



Te Kaunihera-ā-Rohe o Ngāmotu

**New Plymouth  
District Council**

## **AGENDA**

### **KAITAKE COMMUNITY BOARD**

**Monday 24 August 2020  
at 9.30am**

via Zoom

Chairperson	Mr	Doug	Hislop
Deputy	Mr	Graham	Chard
	Mr	Paul	Coxhead
	Mr	Paul	Verić
	Cr	Amanda	Clinton-Gohdes

## **Community Boards**

### **Role of community boards (s52 Local Government Act 2002)**

- a) represent, and act as an advocate for, the interests of its community; and
- b) consider and report on matters referred by the council and other matters of interest
- c) maintain an overview of services provided by the council within the community; and
- d) prepare an annual submission to the council for expenditure within the community;
- e) communicate with community organisations and special interest groups within the community; and
- f) undertake any other responsibilities that are delegated to it by the territorial authority.

### **Addressing the community board**

Requests for public forum and deputations need to be made at least one day prior to the meeting. The Chairperson has authority to approve or decline public comments and deputations in line with the standing order requirements.

#### Public Forum

Public Forums enable members of the public to bring matters to the attention of the committee which are not contained on the meeting agenda. The matters must relate to the meeting's terms of reference. Speakers can speak for up to 5 minutes, with no more than two speakers on behalf of one organisation.

#### Deputations

Deputations enable a person, group or organisation to speak to the meeting on matters contained on the agenda. An individual speaker can speak for up to 10 minutes. Where there are multiple speakers for one organisation, a total time limit of 15 minutes, for the entire deputation, applies.

### **Purpose of Local Government**

The reports contained in this agenda address the requirements of the Local Government Act 2002 in relation to decision making. Unless otherwise stated, the recommended option outlined in each report meets the purpose of local government and:

- Promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

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END

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**HEALTH & SAFETY**

**APOLOGIES**

**CONFLICTS OF INTEREST**

**PUBLIC COMMENT**

**DEPUTATIONS**

None advised

**REPORTS**

**ITEMS FOR DECISION BY KAITAKE COMMUNITY BOARD**

- 1 Kaitake Community Board Further Submission to the District Plan

END

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## **KAITAKE COMMUNITY BOARD FURTHER SUBMISSION TO THE DISTRICT PLAN**

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### **PURPOSE**

1. This purpose of this report is to approve the further submission by the Kaitake Community Board to the District Plan attached to this report.

### **RECOMMENDATION**

**That having considered all matters raised in the Further Submission to the District Plan by the Kaitake Community Board, the submission be submitted to the Council by 5pm, Tuesday 25 August 2020.**

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#### **Report Details**

Prepared By:	Doug Hislop, Chair
Team:	Kaitake Community Board
Ward/Community:	South-West Ward/Kaitake
Date:	19 August 2020
File Reference:	ECM8352394

-----*End of Report* -----



**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO, A SUBMISSION ON NPDC'S NOTIFIED PROPOSED DISTRICT PLAN**

Clause 8 of Schedule 1 Resource Management Act 1991

**To:** New Plymouth District Council  
**Address:** Private Bag 2025, New Plymouth 4342  
**Email:** districtplan@npdc.govt.nz

**Further Submitter Details**

Name of further submitter: .....**Kaitake Community Board**  
Contact person (if different from above) .....**Doug Hislop**  
Postal address:.....**31 Mace Terrace, Oākura**  
Email address for service: .... **doug.hislop@npdc.govt.nz**  
Phone number .....**06 752 7324**

The Council will serve all formal documents by email. Where there is no email address provided, the documents will be posted to the postal address stated above.

**I am:** (please tick relevant box)

- a) A person representing a relevant aspect of the public interest. **Yes**
- b) A person who has an interest in the proposal that is greater than the interest of the general public.   
(In this case, also explain the grounds for saying that you come within this category); or

- c) The local authority for the relevant area.

