour and dust, this falls under the jurisdiction of both the Regional Council and District Council. The Regional Council is responsible for all discharges to air, including any associated odour or dust. The District Council is responsible for control of use of land, including where some land use activities generate odour and dust which is not a discharge to air. The odour and dust from these land use activities would be managed by the District Council under the policies and rules of the District Plan.

As the Rural Industrial Zone applies to sites scattered throughout the rural environment there is potential for reverse sensitivity conflicts to arise between activities in the rural area and rural-industrial sites. Reverse sensitivity can occur when new residents or other sensitive activities establishing in rural areas are sensitive to the effects originating from the existing industrial activities, such as odour, air quality, noise, lighting and building scale. Such activities could give rise to complaints about these effects and seek to impose constraints or limitations on the operation of the industrial activities. These limitations could impact on the functioning and efficiency of the industrial activities, which in turn, could unduly impact on their economic and social contribution to the District.

## Objectives

- 2.6.3** To provide for the efficient and effective operation and development of existing large-scale manufacturing and processing activities and sites in rural areas while ensuring their adverse effects on the environment are avoided, remedied or mitigated recognising their rural location.
- 2.6.4** To enable the efficient and effective functioning of existing large-scale manufacturing and processing activities and ensure that these activities are not-constrained by adverse effects of new incompatible subdivision, land use and development in the Rural Zone.

## Policies

- 2.6.5** Provide for existing large-scale manufacturing and processing activities and sites in rural areas through a specific zone designed to recognise the individual operating requirements and future development of these activities.
- 2.6.6** Manage the adverse effects of land use activities and development on each site in the Rural Industrial Zone using Concept Plans which indicate the overall development envelope for that site.

- 2.6.7** Maintain the amenity values of the rural areas around the existing large-scale manufacturing and processing activities and sites by managing the nature, scale and level of environmental effects originating from the Rural Industrial Zone.
- 2.6.8** Allow flexibility to enable the existing large-scale manufacturing and processing activities and sites to implement improved operational methods and plant efficiency whilst ensuring the adverse effects on the environment are avoided, remedied or mitigated.
- 2.6.9** Restrict non-industrial activities which may be incompatible with industrial activities in the Zone and encourage alternative locations for them in urban areas to protect the vitality and vibrancy of urban areas where these activities may be more appropriately located.
- 2.6.10** Manage potential reverse sensitivity conflict between the existing large-scale manufacturing and processing activities and sites, and sensitive activities through noise insulation requirements on new dwellings and noise-sensitive activities.

### Explanation of Policies

A range of industrial activities are undertaken within the Rural Industrial Zone which provide goods and services for the local, regional, national and international markets. These activities are mostly large-scale manufacturing and processing plants. The importance of these activities to the wellbeing of the South Taranaki District makes it critical to ensure that they are appropriately recognised and provided for.

The Rural Industrial Zone is designed to provide some certainty to these industries to accommodate their operational requirements and to allow flexibility that enables changes to achieve efficient use and development of resources. The zoning also gives the community certainty on the location of this type of industrial development and where the character of a particular location is anticipated to be different to that in the rural area generally.

Activities and development in the Rural-Industrial Zone are defined by the Concept Plans for each site. Concept Plans are used as an effective tool to recognise the current and future plans at each site and to manage the overall location, scale and environmental effects.

In addition, performance standards are designed to avoid, remedy or mitigate adverse effects impacting on surrounding areas, to protect amenity values and the quality of the environment. Where activities or development do not comply with the rules or performance standards, the resource consent process enables the effects of the proposal to be assessed.

Provided that the industrial activity can meet the performance standards, there is considerable flexibility of use within the Zone. Some activities may be unsuitable in the rural-industrial areas, as they may have different character and amenity expectations or detract from the vitality and vibrancy of urban areas where these activities should be located. For that reason there are constraints on the establishment of other activities in the Zone.

There is potential for conflict between incompatible activities and between different character and amenity values at zone boundaries. Each Rural Industrial Zone is surrounded by rural land, where the adverse effects of industrial activities may impact on the character and amenity values of these areas. These effects include noise, excessive light, heavy vehicle movements, rail movements and the visual appearance of buildings. Therefore, at the interface between the Rural-Industrial Zone and other zones, effects will be managed to minimise the potential for conflict. These interface tools include building requirements, screening, and lower noise requirements at the zone boundary or at a noise area boundary.

In addition, given the importance and existence of these large-scale industrial activities and sites to the district, priority is given to protecting the industrial activities from new sensitive activities to ensure the industrial activities can continue to operate in an effective and efficient manner. This approach is implemented through the use of noise area boundaries and acoustic insulation requirements.

### Methods of Implementation

The principal methods of implementation are:

- District Plan rules and performance standards permitted activities to provide for the functioning of industrial activities.
- Performance standards and setback requirements for activities so that industrial activities do not generate significant adverse effects of visual amenity, noise, vibration, odour, dust, glare and other nuisances.
- Use of concept plans in conjunction with performance standards and rules to establish the parameters for development for each site.
- Noise area boundaries and associated acoustic insulation standards for new sensitive activities in relation to the Rural Industrial Zone.
- Assessment of environmental effects through the resource consent process for proposals involving incompatible land use or activities in the Rural Zone or those not meeting performance standards. This includes assessment of cumulative effects on the long term sustainability of versatile land and productive land use.
- Conditions on resource consent applications to avoid, remedy or mitigate adverse effects on the rural character, amenity and quality of the environment, for example a road maintenance agreement to repair roads from heavy vehicle traffic damage, restrictions on hours of operation and noise levels, or landscaping, fencing and site restoration.
- Education to raise awareness about the nature, operations and potential adverse effects associated with large-scale industrial activities in rural areas.

## **Section 2.7 Tāngata Whenua**

### **Issues**

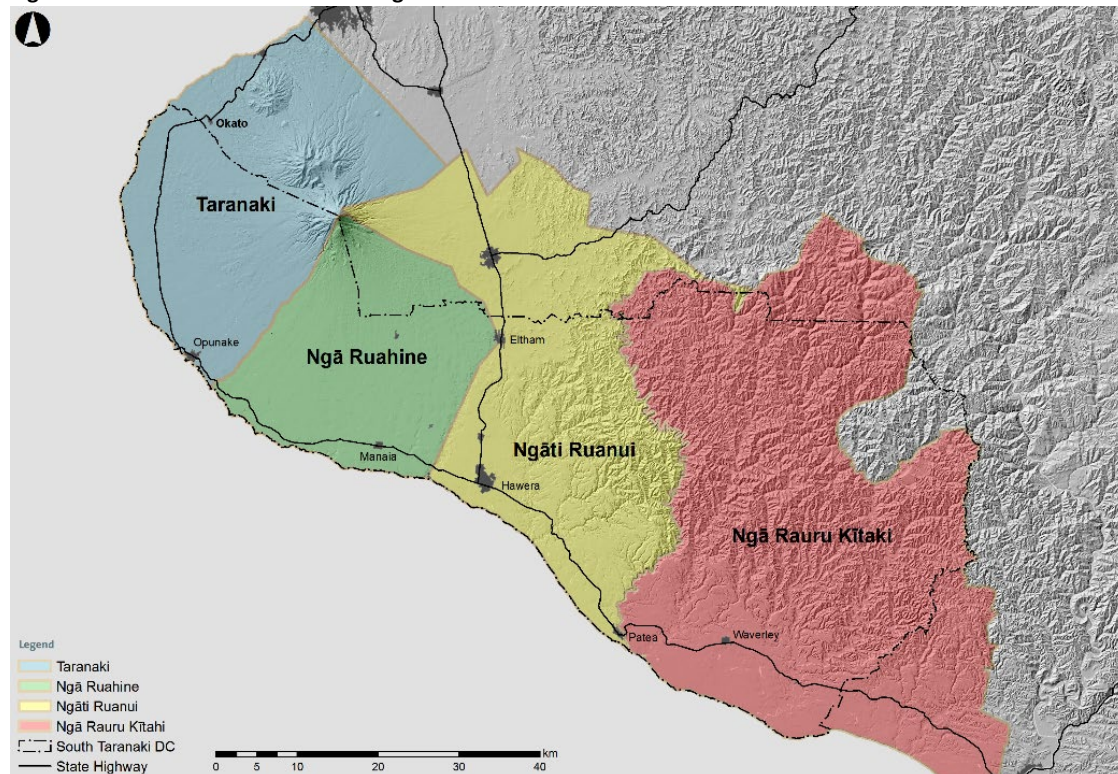
- 2.7.1** Appropriate ways need to be adopted to take account of Tāngata Whenua values and to involve Tāngata Whenua more actively in resource management processes and decision-making.
- 2.7.2** Appropriate ways to recognise the Treaty of Waitangi in the management of the District's natural and physical resources.
- 2.7.3** The lack of recognition of and provision for the relationship of Tāngata Whenua and their culture and traditions (including mauri) with their ancestral lands, waters, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga.
- 2.7.4** Loss, damage and degradation to sites and areas of cultural and spiritual significance resulting from inappropriate subdivision, use and development of land resources.



### 2.7.5 Providing for development by Iwi, hapū and whānau (e.g. Marae, papakāinga) that enhances their social, cultural and economic well-being while sustainably managing the environment.

The South Taranaki District Council exercises its functions within the rohe of four iwi: [Taranaki](#), [Ngāruahine](#), [Ngāti Ruanui](#), and [Ngā Rauru](#). Each Iwi has its own identity, values and associations with South Taranaki. In some instances these values and associations may be the same or similar between Iwi. In other instances these values and associations may be different and unique to a particular Iwi. All four Iwi have signed a Treaty of Waitangi deed of settlement (Ngāti Ruanui (2001), Ngā Rauru (2003), Ngāruahine (2014), and Taranaki (2015)).

Figure 1: Iwi boundaries in Taranaki region



The Resource Management Act 1991 sets out particular obligations on the Council, including Section 6 requiring the relationship of Māori, their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga, be recognised and provided for as a matter of national importance. The Act also requires the protection of recognised customary activities as a matter of national importance. In addition, Section 7 states, when managing the use, development, and protection of natural and physical resources, particular regard needs to be given to Kaitiakitanga (guardianship).

In carrying out functions and powers in relation to the use, development and protection of natural and physical resources the Councils must take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) under Section 8 of the Act. Three principles particularly relevant to the District Plan are partnership, participation and protection.

The principle of partnership at a local level is based on an effective working relationship between Tāngata Whenua and the Council. Like any partnership or relationship, it will develop and evolve over time. The success of this partnership will require all parties to contribute the necessary resources to enable it to develop and grow. At an applied level, this partnership includes Tāngata Whenua and the Council working together such as through sharing of information and knowledge (e.g. sites and areas of

cultural and spiritual significance to Tāngata whenua, proposals which may be of interest to Tāngata whenua) and respecting the views and obligations of each other.

For participation, this means involving Tāngata Whenua in resource management processes, such as District Plan Reviews/Changes, and resource consent applications. For example, the current practice of supplying mandated Iwi organisations with a list of recent resource consent applications enables Tāngata Whenua to be aware and respond to proposals which may be of interest and/or impact on resources of value to them.

The protection principle relates to the relationship of Māori, their culture and traditions with land, water, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga, as well as recognising customary activities. In addition, it is about applying kaitiakitanga (guardianship) managing the use, development, and protection of natural and physical resources. One particular issue in achieving this protection principle in South Taranaki is to protect values of sites and areas of cultural and spiritual significance to Tāngata Whenua. To do this requires both the identification and an understanding of the sites and areas. This process is anticipated to be led by Tāngata Whenua as the holder of this information and knowledge. One associated issue is the sensitivity of information regarding areas and sites and areas of cultural and spiritual significance.

Tāngata Whenua have a special relationship to the land and environment. The District Plan needs to address this relationship by managing the effects of land uses on land, water, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga. In addition, it is important for Iwi and hapū to be able to maintain their traditional association with the land, whilst enabling the efficient use and appropriate development of their land to provide for their economic, social and cultural wellbeing, which contributes to positive health outcomes for Māori. Certain land uses may be appropriate on Māori land, such as papakāinga and Marae, given the different title structure of Māori land. It is also recognised that much ancestral land occupied by Iwi, hapū and whānau is held under general title status. Despite the extensive muru me te raupatu, historical land confiscation in the South Taranaki District, the relationship of Māori with their ancestral lands is enduring. Ancestral land in the South Taranaki District means land where there is a demonstrated whakapapa and ancestral connection to the land, and is not specifically determined by ownership or land status. Opportunities to develop papakāinga on these lands are also provided for within the District Plan for Māori to enable development of ancestral lands in accordance with tikanga Māori, regardless of land status. Papakāinga is a physical representation of mana whenua, and an anticipated activity, which contributes to the character of the South Taranaki District.

Furthermore, sites and areas of cultural and spiritual significance (e.g. wāhi tapu, tauranga waka (canoe landing sites), urupa (cemetery) and pa sites) are at risk from damage and destruction from inappropriate activities and development. Particular types of works that pose a threat to these sites and areas are those that involve excavation or construction. However, there is currently limited understanding and awareness of these sites and areas which may contribute to the risks of this damage and destruction. A better understanding and awareness of these sites and areas would result in their protection.



## Objectives

- 2.7.6** To recognise and provide for the relationship of Tāngata Whenua and their culture and traditions (including mauri) with land, water, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga.
- 2.7.7** To protect sites and areas of cultural and spiritual significance to Tāngata Whenua from the adverse effects of inappropriate subdivision, use, and development of resources.
- 2.7.8** To recognise and provide for development and use of whenua by Iwi, hapū and whānau that enhances their social, cultural and economic well-being in a way that achieves sustainable management of the environment.
- 2.7.9** To provide Tāngata Whenua with opportunities to participate and partner in resource management processes and decision-making.
- 2.7.10** To have particular regard to the concept of Kaitiakitanga as defined by Tāngata Whenua of the District in respect of the management of natural and physical resources.
- 2.7.11** To provide for papakāinga on ancestral land.

## Policies

- 2.7.12** Establish formal and informal working relationships with Tāngata Whenua within which a partnership regarding resource management matters may be defined, addressed and decided.
- 2.7.13** To actively engage with Tāngata Whenua when addressing matters of concern to Iwi and hapū, including recognition of the relationship of Tāngata Whenua and their culture and traditions with land, water, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga.
- 2.7.14** To encourage, where appropriate, as part of the determination of resource consent applications, consultation with Tāngata Whenua be undertaken and reported to the decision-making authority.
- 2.7.15** Identify sites and areas of cultural and spiritual significance to Tāngata Whenua for protection from inappropriate subdivision, use and development based on criteria developed with Tāngata Whenua.
- 2.7.16** Avoid effects in the first instance, and if they cannot be avoided, then remedy or mitigate any adverse effects of activities that could destroy, degrade or damage the cultural values associated with a site or area of cultural or spiritual significance when assessing proposals for subdivision, use and development.
- 2.7.17** Enable papakāinga in accordance with tikanga Māori whilst managing potential adverse effects on amenity values.
- 2.7.18** Enable the development and maintenance of Marae whilst managing effects on the character and amenity of the Residential, Commercial and Rural Zones.

- 2.7.19** Identify the Parihaka Cultural Area and recognise its historical and cultural significance to Tāngata Whenua and the community, by providing for development and a range of activities based on the needs and values of Tāngata Whenua.
- 2.7.20** Recognise and provide for development and a range of activities by Iwi, hapū and whānau on key sites to meet the needs and values of Tāngata Whenua.

### Explanation of Policies

An effective working relationship between the Council and Tāngata Whenua in respect of resource management will continue to grow and develop with ongoing communication and commitment.

One key principle of the Treaty of Waitangi is the concept of partnership. The creation of the framework within which this can be achieved at a local level is dependent on the development of an effective working relationship between the Council and Tāngata Whenua. It is also reliant on the 'partnership' being able to develop, and the necessary resources, being made available to allow participation by Tāngata Whenua. These matters will continue to be addressed through the resource management framework. It is important that the community continues to be part of this process.

It is recognised that the relationship of Tāngata Whenua with their lands is typically a historic relationship. There is a desire by Tāngata Whenua to maintain and enhance this traditional relationship, both in terms of the current economic and social context and traditional setting. The Council will be largely dependent on Tāngata Whenua in identifying opportunities for how their traditional relationship can be maintained or enhanced.

Some proposals may be of interest or concern to Tāngata Whenua where their relationship with, and culture and traditions relating to land, water, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga, may be adversely affected. Actively engaging with Tāngata Whenua can assist with understanding the history of a site and, the effects of the proposal, and if effects are identified, how these effects can be avoided, remedied or mitigated. Specific sites or types of activities that may be of interest or concern to Tāngata Whenua include:

- Proposals that affect statutory areas identified in Statutory Acknowledgements.
- Land development, subdivision, earthworks or other disturbance activities on sites that contain or are close to wāhi tapu, waka landing sites, locations for gathering kaimoana or other cultural sites or taonga.
- Disposal of waste in sites and areas of cultural and spiritual significance, such as the Coastal Protection Area and Outstanding Natural Features and Landscapes.
- Modification of wetlands.

The protection of the values of sites and areas of cultural and spiritual significance to Tāngata Whenua requires both identification and an understanding of the sites and areas. As the information regarding these sites and areas is held by Iwi there needs to be appropriate processes in place to ensure that this information is made available in a timely fashion where a development has potential to adversely impact on these sites and areas. If the Council is not aware of the sites or values of these sites and areas then it becomes very difficult to assess the impact that any development may have. Policies 2.13.12-2.13.15 therefore also applies to the identification of sites or areas of cultural or spiritual significance by Tāngata Whenua during the resource consent process.

Identification of sites or areas of cultural or spiritual significance in a Schedule and shown on the Planning Maps is seen as an important step in moving towards a proactive approach. However, it is recognised that information about some sites and areas will be sensitive and Iwi may choose to limit the amount of information made publicly available. Compiling this Schedule will require on-going

consultation with Tāngata Whenua and the development of criteria to determine if sites or areas should be listed in the Plan depending on their cultural and spiritual significance. It is anticipated this process for identifying sites or areas will be initiated and led by Iwi. A plan change or variation may be required in future to include these sites and areas to the District Plan.

Where sites or areas are not formally included in the District Plan it is recognised that the role that Tāngata Whenua can play within the planning process is more limited and is likely to be as an affected party for certain activities or activities in the coastal environment, near waterbodies or ground disturbance, or as a submitter when a resource consent application is notified. It is also noted that sites where archaeological evidence is uncovered will be protected by the Heritage New Zealand Pouhere Taonga Act 2014 which makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without prior authority of Heritage New Zealand.

Furthermore, the Council is obliged to include Statutory Acknowledgements arising from Treaty of Waitangi settlements in its District Plan. A Statutory Acknowledgement is a formal recognition by the Crown of the mana of Tāngata Whenua over a specified area. It recognises the particular cultural, spiritual, historical and traditional association of an Iwi with the site, which is identified as a Statutory Area. In South Taranaki, these sites and areas include rivers (e.g. Pātea River, Waitotara River), recreation and conservation areas (e.g. Nukumarū Recreation Reserve). These statutory areas are used to inform provisions in the District Plan (e.g. schedules), decisions on who have affected person status for notification decisions for resource consent applications, and decision-making on proposals requiring resource consent.

Iwi and hapū seek to provide for and maintain their traditional institutions, such as Marae and papakāinga, which foster retention of the customs and traditions of Māori. The District Plan provides for these institutions while ensuring the effects arising from this type of development do not adversely impact on the surrounding environment.

Provision is made for papakāinga on land zoned Rural, Residential, Township or Commercial where there is a demonstrated whakapapa and ancestral connection to the land.

Specific provision is made in the District Plan for the settlement of Parihaka due to its historical significance and future aspirations. The District Plan provides for papakāinga, visitor and recreational centres, commercial development and servicing to be established in the settlement. Site-specific provisions are applied to the Parihaka site to provide for the anticipated future development, while also ensuring the adverse effects are avoided, remedied or mitigated. Furthermore, recognition is also made for Iwi or hapū that may wish to develop local community facilities and papakāinga on other sites in the district.

### **Methods of Implementation**

The principal methods of implementation are:

- Individual relationship agreements are seen as an important tool to facilitate on-going dialogue and engagement between mandated iwi organisations and the Council as a basis to foster the partnership for dealing with resource management matters.
- Develop operational procedures between the Council and mandated Iwi organisations for resource consent applications for proposals that may adversely affect identified areas and sites and areas of cultural and spiritual significance, including when Iwi are identified as an affected party under the RMA. These procedures describe how the Council and Iwi can effectively interact, and would recognise that knowledge of these sites and areas is held by Iwi, sharing of information can assist in better decision-making, and that some information is culturally sensitive.

- Develop criteria to assess sites and areas of cultural and spiritual significance to Tāngata Whenua, including in the coastal environment, and identification on Planning Maps and listing in a District Plan schedule. The process for identifying sites and areas is to be initiated and led by Iwi.
- Adopt targeted District Plan rules and performance standards relating to the protection of sites and areas of cultural and spiritual significance.
- Provide guidelines to assist with the implementation of papakāinga provisions.
- Identification of the Parihaka Cultural Area for the Parihaka site and apply site-specific District Plan rules and performance standards to manage the nature and scale of development and activities.
- Conditions on resource consents to ensure the adverse effects of land use, subdivision or development are avoided, mitigated or remedied on sites and areas of cultural and spiritual significance, as well as in recognising and providing for the relationship the Tāngata Whenua and their culture and traditions (including mauri) with land, water, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga.
- Statutory acknowledgements that arise from Treaty of Waitangi settlements will be attached to the District Plan. The Council will have regard to these acknowledgements in its decision-making, such as when determining who may be adversely affected by a resource consent for activities within, adjacent to, or impacting directly on a statutory area identified in a statutory acknowledgement.
- The Council will encourage the preparation and lodgement of Iwi Management Plans by Iwi. Where the Plans have been lodged with the Council, Council will be guided by their contents to the extent that they are relevant to the resource management issues of the District.
- Develop operational procedures to outline how and when landowners would be included in any identification of sites and areas of interest to Tāngata Whenua, if Tāngata Whenua interests extend over land held in private ownership. This includes the identification of sites and areas of interest to Tāngata Whenua in resource consent applications, notices of requirement and/or future plan change processes.
- Actively encourage applicants to engage in discussions with Tāngata Whenua before lodging an application, and preferably prior to preparing any application.

## Section 2.8 Transportation

### Issues

- 2.8.1** The safe and efficient operation of the road and rail networks can be adversely affected by subdivision, land use and development, such as through additional traffic volumes, unsafe access and intersection arrangements, and over use of roads for parking.
- 2.8.2** Sensitive activities (e.g. residential dwellings) located in close proximity to major transport infrastructure can result in reverse sensitivity effects.
- 2.8.3** A disconnect between land use planning and transport planning can result in inefficient use of land, provision of excessive transport infrastructure, and higher costs for moving people and goods.

