

Further Western Bay of Plenty District Objectives & Policies Assessment

Chapter 4B – Transportation

*Objectives and Policies*

*4B.2.1 Objectives*

- 1. To provide an integrated, efficient, safe and sustainable transportation network that supports the social and economic wellbeing, and land use pattern of the sub-region as defined in this District Plan and that maintains or enhances the regional strategic linkages.*

Comment: Given the very low level of traffic generated by the activities on site, there is not considered to be any negative effects on the overall functioning of the roading network as confirmed in the ITA supplied.

- 2. To provide for more efficient land use, development and subdivision of existing areas in a way that recognises and integrates with the functions of different road types, transport modes and the defined transportation network.*

Comment: The subject site is zoned for Industrial purposes including the type of activities operating on site and which consent is sought for. The existing roading network has been deemed suitable to cater for the traffic generated by the existing onsite activities in the ITA included within the application, where upgrading of the site vehicle entrance is the only recommended requirement.

- 3. To encourage the use and development of alternative modes of transport including, but not limited to, public transport, cycling, walking and other non-vehicular forms of transport that provide for an integrated, efficient, safe and sustainable transport network.*

Comment: The objective is not relevant to the subject application given the activities sought and site location.

- 4. To provide safe and efficient public carparks in town centres.*

Comment: The objective is not relevant.

#### 4B.2.2 Policies

1. *To recognise and provide for the existing and future transport network including the linkages to other districts and regions.*

Comment: The objective is not relevant. No new roads or road linkages are proposed or required.

2. *To avoid, remedy or mitigate the adverse effects of land use, development and subdivision on the safety, efficiency, sustainability and capacity of the transportation network.*

Comment: Based on the findings and recommendations of the ITA included with the application and the low level of traffic associated with the activities, there will be no adverse effect on the safety, efficiency, sustainability and capacity of the transportation network.

3. *To manage the land use, development and subdivision of areas to achieve compatibility with the roads they front and the wider transportation network, with particular regard to the potential effects on that network, including, but not limited to, the safe and efficient provision of site access at the local level and intersections within the wider network and the effects of reverse sensitivity experienced between the operation and use of the transportation network and the establishment of adjacent land uses.*

Comment: Based on the findings of the ITA, the immediately adjoining roading network is suitable to cater for the traffic as proposed. No adverse effects of utilising the existing intersections have been identified (noting at present there is no physical access from the Te Puna Station Road/SH 2 intersection). The site access is recommended to be upgraded which the applicant accepts and can be imposed as a condition of consent.

4. *To ensure the integrated management of road, rail, sea and air transport networks to facilitate the long-term efficient and sustainable management of the wider transportation network.†*

Comment: The policy is not relevant.

5. *To recognise and provide for network wide effects of land use change on transport networks by assessing the effects of land use change across the networks affected.*

Comment: Given the low level of traffic resulting from the activities it is not considered necessary to undertake a wider network assessment than has been undertaken in the ITA provided.

6. *To recognise and provide for the function of each road as described in the road hierarchy, and provide for the efficient use of that road type, by managing the intensity and form of land use, development and subdivision that impact on these roads.*

Comment: Whilst the intention is to currently upgrade Te Puna Station Road as part of the wider structure plan development, the existing Te Puna Station Road formation is considered adequate to cater for the traffic generated by the site activities

7. *To encourage the efficient use of land particularly in identified land use zones to reduce the potential impacts on the transportation network.*

Comment: As above, whilst there is a requirement for Council to upgrade Te Puna Station Road as part of the wider structure plan development, the existing Te Puna Station Road formation is considered adequate to cater for the traffic generated by the site activities and the site has an underlying Industrial Zone with the activities being permitted type activities once the structure plan requirements are met.

8. *To ensure land use, development and subdivision planning provides for the implementation of multi-modal transport activities including public transport, walking and cycling facilities that address the identified need for new facilities/networks or enhance existing facilities/networks.*

Comment: The policy is not relevant in terms of multi modal transportation, and the consent being sought for the existing activities.

9. *To maintain or enhance the sustainable and efficient use of arterial and collector roads through the use of transport optimisation methods and techniques (for example traffic demand management) that encourage adjacent land uses to provide access in keeping with the function of the road in the roading hierarchy and support alternative modes of transport.*

Comment: Te Puna Station Road is identified as a Local Road and therefore the above policy is not applicable.

10. *The access, parking and loading effects of activities on the transportation network shall be avoided, remedied or mitigated with particular regard given to the level of service the road provides within the District's roading hierarchy.*

Comment: All parking and loading associated with the existing activities can be undertaken within the confines of the subject site. The access location has been deemed suitable and compliant based on measured traffic speeds and appropriate sight distances for safety purposes.

*11. Activities should be established and operate in a manner which ensures safe and effective on-site and off-site vehicle parking, manoeuvring and access and pedestrian access.*

Comment: As above, all parking and loading associated with the existing activities can be undertaken within the confines of the subject site. The access location has been deemed suitable and compliant based on measured traffic speeds and appropriate sight distances for safety purposes. All vehicles are able to enter and exit the site in a forward motion. There are no pedestrian footpaths in proximity to the subject site or across the access point to the site.