Please state the grounds as to why you come within the category selected above:

**The Kaitake Community Board members are elected under the Local Electoral Act 2001 and represent, and act as an advocate for, the interests of community.**

**Council Hearing** (please tick relevant box)

Do you wish to be heard in support of your further submission? **Yes**

If others make a similar submission would you consider presenting a joint case with them at a hearing? **No**

**Submission**

The submission points, support or opposition, reasons and decisions sought are set out in the attached document.

**Note:** Any attachments to your submission should only be supporting information, not the submission.

Signature of the person making further submission or the person authorised to sign on behalf of the person making further submission

**Date** **19/08/2020**

**Name of Further Submitter**

**Kaitake Community Board**

Our specific further submission(s) are as follows:

<p><b>We support/ oppose the submission of:</b></p> <p>(State the submission no., name and address of the person making the original submission)</p>	<p><b>The particular part of the submission we support/oppose are:</b></p> <p>(State the Submission No./ Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</p>		<p><b>The reasons for our support / opposition are:</b></p> <p>(State the nature of your further submission, giving reasons)</p>	<p><b>We seek that the whole (or part) of the submission be allowed / disallowed:</b></p> <p>(Give precise details of the decision you want the Council to make)</p>
<p>Community Action Group Matt Peacock <a href="mailto:oakuracommunityactiongroup@gmail.com">oakuracommunityactiongroup@gmail.com</a></p>	<p>FUZ 300.1 Oākura</p>	<p>Support</p>	<p>The Kaitake Community Board supports the total submission of the Oākura Community Action Group.</p>	<p>The Kaitake Community Board seeks to have the aforementioned Future Urban Zone (known as FUZ South) removed in its entirety from the revised District Plan, including all maps and references.</p>

<p>Holdom family - Pippa Holdom <a href="mailto:pa.holdom@gmail.com">pa.holdom@gmail.com</a></p>	<p>GRZ 303.1</p>	<p>Oppose</p>	<p>The Kaitake Community Board opposes the submission. Changing the proposed General Residential Zone to a Medium Density Residential Zone will not be in the best interests of the community and will not be compatible with the residential character and amenity of the Future Residential Zone. It will lead to the intensification of residential development through smaller lot size, that will impact on the roading network, the stormwater network and social amenity value of Oākura. It would allow for multi unit development, commercial activity and other such activities that are not compatible with the Oākura Structure Plan 2006, the Oākura Community Engagement Plan 2014/16 and the Kaitake Community Plan 2017 (updated 2020). Through a robust process of engagement with Council officers the community has established that medium density development should take place elsewhere in Oākura, as set out in the revised District Plan..</p>	<p>The Kaitake Community Board seeks to have the Future Residential Zone (previously known as FUD West) remain as a General Residential Zone to provide sureity that more intensive residential development and incompatible non residential activity is not provided for in this area.</p>
<p>Oakura Farm Park Limited - Colin Comber (Comber Consultancy) <a href="mailto:colin@comberconsultancy.co.nz">colin@comberconsultancy.co.nz</a></p>	<p>RPROZ Zoning 494.3</p>	<p>Oppose</p>	<p>The Kaitake Community Board opposes the submission to partially rezone Lot 29 from RPROZ and FUZ to GRZ and OS <b>(See attached information).</b></p>	<p>The Kaitake Community Board seeks to have the aforementioned Future Urban Zone (known as FUZ South) removed in its entirety from the revised District Plan, including all maps and references.</p>