**2.8.4 The safe and efficient functioning of the Hāwera Aerodrome and its future development could potentially be jeopardised by development in close proximity.**

**Safe and Efficient Operation of Road and Rail Networks**

Transportation infrastructure provides for the movement of goods and people throughout the District and adjoining areas. The main transport infrastructure components are the State Highways, local roads and rail network. This infrastructure is a physical resource and requires protection from activities that may adversely affect its efficient and safe operation. Effects on the safe and efficient operation of the road and rail networks can arise from:

- Generation of traffic / increased volumes
- Parking, loading and turning impacts
- Lack of vehicle visibility and safe sightlines
- Access ways and vehicle crossings (side friction), and
- Traffic safety interventions, including from signage and distractions at intersections

In addition, the transportation infrastructure is critical to the growth and development of the District, so its capacity may need to be more fully utilised as well as continue to be extended.

The demand for parking is a generated effect of most activities. Poor parking behaviour on streets and footpaths creates a traffic hazard, visual distraction and an adverse impact on the amenity values of the area. Attention needs to be given when car parking is provided on site to minimise these effects. However, in the centre of towns (commercial areas), and for smaller sites and activities, it can be difficult and sometimes inappropriate to provide on-site parking as it is more desirable to maintain a continuous pedestrian frontage for shoppers.

**Reverse Sensitivity Effects**

Another issue arises when sensitive activities (e.g. residential buildings, schools, childcare centres) establish near an existing transport network and these sensitive activities subsequently complain about the effects from the existing transport network and seek these effects be addressed. This issue is defined as reverse sensitivity and is a particular issue for the main transport infrastructure of the State Highways and rail networks due to the noise they can generate.

**Integrated Land Use and Transport Planning**

Urban form and rural land use patterns and transport are inextricably linked. Development of transport infrastructure is a considerable investment and is costly to maintain. Planning the integration of land use and transport can make efficient use of existing transportation investment, and open opportunities to improve transport choice that enable the community to improve their wellbeing and reduce overall costs.

The South Taranaki District has a dispersed land use pattern reflecting its predominantly rural land use and relatively large distances between urban areas. Therefore, moving around and out of the District relies on high rates of private vehicle travel. However, due to the small size of the urban areas, there are opportunities for residents to use more sustainable (non-motorised) modes of transport.

Land use activities including subdivision and development can significantly influence travel behaviour. For example, residential development near services (such as health services, schools, local shops and public transport routes or stops) can reduce the need for private vehicle travel and increase walking and

cycling. Conversely, dispersed forms of development, cul-de-sacs and poorly connected communities can increase the reliance on private vehicles.

### **Hāwera Aerodrome**

Hāwera Aerodrome is a significant physical resource in the district located on the outskirts of Hāwera. The aerodrome is used for recreational, agricultural and training activities. The aerodrome is located in the Rural Zone and is surrounded by a mix of rural, commercial and industrial zoned land. The safe and efficient operation and management of this resource, and adequate recognition of the health and safety of people residing in close proximity is an issue for the aerodrome.

### **Objectives**

- 2.8.5** Safe and efficient road and rail networks to ensure the reliable movement of people and goods.
- 2.8.6** Well-designed and located vehicle access and parking to ensure the safety of people, pedestrians, cyclists and vehicles and the efficient operation of the adjoining road network.
- 2.8.7** Protect the current and future efficiency, operation, safety and development of the State Highways and railway infrastructure.
- 2.8.8** To maintain the safe and efficient functioning and development of Hāwera Aerodrome, while avoiding or mitigating adverse effects from the airfield operation.

### **Policies**

- 2.8.9** Recognise and provide for the State Highway network, and its primary function of providing for the safe and efficient movement of through traffic by managing direct access onto State Highways.
- 2.8.10** Develop and maintain a roading hierarchy of local (access), collector, and arterial roads, recognising their different functions in terms of access to adjacent properties, and the management of through traffic.
- 2.8.11** Establish a consistent approach to roading, access and subdivision design, in accordance with NZS 4404:2010 Land Development and Subdivision Infrastructure (including local amendments adopted by NPDC and STDC) and accepted national standards or guidelines, and require all works to be designed and constructed to meet these standards.
- 2.8.12** Avoid, remedy or mitigate the adverse effects that may arise from increased traffic or changed traffic type, and new or changed access and intersections, through the use of standards and controls.
- 2.8.13** When activities provide off-street parking, ensure that it:
  - (a) Is in proportion to the demand generated by all activities on the site. Parking areas may be shared by more than one activity where it can be demonstrated that the parking demand for each activity occurs at a different time or on a different day.

- (b) Has both parking and loading spaces of such size, shape and layout to allow ingress and egress of vehicles without adversely affecting the safe and efficient function and operation of the adjoining road network.
  - (c) Is landscaped along road boundaries and adjacent to residential areas to maintain and protect amenity values.
- 2.8.14** Require every development adjacent to a proposed service lane to provide a loading bay that will be useable from the service lane once constructed.
  - 2.8.15** Provide and maintain bicycle routes and facilities which are designed and located to encourage cycling as a safe, pleasant and efficient form of transportation, and to take into account the existing or potential use of any urban arterial street by cyclists when constructing or upgrading such streets.
  - 2.8.16** Promote the efficiency of the railway and the primary role of the rail network by managing existing and new railway level crossings and vehicle crossings, and maintaining sight lines, to ensure the safe and efficient operation of both the road and the railway line.
  - 2.8.17** Ensure that subdivision, land use and development adjoining State Highways and the rail network avoid, remedy or mitigate reverse sensitivity effects by protecting themselves from noise, particularly in habitable rooms.
  - 2.8.18** Provide for the continued functioning and future development of Hāwera Aerodrome and manage the adverse effects caused by the operation of Hāwera Aerodrome on adjoining activities.
  - 2.8.19** Protect the operation of Hāwera Aerodrome from the potential adverse effects created by nearby activities.
  - 2.8.20** Improve the health and safety of individuals and community by locating buildings and structures away from the rail corridor, so that these items can be accessed and maintained entirely within the property, not the rail corridor.

### Explanation of Policies

The road network provides for access into and across the District in a safe, convenient and efficient manner. A roading hierarchy is used to identify the function of each road with three main types: local (access), collector and arterial. The predominant function of arterial and collector road types is to provide for through traffic movements, while local roads predominant function is to provide access to properties and facilities. The highest level of the roading hierarchy is formed by the State Highway network. The primary function of the State Highway network is to provide for through traffic across the District, between others districts within the Region, and to the rest of New Zealand. In South Taranaki, the State Highway network consists of State Highways 3 and 45. The safety and efficiency of each road is maintained by applying different controls to each road type (e.g. property access, on-street parking) recognising their functions.

It is important both for the safety and convenience of road users and for the efficiency of ongoing maintenance of roads that they are designed and constructed using consistent standards. Local standards have been developed in conjunction with New Plymouth District Council which complement the New Zealand standards for road design and construction.

The use of land can create a number of adverse effects on the safety and efficiency of roads, for example, through excessive use of streets for parking, or through poorly sited access points. Many



effects can be avoided or mitigated through compliance with standards imposed through the District Plan.

When on-site parking and loading areas are provided, they help produce a safer and more efficient roading system. Demand for parking and loading is generated by most activities. When provided, on-site parking and loading areas can decrease the amount of parking onto adjoining roads and neighbouring properties to reduce traffic hazards, visual detracting and impacts on the amenity values of the area. However, it is recognised in the town centres that when provided, on-site parking and loading is not always possible or appropriate.

The provision of numerous car parking spaces can have adverse effects on the amenity values of the area. Parking areas can create dust or mud if unsealed, and they can detract from the visual quality of the area. Attention to sealing, landscaping and screening will be required to reduce these adverse impacts.

The development of a network of pedestrian paths and cycleways in the District would support the opportunity for residents and visitors to move between areas and around the District. The provision of cycle parking in convenient and accessible locations, such as near or at schools, retail areas, recreation reserves, public transport locations and other community facilities would support cycling. An efficient approach in providing this land transport infrastructure is for the Council to work in partnership with or support other agencies.

The railway is an important physical resource in the District, particularly for the movement of goods. Inappropriate development at the intersection of the road and railway networks can compromise the safety of both road and rail users. In addition, new access or changes to existing access across the railway can affect the safety and efficiency of the rail network. Therefore, standards are applied in the District Plan to manage access over the railway and sightlines at nearby intersections.

Some development in close proximity to the state highways and railway may adversely affect the safe and efficient functioning of this major land transport infrastructure. Due to their historic location and development, landowners need to accept a certain level of effects emanating from this infrastructure. Measures to mitigate adverse effects, such as building setbacks from the infrastructure and acoustic insulation of buildings by using barriers and acoustical treatment of buildings, are required for residential units and other sensitive activities in the vicinity of these major road and rail corridors.

KiwiRail manages trespass into the rail corridor. To maintain existing buildings that are close to, or on, the boundary of the rail corridor, individuals will often go beyond their property boundary and into the rail corridor; a high risk environment. The risk has a relatively low probability, but has high and potential fatal consequences. The risk of harm varies due to the width of the rail corridor and proximity to an actual live railway track. The use of rail corridor setbacks to position buildings a sufficient distance back from the rail corridor and enable individuals to access and maintain these buildings without entering the rail corridor itself will, over time, remove some reasons to illegally access the rail corridor.

Hāwera Aerodrome is used by aircraft for recreational, agricultural and training activities. The existing aerodrome consists of three grass runways and an assortment of buildings (hangars, maintenance buildings and clubrooms). Providing for ongoing development at the aerodrome enables it to change and adapt over time to meet the needs of the local community. During busy periods, some moderate aircraft noise beyond its boundary can be expected, potentially at levels that could adversely impact on people living nearby. The District Plan includes specific noise and building provisions to allow the airfield to operate in an effective manner subject to the necessary constraints to protect the health and amenity of adjacent residents.

Development in the vicinity of the aerodrome could potentially affect the operation of the aerodrome, such as obstructions into flight paths. Civil Aviation Authority of New Zealand has adopted specifications

defining the obstacle-free air space around the airfield. These surfaces are known as obstacle limitation surfaces and are defined in terms of distances from the runway and heights relative to the runways.

Furthermore, problems can occur when new development of a type likely to be sensitive to aircraft noise (particularly residential use) occurs within close proximity to one of the Aerodrome's runways and associated flight paths (a phenomenon called 'reverse sensitivity'). Over time, complaints can create problems for the continued effective and efficient operation of the airport. For this reason, it is important to limit potential future problems preventing the intensification of residential activities within close proximity of the Aerodrome.

### **Methods of Implementation**

The methods of implementation include:

- Identification of a road hierarchy to assist in assessing the potential effects of an activity on the functioning of the network.
- Identification of Inner and Outer Control Boundaries for Hāwera Aerodrome for managing the noise issues.
- Identification of Control Surfaces for Hāwera Aerodrome to manage the height of buildings, structures and other items that could create an obstacle for flying aircraft.
- District Plan rules and performance standards relating to road widths, design speeds, design of vehicular access, dimensional standards, landscaping and sightlines at railway level and vehicle crossings.
- District Plan rules and performance standards for setback requirements and acoustic insulation for activities close to State Highways and the railway.
- District Plan rules and performance standards relating to the noise from aircraft movements at Hāwera Aerodrome and acoustic insulation for activities near the aerodrome.
- Assessment of environmental effects through the resource consent process for proposals not meeting performance standards. This includes assessment of effects on the safety and efficiency of the road and rail networks.
- Conditions on resource consent applications to avoid, remedy or mitigate adverse effects on the safety and efficiency of the transport networks.
- Works and services including road construction, shape correction and enhancement of existing streets, roads, cycle routes, pedestrian access ways, public carparking and service lanes.
- Coordination with other agencies (e.g. NZTA, KiwiRail, Taranaki Regional Council) with responsibilities for the transportation networks and services to identify and address issues like the implementation of associated policy documents such as the Regional Land Transport Programme.
- Compliance and implementation of:
  - NZS 4404:2010 Land Development and Subdivision Infrastructure (including local amendments adopted by NPDC and STDC).
  - NZS 4121:2001 Design for access and mobility: Buildings and associated facilities, and
  - AS/NZS 2890:2004 Parking Facilities (in 6 parts).

## Section 2.9 Hazardous Substances and Contaminated Land

### Issues

- 2.9.1** The risks of adverse effects on the environment and human health associated with the use, disposal, storage and transportation of hazardous substances.
- 2.9.2** The risks to human health and property from incompatible land use when new sensitive activities locate in proximity to existing significant hazardous facilities.
- 2.9.3** The use and development of potentially contaminated land can lead to adverse effects on the environment and human health, when the necessary remediation or management measures have not been undertaken prior to use.

Hazardous substances are used throughout the District for many purposes, with their use, storage, transport and disposal being an integral and essential part of many activities, particularly in the Rural and Rural-Industrial Zones. Common hazardous substances used by activities include fuels such as petrol, diesel and LPG, fertiliser, some pesticides, gases, solvents, cleaners, oils and various corrosive substances. Such activities include oil and gas, forestry, agriculture, industrial and commercial operations. It is important to recognise that while the substances used by these activities may be hazardous, they also have a number of benefits. Beneficial ways in which hazardous substances are used include the use of chemicals to treat water or clean factory plant and equipment; or the storage of diesel so that goods and products can be transported from the factory site. Although generally stored in small quantities, the positive benefits of hazardous substances is also experienced at a domestic scale, for example the storage of solvents such as mineral turpentine or garden chemicals such as insecticides. Although beneficial, hazardous substances also have the potential to adversely affect the health and safety of communities and the health and sustainability of the natural and physical environment and for this reason, the District Plan must respond accordingly.

There are several ways in which hazardous substances are managed. In the first instance, the Hazardous Substances and New Organisms (HSNO) Act 1996 and its specific regulations provide a comprehensive framework for controlling hazardous substances during their whole life cycle, from manufacturing and importing a substance, its transportation and storage, through to its use and disposal. Under HSNO, the Environmental Protection Authority is the regulatory agency who assess and decide on applications which seek to introduce hazardous substances or new organisms into New Zealand. Under the Health and Safety at Work (HSW) Act, WorkSafe New Zealand is responsible for the use of hazardous substances in workplaces, such as factories, farms and drilling sites.

Complementary to the HSNO Act, the RMA enables Councils through their District Plans to include additional land use controls for the prevention or mitigation of any adverse effects of the storage, use, disposal and transport of hazardous substances. Significant hazardous facilities can pose a risk to surrounding land uses from emergency events, such as explosions or large fires. Such emergency events have a very low probability of occurring, though if they occur, they can pose high potential harm to nearby people and damage to property. Land use controls may relate to matters such as the location of hazardous facilities, their potential impacts on other land uses and the natural environment, and the transport of hazardous substances that are undertaken as part of the hazardous facility's operation.

Past activities, such as heavy industry and disposal of waste material, has resulted in some land being contaminated. The subdivision, use or development of contaminated land can increase the risk of exposing the environment to contaminants. Adverse effects can occur particularly if contaminated land

is disturbed. Both remediation and development of land can disturb previously contained contaminants. This can lead to the discharge of contaminants to onsite or offsite areas that are sensitive.

Both District and Regional Councils have roles in managing contaminated land. Under the RMA, Regional Councils are responsible for the investigation of land to identify and monitor contaminated sites, while District Councils control land use to prevent or mitigate the adverse effects of the development, subdivision or use of land on contaminated or potentially contaminated sites. The District Council's response to issues of soil contamination are largely governed by the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES).

The NES contains planning controls and references the Hazardous Activities and Industries List (HAIL) - a list of activities and industries that are considered likely to cause land contamination. These regulations ensure that land affected by contaminants is identified and assessed before it is developed and if necessary, the land is remediated or the contaminants contained to make the land safe for human use. In most cases the responsibility for the management of the environmental effects of development on contaminated land will sit with the Taranaki Regional Council (e.g. the leaching of contaminants to waterbodies or groundwater from land development or disturbance activities), however the District Plan must recognise the NES and give effect to it through its objectives, policies and rules.

## Objectives

- 2.9.4** Recognise the important benefits associated with the use, storage, disposal and transportation of hazardous substances whilst also ensuring that risks to the environment and human health are minimised to acceptable levels.
- 2.9.5** Avoid or mitigate the risk of adverse effects on human health from the subdivision, land use changes or remediation of contaminated or potentially contaminated land.

## Petroleum Exploration and Petroleum Production

- 2.9.6** Recognise the important benefits associated with the use, storage, disposal and transportation of hazardous substances associated with petroleum exploration and petroleum production activities whilst also ensuring that risks to the environment and human health are:
  - (j) Avoided where the risks are unacceptable; and
  - (k) Minimised for lesser risks as low as reasonably practicable (ALARP).
- 2.9.7** Sensitive activities are located where they:
  - (l) Avoid areas exposed to an unacceptable level of risk from existing petroleum exploration and petroleum production activities; and
  - (m) Do not compromise existing petroleum exploration and petroleum production activities due to reverse sensitivity effects and /or incompatibility.

## Policies

### Significant Hazardous Facilities

- 2.9.8** Ensure significant hazardous facilities are located, designed, constructed and managed to minimise risk to the extent practicable and avoid Unacceptable Risk to the environment and human health.
- 2.9.9** Ensure appropriate facilities and systems are provided to avoid accidental or unintentional release, or loss of control (such as spills and gas escapes) of hazardous substances.
- 2.9.10** To avoid duplication of the regulation of activities controlled by the Hazardous Substances and New Organisms Act 1996 (HSNO) and other workplace safety law by:
- (a) Generally providing for activities that meet the relevant requirements of the HSNO Act and other workplace safety law as permitted activities; and
  - (b) Only requiring resource consents for activities that may have actual and potential effects that are cumulative, or where there is significant potential risk of adverse effects on the environment or human health not otherwise addressed by HSNO Act and Health and Safety at Work Act and associated regulations.
- 2.9.11** Manage the location of significant hazardous facilities by:
- (a) Locating significant hazardous facilities to avoid or adequately mitigate adverse effects, including risks, to people, property and the environment in the following situations:
    - (i) In close proximity to sensitive activities;
    - (ii) Within and adjacent to significant areas of indigenous vegetation and habitats of indigenous fauna;
    - (iii) Adjacent to significant waterbodies;
    - (iv) Within and adjacent to Sites of Significance to Tāngata Whenua or sites of historical or archaeological significance;
    - (v) Within the Coastal Protection Area and Flood Hazard Area, and areas at risk of ground rupture from known active faults.
  - (b) Ensuring adequate separation distances or other measures between significant hazardous facilities and activities sensitive to significant hazardous facilities to avoid or adequately mitigate risk to people and property; and
  - (c) Identifying, assessing and managing adverse effects (including cumulative) of significant hazardous facilities to mitigate risk to people, property and the environment.
- 2.9.12** Manage potential reverse sensitivity conflicts between existing lawfully established significant hazardous facilities and new sensitive activities through subdivision and land use activity controls and other appropriate measures.
- 2.9.13** Disposal of hazardous wastes is to be undertaken in an environmentally safe manner at authorised facilities to avoid the risk of hazardous substances creating adverse effects on the environment and human health.
- 2.9.14** Transportation of hazardous substances, including wastes, as part of a land use activity should be undertaken in a safe manner, by modes and transport routes which prevent or minimise the risk of adverse effects on other land use activities, the environment, and other transport users.

## **Petroleum Exploration and Petroleum Production**

- 2.9.15** Ensure petroleum exploration and petroleum production activities are located, designed, constructed and managed to avoid Unacceptable Risk and minimise lesser risks as low as reasonably practicable (ALARP) to the environment and human health.
- 2.9.16** Ensure new petroleum exploration and petroleum production activities are located where they do not expose existing sensitive activities to Unacceptable Risk.
- 2.9.17** Require new petroleum exploration and petroleum production activities to internalise the Unacceptable Risk within the site of the activity unless, where the Unacceptable Risk extends outside the site of the activity, a mechanism avoids the Unacceptable Risk to sensitive activities.
- 2.9.18** Ensure additions and alterations to existing petroleum exploration and petroleum production activities do not expose existing sensitive activities to Unacceptable Risk.
- 2.9.19** Encourage additions and alterations to existing petroleum exploration and petroleum production activities to internalise the Unacceptable Risk within:
  - (a) the site of the existing petroleum activity; or
  - (b) land owned by the operator; or
  - (c) land where the operator has an enforceable interest (including lease, covenant or legal contract).
- 2.9.20** Manage additions and alterations to existing petroleum exploration and petroleum production activities where:
  - (a) the Unacceptable Risk extends outside the existing Petroleum Activity Risk Contour, or
  - (b) there is no Petroleum Activity Risk Contour;to avoid Unacceptable Risk to sensitive activities and minimise the lesser risks as low as reasonably practicable (ALARP).
- 2.9.21** Manage additions and alterations to existing petroleum exploration and petroleum production activities where there are existing sensitive activities within the existing Petroleum Activity Risk Contour to ensure:
  - (a) the Unacceptable Risk to the existing sensitive activity is avoided; or
  - (b) where the Unacceptable Risk cannot be avoided, risk to the existing sensitive activity is not increased and is minimised to as low as reasonably practicable (ALARP).
- 2.9.22** Avoid the establishment of petroleum exploration and petroleum production activities which use, store or handle hazardous substances in the Residential Zone and Township Zone due to risk to the environment and human health.
- 2.9.23** Identify and keep up-to-date on the Planning Maps the Petroleum Activity Risk Contours related to existing petroleum exploration and petroleum production activities using a level of risk threshold of  $1 \times 10^{-6}$  (risk contour).
- 2.9.24** That Petroleum Activity Risk Contours will be uplifted from the Planning Maps in whole or in part and for separation distances to no longer apply where:
  - (a) there are no risk generating activities being undertaken; or

- (b) the level of risk reduces significantly and extant consents or rules do not enable risk generating activities to establish or intensify in the future.

**2.9.25** Avoid new sensitive activities locating in areas which are exposed to Unacceptable Risks from existing petroleum exploration and petroleum production activities.

**2.9.26** Where there is no Petroleum Activity Risk Contour, manage the location of new sensitive activities near existing petroleum exploration and petroleum production activities by applying separation distances based on generic fatality consequence distances for petroleum exploration and petroleum production activities.

### **Contaminated Land**

**2.9.27** Identification of sites that may be subject to potential contamination as a result of historical land uses and activities.

**2.9.28** Require that subdivision and land use changes on pieces of land that have a history of activities that could have resulted in contamination of the soil to undertake a preliminary site investigation to confirm whether there will be a risk to human health and whether further investigation, remediation or management is required, to ensure that the land is suitable for the intended exposure to humans.

**2.9.29** Ensure that all remediation, land use, subdivision and redevelopment of land affected by soil contamination prevents or mitigates adverse effects on and risk to human health and ensures that any residual levels of contamination is appropriate for the proposed future use of the land via management measures which may include remediation, containment or disposal of contaminated soil.