*12. Provide safe, usable and attractive networks and associated linkages for pedestrians, cyclists and motor vehicles.*

Comment: The policy is not relevant given the location of the site. We understand that Council is reviewing cycle linkages in the nearby area, however these have no impact on the current application to legitimise the existing onsite activities.

*13. To ensure that the amenity value and public safety in town centres are not affected by vehicle movements across footpaths to and from on-site parking areas.*

Comment: The policy is not relevant as the site is not located within a town centre.

*14. That Council be the preferred provider of parking facilities in the town centre*

Comment: The policy is not relevant as the site is not located within a town centre.

### Summary

Whilst wider roading upgrades are contemplated for the overall Te Puna Business Park Development, based on the surveyed traffic volume of the existing activities and Assessment of the effects of the activities on the immediate roading network no adverse effects have been identified. Provided the access is upgraded in accordance with the recommendations of the ITA, no safety issues are expected to result.

Based on the assessment above and the assessment in the ITA it is considered that the proposal is at least consistent and certainly not contrary to the above objections and policies.

## Chapter 4C – Amenity

### *Objective*

*An environment free of unreasonable noise in accordance with the character and amenity of the zone within which the noise is generated and received.*

Comment: Based on the assessment contained within the Styles Group Acoustic Assessment, noise from the activities can readily meet the permitted noise standards of the District Plan for the Zone at adjoining properties and notional boundaries where relevant.

Given the zoning anticipates the type of activities being undertaken and noise compliance is achieved, it is not considered that the noise is unreasonable (as also concluded in the Styles Group report).

### *4C.1.2.2 Policies*

- 1. Ensure activities do not generate noise levels inconsistent with the character and amenity of the zone in which the generated noise is received.*

Comment: As above, given the zoning anticipates the type of activities being undertaken and noise compliance is achieved, it is not considered that the noise is unreasonable (as also concluded in the Styles Group report).

- 2. Exempt from the maximum permitted noise level requirements are those activities which are an integral part of accepted management practices of activities associated with production land in rural areas as well as other activities clearly of a temporary nature (e.g. construction works, military training exercises).*

Comment: The policy is largely irrelevant except for the construction/upgrading of the existing site access which will be a temporary and minor construction project.

- 3. Have regard to any relevant New Zealand legislation, standards, guidelines and codes of practice, in the assessment of applications for resource consents.*

Comment: It is our opinion that the activities do not require compliance with any other legislation or standard.

### Summary

Based on the above assessment and conclusions in the Styles Group acoustic assessment it is considered that the proposal is consistent with the relevant noise objectives and policies.

## Chapter 8 – Natural Hazards

It is noted that the activities sought do not require any consents under Chapter 8 – Natural Hazards of the District Plan. However, for completeness purposes as assessment is made below, though little weighting should be afforded to the compliance with these objectives and policies in terms of the proposed development.

### *8.2.1 Objectives*

- 1. Minimisation of the risk of natural hazards to human life and the natural and built environment.*

Comment: The subject area of the site is shown as largely being free from inundation during a 10-year flood event, except for some minor ponding based on flood modelling undertaken. The whole area is shown as being subject to flooding in a 100-year flood event, however given the anticipated frequency of the 100-year event it is considered that there is limited risk to people or property.

No residential activities are proposed, and no permanent buildings or structures are proposed.

- 2. Protection of the existing natural character of the coastal environment and other natural features having recognised ecological, landscape or other significance to the District.*

Comment: The objective is not relevant. The site is not located within the Coastal Environment. There are no other identified or recorded ecological, landscape or other significant features on the area of the site where the activities are undertaken.

### *8.2.2 Policies*

- 1. Adopt the best practicable options (including the 'do nothing' option) in the management of areas actually or potentially at risk from natural hazards and where possible adopt avoidance rather than mitigation or remedial measures.*

Comment: Given the site is only identified as being subject to flooding in a modelled 100-year storm event (infrequent) and no residential activities or permanent buildings are proposed, it is not considered that there is any need for avoidance of the establishment and operation of the existing activities for which the land is zoned.

- 2. Control or prevent the establishment of activities which have the potential to increase the extent to which natural hazards have or may have an adverse effect on human life or the natural or built environment.*

Comment: The proposal does not propose any activities or land uses/land modifications that would have the potential to increase the extent or effects of natural hazards. The activities are located on

land that has been lawfully earthworked, no additional earthworks (filling) are required that would displace any floodwater.

- 3. Enable the development or redevelopment of land already subdivided or otherwise developed for urban purposes in areas now known to be at risk from natural hazards only where any likely adverse effects can be avoided or appropriately mitigated.*

Comment: The activities are already established on the site and the application seeks to legitimise these activities. Whilst the site is identified as being potentially floodable under a 100-year modelled flooding scenario, this event is infrequent. During the recent flooding that occurred during the weekend of 28 January 2023, the subject area of the site was free from inundation. No specific flood mitigation is considered necessary.