Oakura Farm Park Limited - Colin Comber (Comber Consultancy) <a href="mailto:colin@comberconsultancy.co.nz">colin@comberconsultancy.co.nz</a>	RPROZ Zoning 494.2	Oppose		The Kaitake Community Board opposes the submission seeking amendments to add an indicative road across 132 Upper Wairau Road (Lot 29 DP 497629) for the stated reasons: <ul style="list-style-type: none"> <li>• Provide road access from Upper Wairau Rd to adjoining to the south.</li> <li>• Provide future road access requirements for future residential development and farming activity in the Rural Production Zone.</li> </ul>	The Kaitake Community Board seeks to have the amendments disallowed. It does not support future residential development in this Rural Production Zone and the current farming activity has sufficient boundary access points to carry out its farming business.
Ngā Mahanga and NgātiTairi - Fay Mulligan <a href="mailto:fay.mulligan@uiora.co.nz">fay.mulligan@uiora.co.nz</a>	NFL/ Objectives/ NFL-O1 501.65	Support		The Kaitake Community Board supports the submission and believes outstanding natural features and landscapes are retained, and protected from inappropriate activities with reference to Mātauranga Māori and tangatawhenua.	Retain Objective NFL-O1 as notified.
Te Kāhui o Taranaki Trust - Wharehoka Wano <a href="mailto:taiao@taranaki.iwi.nz">taiao@taranaki.iwi.nz</a>	NFL/ Policies 534.71	Support		The Kaitake Community Board supports the submission and believes the eight policies of the Natural Features and Landscapes chapter, in particular the provision, recognition and role for tangata whenua.	Retain Policies NFL-P1 to NFL-P8 as notified
Te Kotahitanga o Te Atiawa Trust - Hemi Sundgren <a href="mailto:rah@teatiawa.iwi.nz">rah@teatiawa.iwi.nz</a>	NFL/ Policies 459.175	Support		The Kaitake Community Board supports the submission - the eight policies of the Natural Features and Landscapes chapter, in particular the provision, recognition and role for tangatawhenua.	Retain Policies NFL-P1 to NFL-P8 as notified



Te Kotahitanga o Te Atiawa Trust - Hemi Sundgren <a href="mailto:rah@teatiawa.iwi.nz">rah@teatiawa.iwi.nz</a>	DP General 459.356	Support		The Kaitake Community Board supports the submission and considers that identified features must be extrapolated to specifically refer to those features, including areas of significant natural features and landforms, waterbodies, indigenous biodiversity, historic heritage and sites and areas of significance to Māori.	Amend throughout the Proposed District Plan.
The Royal Forest and Bird Protection Society of New Zealand Incorporated - Tom Kay, Regional Manager <a href="mailto:t.kay@forestanbird.org.nz">t.kay@forestanbird.org.nz</a>	NFL Policies NFL P2 487.58	Support		The Kaitake Community Board supports the submission in regards to Policy NFL P2 (Protecting NFLs in the Coastal Environment)	Retain Policy NFL - P2 as notified.
Taranaki Mounga Project Limited - Jamie Tuuta <a href="mailto:info@taranakimounga.nz">info@taranakimounga.nz</a>	RPROZ R9 481.1	Support		The Kaitake Community Board supports this submission in its entirety.	The Kaitake Community Board seeks to amend rule RPROZ-R9 as follows: Activity status: RDIS Where: 1. the site(s) on which the goats are kept is located within 2km of: a. NFL listed in SCHED8- Mount Taranaki and the Kaitake and Pouakai ranges; and b. b NFL listed in SCHED8 - Waihi Stream to Pariokariwa Point, including Parininhi; and c. c. Any Significant Natural Areas that are contiguous with areas listed in (a) or (b) above; and 2. All Rural Production Zone Effects Standards are complied with.