### **Explanation of Policies**

#### **Hazardous Substances**

These objectives and associated policies have been specifically drafted to avoid duplication between the District Plan and the HSNO Act and other regulations managing hazardous substances. The Council recognises that the HSNO Act is the primary legislation that controls the manufacture, import, transportation, storage, use and disposal of hazardous substances, and that it manages hazardous facilities. Under the HSNO Act, the Environmental Protection Authority is the regulatory agency who assess and decide on applications which seek to introduce hazardous substances or new organisms into New Zealand. Under the Health and Safety at Work (HSW) Act, WorkSafe New Zealand is responsible for the use of hazardous substances in workplaces, such as factories, farms and drilling sites.

Whilst compliance with the HSNO Act, HSW Act and other regulations will generally ensure that any adverse effects arising from the use, storage, disposal and transportation of hazardous substances are effectively managed, the District Plan applies additional controls on significant hazardous facilities and for sensitive environments. Significant hazardous facilities can adversely affect the environment and community if they are not appropriately sited and/or managed. Particular regard would be had to risks to neighbouring property (including dwellings) and the community from fire, explosion or natural hazard events affecting the significant hazardous facility. For these reasons, Rural Industrial zoned land has been identified as the most appropriate location for significant hazardous facilities to locate, , acknowledging that the Rural Zone can also accommodate significant hazardous facilities if effects can be appropriately managed. However, in identifying this, it is recognised that these zones often contain sensitive natural environments or have unusual characteristics (i.e., waterbodies, natural hazards etc) that also need to be taken into account and carefully managed. The District Plan therefore applies controls where particular locations have been identified where the environment may be more sensitive



to adverse effects from significant hazardous facilities. In addition, a risk assessment for each new significant hazardous facility would determine the appropriate distance for locating this facility in relation to existing sensitive activities.

The Plan manages the risks to human health and the environment from additions and alterations to existing petroleum exploration and petroleum production activities as well as risks from new sensitive activities locating close to existing petroleum exploration and petroleum production activities.

The risks from petroleum exploration and petroleum production activities cannot be fully eliminated, only reduced. There is a level of risk of human fatality that is considered unacceptable. The Plan defines this as the “Unacceptable Risk”. Where risks are not unacceptable, the Plan adopts the principle of minimising risks to As Low As Reasonable Practicable (ALARP) which is concept used in health and safety context.

In relation to new petroleum exploration and petroleum production activities, the Unacceptable Risk is to be internalised within the site of the activity unless, and where the Unacceptable Risk extends outside the site of the activity, an enforceable mechanism(s) is in place to avoid the Unacceptable Risk to sensitive activities. For example, such mechanisms may comprise covenants or legal agreement between the operators and neighbouring landowner.

In addition to the above, it is equally important that more sensitive activities such as residential subdivision and development are managed so that reverse sensitivity matters can be averted. The risk posed by significant hazardous facilities is often directly related to the nature and proximity (particularly in terms of population density) of the more sensitive receiving environment. The establishment of new sensitive activities close to an existing significant hazardous facility may result in unacceptable risks to the new activity and/or reverse sensitivity effects on the existing facility. Accordingly, site-specific (e.g.  $1 \times 10^{-6}$  individual fatality risk contour) and the zone-based (e.g. setbacks and list of activities) sections of the District Plan contain provisions to manage incompatible land uses and reverse sensitivity matters. Where petroleum exploration or petroleum production activities are decommissioned and/or wells capped, and the ability to establish or intensify in the future is not enabled by the rules or consents, there is no longer a risk to sensitive activities. In these circumstances, the provisions to manage incompatibility and reverse sensitivity for new sensitive activities no longer apply.

In terms of the potential risks to the environment and human health, the inappropriate disposal of hazardous waste can result in contamination of soil, air, groundwater or surface water, both at the source and at locations remote from the source through migration. The improper release of hazardous substances into the environment presents a major threat to the life supporting capacity of the environment and community health. Hazardous waste must be disposed of at a licensed hazardous waste facility that can accept such waste, or alternatively be treated to reduce the level or mobility of the contaminants to acceptable levels.

The transport of hazardous substances on land (including State Highways and local roads) is controlled by the Land Transport Rule: Dangerous Goods 2005 (created under the Land Transport Act 1998), and New Zealand Standard 5433:2007 which is a means of compliance. Accordingly it is not considered necessary for the transport of hazardous substances in the District to be the subject of resource consent.

#### Contaminated Land

There are a number of potential sites in South Taranaki that may have been contaminated from previous activities. However, not all the contaminated land has been identified, or limited or no information exists about the nature and extent of contamination. For the identification of potentially contaminated land, the Council uses the Regional Council’s Register of Selected Land Uses and the [Ministry for the Environment’s Hazardous Activities and Industries List \(HAIL\)](#). HAIL is a list of activities

that are considered likely to cause land contamination and therefore provides guidance for identifying potentially contaminated land.

The policies are based on implementing the [Resource Management \(National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health\) Regulations 2011](#). These controls are mandatory and apply to specific activities which heighten risks to human health on sites which are identified as potentially contaminated (e.g. earthworks or a change from industrial or horticultural to residential use).

Site investigations are required when a piece of land has been used for an activity which could result in contamination. The investigations are to determine whether the land is contaminated and what level of contamination is present.

Any activity that seeks to remediate, use, redevelop or subdivide contaminated, or potentially contaminated land, will be assessed. This assessment will ensure that proper and safe measures are undertaken and that management practices will not lead to further degradation of the site or surrounding environment or present a risk to human health.

The subdivision, use, and development of potentially contaminated land is restricted until the presence or absence of contamination is confirmed and any risks to human health and the environment is remediated to a level that is appropriate for the proposed activity and likely future uses.

### Methods of Implementation

The methods of implementation include:

#### **District Plan**

- District Plan rules and performance standards to manage significant hazardous facilities.
- Assessment of environmental effects through the resource consent process for significant hazardous facilities, including where they do not meet performance standards. If written approval (or agreement by any other instrument) is provided with a resource consent application, this approval does not prevent consideration of the effects on the wider environment (including Part 2 matters of health and safety), including on persons who may visit or on persons residing at the property and whose written approval has not been obtained.
- Conditions on resource consents to avoid or reduce the potential risks from significant hazardous facilities.
- Reliance on the [National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health](#) for assessing and managing the adverse effects of contaminated and potentially contaminated land with regard to the protection of human health.

#### **Other Regulations**

- Reliance on the [National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health](#) for assessing and managing the adverse effects of contaminated and potentially contaminated land with regard to the protection of human health.
- [HSNO Act](#) sets out technical standards for the use, storage, inspection, identification and regulation of hazardous substances, including Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001 and Hazardous Substances (Emergency Management) Regulations 2001.
- Other regulations apply to specific circumstances or activities, such as Health and Safety at Work (Major Hazard Facilities) Regulations 2016, Health and Safety at Work (Petroleum

Exploration and Extraction) Regulations 2016, and Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016.

- Other legislation, such as the [Building Act 2004](#), [Health and Safety in Employment Act 1992](#), and the [Transport Act 1992](#), include provisions relating to the use, storage, disposal or transportation of hazardous substances.
- Implementation of relevant bylaws, such as the Trade Waste Bylaw.

#### Collection and Provision of Information

- Promote the use of good practice guidelines, industry standards, codes of practice, and cleaner production methods in the use, storage and transportation of hazardous substances.
- The Council will cooperate with the Taranaki Regional Council and landowners to identify potentially contaminated sites, share information and assist in compiling a register of managed, confirmed and remediated sites in the District.
- Make available to the public, through Project Information Memoranda (PIMs) and Land Information Memoranda (LIMs), information about contaminated land held by the Council.
- Collect and maintain publicly available information about the level of risk from petroleum exploration and petroleum production activities. This information would be supplied by operators of petroleum exploration and petroleum production activities via resource consent applications or in meeting their obligations under other legislation or regulations.
- Maintain outside of the District Plan a publicly available schedule of:
  - (c) Production stations/gas treatment plants that do not have a Petroleum Activity Risk Contour; and
  - (d) Existing well-sites, consented well-sites, and decommissioned well-sites where:
    - Unacceptable Risk extends outside the property boundary; or
    - Where Unacceptable Risk has not been determined, a 250m setback from the source of risk extends outside the property boundary.
- Regularly share changes to risk assessment information and risk contours between operators and the Council, and undertake plan changes to keep the Petroleum Activity Risk Contour shown on the Planning Maps up to date.
- Identify on the Planning Maps an alert layer that is subject to the potential presence of contaminants from abnormal flare operation at a petroleum facility, which has the potential to cause acute health effects. As the probability of an acute health effect occurring is low, this alert layer (the Petroleum Flare Alert Area) is non-regulatory and no District Plan rules are triggered by it. This alert layer is measured 70m from flares at well-sites and 300m from flares at production stations.

## Section 2.10 Energy

### Issues

- 2.10.1** Recognition of the oil and gas resources in the District, and the existing and future exploration, development, production and distribution activities using and developing these energy resources.
- 2.10.2** Recognition of the renewable energy resources in the District and the benefits that can derive from the use and development of these resources from renewable electricity generation activities.
- 2.10.3** The investigation, exploration, prospecting, development, production, transmission and distribution of oil and gas activities and renewable electricity generation activities can cause adverse effects, particularly with regard to amenity, landscape, ecological, historic heritage, Tāngata whenua values, cultural and traffic.
- 2.10.4** Poorly designed and located subdivision, land use and development can result in inefficient use of energy, such as inefficient travel patterns and dwellings with limited solar access.

### Energy

Energy resources refers to the use of natural and physical resources which are used to produce or generate fuel and electricity. The use of these resources involves the exploration, development and production of non-renewable energy (also referred to as petroleum energy) resources such as oil, gas and coal, as well as renewable energy resources such as wind, hydro and geothermal. In New Zealand, the above examples are the main sources of energy.

### Local Resources

The Taranaki region has had a long association with the oil and gas industry and contains two of New Zealand's oldest and most productive gas fields – Kapuni and Maui. Of particular importance to the South Taranaki District are the on-shore production stations located at Kapuni and Oaonui.

The Kapuni field is the oldest producing gas and condensate field in New Zealand with production beginning in 1969. This production station is the origin of a reticulated gas network around the North Island. The Maui production station at Oaonui marks the start of the Maui transmission pipeline that runs 307km northwards, linking into other gas production stations, (including the pipeline's namesake, the off-shore Maui site) through to the Huntly Power Station. Also of significance to the District are gas and oil fields that supply the production stations of Kupe and Rimu.

A significant issue for the district is a need to recognise the presence of existing oil and gas operations and provide for their ongoing efficient and effective functioning, as well as to provide opportunities for further exploration and development. The oil and gas industry make a significant contribution to the energy resource supply at a national level, particularly for the supply of gas. Economically the industry is very important to South Taranaki District and accordingly the District Plan contains provisions to support the on-going operation of this sector.

While the energy sector in South Taranaki is dominated by oil and gas, the District also has renewable energy resources, particularly wind and water (hydro). Existing renewable electricity generation includes

the 32 MW Pātea Hydroelectric Power Scheme on the Pātea River (forming Lake Rotorangi), and the smaller Ōpunakē and Normanby Hydro power schemes.

At a large-scale, the key potential source of renewable energy development in South Taranaki is wind. Investigations show that there is a good wind resource along the south coast of the District, as well as land capacity for wind generation facilities and infrastructure. This potential is particularly important in the Council's role in helping to achieve energy policy objectives and/or renewable electricity targets set out at Central Government level.

### **Renewable energy**

While potential renewable electricity generation in South Taranaki is likely to be from hydro and wind resources, it is important to note that renewable energy is also produced from solar, geothermal, biomass, tidal, ocean current and wave energy sources. Exploring new ways to harness renewable energy is of particular significance, as it not only brings economic benefits, but does so in a way which is sustainable and efficient. Renewable resources are not depleted meaning resource supply is ongoing. When compared with the burning of fossil fuels, renewable energies typically involve less carbon or methane emissions which can contribute to climate change.

At a domestic scale, there are various ways to use natural sources of energy, including solar water heating or solar panels, and small wind turbines. Options for large-scale solar generation, biomass or wave energy may become more technically and economically viable in the future. Specifically, biomass development continues to gain momentum, especially the use of organic wastes (e.g. manure, other farm waste, waste wood, landfill waste and methane) for fuel, heat and electricity generation.

Energy efficiency and the use and development of renewable energy are matters the Council must have particular regard to under Section 7 of the RMA. There is also national policy direction (National Policy Statement for Renewable Electricity Generation 2011 (NPSREG)) which requires that all district plans provide for, and recognise the benefits of, renewable electricity generation. In addition, the Taranaki Regional Policy Statement 2010 (RPS) contains specific objectives and policies on renewable energy that seek to promote the use and development of renewable sources of energy and increase efficiency in this area.

In light of the Council's obligations to these higher order documents, the District Plan promotes the use and development of renewable energy resources and accordingly contains provisions to provide for their establishment and land use management.

### **Adverse Effects**

While, the energy sector can positively contribute to the social, economic, and cultural well-being of the District, energy developments also have the potential to generate a range of adverse effects. Particular issues include landscape and amenity effects as energy resource infrastructure is often visible and/or located in elevated positions. Other adverse effects can include issues associated with glare, noise, traffic, hazardous substances, ecological values, archaeological values and the values of Tāngata whenua. It is therefore important that the District Plan gives appropriate consideration to such effects and accordingly it seeks to manage potential impacts.

### **Energy Efficiency**

As well as having regard to the benefits of renewable energy, Section 7 of the RMA requires Councils to have particular regard to "the efficiency of the end use of energy". Energy efficiency should be an important consideration in the design and construction of buildings, subdivisions and transportation networks, and in the ongoing use of those resources.

## **Transmission**

Large-scale electricity generation, and potentially small-scale electricity generation, requires connection to the National Grid network or the distribution network. The issue of electricity transmission is addressed in the section on Network Utilities.

## **Objectives**

- 2.10.5** To recognise the significant local, regional and national benefits from the use and development of non-renewable energy resources by providing for the prospecting exploration, development and production of oil and gas energy activities.
- 2.10.6** To recognise the significant local, regional and national benefits from the use and development of renewable energy resources by providing for the investigation, development, operation, maintenance and upgrading of renewable energy activities, including electricity generation.
- 2.10.7** To ensure the adverse effects of oil and gas and renewable energy activities are avoided, remedied or mitigated, particularly adverse amenity, landscape and traffic effects on the District's infrastructure, sensitive environments, wāhi tapu sites/areas, sites of importance to Tāngata whenua, and nearby land uses and infrastructure, while recognising their technical, locational and operational constraints.
- 2.10.8** To promote energy efficient development and travel patterns.

## Policies

### General

- 2.10.9** Provide for the identification, investigation, prospecting and exploration of new potential sites and energy sources for energy resource activities.
- 2.10.10** Ensure that the investigation, prospecting, exploration, development, use, production, and generation of energy resource activities, is managed in a way that recognises the national, regional and local benefits of the use and development of energy, while avoiding, remedying and mitigating adverse effects on the environment, including cumulative effects.
- 2.10.11** Ensure that investigation, prospecting, exploration, development, use, production, and generation of energy resource activities are appropriately located to:
- (a) avoid adverse effects of activities on the characteristics and qualities that contribute to:
    - (i) natural character in areas of the coastal environment identified as having outstanding natural character; and
    - (ii) the values of outstanding natural features and landscapes;
  - (b) avoid significant adverse effects and avoid, remedy or mitigate adverse effects of activities on the characteristics and qualities that contribute to natural character, or other natural features and landscapes, in all other areas of the coastal environment;
  - (c) avoid, remedy or mitigate adverse effects of activities on:
    - (i) the other special values and qualities of the coastal environment; and
    - (ii) the character and amenity values of the urban environment.
- 2.10.12** Ensure that the adverse effects, including reverse sensitivity effects, of incompatible subdivision, land use or development on the safety, efficiency, operation and maintenance of existing lawfully established energy resource activities are avoided or mitigated.
- 2.10.13** Where the adverse effects of oil and gas energy activities and renewable electricity generation activities cannot be avoided, remedied or mitigated, have regard to any offset measures and/or environmental compensation that is of benefit to the environment and, where appropriate, the affected community proposed or agreed to by the applicant.
- 2.10.14** In determining an application for resource consent for the use and development of renewable energy resources where any potential adverse effects are not fully understood or are uncertain and associated risks are considered to be acceptable, have regard to the merits of adopting adaptive management measures to avoid, remedy or mitigate any adverse effects on the environment.

### Oil and Gas Energy Activities

- 2.10.15** Recognise the locational, operational and technical constraints on the use and development of oil and gas energy resources, including the particular constraints affecting exploration, prospecting, development, production and distribution.



## **Renewable Electricity Generation Activities**

- 2.10.16** Recognise the potential of the available wind resource along the coast in South Taranaki to provide for renewable electricity generation activities.
- 2.10.17** Recognise and provide for the potential for biofuels, biogas and biomass energy and electricity generation associated with forestry harvesting, and agricultural and horticultural practices.
- 2.10.18** Recognise and provide for the benefits of small or community-scale renewable electricity generation activities, while avoiding, remedying and mitigating their adverse effects on the environment.
- 2.10.19** Recognise the locational, operational and technical constraints associated with developing, operating and maintaining large-scale renewable electricity generation activities and their requirements to connect to distribution networks and the National Grid.
- 2.10.20** Provide for the ongoing operation, maintenance and upgrading of existing renewable electricity generation activities where the effects of these works are avoided, remedied or mitigated.

## **Energy Efficiency in Transport and Development**

- 2.10.21** Ensure that land use planning and infrastructure design is carried out in a manner that seeks to provide for optimum energy efficiency.
- 2.10.22** To assist in reducing energy consumption, ensure that transport networks are designed so that they are safe and that the number, length and need for vehicle trips is minimised, and reliance on private motor vehicles is reduced.
- 2.10.23** Encourage optimum energy efficient development, subdivision patterns, site orientation and building design.

## **Explanation of Policies**

### **General**

Energy developments offer significant benefits to communities by producing goods that are essential to our daily needs. Large-scale energy developments extract and on-sell large volumes of product to local and national markets via major national infrastructure such as electricity transmission lines and natural gas pipelines. Small and domestic-scale developments are increasingly popular for residential and commercial use – whether complementing a commercial supply, or exclusively supplying.

The challenge of managing energy development under the RMA is to have an appropriately balanced consideration of the potential benefits of these activities along with their potential adverse effects.

### **Policy Context**

The objectives and associated policies of this chapter seek to balance the wider benefits of energy resource activities against potential adverse effects, which are felt at the local level. The term ‘energy resource activities’ is used in this policy context to describe all activities which use natural and physical (renewable and non-renewable) resources to produce or generate energy, including fuel and electricity. This descriptor includes oil and gas energy activities and renewable electricity generation activities.

In terms of the management of the use and development of oil and gas energy resources, the District Plan takes account of the RPS which acknowledges the importance of this sector at a regional and national level and promotes its use and development.

Specifically concerning renewable energy generation activities, the objectives and policies of the District Plan reflect the requirement to have regard to the benefits of renewable energy in Section 7 of the RMA and give effect to the National Policy Statements on Electricity Transmission and Renewable Electricity Generation (NPSREG), as well as the Regional Policy Statement for Taranaki.

In particular, the NPSREG requires that the District Plan's objectives, policies and methods recognise the nature, extent and location of relevant developed and undeveloped renewable energy resources in a district. For existing renewable electricity generation activities this means providing for their maintenance and upgrade, and protecting facilities from reverse sensitivity effects that might result from new subdivision, land use, or development in their vicinity. Facilities of local, national and regional significance associated with oil and gas energy resources are also afforded similar provision in this section.

### **Practical Constraints**

The District Plan acknowledges there may be practical constraints associated with the investigation or exploration of new energy resources. Such constraints include the confined location of the energy resource, and the associated, technical and operational practicalities of developing that resource, including the infrastructure required for its extraction or transmission. On-going development, operation, maintenance and upgrading of new and existing energy resource activities is also a practical requirement that needs to be provided for in the District Plan.

Accordingly the District Plan contains tailor-made provisions that recognise the importance of energy resource activities, make provision for maintenance, and seek to protect this sector from potential conflicts that may arise through reverse sensitivity effects.

### **Managing Adverse Effects**

The potential impact of energy resource activities on the environment and surrounding land uses can vary in type and magnitude. Such adverse effects can include visual, amenity, noise and traffic effects, and effects on historic heritage, cultural and ecological values, and on the values of tāngata whenua including identified wāhi tapu. The coastal environment, outstanding natural features and landscapes, and urban areas, are particularly sensitive to the adverse effects from energy activities. The District Plan seeks to manage development of energy resource activities and associated infrastructure in these areas and seeks to ensure the special values and qualities associated with these environments are preserved and protected. Notwithstanding this, it is recognised that some energy resource activities or components of these activities have locational requirements, such as pipelines needing to cross the Coastal Protection Area from offshore facilities to onshore production stations, or wind generation activities locating where the wind resource is. Given these locational requirements, these activities and components may be appropriate in these environments subject to consideration of the effects on the special values and qualities of these environments in accordance with the objectives and policies of the district plan. In particular, underground pipelines have no surface appearance and may not need to disturb the ground surface, especially where installed using trenchless techniques. Care is required when locating energy resource activities near to sensitive activities which are susceptible to a wide range of adverse effects.

It is also important to consider the cumulative effects of activities. Oil and gas energy exploration and production, for example, can often involve numerous points of contact with the resource, as can large-scale renewable electricity generation activities such as wind farms. The adverse effects from a single activity may be acceptable. However, a concentration of a number of activities in a particular location

may result in cumulative effects which may be unacceptable in some locations. For these reasons, the District Plan seeks to manage adverse effects and, depending on the nature and scale of potential effects, will require assessment through the resource consent process.

### **Offsets/Environmental Compensation and Adaptive Management – Renewable Energy Resources.**

In some circumstances, it is recognised that it may not be practical to avoid adverse effects on the environment and surrounding land uses from the development, operation, maintenance and upgrading of energy generation activities. In such cases, the NPSREG directs Councils to have regard to off-setting measures and environmental compensation.

The NPSREG also directs Councils to consider adaptive management measures.

### **Energy Efficiency**

The efficiency of energy use can be optimised and/or promoted in a number of ways. The design of buildings, subdivisions and transportation networks can have a significant bearing on the ability of those developments to facilitate energy efficiency. Passive solar heating, for example, where dwellings are constructed to maximise the harnessing of sunlight, will reduce the need for other forms of heating. The energy efficiency of transport and infrastructure networks is an important matter to consider when making decisions on zoning and/or subdividing new areas for residential or commercial development. Energy efficiency should also be considered when designing or redesigning transport and infrastructure networks, and should be encouraged in the design of new subdivisions and building developments.

### **Methods of Implementation**

The methods of implementation include:

- District Plan rules and performance standards for new and existing energy activities, both small and large scale activities.
- Inclusion of assessment matters in the District Plan to guide evaluation of applications for resource consent for the exploration, development and production of energy resources.
- Conditions on resource consent for energy activities to avoid, remedy or mitigate adverse effects on the environment – for example a construction management plan to manage temporary works, restrictions on hours of operation and noise levels, screening/landscaping and site restoration.
- District Plan rules and performance standards to control proposed subdivision and land use activities that are incompatible with, or which have the potential to constrain the operation of, existing energy activities so as to avoid the creation of reverse sensitivity effects.
- The use of consent conditions to ensure that the adverse cumulative effects resulting from energy activities are effectively and sustainably addressed.
- Dissemination of relevant information regarding the development and operation of small and community-scale renewable electricity generation activities.
- Where appropriate, adoption of relevant standards and codes of practice that are applicable to energy activities in New Zealand, to address the actual and potential adverse effects of energy activities.
- Consideration of the use of energy efficient design for subdivision and transportation networks in determining a resource consent application and imposing any resource consent conditions.

- Advocate and encourage the use of energy efficient design for built development. This advocacy and encouragement may include supporting national or regional education programmes.
- Consideration of the use of joint processing where applications for resource consents are lodged concurrently with Regional Council and District Council.

## Section 2.11 Network Utilities

### Issue

- 2.11.1 Network utilities have important functions and enable people and communities to provide for their economic, social and cultural wellbeing, but can have adverse effects on the environment, often due to technical, operational and location specific requirements. In addition, new subdivision, land use and development may impact on the safe and efficient functioning of network utilities.**

Network utilities are physical resources which provide water and electricity, telecommunications, radio communications, roads, railway lines, sewage reticulation, waste disposal, and other similar services. These utilities enable communities to undertake everyday activities and functions, and allow people to provide for their social, cultural and economic wellbeing, health and safety. They are critical to the efficient and ongoing functioning of the District and therefore have wide ranging benefits.

Network utilities are nationally, regionally and/or locally significant, as they provide an important everyday and emergency facility to the nation, region and/or local community. Network utilities by their nature are of varying scale and significance, and are dispersed throughout the District. There is a need to recognise the positive social, economic, and environmental benefits that accrue nationally and regionally from the establishment and continued operation of all network utilities.

Some of South Taranaki's network utilities are particularly important, due to the predominance of the local energy sector. These network utilities include, but are not limited to, the National Grid (electricity transmission), high pressure gas network and major land transport infrastructure (state highways and railway lines). The national importance of the National Grid is recognised in the National Policy Statement on Electricity Transmission (NPSET) 2008. The NPSET recognises the national significance of the National Grid electricity transmission network by facilitating the operation, maintenance and upgrade of the existing network and the establishment of new facilities to meet the needs of present and future generations, while managing the adverse effects of the network and managing the adverse effects of other activities on the network. Major land transport infrastructure including the railway line and state highway network are also nationally significant network utilities as they provide for the movement of goods and people throughout the nation and region, which is critical to growth and development (see Section 2.7 Transportation).

The nature and scale of different network utilities mean some have little environmental effects, such as the underground reticulated water supply network, while others have the potential to have significant adverse environmental effects. These effects may be associated with the development, operation and/or maintenance of the network utility. In addition, some environments may be more sensitive to the effects of network utilities (e.g. residential areas and outstanding natural features and landscapes). It is recognised that the locational, technical and operational requirements of some network utilities may influence the siting, design and appearance of the network utility. In some cases, as a result of these constraints, it will not be possible to avoid, remedy or mitigate all adverse effects associated with

network utilities. In such circumstances, there is a need to carefully consider the benefits the utility will provide and the significance of the adverse effects on the surrounding environment.

Subdivision, land use and development in the vicinity of network utilities can lead to adverse effects, including reverse sensitivity effects that have the potential to affect the efficient and effective operation of the utilities. This issue particularly arises for larger-scale and nationally/regionally significant infrastructure, such as the National Grid and high pressure gas network. An example of reverse sensitivity could be where the continued use or expansion of a transmission line in the rural area is threatened when rural residential development is allowed too close to the transmission lines. The presence of that rural residential development can constrain the continuation or upgrading of transmission lines or electricity substations to meet future demand, because of the actual or perceived health, safety and operation risks to the rural residential development.

## Objectives

- 2.11.2 To provide for the safe, efficient and sustainable development, operation, maintenance and upgrading of network utilities, in a manner which avoids, remedies or mitigates adverse effects on the environment, while recognising their technical, locational and operational constraints.**
- 2.11.3 Protection of network utilities from the actual or potential adverse effects of incompatible subdivision, land use or development.**

## Policies

- 2.11.4** Provide for the development, operation, maintenance and upgrading of network utilities in a manner which avoids, remedies, or mitigates adverse effects on the environment, while recognising their operational, technical and locational requirements.
- 2.11.5** Manage the location, scale and design of the development or upgrading of network utilities (including in relation to the National Grid), and consider the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection process.
- 2.11.6** Consider the locational, technical and operational requirements of network utilities and the contribution they make to the functioning and wellbeing of the community in assessing their location, design and appearance.
- 2.11.7** Require new utility networks to be sited underground (where practical in terms of cost and operation) in Residential, Commercial, and Industrial areas. Where not practical, the utility will need to be carefully sited and designed to avoid, remedy or mitigate the adverse effects.
- 2.11.8** Encourage, to the extent practicable, the more efficient use of existing network utilities, and co-siting and sharing of masts, facilities and utility corridors to reduce the need for new utilities elsewhere in the District.
- 2.11.9** Recognise the positive social, economic and environmental benefits that accrue nationally and regionally from the development, continued operation and upgrading of network utilities.

- 2.11.10** Ensure that the adverse effects, including reverse sensitivity effects of incompatible subdivision, land use or development on the safety, efficiency, operation, maintenance and upgrading of existing network utilities are avoided or mitigated.
- 2.11.11** Manage any adverse effects of subdivision, land use and development on the National Grid including substations by ensuring that:
  - (a) Areas are identified in the Plan to establish buffer distances for managing subdivision, development and land use near the National Grid;
  - (b) Sensitive activities and large-scale structures are restricted from establishing within the National Grid Yards and are appropriately managed around substations;
  - (c) Subdivision is managed within the National Grid Subdivision Corridor to avoid subsequent land use activities from restricting the operation, maintenance, upgrading and development of the National Grid; and
  - (d) Changes to existing activities within a National Grid Yard and around National Grid substations do not further restrict the operation, maintenance, upgrading and development of the National Grid.
- 2.11.12** Promote the design of subdivisions and land use development or redevelopment in a manner that enables the efficient use of land within the identified National Grid Yard, National Grid Subdivision Corridor and around substations without introducing sensitive activities or structures that would inhibit the operation, access, maintenance or upgrade of the National Grid infrastructure.
- 2.11.13** Recognise existing network utilities within the coastal environment, Outstanding Natural Features / Landscapes, and Significant Natural Areas, and provide for their ongoing operation, maintenance and upgrading requirements.

Note: Reference should also be made to other policy sections of the District Plan which may be relevant to network utilities. These relevant sections could include tāngata whenua, historic heritage, coastal environment, natural features and landscapes, indigenous biodiversity and natural hazards.

### **Explanation of Policies**

The District's network utilities include the urban water, wastewater, stormwater and sewerage systems, electricity lines (including the National Grid), telecommunication and radiocommunication facilities, the roading network, railways, navigational aids and meteorological operations and associated support structures. These utilities contribute to the overall social wellbeing and economic vitality of the South Taranaki District and beyond. It is therefore important that the safe and efficient development, operation, maintenance and upgrading of these services be effectively provided for, and that the local, regional and national benefits that derive from them are adequately recognised.

The development, operation, maintenance and upgrading of network utilities can adversely affect the environmental quality of the District, such as from noise and visual effects on amenity values. For example, some network utilities are relatively large, visually prominent and capable of generating significant adverse effects on the environment. They may also have potential impacts on public health and safety. Adverse effects may only occur at the time of construction, but in some cases may continue throughout its operation or during maintenance and upgrading works. In addition, some locations can be more sensitive to these effects, such as residential or open space areas, or sites or areas with heritage or cultural value.

In some cases, given the underlying locational, technical and operational constraints and requirements associated with some network utilities, it might not be entirely possible to avoid, remedy or mitigate all adverse effects associated with the development, operation, maintenance or upgrading of infrastructure. For example, the location of the resource, network connectivity or proximity to support infrastructure may constrain the utility location. In these circumstances, it needs to be recognised that there may be some level of adverse effect on the surrounding environment in order to achieve the benefits that network utilities provide.

Given the above, the District Plan makes provision for network utilities while managing their potential adverse effects through performance standards recognising the local environmental characteristics in the District. Certain types of network utilities and larger-scale utilities can create a broad range of potential adverse effects, and thus it is more appropriate that these proposals are assessed through either the resource consent or designation processes.

Many network utilities are now able to be placed underground meaning any potential effects on the environment will typically be minimal. However, it is recognised historically some utilities (e.g. telecommunications and electricity) were provided by way of overhead servicing. Overhead lines and structures can detract from visual amenity. To maintain and enhance the amenity values in the District, the Council will require new reticulation (e.g. pipelines and cables) to be placed underground in residential and commercial areas (unless not practical to do so). Underground reticulation is not required in rural areas where environmental and economic considerations may be differently balanced. Some exceptions to undergrounding of services will exist, such as high voltage transmission lines, as it is not practical to underground these in terms of cost and operation.

The Council encourages the co-siting, or sharing facilities or sites, as this supports efficiencies and reduces the need for infrastructure to be located elsewhere in the District, in turn, mitigating or avoiding adverse effects. The District Plan encourages the co-location of equipment through the provision of more lenient standards where two or more utilities are installed together.

There is a need to recognise the positive social, economic and environmental benefits that accrue nationally and regionally from the establishment and continued operation of network utilities and other regionally significant infrastructure, including maintaining people's health, wellbeing and general safety.

In South Taranaki, the principal elements of various reticulation and distribution networks of most utilities are already in place, including an extensive network of oil and gas and associated product pipelines, and a network of electricity transmission lines forming part of the National Grid. Where significant new reticulation or distribution lines are required by network utility operators, they should be located as far as is possible within existing corridors, while also considering locational, technical and operational constraints.

Where incompatible activities have been allowed to establish too close to certain nationally or regionally significant network utilities (e.g. a dwelling allowed close to high voltage electricity transmission lines or an electricity substation), there is increased exposure to adverse effects such as the accumulation of dust on conductors, risk to structural integrity of pylons, restricted access for maintenance, and reduction in safety distances or public safety generally. Another example is locating a dwelling close to a wastewater treatment pond, which increases the potential for objectionable odour effects on the dwelling. To protect the adjoining activities and the ongoing operation of the utilities, various degrees of control will be implemented in the District Plan to avoid or mitigate this incompatibility.

### **Methods of Implementation**

The methods of implementation include:



- District Plan rules and performance standards to meet minimum/maximum standards.
- Assessment of environmental effects through the resource consent or designation processes for proposals involving larger-scale utilities or those not meeting the performance standards.
- Application of the rules and standards (including cross-referencing within the District Plan itself) of the National Environmental Standards which relate to network utilities (e.g. electricity transmission activities and telecommunication facilities).
- Promotion of the use of relevant Codes of Practice and industry guidelines.
- Designated network utilities and sites, and the National Grid (Transmission lines) and high pressure gas network will be identified on the Planning Maps.
- District Plan rules and performance standards for new buildings, development and subdivision within the National Grid Yard, National Grid Subdivision Corridor, or in close proximity to National Grid substations, land transport networks and wastewater treatment facilities.
- Consultation and negotiation with organisations responsible for the provision of utilities and services.
- Application of the National Code of Practice for Utility Operators' Access to Transport Corridors for working in the road and the Corridor Access Request (CAR) processes.

## Section 2.12 Historic Heritage

### Issue

#### **2.12.1 Damage, modification or destruction of historic heritage in the District resulting from inappropriate use, development or subdivision, such as earthworks, demolition and unsympathetic works.**

Historic heritage is a finite resource that provides recognition of the history of the area and contributes to a sense of place for the South Taranaki community. South Taranaki has a rich and diverse legacy of widely appreciated heritage elements. Key elements of this historic heritage include buildings and structures (e.g. Waverley Railway Station, St George's Church in Pātea and Memorial Obelisk in Manaia), wāhi tapu and sites of significance to Tāngata whenua (e.g. Turuturu Mokai Pa), archaeological sites (e.g. moa-hunter camps around Hāwera and Manaia) and sites of historic significance (e.g. battlefields during the Taranaki Wars). The inappropriate subdivision, use, or development of important buildings, items and sites can directly result in loss or degradation of historic heritage. Examples include full or partial demolition, decay, infill development or subdivision, redevelopment, and unsympathetic and/or inappropriate alterations to buildings or site surrounds. Archaeological sites, which are predominantly in rural areas are also susceptible to damage from earthworks, clearance, subdivision and intensive farming activities.

As the founding Māori and European families of the South Taranaki District dissipate, so too does much of the acquired knowledge relating to places associated with its history of occupation and settlement. Effective historic heritage protection and management relies on understanding the historic heritage values that apply to remaining buildings and sites, and identifying those places of significance to the community. Some aspects of South Taranaki historic heritage are identified, well-recognised and protected, (particularly commercial areas), yet there is comparatively limited knowledge or information on historic heritage related to the history of rural areas and Māori heritage. It is recognised that many wāhi tapu and sites of cultural or spiritual significance to Tāngata whenua are not identified in the District Plan, however this does not reduce their importance and/or the need for protection from

inappropriate subdivision, use or development. In addition, Māori face challenges with respect to the identification, protection and care of sites of significance, as discussed in Section 2.13.

Historic heritage in South Taranaki provides important connections to the past, conveying themes of Māori settlement, European settlement, New Zealand Wars, dairy and agriculture, industry, transport and infrastructure (e.g. railways), commercial development (town centres), war memorials and related sites (e.g. soldier's settlements). Historic heritage, and the sense of identity and connections to the past it provides to communities, cannot be replaced once lost. It is important that the historic heritage identified is appropriately representative of the District's occupation and settlement. The Council has a particular responsibility to preserve the intrinsic values and finite characteristics of important historic heritage, and to secure the protection and maintenance of these resources for the enjoyment and experience of present and future generations. The retention of historic heritage adds to community identity as it provides connections to past and future generations. Historic heritage also enhances the amenity of the District for residents and visitors, and can promote economic revitalisation, for example, through the protection, maintenance and enhancement of traditional town centres.

Integral to the issue of the protection of the District's heritage resources is the recognition of the rights of the private owners of the heritage resources. When a resource is identified as being of historic heritage value to the community is in private ownership, current owners are responsible for the cost associated with the management and protection of the heritage resource. The high cost of repair and maintenance, and the difficulty in finding economic uses for buildings can also lead to neglect of heritage buildings. Poor maintenance and deteriorating condition can reduce the viability of adaptive re-use of heritage buildings, and result in the loss or diminishing of heritage value through demolition or deferred maintenance and repair. There is a need to balance individual rights against the Council's responsibilities and community aspirations to protect the tangible elements of the District's history for present and future generations.

## Objectives

- 2.12.2** To protect significant historic heritage that reflects the culture and history of the South Taranaki District from inappropriate subdivision, use and development.
- 2.12.3** To protect known archaeological sites identified on the Planning maps, and their historic values, from being destroyed or modified due to inappropriate subdivision, use and development.
- 2.12.4** To promote and enhance greater public awareness of, and support for, historic heritage within the South Taranaki District.

## Policies

- 2.12.5** Identify historic heritage that contributes to an understanding and appreciation of the culture and history of the District, the region and/or New Zealand that is of significance or value for one or more of the following matters; aesthetic, archaeological, architectural, cultural, historic, social, spiritual, scientific, technological, industrial or traditional significance or value.
- 2.12.6** Record significant historic heritage buildings and sites identified in accordance with Policy 2.12.5, and group these buildings and sites according to their relative significance into one of the following categories:

- (a) Historic Heritage Category 1 Buildings and Structures: Buildings that have outstanding national and/or regional significance due to their “rarity” and/or level of “integrity”.
  - (b) Historic Heritage Category 2 Buildings and Structures: Buildings that have regional and/or local significance.
  - (c) Historic Heritage Sites and Sites of Significance to Tāngata Whenua: Places and areas that are of national, regional and/or local significance.
- 2.12.7** Avoid or appropriately mitigate any adverse effects of activities that could destroy, compromise or detract from the heritage values associated with items listed in the Historic Heritage Schedule.
- 2.12.8** Provide opportunities for greater development flexibility, where development facilitates the retention, conservation and/or protection of buildings and sites identified in the Historic Heritage Schedule.
- 2.12.9** Encourage compatible and/or adaptive re-use of buildings and sites included in the Historic Heritage Schedule.
- 2.12.10** Enable the maintenance, redecoration, repair and adaptive re-use of buildings and sites included in the Historic Heritage Schedule.
- 2.12.11** Encourage and facilitate the strengthening of buildings included in the Historic Heritage Schedule to increase their ability to withstand future earthquakes or other safety risks, while ensuring that their values and features are not impaired or destroyed.
- 2.12.12** Avoid the demolition or destruction of Category 1 buildings, objects or sites included in the Historic Heritage Schedule.
- 2.12.13** Restrict the full or partial demolition of Category 2 buildings, objects or sites included in the Historic Heritage Schedule, having regard to the following matters:
- (d) Effects on historic heritage values.
  - (e) The importance attributed to the heritage item by the wider community.
  - (f) Consideration of reasonable alternatives.
  - (g) Feasibility of adaptive re-use.
  - (h) Building safety.
  - (i) Economic implications and/or limitations.
  - (j) Appropriateness, compatibility and appearance of any replacement building in relation to streetscape character and heritage values.
- 2.12.14** Discourage subdivision that could destroy or diminish the heritage values associated with buildings, objects and sites identified in the Historic Heritage Schedule.
- 2.12.15** Consider the value of the heritage setting in circumstances where it contributes to and complements the heritage value of an item, and ensure that its values are not unduly compromised by inappropriate on-site development, earthworks, or incompatible subdivision.
- 2.12.16** Identify and list known archaeological sites of significance in the Historic Heritage Schedule 1B to ensure that the value of these sites continues to be retained.

- 2.12.17** Manage the effects of new buildings, or extensions to existing buildings, earthworks and forestry activities on known archaeological sites of significance listed in the Historic Heritage Schedule 1B.
- 2.12.18** Identify the location of known archaeological sites on the Planning Maps to raise awareness of these sites and assist in their protection.
- 2.12.19** Manage the design and layout of subdivisions where a property includes known archaeological site(s) and the use of legal instruments to protect the values of the archaeological site shall be considered.
- 2.12.20** Consider adverse effects on historic heritage values through the consent process for larger scale land use activities, where located in close proximity to known archaeological sites. Determine the significance of the heritage values of the sites and demonstrate how potential and actual adverse effects will be avoided, remedied or mitigated.
- 2.12.21** Increase public recognition and understanding of the District's historic heritage and associated values, and the respective responsibility that the public and private landowners adopt in the ongoing management and protection of historic heritage.
- 2.12.22** Encourage the use of non-regulatory incentives and assistance to facilitate the restoration and conservation of recognised heritage items.

#### **Explanation of Policies**

For protection to occur, historic heritage in the District needs to be identified and accurately researched, documented and mapped. The objective and associated policies seek to ensure that the important buildings and sites that represent the culture and history of the District, the Region and the nation, are identified for inclusion in the District Plan. To achieve this, the range of values that the Council will use to assess places for inclusion in the Historic Heritage Schedule are set out in the District Plan.

Historic heritage buildings and sites have also been differentiated, recorded and presented in the District Plan on the basis of their relative significance. Some historic buildings in the District have 'outstanding' national or regional significance due to their rarity and/or integrity, while others have been assessed as significant at a regional or local level. Historic heritage sites are identified separately from buildings due to their differing management needs and requirements. The objectives and policies seek to prevent the loss of heritage value associated with buildings and sites included in the historic heritage schedule due to neglect or under-use, or from changes arising from such activities as alterations, additions and subdivision.

Historic heritage buildings and sites need to remain functional to be successfully and sustainably managed. In response, the District Plan encourages their continued compatible use and enables regular maintenance, repair and building safety alterations, which are sympathetic to the heritage value of the item, to occur without the need for a resource consent. The Zone provisions provide for a range of activities in each Zone, enabling a number of opportunities for the adaptive re-use of heritage buildings. The District Plan also recognises that it is necessary for heritage buildings to be upgraded to meet relevant code standards (including earthquake strengthening) in order to provide for their continued, functional, safe and economic use.

Historic heritage buildings and sites are also subject to activities which can lead to their associated heritage values being destroyed or severely diminished. For example, insensitive alterations and additions, can detract from the architectural qualities of a scheduled building, while demolition in response to development pressure or neglect results in permanent loss.

To address this situation the District Plan seeks to ensure that such effects are avoided or appropriately mitigated by requiring resource consent to be sought. In the case of demolition of Category 1 buildings or the destruction of sites, the intent is that these activities are avoided altogether. Category 2 buildings can only be demolished if the demolition is considered appropriate having regard to the matters set out in Policy 2.12.13. An applicant would need to have a strong case demonstrating an assessment of feasible alternatives and the reasons that demolition is the only feasible option for the heritage building or object. In other cases, it might be acceptable to demolish a building in exceptional circumstances, for example if it is considered necessary due to significant and irreversible damage from fire or natural hazard events.

The context or setting associated with historic heritage buildings and sites can also make an important contribution to its heritage value. For example, the curtilage of a heritage item may be a part of the original design which has developed in a manner that complements the place, the removal of which would detract from the inherent significance and value of the item. The relationship between a building and its site can be lost or eroded through the reduction of its original surrounds. In response, the District Plan seeks to ensure that the setting of a historic building or site is not unduly compromised or its value diminished by inappropriate on-site development or incompatible subdivision activity and associated development, in circumstances where the site surrounds complement the heritage item.

Known archaeological sites have been identified on the Planning Maps to raise awareness and act as an alert for proposals in these locations. Activities and subdivision which trigger resource consent would be assessed in terms of their effects on the archaeological sites. The archaeological authority process applies to any destruction or modification of archaeological sites.

It is recognised that the protection of sites and areas of cultural and spiritual significance to Tāngata Whenua requires the identification and understanding of sites and areas. As discussed in Section 2.13, many of these sites are not yet identified in the District Plan, and are now in private ownership, so there is a need to recognise and protect these sites from irreversible damage through effective engagement with Tāngata Whenua and other interested parties.

These provisions also recognise that effective protection of the District's historic heritage cannot be achieved through sole reliance on regulations; community and private landowners jointly have the responsibility to ensure that historic heritage is appropriately managed and protected. In some cases, it may be unreasonable for private landowners to bear all of the costs for ongoing maintenance of heritage, when the public also benefits from its retention and careful stewardship. In response, the Council seeks to increase public awareness through non-regulatory methods such as education, preparation of promotional material and guidance, and availability of heritage inventories so that members of the public can understand the history of scheduled heritage items, as well as offer support to private landowners, as far as the Council's resources and funding allows. It is recognised some towns in South Taranaki (e.g. Eltham) are recognised and promoted for their heritage values, therefore, the Plan provisions seek to maintain the viability and enhance the vibrancy of these towns. Ongoing liaison and collaboration with landowners, iwi and other groups and agencies with interests in the management and protection of historic heritage, including listed and non-listed heritage items, is very important.