<p>Te Kāhui o Taranaki Trust - Wharehoka Wano <a href="mailto:taiao@taranaki.iwi.nz">taiao@taranaki.iwi.nz</a></p>	<p>UFD-13 534.63</p>	<p>Support</p>	<p>The Kaitake Community Board supports this submission.</p>	<p>Amend strategic objective UFD-13 as follows: The district develops in a cohesive, compact and structured way that: 1.maintains a compact urban form that provides for connected, liveable communities; 2. recognises the relationship of tangatawhenua with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance; 3. enables greater productivity and economic growth; 4. enables greater social and cultural vitality; 5. takes into account the short, medium and long-term potential impacts of climate change and the associated uncertainty; 6. utilises existing infrastructure and/ or can be efficiently serviced with new infrastructure; and 7. meets the community's short, medium and long-term housing and industrial needs. Where all activities are managed in away that restores the natural environment.</p>
<p>Ngā Mahanga and NgātiTairi - Fay Mulligan <a href="mailto:fay.mulligan@tiora.co.nz">fay.mulligan@tiora.co.nz</a></p>	<p>NFL P5 524.16</p>	<p>Support</p>	<p>The Kaitake Community Board supports the submission in regards to Policy NFL-P5 (Ensuring activities within outstanding natural features and landscapes recognise and maintain values and characteristics) because Mātauranga Māori can provide tangatawhenua the opportunity to reinforce cultural relevance and value within the community</p>	<p>Retain Policy NFL - P5 as notified.</p>

<p>Te Kāhui o Taranaki Trust - Wharehoka Wano <a href="mailto:taiao@taranaki.iwi.nz">taiao@taranaki.iwi.nz</a></p>	<p>Definitions BIODIVERSITY OFFSET 534.6a</p>	<p>Support</p>		<p>The Kaitake Community Board supports the submission in regards to seeking an amendment to the definition for Biodiversity Offset to ensure that offsets achieve a net gain off indigenous biodiversity values.</p>	<p>Amend Definitions/ BIODIVERSITY OFFSET as submitted to amend the definition for biodiversity offset as follows: means a measurable conservation outcome resulting from actions designed to compensate for significant residual adverse biodiversity effects arising from activities after avoidance, remediation, and mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferably a net gain of indigenous biodiversity values.</p>
<p>Te Kāhui o Taranaki Trust - Wharehoka Wano <a href="mailto:taiao@taranaki.iwi.nz">taiao@taranaki.iwi.nz</a></p>	<p>UFD Strategic Objectives UFD 13 534.63</p>	<p>Support</p>		<p>The Kaitake Community Board supports the submission in regards to the perceived ambiguity of the objective.</p>	<p>Amend strategic objective UFD 13 as follows: The district develops in a cohesive, compact and structured way that: 1.maintains a compact urban form that provides for connected, liveable communities; 2. recognises the relationship of tangatawhenua with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance; 3. enables greater productivity and economic growth; 4. enables greater social and cultural vitality; 5. takes into account the short, medium and long-term potential impacts of climate change and the associated uncertainty; 6.utilises existing infrastructure and/or can be efficiently serviced with new infrastructure; and 7.meets the community's short, medium and long-term housing and industrial needs. Where all activities are managed in a way that restores the natural environment.</p>

Ngā Mahanga and NgātiTairi - Fay Mulligan <a href="mailto:fay.mulligan@uiora.co.nz">fay.mulligan@uiora.co.nz</a>	UFD Strategic Objectives UFD-24	Support	Board supports the submission in regards the strategic objective of UFD-24 to protect productive land.	Retain strategic objective UFD-24 as notified.
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**Note to Further Submitter**

This further submission on the Proposed District Plan must be received by the New Plymouth District Council by **5pm on Tuesday 25 August 2020**.

To get your further submission to us, either:

Post to: New Plymouth District Council, Reply Paid DX, DX Box NX10026, New Plymouth.  
Attention: District Planning Team

Deliver to: Civic Centre, Liardet Street, New Plymouth  
or to library and service centres at Bell Block, Inglewood or Waitara

Email to: [districtplan@npdc.govt.nz](mailto:districtplan@npdc.govt.nz)

Visit our website: [newplymouthnz.com/eplan](http://newplymouthnz.com/eplan)

A copy of your further submission MUST be served on the original submitter within 5 working days after it is served on the local authority. Contact details for all submitters can be found on our Proposed Plan page at [newplymouthnz.com/eplan](http://newplymouthnz.com/eplan).