### **Methods of Implementation**

The methods of implementation include:

- Schedule and categorise recognised historic heritage buildings, objects and sites (including archaeological sites and sites of cultural or spiritual significance to Tāngata Whenua) according to the relative significance of their associated values in the District Plan, and

identify these on relevant Planning Maps. Incorporate future changes to the Historic Heritage Schedules by way of a plan change or plan variation.

- Identify known archaeological sites on the Planning Maps, in addition to those recognised in the Historic Heritage Schedule 1B.
- Adopt targeted rules relating to the management and protection of scheduled historic heritage buildings and sites, and align levels of protection with levels of classification so that important items are preserved.
- Include rules in Section 9 of the Proposed Plan to provide a restricted discretionary activity status for subdivision of land for sites which includes a known archaeological site as shown on the Planning Maps.
- Rely on the archaeological authority process administered by Heritage New Zealand to assess whether the destruction and modification of known archaeological sites is appropriate or not, and to not duplicate this process in the rules of the district plan.
- Use the known archaeological sites as shown on the planning maps as an information layer, to assist resource consents applicants and decision makers determine whether the effects on historic heritage are to be reflected in a supporting Assessment of Environmental Effects.
- Conditions on resource consents to ensure the adverse effects of subdivision, use or development are avoided, mitigated or remedied.
- Inform prospective purchasers of scheduled historic heritage through Land Information Memoranda (LIM) and landowners undertaking building work through Project Information Memoranda (PIM) and Planning checks.
- Advice Notes in the District Plan and resource consents relating to consultation with Heritage New Zealand and/or the archaeological authority process under the Heritage New Zealand – Pouhere Taonga Act 2014.
- An Accidental Discovery Protocol Process to be developed between Council, Heritage New Zealand, mandated Iwi organisations, Federated Farmers, Network Utility Providers, and other interested stakeholders regarding the procedure to be undertaken in the event of a potential discovery under the Heritage New Zealand Pouhere Taonga Act 2014.
- Through the Long Term Plan and Annual Plan processes, the Council may commit resources such as rates relief, grants, or waiving of consent fees, or offer access to professional technical advice to encourage the management and protection of scheduled historic heritage buildings, sites and areas of significance.
- Provide guidance and advice to assist landowners to sensitively manage scheduled historic heritage buildings, sites and areas of interrelated significance.
- Develop information and promotional material relating to scheduled historic heritage buildings and sites, including their associated value and the community benefit that is derived from their ongoing protection.
- Liaise and collaborate with landowners, Iwi and other groups and agencies with interests in the management and protection of scheduled historic heritage buildings, sites and areas of interrelated significance.

## Section 2.13 Notable Trees

### Issue

- 2.13.1** The natural, amenity, heritage and cultural values of an area can be adversely affected by the loss or damage of Notable Trees from inappropriate subdivision, use and development.

Notable trees have aesthetic, botanical, heritage, cultural, and ecological values that form an important part of the community. Other notable trees are rare species or spectacular specimens or are associated with special sites or events. They are prominent natural features and landmarks which make a valuable contribution to local amenity and add a sense of character and identity to places and areas of the District. The continued existence of notable trees represents continuity between generations, and is important to the legacy that is left for future generations. Significant trees of the District are to be evaluated and identified as Notable Trees for protection, to ensure that they are not damaged or lost (e.g. through improper maintenance or root disturbance), and to improve people's awareness of their value to the community.

### Objective

- 2.13.2** Notable Trees which are of aesthetic, botanical, heritage, cultural or ecological significance within the District are recognised and protected from inappropriate subdivision, use and development.

### Policies

- 2.13.3** Identify and protect Notable Trees that contribute to amenity, quality of the environment and community identity that are of significance or value for one or more of the following reasons: aesthetic, botanical, heritage, cultural or ecological significance or value.
- 2.13.4** Avoid or appropriately mitigate any adverse effects of activities on Notable Trees that would detract from or compromise their contribution to the natural, amenity, heritage and cultural values of an area.
- 2.13.5** Discourage activities which could result in damage or loss of Notable Trees, such as:
- (a) Detrimental trimming of the trees;
  - (b) Removal of trees;
  - (c) Location of buildings and works in close proximity to the trees; and
  - (d) Root disturbance due to earthworks within the dripline of trees.
- 2.13.6** Encourage arboricultural best practice for works on Notable Trees in accordance with appropriate specific tree management plans to conserve tree health and safeguard its long-term wellbeing as much as practicable.
- 2.13.7** Support the trimming, maintenance and enhancement of Notable Trees for their ongoing viability and contribution to amenity and the quality of the environment.



- 2.13.8** Recognise that in exceptional circumstances the full or partial removal of Notable Trees may be necessary and considered to be the only practicable option, if the Notable Tree/s:
- (a) Has considerably reduced in value/significance due to irreversible damage (e.g. storm) or deteriorating condition (dead wood or diseased vegetation); or
  - (b) Causes unreasonable hazard to life, habitable buildings or network utilities.
  - (c) Interferes with existing buildings, structures, aboveground lines or other network utilities.
- 2.13.9** Support community initiatives for the protection and conservation of Notable Trees.
- 2.13.10** Encourage the use of non-regulatory incentives and assistance to support the protection and appropriate maintenance of Notable Trees.

### Explanation of Policies

Notable Trees within the District are significant for aesthetic, botanical, heritage, cultural and ecological reasons. The Standard Tree Evaluation Method (STEM) criteria is used to assess and determine the Notable Trees contained in Schedule 4 – Notable Trees. The STEM criteria is widely accepted as the preferred tree assessment method, and has been adopted by the New Zealand Arboricultural Association.

The inclusion of a Schedule of Notable Trees results in greater public awareness and increased opportunities for the protection of such trees. The schedule includes trees on both public and private land. Before trees on private land are added to the Schedule of Notable Trees, the property owners consent will be required. By providing the criteria used for the assessment of Notable Trees, the community is better informed about which trees require protection and are valued by the wider community.

It is important to retain and protect those trees of importance in the District through identifying and scheduling Notable Trees. The District Plan encourages the maintenance and trimming of Notable Trees to support their ongoing viability. It is important that subdivision, use and development do not adversely affect Notable Trees. The removal of Notable Trees is not considered to be desirable for the amenity and quality of the environment. However, in exceptional circumstances, it is practicable to allow emergency work, or removal of dead wood or diseased vegetation, or partial removal that is necessary to avoid interference with existing buildings, structures or network utilities. In these circumstances, arboricultural advice will need to be sought and the Council advised of the proposed works.

The maintenance and protection of Notable Trees has associated costs (e.g. arboricultural advice, or potentially unreasonable restrictions on landowners to develop land). Support for landowners of Notable Trees in the form of arboricultural advice and financial assistance (where practicable) is anticipated to encourage landowners to maintain the health of the trees and provide support for their long term protection and survival.

### Methods of Implementation

The principal methods of implementation are:

- Schedule of Notable Trees according to their relative significance in terms of aesthetic, botanical, and heritage, cultural and ecological values (based on STEM criteria) in the District Plan, and identification of these on relevant Planning Maps.
- Rules relating to the management and protection of scheduled Notable Trees.

- Use of conditions on resource consents to ensure that the adverse effects of subdivision, use and development on Notable Trees are avoided, mitigated or remedied.
- Through the Long Term Plan and Annual Plan processes, the Council may commit resources such as rates relief, grants, waiving of consent fees, or access to professional arboricultural advice to encourage the maintenance and protection of scheduled Notable Trees.
- Provide guidance and advice to assist landowners to sensitively maintain Notable Trees.
- Develop information and promotional material relating to scheduled Notable Trees, including their associated value and the community benefit that is derived from their ongoing protection.
- Liaise and collaborate with landowners and other groups and agencies with interests in the management and protection of scheduled Notable Trees.

## **Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions**

### **Issues**

- 2.14.1** Subdivision and development creates the need for the provision of new, extended or upgraded infrastructure, which can be particularly significant when cumulative adverse effects are created over time.
- 2.14.2** The potential exists for the costs of providing new, extended or upgraded infrastructure to be allocated in a manner disproportionate to the benefits received by the existing community and new end users. In addition, the full cost recovery of this infrastructure may act as a disincentive to subdivision and development, or be unduly borne by existing communities.
- 2.14.3** There may be pressure for subdivision and development to occur ahead of the Council's ability to provide infrastructure, which can result in the inefficient and ineffective operation and development of infrastructure.
- 2.14.4** Insufficient supply of land can constrain subdivision and development which could result in development occurring in locations and forms which adversely affect the environment and efficient use and development of infrastructure.
- 2.14.5** Fragmented and unplanned urban development across the District can lead to poor connectivity, inefficient use of land and reverse sensitivity issues on surrounding land uses.

In the past, development, subdivision and land use change have tended to occur in an ad hoc manner without any real consideration being given to the effective and efficient integration of new developments into existing infrastructure. This issue is especially the case in areas on the periphery of the Hāwera urban area where new development often requires the extension of existing infrastructure. Fragmented development can affect or pre-empt the effective and efficient location and design of infrastructure. Furthermore, the infrastructure is generally provided to meet the immediate needs of the development or subdivision without any meaningful planning for the integration of future development in surrounding areas. Integrated land use and infrastructure planning is vital in ensuring that land uses are connected to an effective and efficient network of infrastructure and the needs of both new development and existing communities are provided for.

In addition, when new activities, subdivision and development connect to existing infrastructure, demand increases, gradually reducing the infrastructures' surplus capacity, until the maximum capacity is reached, at which time upgrades or extension of infrastructure is needed. While this process generally applies in urban areas, particularly for reticulated services, it also occurs in rural areas, such as the demand on roads that may not have the capacity to accommodate increased traffic.

Furthermore, a constraint on subdivision and development occurring is the availability (the lack) of infrastructure, or the ability to provide new infrastructure due to excessive costs. The Council recognises that while subdivision and development in the District has positive effects, it also has the potential to adversely affect the environment (including people and communities) in a number of ways. Some of these effects cannot be adequately avoided or mitigated on a site by site basis. Rather, they need to be addressed through the provision of new or improved infrastructure on an overall and integrated basis.

The 2009 Urban Growth Strategy for Hāwera and Normanby has provided the overall strategic framework for addressing these issues by identifying the location and extent of new urban areas, as well as the need to ensure new development occurs in a way where it integrates with existing infrastructure. In addition, the subdivision and development process needs to ensure that the effects on infrastructure are addressed through contributions towards the costs of upgrading, connecting and providing new infrastructure.

Planned expansion of urban areas has the potential to alter the character of both the immediate neighbourhood and surrounding areas, as well as affect the overall impression of the district. Urban growth can have consequential effects on adjoining landowners, including impacts on their outlook and amenity. Urban growth also has an impact on the efficiency of servicing, transport, use of resources and quality of life. For those reasons, Structure Plans are created for urban growth areas, which include and incorporate a variety of zones within them such as residential, commercial and industrial zones.

## Objectives

- 2.14.6 To provide for urban growth that adjoins existing urban areas and manage that growth to avoid, remedy or mitigate adverse effects to achieve:**
  - (a) The creation of safe and integrated transport and infrastructure networks;
  - (b) The identification of adequate land for urban growth that is efficiently used and developed; and
  - (c) Well-connected open spaces that are available to the wider community.
- 2.14.7 To ensure that subdivision and development is appropriately serviced by infrastructure to provide for the likely or anticipated use of the land and that the costs of this infrastructure is fairly and equitably funded.**

## Policies

- 2.14.8 Identify land suitable for new urban development to ensure that there is sufficient serviceable land available to meet anticipated future urban growth demands.**

- 2.14.9** Apply the appropriate land zoning and overlay to urban growth areas, and where existing infrastructure requires upgrading to provide for new urban development, defer and stage this development until the required upgrading of infrastructure has occurred based on the following:

| Zoning and Overlays                                 | Description                                                                                                                                                                                                                                 | Anticipated Development Timeframe |
|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| <b>Residential, Commercial and Industrial Zones</b> | Land that is currently suitable for subdivision and development that can be connected to the existing Council infrastructure network.                                                                                                       | Immediate                         |
| <b>Structure Plan Area</b>                          | Land that is suitable for development in the short to medium term and can be connected to the existing Council infrastructure network or planned infrastructure upgrades and extensions to this network.                                    | Immediate – 15 years              |
| <b>Future Development Area</b>                      | Land identified on the planning maps as Future Development Area that is suitable for development in the medium to long-term and requires future upgrades and extensions to existing Council infrastructure prior to development proceeding. | >15 – 30 years                    |
| <b>Deferred Residential Zone</b>                    | Land that is suitable for development in the long term and also requires future upgrades and extensions to existing Council infrastructure prior to development proceeding.                                                                 | >30 – 50 years                    |

- 2.14.10** Manage subdivision and development in the urban growth areas through the use of Structure Plans where they:

- Ensure development is integrated and coordinated;
- Recognise and respond to the and natural features of the land;
- Meet short and anticipated long term growth demands;
- Connect with existing infrastructure and transportation networks, taking account of the capacity limitations of those networks and any potential requirements for upgrading capacity to meet future demands; and
- Provide certainty on the location, density and pattern of development, including key transport linkages (including roading, walking and cycling) and infrastructure to meet future requirements; and

- (f) Ensure subdivision and development does not compromise long term density and land use patterns, by controlling/restricting the size of allotments, types of land uses and the location of buildings.

**2.14.11** Manage subdivision and development in the urban growth areas through the use of Future Development Areas. For any application for subdivision or development in the Future Development Area ensure the following is achieved for the entire area:

- (a) Development is integrated and coordinated;
- (b) Recognise and respond to the topography and natural features of the land;
- (c) Meet anticipated long term growth demands;
- (d) Development must provide supporting infrastructure for the level of development anticipated by the proposal by:
  - i Demonstrating connections with existing and future infrastructure and transportation networks;
  - ii Considering the capacity limitations of those networks and any potential requirements for upgrading capacity to meet future demands; and
  - iii Ensuring that the infrastructure for the development has the capacity to service future development in the entire Future Development Area.
- (e) Provide certainty on the location, density and pattern of development, including key transport linkages (including roading, walking and cycling) and infrastructure to meet future requirements.
- (f) Ensure subdivision and development does not compromise long term density and land use patterns, by controlling/restricting the size of allotments, types of land uses and the location of buildings.

**2.14.12** Avoid negative cumulative effects on infrastructure from development and subdivision in the rural environment outside of the identified urban growth areas.

**2.14.13** Ensure new activities and development provide adequate infrastructure to meet the needs of future occupants.

**2.14.14** Ensure new activities and development adequately compensate for their impact on existing infrastructure (water, wastewater, stormwater, roading, reserves) through a contribution to ensure the level of service meets the needs of future occupants and does not adversely affect the level of service for existing users.

### Explanation of Policies

The extent of urban zoning reflects the current size of the settlements in the District. As the rate and nature of development and subdivision in the District is not large, there is capacity within most settlements to meet the demand for new residential, commercial and industrial development. However, for Hāwera and Normanby, where the majority of new residential, commercial and industrial development is anticipated to occur, urban growth areas have been identified to provide for this development.

Development within the identified urban growth areas should occur in a planned and structured manner to ensure efficient and integrated connections with the existing urban areas. This approach requires a Structure Plan to be prepared for each urban growth area setting out the overall framework and pattern of development in the identified growth area. Subdivision and development are then required to be undertaken in accordance with the Structure Plan to ensure efficient use of land and physical resources. Subdivision and development that is inconsistent with the Structure Plan or outside of the identified growth areas should be prevented to avoid the long term future of the growth areas being compromised.

New activities and development, whether or not as a consequence of subdivision, intensify demand on existing public infrastructure, including water, wastewater, stormwater, roads and reserves. Existing infrastructure, particularly the reticulated water and wastewater systems are designed for a maximum (optimal) capacity. As new development connects into the existing infrastructure, the extra demand cumulatively reduces any surplus capacity. Where a system has reached its capacity, or where new infrastructure is required to service the growth areas, it is reasonable for developers to contribute towards the costs of this infrastructure, either directly or indirectly through contributions. This approach means that those benefitting from the development equitably pay the costs of the new infrastructure, rather than the general community paying. When the developer directly funds new or upgraded infrastructure, it is also reasonable that such costs are taken into account when assessing the overall financial contribution.

In some instances, where significant upgrading or extension of infrastructure is required to facilitate development, development will be deferred (through applying a deferred zoning) to ensure development only occurs when the necessary infrastructure is available.

### Methods of Implementation

The methods of implementation include:

- District Plan Zoning of land residential, commercial and industrial to provide for future land requirements
- In the District Plan, identify future growth areas and use Structure Plans for these growth areas to provide a framework for managing subdivision and development.
- District Plan rules and performance standards requiring new subdivision and development to provide new, upgraded or extended infrastructure.
- Assessment of environmental effects through the resource consent process within the urban growth areas to ensure an integrated and efficient development and use of land and physical resources.
- Compliance with codes of practice and engineering standards.
- Financial contributions to ensure land use activities, development and subdivision meet a reasonable proportion of the costs for the provision of infrastructure.
- Assessment and identification of long-term servicing and funding requirements through Asset Management Plans.

## Section 2.15 Coastal Environment

### Issues

- 2.15.1** Inappropriate subdivision, use and development can adversely affect the natural character and landscapes, open space, public access, and historical or cultural values of the coastal environment, particularly the areas of outstanding natural character.
- 2.15.2** Demand for public access to and along the coast has the potential to adversely impact on natural character and landscape, open space, recreation, heritage, cultural and Tāngata whenua values associated with the coastal environment.

The South Taranaki Coastline extends for approximately 145 kilometres between the mouth of Hangatahua (Stony) River to the north and Waiinu to the south. While most of the South Taranaki coastal edge comprises coastal cliffs, there are a number of notable geomorphological landforms and features that make this coast special. To the north, protective laharic platforms and reefs form the edge of the volcanic ring plain and have subsequently become strewn with volcanic boulders of lahar origin. To the south, the coastal margin follows the edge of an eroding uplifted marine terrace with coastal dunes becoming increasingly prevalent near the mouths of major rivers which have cut through the marine terrace plains. Areas of cliff top dunes occur along several parts of the coastal edge, a landform unique to South Taranaki. Recreationally, the coast is highly valued and is home to a number of recognised surf breaks (e.g. Stent Road Beach), as well as opportunities for fishing, walking and beach combing.

Preserving the natural character of the coastal environment and its protection from inappropriate subdivision, use and development is recognised as a matter of national importance in section 6(a) of the RMA. The South Taranaki District has a high level of natural character within its coastal environment. Whilst almost the entirety of the land inland from the coastal edge has been modified for agricultural or urban development, typically limited development extends along the coastal edge. In some areas, strong natural elements, patterns and processes occur along the coastal edge creating steep exposed and eroding coastal cliffs, active sand dunes, dynamic river mouths and related biotic and experiential associations. The coastal environment also contains a significant number of archaeological sites and sites of particular cultural value to iwi, resulting from the historical pattern of settlement in South Taranaki. Sand dunes and river mouths contain many pa sites, middens and urupa (burial grounds), which are of spiritual significance to Tāngata whenua.

Inappropriate subdivision, use and development within the coastal environment has the potential to adversely affect the natural character of the coastal environment. For example, subdivision or development near the coastal edge, indigenous vegetation removal, excessive grazing of stock, or earthworks or mineral extraction, can modify coastal landforms, impact on wild and scenic coastal associations, and adversely affect natural coastal processes, indigenous habitats and plant communities.

There are a few established settlements in or adjacent to the coastal environment. These settlements are of varying scale and include Waverley Beach, Pātea, Ohawe, Ōpunakē, Waipipi Beach and Waiinu Beach. Ad hoc subdivision and development in areas outside these existing coastal settlements can lead to the loss of the natural character and other valued qualities of the coastal environment. In particular, the cumulative effects of subdivision and development can diminish the natural character over time through a gradual process of change



The maintenance and enhancement of public access to and along the coastal marine area is also a matter of national importance in the RMA. The recreational values of the coastal environment are constrained by limited access (often because the land is in private ownership), therefore it is important to provide public access. However, in providing public access it is important it does not adversely affect other values associated with the coastal environment such as natural character and landscape, open space, recreation, heritage and cultural values, or increase the risk to natural hazards.

## Objectives

- 2.15.3** To preserve the characteristics and qualities that contribute to natural character, and protect natural features and landscapes and historic heritage, in the coastal environment from inappropriate subdivision, use and development.
- 2.15.4** To protect cultural and spiritual values to Tāngata whenua in the coastal environment.
- 2.15.5** To avoid adverse effects on the characteristics and qualities of areas within the coastal environment recognised as having outstanding natural character from inappropriate subdivision, use and development.
- 2.15.6** To maintain and, and where appropriate, enhance public open space, landscape and amenity values, and recreation opportunities of the coastal environment.
- 2.15.7** To maintain and enhance public access to and along the coast with a focus on providing a continuous coastal walkway/cycleway.

## Policies

- 2.15.8** Identify a Coastal Protection Area to recognise the extent and characteristics of the coastal environment, including:
  - (a) Areas where coastal processes, influences or qualities are significant.
  - (b) Areas at risk from coastal hazards.
  - (c) Coastal vegetation and the habitat of indigenous coastal species.
  - (d) Elements and features that contribute to the natural character, landscape, visual qualities or amenity values.
  - (e) Items of cultural and historic heritage; and
  - (f) Physical resources and built facilities, including infrastructure, that have modified the coastal environment

- 2.15.9** Preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use and development by:
- (a) Avoiding adverse effects of activities on the characteristics and qualities that contribute to natural character in areas of the coastal environment identified as having outstanding natural character; and
  - (b) Avoiding significant adverse effects and avoiding, remedying or mitigating adverse effects of activities on the characteristics and qualities that contribute to natural character in all other areas of the coastal environment.
- 2.15.10** Manage the scale, location and design of subdivision, use and development in the coastal environment and determine its appropriateness based on:
- (a) Recognising the characteristics and qualities that contribute to natural character, natural features and landscape values of the coastal environment, and their location and distribution.
  - (b) Recognising the extent of existing modification of natural character and likely potential modification of natural character as a result of the proposed activity.
  - (c) Whether or not the activity protects areas of significant indigenous vegetation or significant habitats of indigenous fauna.
  - (d) Whether or not the activity avoids adverse effects on the characteristics and qualities of identified areas of outstanding natural character or outstanding natural landscapes/features.
  - (e) Whether or not the activity protects of historic heritage or cultural values including those of significance to Tāngata whenua.
  - (f) Whether or not the activity maintains or enhances public access and recreational opportunities.
  - (g) Whether or not the activity has a functional need to be located in the coastal environment.
  - (h) Whether or not the activity avoids, remedies or mitigates the actual or potential adverse effects on open space, visual amenity and landscape values, recreation opportunities, or other qualities and values of the coastal environment.
  - (i) Whether or not guidance is provided about the management of adverse effects for the activity in a National Policy Statement or Regional Policy Statement.
- 2.15.11** Encourage the consolidation of existing coastal settlements and urban areas (Waverley Beach, Pātea, Ohawe, Ōpunakē, Waipipi Beach and Waiinu Beach) and restrict sprawling or sporadic patterns of settlement and urban growth to avoid further urban modification of natural character, open space and other values of the coastal environment.

- 2.15.12** Encourage the restoration and rehabilitation of the natural character of the coastal environment where this is appropriate.
- 2.15.13** Protect the Stent Road surf breaks of National Significance from adverse effects of other activities on access to, and use and enjoyment of the surfbreaks.
- 2.15.14** Enhance and provide opportunities for public access to the coastal marine area, while considering potential natural hazards and sea level rise matters.
- 2.15.15** Provide for vehicular access to beaches or adjacent public land where it is required for boat launching, or where it is the only practicable means of access to public facilities, or for the operation of existing commercial activities.
- 2.15.16** Control the use of vehicles, apart from emergency vehicles on beaches, foreshore and adjacent public land where the following might result:
  - (a) Damage to dunes or other geological systems and processes; or
  - (b) Harm to ecological systems or indigenous flora and fauna; or
  - (c) Disturbance to the peaceful enjoyment of the beach environment; or
  - (d) Damage to historic heritage or sites of significant to Tāngata whenua.
- 2.15.17** Provide for esplanade reserves or strips at the time of subdivision or development adjacent to the coastal marine area except where the restriction of public access is necessary to:
  - (a) Preserve natural character of the coastal environment and ecological values.
  - (b) Protect private property rights
  - (c) Avoid conflict between competing land uses.
  - (d) Protect cultural and spiritual values of Tāngata whenua.
  - (e) Protect archaeological and historic heritage values.
  - (f) Protect the health and safety of the public.
  - (g) Provide for other circumstances that are sufficient to justify the restriction of public access, notwithstanding the national importance of maintaining access.
- 2.15.18** Promote the development of a continuous coastal walkway/cycleway that provides ongoing public access to the South Taranaki coast and protects the natural character, landscape, historical and Tāngata whenua values of the coastal environment.
- 2.15.19** Provide for the establishment and maintenance of pipelines and pipeline marker beacons installed in the coastal environment, where:
  - (a) There is no practicable alternative location for that infrastructure; and
  - (b) Pipelines are located underground and installed by directional drilling or where affected areas are reinstated and landscaped in a manner comparable with the landform and vegetative cover present prior to the construction works occurring.
- 2.15.20** Manage the disposal of waste in the coastal environment to avoid, remedy or mitigate adverse effects on the historical and cultural values of the coastal environment.

### Explanation of Policies

The Coastal Protection Area is an area of land that essentially covers the length of the South Taranaki coastline that is identified on the planning maps and is considered to represent the characteristics and extent of the coastal environment in accordance with the New Zealand Coastal Policy Statement (NZCPS). A natural character assessment of the coastal environment was prepared during the development of the District Plan (2014), which established the existing level of natural character for different parts of the coastal environment. This assessment has been used to help identify the extent of the Coastal Protection Area, and in turn, to understand the impact that a proposed activity may have on the natural character of a particular site or section of the coast, including attributes which may have high levels of natural character. The inland extent of the Coastal Protection Area was mapped at a broad scale of 1:50,000, acknowledging that the information provided for the natural character assessment ranged in detail and mapping scale. In some areas along the coast, the inland boundary of the Coastal Protection Area represents the interface between land where coastal processes, influences or qualities are significant and land more heavily modified by human processes, principally farming. In other areas where there is no clear demarcation of the inland extent of the significant coastal processes, a distance of 100 metres from cliff top edge for sections of the coast with a cliff or Mean High Water Springs has been used, as the limit to which the significance of the coast is no longer so apparent due to the scale and nature of the underlying landform. Consequently, the boundary line has only been adjusted where there is an obvious logic to do so, but in all other locations reflects a boundary line drawn 100 metres from cliff tops following the coastal edge. A finer scale assessment of the characteristics and extent of the coastal environment as part of assessing a particular site or section of the coast for any resource consent application/notice or requirement/plan change will determine whether such areas are within or outside the coastal environment. This assessment will determine whether or not the site or section exhibits one or more of the characteristics in Policy 2.15.8 and whether the residual policies in this section will apply.

Within the Coastal Protection Area, three areas have been identified as having ‘outstanding natural character’ (Whenuakura Estuary, Waipipi Dunes and Waitotara).

These areas contain ‘very high’ natural character values based on two criteria: biophysical attributes, and sensory attributes. Biophysical attributes are abiotic (including geological, hydrological or topographical) and biotic (including native vegetation communities, wildlife or ecosystems). Sensory attributes are experiential only, and includes naturalness (wild and scenic) and transient values. Further information on the values and attributes of these areas is contained in the Landscape Assessment. Areas of outstanding natural character are identified on planning maps, and are afforded special protection (over and above the preservation of the natural character of the coastal environment). The NZCPS has a clear directive to avoid adverse effects of inappropriate subdivision, use and development on areas of outstanding natural character which is expressed in Policy 2.15.9. However, it is recognised in current case law (*Environmental Defence Society Inc v New Zealand King Salmon Company Limited* (“*King Salmon*”) [2014] NZSC 38) that it may be acceptable to allow subdivision, use and development that have minor or transitory adverse effects in areas of outstanding natural character where their avoidance is not necessary (or relevant) to preserve the natural character of the coastal environment, or protect natural features and natural landscapes.

The protection of the natural character and other values of the coastal environment need not impact on already established activities such as farming or energy generation, nor does it preclude new types of land use, subdivision and development that may be appropriate in certain places or where adverse effects can be avoided, remedied or mitigated. Examples where change may be acceptable include development within coastal settlements (some of which have been in existence since early 1900s). Furthermore, many activities associated with recreation such as camping grounds, ablution facilities, surf lifesaving buildings and storage sheds have been established, the majority of which have a functional need to be located within the coastal environment. The District Plan recognises that these

facilities provide wider benefits to the community and can increase recreational values of coastal areas and therefore does anticipate that changes may be required from time to time. Further to this, it is recognised that the coast provides physical resources that are of value (for example energy resources, including wind and other energy resources) and because of the location of these resources and functional requirements of infrastructure, there may be instances where, new land use activities and development may wish to locate within the coastal environment. For large scale development, the District Plan requires resource consent as a non-complying activity to provide for a rigorous assessment of the proposal.

In considering how the coastal environment should be used, protected and developed in the future, it is considered appropriate for new buildings, subdivision and development to be located within or in close proximity to existing coastal settlements, to preserve currently remote areas of the coastline and avoid development that would adversely affect the natural character of these areas. It is appropriate to consolidate development in a way which ensures that potential adverse effects are avoided, remedied or mitigated, such as ensuring the provision of adequate wastewater systems. Appropriate use and development may be acceptable in some parts of the coastal environment or where there is a functional need to locate there. However adverse impacts which may include the degradation of natural character, open space, landscape and amenity values, or historical, cultural, and recreational values will need to be taken into account when considering a development proposal. In these situations it is important that the developer understands the values and attributes of the coastal environment, and responds by ensuring that the adverse effects of such development are avoided, remedied or mitigated. Specifically concerning historical or cultural matters, Sections 2.5 (Historic Heritage) and 2.7 (Tāngata Whenua) contain objectives and policies that need to be considered in conjunction with this section. In addition, Schedule 1 identifies known historic heritage and sites of significance to Tāngata Whenua. Furthermore, the disposal of waste in the coastal environment can adversely affect the relationship of Māori with their spiritual, cultural, historical and social association with the coast. Therefore, this type of activity is managed to ensure it avoids, remedies and mitigates the adverse effects on the special values of the coastal environment.

Parts of the coastal environment in the District are particularly difficult to access and in some ways this has protected them from inappropriate use. At the same time access along the coast has been disjointed due to the variety of land ownership, landforms, the steepness of the topography and the presence of major river estuaries and river mouths. It is recognised that there is other legislation (e.g. [Reserves Act 1977](#)) which is relevant to public access to certain areas, and this may include the coast. The policies seek to encourage provision for a continuous coastal walkway/cycleway to enhance public access to the coast, primarily through community initiatives, as well as the creation of esplanade reserves or strips. The policies also consider the adverse effects that vehicle access can have on natural character and ecological processes, and seek to avoid adverse effects where possible.

### Methods of Implementation

The principal methods of implementation are:

- Identify a Coastal Protection Area and areas of Outstanding Natural Character in the District Plan.
- Rules relating to subdivision, buildings, structures, earthworks, waste disposal and indigenous vegetation clearance in the Coastal Protection Area.
- Use of conditions on resource consents to ensure the adverse effects of subdivision, land use and development on the natural character of the coastal environment are avoided, remedied or mitigated, and public access is maintained and enhanced by way of esplanade reserves and strips.

- Encourage the use of protection mechanisms under other legislation such as Reserve Management Plans under the [Reserves Act 1977](#).
- Implementation of a South Taranaki Coastal Walkway Strategy in consultation with the local community.
- Education and information sharing to raise community awareness of the natural character of the coastal environment and the importance of preserving the coastal environment from inappropriate subdivision, use and development.
- Provide guidance and advice to assist landowners and government agencies to protect the natural character of the coastal environment, including advice on restoration and rehabilitation of indigenous vegetation.
- Liaise and collaborate with landowners, interest groups and agencies with interests in the protection of the natural character of the coastal environment.

## Section 2.16 Natural Features and Landscapes

### Issues

- 2.16.1** Inappropriate subdivision, use and development may adversely impact on people's use, enjoyment and appreciation of outstanding natural features and landscapes, and/or result in the degradation of their values.
- 2.16.2** That the special characteristics and values of other natural areas, features and landscapes which are important to the South Taranaki community are managed appropriately, whilst having regard to private property rights.

The South Taranaki District has a number of outstanding and important natural features and landscapes, which contribute to community identity and shape the growth and development of South Taranaki. These natural features and landscapes contribute to the high quality of the environment in the South Taranaki District and feature prominently in what residents like most about living in South Taranaki.

It is a matter of national importance under the RMA to protect Outstanding Natural Features and Landscapes from inappropriate subdivision, use and development. Specific to the South Taranaki District, examples of inappropriate subdivision, use and development include the increasing level of subdivision along the coast, and site-specific developments that can affect archaeological and heritage sites, indigenous vegetation or amenity. Activities such as building, subdivisions, quarrying or mining, forestry harvesting, land farming, land clearance, grazing, and road and infrastructure development, can have varying levels of effects depending upon the scale, visual dominance, design, and location of the activity. Intensification of recreational activities and associated auxiliary development, network utility structures in prominent locations, and damage to natural habitats and indigenous vegetation from pests and grazing animals are also key threats to Outstanding Natural Features/Landscapes in South Taranaki.

In line with the RMA, the Taranaki Regional Policy Statement (2010) (RPS) refers to identifying 'outstanding' natural features and landscapes as those features or landscapes of "exceptional value or eminence or distinction at a national, regional or district level". The RPS refers to the outstanding natural features and landscapes within South Taranaki as including Mt Taranaki as a dominant volcanic form, visible throughout most of South Taranaki, and parts of the extended lahar deposits throughout the ring plain. In addition, Hangatahua (Stony) River and Lake Rotokare are also discussed as being outstanding in terms of their natural values, features and landscapes.

In response to these higher order planning documents, a Landscape Assessment of the South Taranaki District was undertaken in 2014 which identified the following Outstanding Natural Features/Landscapes for the purposes of the District Plan:

Within the coastal environment:

- Oaonui (Sandy Bay)
- Kaupokonui
- Kapuni
- Waverley Beach
- Waitotara River Mouth

Outside the coastal environment:

- Mount Taranaki
- Hangatahua (Stony) River
- Lake Rotokare
- Whanganui National Park

The criteria used to assess natural features and landscapes focuses on an understanding of landscape values into biophysical or natural science aspects, sensory and aesthetic aspects, and other associative aspects. Natural features and landscapes were only identified as ‘outstanding’ in relation to exceptional natural features or areas of landscape which scored at least “very high” sensory values and at least “high” biophysical and associative values. The RPS states that recognition shall be given to other natural features and landscapes which are not outstanding but still important for natural character, amenity, heritage, cultural, spiritual or scientific or educational values. The lahar mounds and Lake Rotorangi are not considered to be outstanding, but are still important for their geological and associated natural character, amenity and cultural values. These are referred to as ‘other important natural features and landscapes’.

## Objectives

- 2.16.3 To protect Outstanding Natural Features/Landscapes from inappropriate subdivision, use and development.**
- 2.16.4 To recognise the qualities and values of other important natural features and landscapes and have regard to their values when undertaking new subdivision, use and development.**

## Policies

- 2.16.5** Protect natural features and landscapes of the coastal environment from inappropriate subdivision, use and development by:
  - (a) Avoiding adverse effects of activities on the qualities and characteristics that contribute to the values Outstanding Natural Features/Landscapes in the coastal environment; and
  - (b) Avoid significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on the qualities and characteristics that contribute to the values of other natural features and natural landscapes in the coastal environment.



- 2.16.6** Manage the scale, location and design of subdivision, use and development within Outstanding Natural Features/Landscapes and determine its appropriateness based on the following:
- (a) The value, importance or significance of the natural feature or landscape at the local, regional or national level.
  - (b) The degree and significance of actual or potential adverse effects (including cumulative effects) on Outstanding Natural Features/Landscapes and the efficacy of measures to avoid, remedy or mitigate such effects.
  - (c) The benefits derived from the proposed activity at the local, regional and national level.
  - (d) The extent to which the proposed activity recognises and provides for the relationship of Tāngata whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.
  - (e) The purpose of the proposed activity, its need to occur in the particular location, and whether it is an anticipated feature of the environment.
  - (f) The degree of modification of the existing Outstanding Natural Feature/Landscape, its sensitivity or vulnerability to change, or capacity to accommodate change without compromising the values of the feature or landscape.
- 2.16.7** Manage the scale, volume, depth, and location (visibility) of earthworks within Outstanding Natural Features/Landscapes to ensure they do not adversely affect the qualities and characteristics that contribute to the values of Outstanding Natural Features/Landscapes.
- 2.16.8** Protect the natural landforms of Kaupokonui and Kapuni Stream Mouth from adverse visual dominance effects of subdivision, use and development establishing on the coastal cliff edge surrounding the Outstanding Natural Landscapes/Features.
- 2.16.9** Recognise and provide for the ongoing use of the Kaupokonui Beach Motor Camp within the area identified as the Kaupokonui Outstanding Natural Feature/Landscape.
- 2.16.10** Recognise that existing infrastructure for the transmission of hydrocarbons from off-shore at Oaonui (Sandy Bay) is located within an Outstanding Natural Feature/Landscape.
- 2.16.11** Consider potential adverse effects of subdivision, use and development on the qualities and characteristics that contribute to the values of the following important natural features and landscapes:
- (a) The collective contribution and geological significance of lahar mounds to South Taranaki's rural landscape.
  - (b) The amenity, recreation, cultural, conservation and natural character values of Lake Rotorangi, recognising the ongoing operational requirements of the Pātea Hydro Scheme.
- 2.16.12** Ensure that development within the visual catchment of Lake Rotorangi avoids, remedies or mitigates adverse effects on the amenity, recreation, cultural, conservation and natural character values associated with the lake.
- 2.16.13** Recognise and provide for the positive effects associated with landscape and biodiversity restoration.

**2.16.14** Manage the disposal of waste in Outstanding Natural Features/Landscapes to avoid, remedy or mitigate adverse effects on these features and landscapes.

**Explanation of Policies**

The above policies seek to ensure the protection of the identified Outstanding Natural Features/Landscapes, and the maintenance of other important natural features and landscapes by managing the scale, location and extent of activities in relation to the qualities and characteristics that contribute to the values of these features and landscapes. Similar to activities in the coastal environment, the above policies do not preclude appropriate development, particularly high quality development that is sensitive to the qualities and characteristics that contribute to the values of an Outstanding Natural Feature/Landscape or other important natural features or landscapes.

District Plan rules have been applied to protect Outstanding Natural Features/Landscapes within the coastal environment, and Lake Rotokare. Mount Taranaki and Whanganui National Park are managed using protection mechanisms under other legislation such as Reserve Management Plans under the Reserves Act 1977. Hangatahua (Stony) River is also identified as a significant waterbody on Planning Maps and listed in Schedule 5 for protection. Building setbacks and requirements for esplanade strips or reserves at the time of subdivision or development would assist in the protection of its important values. Specific recognition and provisions are included for Lake Rotorangi carrying over methods from previous District Plans/Schemes.

Through the resource consent process, the intensity, scale, location and design of a proposed activity or development will be assessed to determine the potential effects on the qualities and characteristics that contribute to the values of the identified area. Policy guidance and assessment criteria will assist decision-making to ensure development within these areas is compatible with the surrounding environment.

**Methods of Implementation**

The principal methods of implementation are:

- Identify Outstanding Natural Features/Landscapes and other important natural features and landscapes on Planning Maps.
- Rules relating to subdivision, buildings, structures, earthworks, waste disposal and indigenous vegetation clearance in the Outstanding Natural Features/Landscapes provisions.
- Rules relating to buildings near Lake Rotorangi to maintain the values of the lake.
- Use of conditions on resource consents to ensure the adverse effects of subdivision, use and development on Outstanding Natural Features/Landscapes and other important natural features and landscapes are avoided, remedied or mitigated.
- Use of protection mechanisms under other legislation such as Reserve Management Plans under the [Reserves Act 1977](#), particularly for Mount Taranaki, Whanganui National Park and Lake Rotokare.
- Education, advocacy and information sharing to raise community awareness of the attributes and values of Outstanding Natural Features/Landscapes, their contribution to community identity, and the need to protect these from inappropriate subdivision, use and development.
- Provide guidance and advice to assist in the protection of landscape character, including advice on restoration and rehabilitation of indigenous vegetation.
- Liaise and collaborate with landowners, interest groups and agencies with interests in the protection of Outstanding Natural Features/Landscapes and other important natural areas, features and landscapes.

## Section 2.17 Indigenous Biodiversity

### Issues

- 2.17.1** Inappropriate subdivision, use and development can result in the modification, damage or destruction of significant indigenous vegetation and significant habitats of indigenous fauna.
- 2.17.2** Loss and reduction in the District's indigenous biodiversity resulting from clearance, stock damage, plant and animals pests, and the overall fragmentation and isolation of habitats.

Water quality, soil stability, vegetation cover and ecological diversity are key components of a healthy natural environment. Taranaki's native bush areas, rivers and streams, wetlands and coastal areas provide significant habitats for indigenous flora and fauna species, including threatened species. There are an estimated 108 threatened species in the Taranaki region which are considered to be nationally threatened or at risk of extinction. Within South Taranaki, less than 29.8% of indigenous forest remains, with the majority in the Mt Egmont National Park and eastern hill country (including within the Whanganui National Park). There are acutely or chronically threatened land environments in the District and only 16% of the District's land area is under formal protection through Department of Conservation administered land or Queen Elizabeth II National Trust Covenant.

Subdivision, use and development can result in the damage and destruction of areas of significant indigenous vegetation and significant habitats of indigenous fauna, and the intrinsic values of ecosystems, including loss of indigenous biological diversity. Each component of the natural environment can only accept a limited amount of change from human activities (e.g. loss of flora and fauna, reduction in overall area of natural environment, or breaks in the ecological relationship between different parts of the natural environment system). When these limits are exceeded there is a decline in the health and wellbeing of the natural environment, affecting its ability to reproduce at a sufficient rate to replenish. The majority of remaining significant indigenous vegetation and significant habitats of indigenous fauna in South Taranaki are small, fragmented and faced with a number of pressures (e.g. pests such as feral animals and invasive weeds).

Historically, the greatest threat to the sustainability and protection of natural areas has come from modification of land for farming purposes (clearance, drainage and re-vegetation), together with large-scale logging of native timber and clearance for exotic forestry plantations. The limited amount of remnant significant indigenous vegetation and significant habitats of indigenous fauna are valued by landowners for their ecological or aesthetic values or remain to be unmodified because there is generally no alternative economic use for them.

As every natural area is different, there is difficulty in defining the limits of the various resources that make up a healthy natural environment and also in understanding the human activity that adversely affects these limits. Because knowledge and understanding of biodiversity limits is rudimentary, a precautionary approach is appropriate to manage adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna.

### Objectives

- 2.17.3** Protect areas of significant indigenous vegetation and significant habitats of indigenous fauna from inappropriate subdivision, use and development.

**2.17.4 The maintenance and enhancement of indigenous biodiversity through the protection, enhancement and restoration of indigenous habitats and indigenous vegetation.**

**Policies**

**2.17.5** Identify and protect areas of significant indigenous vegetation and significant habitats of indigenous fauna as 'Significant Natural Areas', which are of significance for one or more of the following reasons:

- (a) The presence of rare or distinctive indigenous flora and fauna species.
- (b) The representativeness of an area.
- (c) The ecological context of an area.

**2.17.6** Consider the future sustainability of areas of significant indigenous vegetation and significant habitats of indigenous fauna when deciding on what action should be reasonably and practicably taken to protect the values of the area.

**2.17.7** Avoid, remedy or mitigate any significant adverse effects of subdivision, use and development that would result in a loss of indigenous biodiversity values such as:

- (a) Clearance, modification, damage or destruction of large areas of intact indigenous vegetation.
- (b) Clearance of indigenous vegetation in regionally significant wetlands.
- (c) Subdivision of land and location of buildings and works in close proximity to areas of significant indigenous vegetation and significant habitats of indigenous fauna.
- (d) Uncontrolled stock grazing that can damage indigenous vegetation and regeneration.
- (e) Increased exposure to invasive introduced plant and animal species that pose a threat to indigenous biodiversity.

**2.17.8** Avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects of subdivision, use and development in the Coastal Protection Area on:

- (a) Areas of predominantly indigenous vegetation, or
- (b) Indigenous habitats and ecosystems, important for indigenous species, which are particularly vulnerable to modification, particularly coastal herbfields, wetlands and coastal dunes.

**2.17.9** Protect Significant Natural Areas, and maintain and enhance indigenous biodiversity values, having regard to the following matters:

- (a) Actual or potential impacts on the significance of the affected area and on ecological values (including habitat, vegetation and fauna), and cultural, intrinsic and/or amenity values.
- (b) The sustainability of the habitat or area of vegetation proposed to be modified or damaged or any adjoining habitat or area of vegetation to an area proposed to be affected.

- (c) The representativeness of the affected vegetation or habitat and impact on its inter-relationship or continuity with other habitats or areas of indigenous vegetation.
  - (d) Whether the affected area retains the presence of rare or distinctive, threatened or at risk, indigenous flora or fauna species.
  - (e) The extent to which the proposal is the minimum necessary to protect significant indigenous vegetation and significant habitats of indigenous fauna.
  - (f) Significant residual effects should be offset, or where 'no net loss' cannot reasonably be achieved, addressed by environmental compensation measures, proposed or agreed to by the applicant.
- 2.17.10** Support community and landowner initiatives for the maintenance, protection, enhancement and restoration of significant natural areas and encourage the use of other non-regulatory incentives and assistance to protect indigenous biodiversity.
- 2.17.11** Recognise and provide for the role of Tāngata whenua as kaitiaki, including meaningful consultation on the management of indigenous biodiversity in areas of particular cultural significance to Tāngata whenua, and providing for customary use of indigenous biodiversity according to tikanga.
- 2.17.12** Recognise existing network utilities within the coastal environment, outstanding natural features and landscapes and significant natural areas and provide for their ongoing operation, maintenance and upgrading requirements.
- 2.17.13** New network utilities shall not be located in Significant Natural Areas unless:
- (a) The infrastructure is subject to a significant functional constraint and the adverse effects:
    - (i) are outweighed by the overall economic, social and/or environmental benefits; and
    - (ii) can be addressed through biodiversity off-setting, or, where 'no net loss' cannot reasonably be achieved, addressed through environmental compensation measures, proposed or agreed to by the applicant; and
  - (b) The route/site selection process has identified no feasible alternative.