Please note all information provided in your submission, including your personal information, will be made publicly available.

Your submission (or part of it) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of it):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

### **Attachment to RPROZ Zoning 493.3 submission**

The Kaitake Community Board (KCB) does not support the retention of the Future Urban Zone within the property at 1255 South Road, Kaitake, New Plymouth - Property ID: 114669 Legal Description: QEII COVENANT 9.4278 HA PT LOT 29 DP 497629 AREAS E F -LOT 1 DP 482991 LOTS 28 29 DP 497629

The KCB submits that this Oākura South Future Urban Development Zone (FUZ South) should be removed in its entirety from the revised District Plan, including all maps and references.

The KCB maintains that Oākura's FUZ in the revised District Plan should specifically emphasise that population growth planning in the community be undertaken in a manner that does not compromise the natural or social environment, and conserves and maintains the rural character and the associated amenity values of Oākura. FUZ South is not a development area that identifies as suitable for urban growth purposes, and will not enable integrated and coordinated growth in Oākura.

Consent Notice 9696907.4, was imposed in respect of 'The Paddocks' subdivision approval in March 2011. The consent notice was applied to preclude further subdivision of Lot 29 which contains an existing farm in the Rural Production Zone and incorporates FUZ South.

The consent notice was put in place to serve a particular purpose. Commissioner Wasley identified in his recent PPC48 report that, "the consent notice was to assist with mitigation of effects and would have an ongoing mitigation role" (in the existing rural landscape) and "I do not consider that there has been such a change in circumstances that the consent notice has no ongoing purpose or value." (see: Rezoning of Land at Wairau Road, Oākura from Rural Environment Area to Residential Environment Areas, Proposed Rural Lifestyle, OpenSpace B and C Environment Area and Business C with specific provision for subdivision and development of 399 lots and subsequently reduced in scale to 144 lots - 22 May 2020).

The community has a more than a reasonable expectation that the balance of Lot 29, will continue to be protected from future subdivision and development. The existing supply of land available for residential development in Oākura is sufficient for at least the next 20 years. The KCB contends that there is no valid requirement to retain FUZ South as 'potential' residential development and its status should revert to Rural Production Zone.

It is important to recognise that through KCB led processes the Oākura community has been actively and consistently reviewing urban development since 2006. Consent Notice 9696907.4 (2011) provided the rational starting point for the KCB in its successive work on urban growth and infrastructural issues.

That work has established that community sentiment about greenfield expansion has remained consistent. It has been clearly identified by the community that the FUZ West area is the preferred area for future growth. It adjoins existing undeveloped residential land (with approved subdivision consent) and provides a natural extension of the village close to the beach, well away from threat effects on the rural landscape, the Kaitake Range and the Egmont National Park.

A local authority's power for any plan change is set out in Clause 29(4) of Schedule 1 of the RMA. It states: "29(4): After considering a plan or change, the local authority may decline, approve, or approve with modifications, the plan or change, and shall give its reasons" in making its decision. However a 'change of circumstances' cannot be used as a mechanism to pursue other convenient, but unnecessary opportunities that may present over time.

It is irrational for the council to retain FUZ South in the revised District Plan. It would be contrary to the consent notice as per the commissioner's decision (see Report and Decision of the New Plymouth District Council through its Hearings Commission - Issued this 8th day of March 2011) and re-emphasised by the more recent commissioner's decision (as noted above) Both decisions were received from Council's expert consultants engaged to carry out the specific function of deciding whether urban development should be allowed in this area. These decisions were formally approved by Council.

If retained, it is very likely the community will be faced with further unreasonable and expensive proceedings opposing further applications to amend the existing consent. notice, for example, to develop the property for residential development. There has already been an extensive process and consequent precedents set through the outcome of PPC48 as referenced above.