### Explanation of Policies

The continued existence of significant indigenous vegetation and significant habitats of indigenous fauna that are representative of native ecosystems, or rare or distinctive indigenous flora and fauna species is important for ecological, biodiversity and intrinsic purposes, but also for the legacy that is left for future generations. The preservation of the natural character of wetlands from inappropriate subdivision, land use and development, and the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna is a matter of national importance in the RMA. Significant indigenous vegetation and significant habitats of indigenous fauna are also valued for their amenity, aesthetic, natural character, cultural and heritage values.

Policy direction in the Taranaki Regional Policy Statement sets out District Council responsibilities for controlling land use activities for the purpose of managing indigenous biological diversity. The identification of Significant Natural Areas for scheduling in the District Plan is based on the criteria set out in the Regional Policy Statement.

To qualify as a Significant Natural Area, the site must have values that meet at least one of the 'representativeness', 'rarity/distinctiveness' or 'ecological context' criteria. The significance criteria are outlined below.

### **Representativeness**

Indigenous vegetation or habitat of indigenous fauna that is representative, typical or characteristic of the natural diversity of the relevant ecological district. This includes an area being significant because it supports ecosystems that:

- Are now much reduced in relation to their former extent (i.e. nationally rare or uncommon, rare within the ecological region, or uncommon elsewhere in that ecological district or region but contain all or almost all species typical of that habitat type); or
- Represent all that remains of indigenous biodiversity in some areas and are not well represented in protected areas. In some cases, a significant area can include degraded examples where they are some of the best remaining examples of their type.
- Indigenous vegetation or habitat of indigenous fauna that is a relatively large example of its type within the relevant ecological district.

### **Rarity/Distinctiveness**

- Indigenous vegetation or habitat of indigenous fauna that has been reduced to less than 20% of its former extent in the Taranaki Region, relevant land environment, or ecological district.
- Indigenous vegetation or habitat of indigenous fauna that supports an indigenous species that is exceptional in terms of abundance or habitat, endangered or vulnerable, regionally threatened or at risk, or rare or uncommon as they only occur in Taranaki, or, although common elsewhere, are particularly uncommon in Taranaki or within the relevant ecological district.
- The site contains indigenous vegetation or an indigenous species at its distribution limit within the Taranaki Region or nationally.
- Indigenous vegetation or an association of indigenous species that is distinctive, of restricted occurrence, occurs within an originally rare ecosystem, or has developed as a result of an unusual environmental factor or combinations of factors.

### **Ecological Context**

- Vegetation or habitat of indigenous fauna that provides or contributes to an important ecological linkage or network, which is significant because it enhances connectivity between fragmented indigenous habitats; or buffers or similarly enhances the ecological values of a specific site of value.
- Indigenous vegetation or habitat of indigenous fauna that provides important seasonal or core habitat for specific indigenous species (including refuges from predation, or key habitat for feeding, breeding, or resting).

The management response for individual Significant Natural Areas will need to consider the sustainability criteria:

### **Sustainability**

- Extent of management input required to ensure sustainability.
- Future sustainability of the area's significance.

As habitats for indigenous species are often on private land, the main challenge in South Taranaki is to strike an appropriate balance between the protection of significant indigenous vegetation and significant habitats of indigenous fauna within the context of a productive landscape.

Sustaining biodiversity on private land requires the good will, co-operation and individual commitment of landowners. However, there are often tensions between landowner's aspirations for land use and development and the preservation of indigenous habitats. Costs to the individual to protect significant indigenous vegetation or significant habitats of indigenous fauna for region-wide or nation-wide benefits, and the reality that ecosystems are not confined to specific sites creates a challenge for South Taranaki District Council. The Council will consider recognising the public-good benefits and private ownership costs of conservation, by encouraging the use of non-regulatory incentives and assistance (such as assistance with fencing, rates relief, management advice or education) to landowners of significant indigenous vegetation or significant habitats of indigenous fauna.

In circumstances where adverse effects on significant indigenous vegetation and significant habitats of indigenous fauna cannot be adequately mitigated, it is recognised that there are limits to what can be offset because some vegetation or habitat and associated ecosystems are vulnerable or irreplaceable. In such circumstances, biodiversity offsetting will not be possible and local authorities will need to take full account of residual adverse effects in decision-making processes.

Objective 2.17.4 recognises South Taranaki District Council's obligation to "maintain and enhance" indigenous biodiversity in a general sense under Section 31 of the Resource Management Act. 'No net loss' of indigenous biodiversity is achieved by the protection of existing areas and habitats and/or the restoration and enhancement of areas and habitats through biodiversity offsets or other initiatives.

#### Methods of Implementation

The principal methods of implementation are:

- Schedule of Significant Natural Areas in the District Plan according to their relative significance values based on criteria of representativeness, rarity/distinctiveness, or ecological context, and future sustainability, and identify these on relevant Planning Maps.
- Rules relating to the modification, damage or destruction of Significant Natural Areas, and general clearance of other areas of significant indigenous vegetation and habitats of indigenous fauna.
- Use of conditions on resource consents to ensure that the adverse effects of subdivision, use and development on significant indigenous vegetation and significant habitats of indigenous fauna are avoided, remedied or mitigated.
- Application of nationally accepted best practice principles for biodiversity offsetting to achieve 'no net loss' or a 'net gain' of indigenous biodiversity where adverse effects cannot be avoided, remedied or mitigated.
- Through the Long Term Plan and Annual Plan processes, the Council may commit resources such as rates relief, grants for fencing, waiving of consent fees or access to professional ecological advice to encourage the maintenance, protection and restoration of significant natural areas.
- Encourage the use of voluntary covenants and protection mechanisms under other legislation by rates relief and possible contributions towards survey and legal costs for Significant Natural Areas.
- Education and information sharing to raise community awareness of biological diversity issues and the importance of protecting remnant areas of significant indigenous vegetation and significant habitats of indigenous flora and fauna.



- Provide guidance and advice to assist landowners to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.
- Liaise and collaborate with landowners, interest groups and agencies with interests in the protection of indigenous biodiversity.

## Section 2.18 Waterbodies

### Issues

- 2.18.1** Inappropriate subdivision, use and development can adversely affect the natural character and conservation, recreation, amenity, heritage and cultural values of lakes, rivers, wetlands and other waterbodies.
- 2.18.2** There is demand for public access to and along lakes, rivers and other waterbodies to support recreational opportunities. However, this access could adversely affect other values of the waterbodies (e.g. natural character, conservation, heritage, cultural), as well as operational requirements of adjoining land.
- 2.18.3** Activities on the surface of lakes and rivers can have adverse effects on the values of the waterbodies (e.g. natural character, conservation, amenity, cultural, historical), as well as conflict with other activities.

South Taranaki has a variety of lakes, rivers, streams and other waterbodies which are valued for a range of natural character, conservation, recreation, amenity, heritage and cultural reasons. Lake Rotokare and Lake Rotorangi are important for recreation including swimming, kayaking and water skiing. Hangatahua (Stony) River is regionally important for fisheries and angling, scenic characteristics and recreational, historical and cultural features. Other regionally significant rivers have high natural, ecological and amenity values. In the context of this District Plan 'other waterbodies' includes streams and tributaries, and wetlands.

Many rivers are culturally significant for Tāngata whenua and are recognised in statutory acknowledgements (e.g. Pātea River, Whenuakura River, Waitotara River Mouth, and Tangahoe River). Waterbodies are seen as the lifeblood of the land and the people, therefore access to waterbodies, the management of water quality and ecological systems are important to Tāngata whenua, for cultural, spiritual, historical and traditional reasons, including customary activities.

It is a matter of national importance under the RMA to preserve the natural character of lakes, rivers and wetlands and their margins, and to protect them from inappropriate subdivision, use and development. Many of South Taranaki's rivers flow through farmland, particularly those on the lower to middle reaches of the ring plain. There has been, and remains to be, potential for modification and deterioration of the waterbody margins by unsustainable land use practices, vegetation clearance, and earthworks. Many of the District's wetlands have been drained or filled for agricultural production and urban development. Likewise, many river margins have lost much of their protective cover of riparian vegetation, resulting in a loss of natural character which also adversely affects the functioning and water quality of ecosystems. The Regional Council is the agency with primary responsibilities in this area, although the District Council plays a role in relation to the indirect effects of land use on waterbodies, the management of the effects of activities on the surface of water, and has a general responsibility to maintain and enhance indigenous biodiversity.

The maintenance and enhancement of public access to and along lakes and rivers is also a matter of national importance. The recreational values of waterbodies are constrained by limited access, therefore it is important to provide access, as long as it does not adversely affect conservation values, cultural values, or increase risk to natural hazards.

Activities on the surface of water or on land near waterbodies can adversely affect the values of the waterbodies if not properly managed. For example, Lake Rotokare is valued for recreation, including swimming, kayaking and water skiing which can conflict with its high natural character and conservation values (e.g. motorised recreational craft can lead to spillage of oil, grease or diesel and potentially reduce water quality, or excessive noise can be detrimental to native ecosystems and natural character).

Activities on the surface of lakes, rivers and other waterbodies are managed by the District Council. It also maintains and enhances public access with the creation of esplanade reserves and strips at the time of subdivision and land use adjacent to significant waterbodies. Taranaki Regional Councils' responsibilities in relation to waterbodies are to manage the quality and quantity of freshwater and ecosystems for freshwater habitat by controlling the discharge of contaminants to water and the taking, use, damming and diversion of water.

## Objectives

- 2.18.4** To preserve the natural character of the district's lakes, rivers, streams, wetlands and other waterbodies and protect them from inappropriate subdivision, use and development.
- 2.18.5** To maintain and enhance public access to and along the margins of lakes and rivers with high natural character, conservation, recreation, amenity, heritage or cultural values.
- 2.18.6** To enable activities on the surface of lakes and rivers while recognising and protecting their natural character, heritage and cultural values, and maintaining the amenity and recreation values of lakes, rivers and their margins.
- 2.18.7** To maintain and enhance the recreational and amenity values of lakes, rivers, streams and other waterbodies.

## Policies

- 2.18.8** Identify significant lakes, rivers and other waterbodies with high natural character, ecological, recreation, amenity, heritage and cultural values.
- 2.18.9** Avoid, remedy or mitigate the adverse effects of subdivision, use and development that would detract from or compromise the natural character, ecological, recreation, amenity, heritage and cultural values of lakes, rivers and other waterbodies.
- 2.18.10** Ensure that subdivision, use and development is of a scale, location, and design that protects the natural character of lakes, rivers and other waterbodies and maintains and enhances their values by having regard to the following matters in assessing proposals:
- (a) Extent to which natural processes, elements and patterns that determine the natural character of the water body are sustained, and/or restored and rehabilitated;
  - (b) Degree of protection of vegetation cover and patterns, including use of a buffer or riparian margin;
  - (c) Compatibility with existing level of modification to the environment;
  - (d) Functional necessity to be located in or near the waterbody, and no reasonably practicable alternative locations exist;
  - (e) Ability to mitigate any potential adverse effects of subdivision, use and development; and
  - (f) Provision of public amenity and access to land acquired by Council for reserve purposes.
- 2.18.11** Provide for the maintenance of the natural character of lakes, rivers and other waterbodies and their margins, whilst balancing the need to provide public access to and along these waterbodies by way of an esplanade network.
- 2.18.12** Promote sustainable management practices in order to maintain and enhance the natural functioning of waterbodies, and improve water quality.
- 2.18.13** Promote and encourage the development and maintenance of riparian fencing and planting along waterbody margins.
- 2.18.14** Provide for esplanade reserves or strips at the time of subdivision or development adjacent to significant lakes or rivers, particularly where it is compatible with conservation values, and if one or more of the following matters apply:
- (a) Development pressure is high and may result in damage to the natural character of the environment, including water quality, habitat and visual amenity.
  - (b) Where it would provide connections to existing reserves.
- 2.18.15** Establish a connected network of esplanade reserves for public access and recreation purposes, along the margins of significant rivers and streams in the long term.
- 2.18.16** Maintain and enhance public access to and along rivers and lakes as far as practical, except where restrictions are necessary to:
- (a) Preserve natural character.
  - (b) Safeguard ecological or intrinsic attributes.
  - (c) Avoid conflicts between competing uses.

- (d) Protect cultural and spiritual values of Tāngata whenua.
  - (e) Protect human health and safety.
  - (f) Protect the integrity of river and flood control works.
  - (g) Protect significant infrastructure and network utilities.
  - (h) Provide for other exceptional circumstances that are sufficient to justify the restriction, notwithstanding the national importance of maintaining access.
- 2.18.17** Promote public access to the margins of significant lakes and rivers, especially those of recreational/access value, while recognising that restrictions may be necessary to provide for the needs of alternative legislation or other values.
- 2.18.18** Prioritise the creation of esplanade reserves of strips along significant rivers valued for recreational or public access purposes and consult with relevant affected parties.
- 2.18.19** Recognise cultural and spiritual values of Tāngata whenua and enable customary activities to be undertaken within and adjacent to lakes, rivers and other waterbodies, including by managing subdivision, use and development adjacent to the Pātea River, Whenuakura River and Tangahoe River given the cultural and spiritual values of these particular rivers.
- 2.18.20** Enable activities on the surface of lakes and rivers to maintain and enhance community wellbeing whilst avoiding or mitigating adverse effects on health and safety, and on natural character, conservation, amenity, heritage and cultural values.
- 2.18.21** Develop sustainable methods for the use of the surface of water in lakes and rivers, in association with Tāngata whenua and the community.
- 2.18.22** Where appropriate, negotiate the voluntary creation of esplanade strips and access strips with landowners by agreement.

### Explanation of Policies

Managing development, land use and subdivision close to lakes, rivers and other waterbodies is important to protect the high natural character and special values of these waterbodies, including conservation, recreation, amenity, heritage and cultural values. It is generally inappropriate to place structures within, and immediately adjoining, waterbodies, except for those that are required to be located in these areas by their nature, such as flood protection works, bridges, small recreational structures or structures for irrigation, water supply, or energy generation.

If buildings, structures and activities are not effectively managed adjacent to or on the surface of waterbodies, they may create environmental effects such as adverse visual impacts, excessive noise, and loss of public access to riparian areas which affects the natural character and special values of these areas.

An effective way to achieve protection of the natural character of waterbodies is to create a buffer between waterways and adjoining activities, through the creation of esplanade reserves and strips at the time of subdivision or development. A schedule of significant rivers has been created for this purpose, which effectively prioritises specific rivers in the District which have important special values (natural/conservation values, natural hazards, recreational/access values, heritage/cultural values and water quality). Many of these rivers presently have some form of reserves set aside. Over time, it is anticipated that a comprehensive network of connected esplanade reserves or strips based on the values of these rivers would enhance natural character and public access in accordance with the

requirements of the RMA. However, it is recognised that the promotion of public access and the conservation of water margins affects the rights of landowners to use their land, and there may be circumstances where it is appropriate to restrict public access to rivers (e.g. for preservation, to protect private property rights or for public safety).

### Methods of Implementation

The principal methods of implementation are:

- Schedule of significant waterbodies in the District Plan, according to their natural and conservation values, natural hazard risk, recreational and public access values, heritage and cultural values, and water quality, and identify these on Planning Maps.
- Rules in the District Plan requiring the setting aside of esplanade reserves and/or strips on resource consent applications for subdivision, use and development.
- Use of conditions on resource consents to ensure that adverse effects of subdivision, use and development on lakes, rivers and other waterbodies are avoided, remedied or mitigated.
- Through the Long Term Plan and Annual Plan processes, the Council may commit resources such as rates relief or grants towards voluntary riparian planting, fencing of riparian areas, or voluntary public access to waterbodies.
- Co-ordination and liaison with the Taranaki Regional Council particularly in respect of advocacy, education initiatives and guidance related to riparian planting, and maintenance and enhancement of water quality.
- Encouraging voluntary methods of protection for riparian and wetland areas and planting particularly adjacent to scheduled rivers, and encouraging additional riparian management to avoid, remedy or mitigate the adverse effects of activities.
- Liaise and collaborate with landowners and other groups and agencies with interests in the management and protection of waterbodies.

## **Section 2.19 Natural Hazards**

### **Issue**

- 2.19.1 Natural hazards, such as risks of flooding, coastal erosion and inundation, and land instability, have the potential to generate adverse effects on people, property and the environment. Inappropriate use and development of land can also worsen the potential or severity of natural hazards.**

Natural hazards have the potential to cause significant adverse effects and pose a risk to people, property and the environment. There are potentially high social and economic costs associated with natural hazards with significant consequences for public health and safety, agriculture, housing, infrastructure and valued aspects of the environment.

The location, nature and magnitude of these natural hazards vary throughout the District. The impact of a natural hazard on people, property and the environment is a function of the magnitude of the natural event, the density of population and the intensity of development. Active coastal erosion is occurring along the coastline from Ōpunakē to Pātea and south of Waitotara. Land instability is common in the eastern hill country, and Waitotara is known to be susceptible to flooding.

The vulnerability to natural hazard events can be increased by inappropriate development and human activity, which can exacerbate the potential or intensify the effects of natural hazards. For example,

forestry clearance or earthworks can lead to increased run-off and flooding potential, or an increased number of people living and building (and associated infrastructure) in hazard risk areas can increase the potential for a natural hazard to cause damage to people and properties. The Council's functions include controlling the effects of subdivision, use and development for the avoidance or mitigation of the effects from natural hazards.

Obtaining accurate information about natural hazards is one of the biggest challenges facing authorities. This information can provide data on the likely frequency, intensity, extent or location of natural hazard events, such as flooding and coastal erosion.

Below is a description of the known natural hazards in the South Taranaki context and the risks they pose to people, property and the environment in general.

### **Coastal Erosion and Inundation**

Coastal erosion and inundation becomes a particular hazard where built development has occurred within the area of natural beach movements. People, properties, and other existing assets (e.g. gas pipelines) near the coastline are at risk from potential damage. The Pātea Township has a history of sand advancing towards the town and coastal erosion. There have been various modifications to the shoreline, river and estuary in response to these threats, including erosion protection efforts around the gas pipeline that crosses the estuary (including planting, rock wall and renourishment). Waverley Beach and Ohawe coastal settlements are in close proximity to the coastal cliffs, with some habitable buildings within 30-75 metres of the coastline, at potential risk from future coastal erosion.

The coastline from Ōpunakē to Pātea and south of Waitotara experiences ongoing coastal erosion of 0.05 to 1.1 metres per year<sup>1</sup>. Much of the shoreline comprises 30–40 metre tall, near vertical, soft sedimentary cliffs that are actively eroding through catastrophic failure and slumping. Narrow sandy beaches fronting the cliffs provide little protection from wave action and erosion. Erosion and accretion vary in different areas along the coast, over just a few kilometres, and under similar storm conditions due to various local factors. The nature and rate of coastal erosion vary depending on a particular area of the coastline and whether many storms have occurred over a particular time period. Hard shorelines erode slowly, but unconsolidated shorelines can erode or retreat depending on sediment supply and forcing conditions.

The coastal sand country along the southern-most area of the District is also subject to wind erosion, which can be exacerbated by the removal of vegetation (e.g. earthworks and motor vehicles which disturb the sand and vegetation cover, exposing it to the wind). River mouth migration is an important natural factor in the long-term erosion-vs-accretion pattern of the coastline, and is evident at Waitotara River, Pātea River and Kapoaia Stream.

Climate change and associated sea level rise is likely to influence the frequency, scale or intensity of atmospherically influenced natural hazards such as coastal erosion and inundation from storm surges. Any future development in coastal settlements will need to be located and constructed so as to avoid worsening the erosion and inundation hazards and to protect property from extreme events.

### **Surface Water Flooding and River Bank Erosion**

The impacts of flooding in South Taranaki are usually within very defined and specific areas. The greatest flood risk is associated with the major river systems in South Taranaki, particularly the

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<sup>1</sup> NIWA (2012), "Coastal stability in the South Taranaki Bight – Phase 1".

Waitotara River. In addition, localised flooding occurs during and following high and intensive rainfall events which exceed the capacity of overland flow paths and stormwater systems.

Flooding and other storm related damage is a significant and reoccurring problem in the Waitotara catchment. Storms relating to flooding were experienced in 1869, 1891, 1903, 1904, 1924, 1936, 1971, 1990, 1999 and more recently 2004, 2006 and 2015. The most recent Waitotara floods had significant effects on the southern part of South Taranaki, particularly the Waitotara Township. The 2004 flood caused damage to 41 of 47 houses, and 14 were later condemned due to structural damage. Others were relocated out of town. The population dropped from 102 in 2001 to 66 in the 2006 and 2013 census, with 30 occupied dwellings in Waitotara at the time of the 2013 census. Damage and disruption was also experienced by small businesses and community buildings, including the Waitotara Store, the Waitotara Hotel, fire station, town hall, primary school, marae, church and Plunket rooms. Inland farming and other telecommunications, electricity and roading infrastructure (i.e. 250km of local roads and bridges) in the Waitotara catchment were also affected, mainly by subsidence and slipping. These services are important for the social and economic wellbeing of the area. There is low development pressure in the Waitotara Township, which may never regain the community present before the 2004 flood.

Following the 2004 Waitotara flood event, the Taranaki Regional Council (with financial assistance from STDC) carried out significant willow removal works to clear the critical paths of the Waitotara River and its major tributaries to increase flood carrying capacity of the river and thus lower flood levels. Erosion protection works are constructed and maintained at key locations to maintain the alignment of the river channels. An ongoing programme of works will be undertaken to maintain the cleared channel. A flood warning system was also installed.

The Pātea Dam and associated hydro-electric power scheme is located 42 kilometres east of the Pātea River mouth in the South Taranaki District. A failure of the dam structure subsequent to another natural hazard event would result in flood waters travelling down the Pātea River, and inundating lower lying parts of the Pātea township, before entering the sea at Carlyle Beach. Floodwaters would affect residential areas and cover the river road bridge (SH3) and the water pumping station.

In 2008, extreme rainfall events generated high flows centred on the ranges and western and southern flanks of the Egmont National Park, between Oakura and Ōpunakē. The high flows caused erosion and deposition within and adjacent to the Stony River, Mangatete Stream, Oaonui Stream and Waiau River. High flows collected and transported trees and debris. The debris caused blockages to structures and resulted in surge flows and overtopping, resulting in damage to a number of structures including bridges, culverts, fords and fences.

### **Land Instability**

Land instability, including slippage, slumping and subsidence occurs as a localised hazard throughout the District. The natural ground conditions of some parts of the District, in particular the inland hill country, with steep slopes and soil conditions, means that the land is susceptible to possible erosion, subsidence, slippage, debris flow and surface water flooding. Constructing new buildings in areas at risk of land instability could place people and property at unacceptable risk.

### **Volcanic Activity**

A volcanic event (eruption) is an ever-present hazard risk in Taranaki which may create ash fall and lahar hazards throughout the District. There are no indications that Mt Taranaki is about to erupt, however, its unbroken geological history of activity indicates that it will in the future. A 2013 forecast based on the best available eruption dates estimates the chance of an eruption is 3% in any one year, or up to an



81% probability of at least one eruption in the next 50 years<sup>2</sup>. Mt Taranaki volcano is well monitored by the GeoNet project, and quiescent volcanoes like Taranaki almost always demonstrate unrest before an eruption starts, with warning periods likely to range between days to months.

An eruption poses a major threat to the economy and population of Taranaki with all parts of the environment, including settlements and activities, at potential risk.

Ash fall from volcanic eruptions has the potential to affect a large portion of the District. The impacts of ash fall will generally be disruptive rather than destructive. It is not possible to avoid the effects of ash fall on the District, but mitigation measures can prevent or limit the effects of ash fall and provide for the efficient removal of ash.

Lahars have the potential to affect the ring plain around Mount Taranaki, particularly the river valleys. Lahars pose a significant threat to buildings and infrastructure (e.g. roads, bridges) in their path as well as having a continuing impact on river systems, water quality, water supply networks and flooding. Lahars can reoccur long after an eruption has finished during periods of high rainfall.

### Seismic

Seismic hazards, including fault rupture, ground shaking, liquefaction, and landslides can result from an earthquake. Compared to other parts of New Zealand, South Taranaki has a low seismic hazard risk. Different parts of the District are more or less susceptible to the risk of seismic hazards. There are a series of active faults recorded in the Cape Egmont Fault Zone to the west and south of Mt Taranaki. In addition, there is another series of active faults in the vicinity of Waverley. The areas in the District assessed with high potential liquefaction hazard are the lower reaches of the Waitotara, Whenuakura and Pātea Rivers. Earthquake ground shaking strong enough to cause minor sand boils and fissures can be expected, on average, every few hundred years (980-1,070 years). More extensive damage can be expected during stronger, but less frequent (9,500 – 14,300 years), ground shaking.

### High winds/tornadoes

The South Taranaki District can experience high winds, especially on the south-west coast and the eastern hill country. These winds occur when vigorous fronts, troughs, deep depressions or cyclones cause strong northerly to westerly airflows, or south easterly airflows over the District. On average about one tornado will occur somewhere in Taranaki each year, with the frequency of severe cases about once in four years. High winds and tornadoes have the potential to cause significant damage to people and property.

### Roles and Responsibilities

Management of natural hazards under the RMA involves the combined efforts of a number of agencies including District and Regional councils. The Regional Policy Statement for Taranaki states the different roles and responsibilities of the Taranaki Civil Defence Emergency Management (CDEM) Group and the Regional and District councils in relation to the management of natural hazards in the Taranaki region. In summary these roles and responsibilities are:

#### Taranaki CDEM Group

- To increase community awareness, understanding of, and preparation and readiness for emergencies; through public education, engagement, and community-led CDEM planning.

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<sup>2</sup> Green R M, Bebbington M S, Cronin S J, & Jones G. (2013); Geochemical precursors for eruption repose length; *Geophysical Journal International*, 193(2), 855-873.

- To reduce the risks from hazards in Taranaki; by improving understandings of hazards, and by developing and monitoring a group-wide risk reduction programme which demonstrates how individual agency initiatives contribute to overall regional risk reduction.
- To enhance Taranaki's ability to respond to emergencies; through continued focus on response plans, professional development and exercises, community recovery planning, management and training.

#### Taranaki Regional Council

- Controlling any actual or potential effects of subdivision, use and development for the avoidance and mitigation of natural hazards in the coastal marine area and the beds of lakes and rivers.
- Maintaining and carrying out public flood protection in flood control scheme areas under their respective scheme management plans.
- Preparing and implementing civil defence and emergency management plans.
- Gathering information on hazards in partnership with territorial authorities.
- Raising public awareness of the risks of natural hazards through education, including information about what natural hazards exist in the region, and what people can do to minimise their own level of risk and what help is available.

#### South Taranaki District Council

- Controlling any actual or potential effects of subdivision, use and development for the avoidance and mitigation of natural hazards on land.
- Providing hazard information for specific sites through Land Information Memoranda and Project Information Memoranda.
- Coordinating and integrating all aspects of hazard and emergency management functions and activities under the Civil Defence Emergency Management Act 2002 and the Civil Defence Emergency Management (CDEM) Group Plan for Taranaki (2012).
- Planning for the continuity of the Council's business and community services during the managed of any significant hazard or emergency.

Therefore, the principal role of the District Plan is to identify where the risks are most significant, and to manage subdivision, development and activities in these areas to avoid the exacerbation of such risks, and to reduce the risks as appropriate.

## Objectives

- 2.19.2 The risks and adverse effects from natural hazards on people, property and the environment are avoided or mitigated.**
- 2.19.3 Subdivision, use and development do not create, worsen, displace or increase the severity of natural hazards.**

## Policies

- 2.19.4** Identify areas at significant risk from the effects of natural hazards based on the likelihood of the events and potential risks and consequences.
- 2.19.5** Control the location and design of subdivision, use and development within identified natural hazard areas, or areas which have significant potential to be affected by a natural hazard, to avoid or mitigate the effects of the natural hazard.

- 2.19.6** Avoid, where practicable, the siting of new critical infrastructure and services ('lifelines') within areas of significant risk from natural hazard events.
- 2.19.7** Minimise the need for hazard protection works by ensuring that new subdivision, land use and development is located and/or designed to mitigate the potential effects of natural hazards.
- 2.19.8** Ensure that the use and development of land does not accelerate or worsen any material damage to that land, or displace to other land or structures, resulting from erosion, subsidence, slippage, debris flow, or surface water flooding.
- 2.19.9** Manage the effects of natural hazards caused by long-term shifts in climate and changes in sea-level. In particular, factor in climate change predictions in avoidance or mitigation measures.
- 2.19.10** Raise awareness and educate the community about natural hazard risks, and provide assistance in preparing, designing and planning for the occurrence of natural hazard events through the provision of information and advice.
- 2.19.11** Plan and review contingencies for the continuity of the Council's business and community services in the event of any significant hazard or emergency.

#### **Coastal Erosion and Inundation**

- 2.19.12** Manage subdivision, development of buildings, and structures within the Coastal Protection Area on land which may be susceptible to coastal erosion or the effect of sea level rise unless the activity can demonstrate:
  - (a) There will be significant community benefit.
  - (b) There is a functional requirement for the proposed location.
  - (c) It is relocatable; or
  - (d) That it will not increase the susceptibility of other nearby properties to natural hazards.
- 2.19.13** Recognise that natural defences against coastal hazards include beaches, estuaries, wetlands, intertidal areas, coastal vegetation, dunes and barrier islands.
- 2.19.14** Provide where appropriate for the protection, restoration or enhancement of natural defences that protect coastal land uses or sites of significant biodiversity, cultural or historic heritage or geological value, from coastal hazards.

#### **Surface Water Flooding**

- 2.19.15** Identify the Waitotara Flood Hazard Area on the Planning Maps and avoid the establishment of any new dwelling unit within the Flood Hazard Area unless the building is designed to withstand the adverse effects of a 0.5% AEP (1 in 200 year) flood event, in which case the structure or activity may be allowed.
- 2.19.16** Ensure that any new dwelling unit constructed within the Flood Hazard Area as identified in Policy 2.19.15, or within 50 metres of a significant waterbody with flood hazard potential, adopts specifically designed measures to avoid or mitigate the hazard risks such as:
  - (a) A finished floor or ground level above the known or anticipated flood level.

- (b) In a flood event, a safe area between dwelling units where evacuation may be carried out (preferably that will not be flooded) where the level of inundation of access combined with water depth and velocity can be shown to result in no greater risk to human life, infrastructure or property.
- (c) Avoiding adverse effects on the effectiveness of existing flood hazard avoidance or mitigation measures, or natural landforms that protect against inundation, and overland stormwater flow paths.
- (d) Avoid or mitigate adverse effects on existing structures and activities.
- (e) Regard to the likelihood and consequences of the failure of the proposed flood hazard mitigation measures.
- (f) Regard to the consequential effects of ensuring new dwelling units have a finished floor or ground level, including but not limited to landscape and natural character, urban design, and the displacement of floodwaters onto adjoining properties.
- (g) Regard to the proposed ownership of, and responsibility for maintenance of, the flood hazard mitigation measures.

**2.19.17** Control the location of buildings on land adjacent to major watercourses with flood hazard potential.

#### **Land Instability**

- 2.19.18** Manage subdivision, use and development in areas considered to be susceptible to land instability by siting work in stable locations to avoid hazard risks or adopting specifically designed measures such as appropriate building foundations or batter slopes to mitigate the hazard risks.
- 2.19.19** Encourage the retirement of high risk land susceptible to land instability to regeneration by covenant protection.

#### **Seismic**

- 2.19.20** Ensure that all structures and activities are constructed so as to minimise material damage from seismic events.

#### **Fire**

- 2.19.21** Ensure that all structures and activities incorporate measures to minimise risk of, and damage caused by, fire.

#### **Wind**

- 2.19.22** Ensure that all structures and activities incorporate measures to minimise risk of, and damage caused by, wind hazards.

#### **Explanation of Policies**

Appropriate identification and awareness of hazard risks and the implementation of the above policies through applicable development controls, including the avoidance of inappropriate development in hazard risk areas, will reduce the susceptibility of the South Taranaki community and valued aspects of the environment to natural hazards. For areas of known or suspected hazards, the most effective

control technique available involves the retention of the Council's discretion to control activities that occur in known hazard risk areas.

Known hazard risk areas are identified in the District Plan and some form of controls are used to manage new land use activities, subdivision and development. These controls relate to coastal erosion and inundation, and flooding. For risks from other types of natural hazards such as land instability, seismic events and fire, measures outside the District Plan are used to avoid or mitigate the effects from other natural hazards. For example, controls under the [Building Act 2004](#) and by the Regional Council assist in the avoidance and mitigation of the effects of these types of natural hazards.

Where subdivision, land use or development is intended or expected to occur, it is important that every endeavour is made to avoid locations which are susceptible to significant risks of natural hazards. In some situations it may not be possible to consider alternative locations (for instance, where the development changes the use of existing buildings, or for infrastructure that has locational requirements), and for some hazards the risk may be fairly low or equal throughout the District. In these situations, every effort should be made to mitigate potential adverse effects expected to result from the hazard on people, property and the environment.

When assessing the effects of land use activities, subdivision and development within areas subject to natural hazards, important considerations are whether the proposal would alter or change the nature of a natural hazard event, increase the intensity of a natural hazard event or increase the risk of the event occurring. Through the resource consent process, the assessment and any conditions would need to ensure that the activities and structures do not increase the risk to the community or the environment. In particular, land use activities within or nearby hazard protection works can impair or compromise the function and maintenance of protection structures and works. The risks of natural hazards can also be avoided and mitigated by certain works, design and techniques. For example, sufficient building and subdivision design should not significantly increase surface runoff flooding. In some circumstances it may be possible to allow a building within a known hazard area on the basis that its design allows for separation distances, minimum floor levels and/or practicable and easy relocation.

There may be some situations where the modification of natural hazard processes produces benefits to the community in excess of the costs involved in protection or prevention works or programmes. Consideration should be given to the relocation of existing development and infrastructure away from areas susceptible to significant natural hazard risk, particularly where the environmental costs resulting from protection works exceed the benefits, which would result. In general terms, risk takers should themselves carry that risk. Similarly, those who benefit from the works or services should bear the cost.

Informing people of the risks from natural hazards – including the ways to avoid or minimise such risks, and how to be prepared for natural hazards events – is a critical and ongoing requirement. Such information includes education about how to minimise the risks when planning subdivision and development. Adequate information, therefore, needs to be disseminated to the community, in conjunction with those other authorities with responsibilities for natural hazards management and response.

### **Methods of Implementation**

The methods of implementation include:

#### **District Plan**

- Identification of areas subject to significant risk from the adverse effects of natural hazards in the District Plan (Coastal Protection Area, Flood Hazard Area). Areas are updated when new or improved information becomes available.

- District Plan rules and performance standards to control the location of subdivision, land use and development in identified hazard risk areas including when the subdivision and development could worsen the risk of occurrence or severity of hazards.
- Assessment of environmental effects through the resource consent process for proposals involving inappropriate land use or activities in hazard risk areas or those not meeting performance standards.
- Conditions on resource consents to avoid or reduce the potential risks from natural hazards, for example the siting of structures, requirements on the design of foundations, separation distances for buildings in areas subject to significant flooding risk.
- Where there are significant risks from natural hazards (erosion, falling debris, subsidence, slippage or inundation) that have not yet been identified in the District Plan, control subdivision in these areas if the subsequent use is likely to accelerate, worsen or result in material damage to the land or structure through Section 106 of the RMA: Consent authority may refuse subdivision consent in certain circumstances.
- Co-ordination and liaison with Taranaki Regional Council, particularly regarding data gathering and analysis of natural hazards.
- Promote the use of guidelines for development and activities in identified hazard risk areas.

### **Building Controls**

- Apply Section 71 and 72 of the [Building Act 2004](#) to control inappropriate development of land subject to natural hazards, including where the building itself is likely to accelerate, worsen, or result in erosion, falling debris, subsidence, inundation or slippage of that land or any other property. Also, the standards specified in the Building Act for geotechnical requirements, seismic design and fire protection will be imposed, as well as Section 36 registrations (for construction of buildings on land subject to natural hazards).

### **Monitoring**

- Use of information describing hazards affecting South Taranaki as it comes available from other agencies (particularly from Taranaki Regional Council).
- Cooperate with the monitoring and investigation studies undertaken by other agencies including Taranaki Regional Council.

### **Collection and Provision of Information**

- Refer to existing available information on hazards for resource consent applicants, including the NIWA report (2012), [Coastal stability in the South Taranaki Bight – Phase 1: Historical and present day shoreline change](#), and the Taranaki Regional Council Report (2006), [Reducing the Risk: Proposed River Clearance and Maintenance Programme for the Waitotara Catchment](#) for inappropriate land use and activities in Natural Hazard risk areas. The Council will require new hazard risk assessments for certain activities or applications where necessary.
- Develop and maintain information, undertake data gathering and analysis of hazard risks in coordination with Taranaki Regional Council.
- Make information available to the public that helps to raise awareness and educate people about the risks of all natural hazards. For example, the [Civil Defence Emergency Management Group Plan for Taranaki](#) (2012) provides a summary of all natural hazards in the region, and emergency management provisions including planning and preparation to reduce, respond and recover from adverse natural hazard events.
- Make available to the public, through Project Information Memoranda (PIMs), Land Information Memoranda (LIMs) and individual enquiries, information about natural hazards held by the Council.

## Section 2.20 Temporary Activities

### Issue

- 2.20.1** Temporary activities have positive social, cultural and economic impacts and encourage vibrancy and diversity within the community. However temporary activities can have adverse effects on residents and the environment such as noise, traffic, recreation, heritage, cultural and visual effects.

Temporary activities are part of the life of the District. Temporary events are varied in nature and scale; they could be one-off events or regular occurrences which are planned well in advance. These activities include events such as A and P shows, community events, charity events such as fun runs, fairs and fetes as well as temporary military training activities. Events and temporary activities make a contribution to the economic, social and cultural wellbeing and help create a vibrant and diverse district.

In addition, temporary activities include construction activities which can involve temporary structures such as site offices and cranes near roads, and generate various adverse effects including unusually heavy traffic movements.

The temporary nature of the activities generally makes any adverse effects more acceptable to the community. Consequently, many events and temporary activities of short duration are tolerated by those affected while others enjoy what the event has to offer. Notwithstanding this, this tolerance can be exceeded due to activities occurring for a prolonged period or the intensive concentration of significant effects.

### Objective

- 2.20.2** Provide for temporary activities that contribute to the economic, cultural and social wellbeing and vibrancy and diversity of the district, whilst managing effects on public safety and the quality of the environment.

### Policy

- 2.20.3** To provide for temporary activities, including temporary military training activities, while managing their effects on amenity and character of the surrounding environment, effects on public health and safety, and effects on the safe and efficient functioning of transport networks through the use of rules and standards by managing their nature, scale, location and duration.

### Explanation of Policies

Events bring in visitors and significant economic, social and cultural benefits to the district. The adverse effects of events and temporary activities are usually mitigated by their infrequent nature, short duration, limited scale and their social, cultural and economic benefits. Therefore, a degree of flexibility is provided in the rules and standards for the operation of temporary activities. However, it is important to manage events and temporary activities that generate significant adverse effects on the environment. Specifically, temporary activities can result in adverse effects on amenity values where located in or close to sensitive areas, such as residential areas. For this reason some events and temporary activities will require resource consent when they exceed a certain scale or threshold of effects, which are defined by standards.



### Methods of Implementation

The methods of implementation include:

- Rules and performance standards to control the scale, location, frequency and duration of temporary activities, relative to the level of acceptance of types of temporary activities across different zones of the District.
- Conditions on resource consents to manage adverse amenity, nuisance, and safety and traffic effects of temporary activities.

## **Section 2.21 Relocated Buildings**

### **Issue**

- 2.21.1 Relocating buildings is an efficient use of resources but they can be unsightly and detract from the visual amenity of an area if they are not reinstated and repaired in a timely manner.**

Relocated buildings represent sustainable development as they result in the re-use of materials rather than recycling, which may require some form of processing, or sending materials to landfill. Furthermore relocated buildings provide an affordable housing choice for some. The Council supports the relocation of buildings providing that adverse effects on the quality of the environment can be avoided, remedied or mitigated.

The relocation of buildings in the District is a common practice but has caused some tension in the community. This tension has arisen because relocated buildings tend to be older buildings that may need some repair and they are being relocated onto sites but not re-instated to a standard anticipated by the community. For example, houses are left on blocks rather than foundations and are left unpainted or without driveways.

### **Objective**

- 2.21.2 Maintain and enhance the amenity values of areas by ensuring relocated buildings avoid, remedy or mitigate their adverse effects.**

### **Policy**

- 2.21.3 Provide for the relocation of buildings while requiring the completion of exterior reinstatement and repair works within a reasonable timeframe to avoid, remedy or mitigate their adverse effects.**

### Explanation of Policy

The policy supports the relocation of buildings in the District provided that effects on the environment can be managed so as to not adversely affect amenity values and character, particularly in the Residential Zone. Relocated buildings are an important element of affordable housing and resource efficiency. However they can, if not properly established on sites, generate adverse effects as they can look unfinished for long periods of time.

The Council manages the relocation of buildings by way of rules and performance standards to maintain the quality of the environment.

### Methods of Implementation

The methods of implementation include:

- Rules which permit relocated buildings subject to performance standards relating to previous use, foundations, and a performance bond and owner certification to maintain and enhance amenity values.
- Assessment of environmental effects through the resource consent process for proposals that are not permitted, because of non-compliance with performance standards. Use of conditions on resource consents to control the effects of relocated buildings.
- The provisions of the [Building Act 2004](#) and New Zealand Building Code to manage the structural integrity and habitable and occupancy requirements for relocated buildings.

## **Section 2.22 Signs**

### **Issue**

#### **2.22.1 Signs perform an important function of advertising, providing information and directing people, but can detract from visual amenity and create traffic safety issues.**

Signage is a necessary tool. In commercial and industrial areas, signs are used to advertise the location of, and services offered by businesses. In the residential and rural areas, signage enables properties to display their name or street number, and in some cases the location of a home occupation. In fact most activities require signs to advertise their location to the public including, schools, educational facilities, parks, sports fields, hospitals, doctors and community halls.

Other activities such as community or recreational events, elections, the sale of property or work being undertaken on a site also generate a need for signage. However, such signage is anticipated to be temporary in nature. There is also directional and safety signage required by statute on local roads and state highways; these are managed by the roading authority rather than through the District Plan.

All signage has the potential to generate adverse effects on the environment, particularly in residential areas where a higher level of amenity is anticipated than in commercial and industrial areas. Effects are often related to size, location and design, or clutter (i.e. a number of signs located in close proximity). Colour can also be an issue but it is not controlled by the District Plan as effectively the colour of a building could be considered a sign (e.g. Mitre 10 orange). Conversely, some people may consider that signage adds to the character of an area or are accepting of a reasonable number of signs, particularly in commercial and industrial zones.

Signs that are lit, flashing or animated can generate specific nuisance effects if they are located adjacent to or visible from residential properties. In the Rural Zone such signs can, in proliferation, obscure the view of the night sky, which is often a valued amenity in the Rural Zone.

### **Objective**

#### **2.22.2 Recognise and provide for signage that meets the needs of the community and businesses whilst managing effects on public safety and the quality of the environment.**

## Policies

- 2.22.3** To provide for signs, including temporary signs, ensuring that these do not detract from the visual amenity and character of the surrounding environment (including historic heritage values), and /or impact on traffic safety through the use of rules and standards that manage size, location and design.
- 2.22.4** Avoid visual clutter and the proliferation of signage by restricting the establishment of signage that is not associated with, or does not relate to, the site in which the sign is located.

### Explanation of Policies

Signs are an integral part of the environment providing information, directing traffic and providing for the safety of people using the roading network. Standards that are applied on the location, size and nature of signs are considered essential to protect amenity values and the quality of the environment (including historic heritage values), and to provide for public health and safety.

In the Rural Zone signs can adversely affect the open, spacious character of the Zone, whilst in the Residential Zones and on residential sites in the Township Zone, residential character can be adversely impacted by large or numerous signs. It is intended to manage such effects through minimum setbacks from road boundaries and separation distances between signs.

In the Commercial and Industrial Zones and on commercial and industrial sites in the Township Zone, signs are more likely to be accepted given the nature of activities occurring in these zones. However, signs still need to be controlled in terms of their size and location to manage effects on road safety and amenity values.

No lit, animated or flashing signs are provided for as permitted activities within the District given the potential for adverse effects on road safety and amenity values, particularly on residential sites. Signs in road reserve can also generate effects on road safety by causing a distraction to drivers and becoming a hazard in the event of an accident. However, these signs are managed by the roading authority.

### Methods of Implementation

The methods of implementation include:

- Rules and performance standards to control the size, location and design of signage, relative to the level of acceptance of types of signage across different zones of the District.
- Conditions on resource consents to ensure that adverse visual, nuisance or safety effects of signage are avoided, remedied or mitigated.
- Bylaw to manage signs in public spaces (road reserve and Council reserves).
- For signs located on road reserve or within the rail corridor, written approval from the requiring authority under Section 176 of the RMA.