- 4. Ensure that new subdivision, land use activities or other development is located and designed so as to avoid the need for further hazard protection works.*

Comment: As above, no specific flood mitigation or hazard protection works are considered necessary.

- 5. Ensure that where hazard protection works are necessary their form, location and design are such as to avoid or mitigate potential adverse environmental effects.*

Comment: As above, no specific flood mitigation or hazard protection works are considered necessary.

- 6. Enable natural ecosystems in currently undeveloped areas to migrate inland as a result of dynamic coastal processes (including sea level rise as predicted by recognised national or international agencies).#*

Comment: The area of the site has already been developed through permitted earthworks activities and the activities are already established on site. There is no identified or physical natural ecosystem within the subject area of the site.

- 7. Encourage the conservation and enhancement of natural features such as sand dunes and wetlands which have the capacity to protect existing developed land.*

Comment: The subject area of the site has no identified or recorded natural features.

- 8. Prevent the use of concrete and block work foundations, floors and walls in the Coastal Erosion Areas.*

Comment: The site is not located within a coastal erosion area.

Summary:

Based on the above assessment and given the type of activities sought, the fact that no residential or permanent buildings are proposed it is not considered that there is any significant natural hazard risk, and the proposed activities will not create or exacerbate any natural hazards risk.

Accordingly, it is considered that the proposal is not contrary to the objectives and policies.



## Chapter 12 – Subdivision & Development

### *12.2.1 Objectives*

*1.Subdivision and development that provides for and reinforces the existing built form and local character of an area.*

Comment: No subdivision of the site is proposed. The existing activities are permitted yard-based activities that could occur as of right on the site, should the structure plan requirements currently be met, and therefore the landuse meets the character of activities anticipated by the zoning.

*2.Subdivision and development is planned in an integrated manner and provided with the necessary infrastructure and services to ensure that the land is able to be used for its intended*

Comment: Whilst the overall structure plan area requires stormwater flowpaths, water upgrades and roading upgrades, the existing infrastructure is suitable to serve the activities sought as part of the consent application. The only physical requirement is the upgrading of the vehicle access to the site which the applicant is committed to and accepts as a condition of consent.

*3.Infrastructure and services are designed and constructed to minimum standards which will result in improved environmental outcomes without significant additional cost to the community.*

Comment: No infrastructure or services (except the vehicle entrance upgrade to the subject site) are deemed necessary to serve the activities. The activities do not require any improved environmental outcome and no cost to the community will result as the applicant will fund the vehicle access upgrade.

*4.Sufficient infrastructure capacity is provided to ensure the efficient and equitable provision of services to all land in the catchment.*

Comment: The activities for which consent is sought do not require any upgrade to infrastructure capacity. Financial Contributions towards water and roading infrastructure are proffered by the applicant on a pro rata basis based on the area of the site utilised.

*5.Comprehensive assessment of development proposals to ensure that the full effect of the proposal is able to be determined.*

Comment: The application and further information response provide a comprehensive assessment of the development proposal, such that the effects of the activities can be adequately assessed. The applicant has requested public notification of the application that will also provide the wider public with an opportunity to submit on the proposal and Council and the applicant can assess any concerns identified.

*6.Subdivision and development that minimises the effects from stormwater run-off.*

Comment: The activities are generally yard based storage activities with temporary and portable building located on site. The stormwater assessment included with the application and subsequent calculations confirm the activities as generating no more stormwater than a permitted metalled area across the yards of these sites.

*7.Subdivision design and development that takes into account the principles of optimum energy efficiency and the benefits of renewable energy.*

Comment: The objective is not relevant to the subject proposal.

*12.2.2 Policies*

*1. All urban subdivision is to have regard to subdivision guidelines contained in the Development Code, Built Environment Strategy and urban design protocols and guidelines which provide urban design outcomes.*

Comment: The objective is not relevant to the subject proposal which is not an urban subdivision.

*2. The design of subdivision is in accordance with structure plans.*

Comment: The proposal is not a subdivision, but is located on a site which is within a structure plan area. Structure plan requirements are being assessed as part of a separate application before Council. Given the type and scale of activities operating on site and the resulting effects, it is our opinion that the structure plan predevelopment requirements are not necessary for the activities sought.

*3. Require subdivision to be undertaken in accordance with any staging requirements to ensure the effective and efficient servicing of land within the catchment.*

Comment: As above, the proposal is not a subdivision but is located on a site which is within a structure plan area that also has staging requirements. Structure plan and staging requirements are being assessed as part of a separate application before Council. Given the type and scale of activities operating on site and the resulting effects, it is our opinion that the structure plan predevelopment requirements and any staging are not necessary/required for the activities sought.

*4. Require subdivision and development to provide infrastructure and services to meet the reasonably foreseeable needs of other land in the vicinity of the development.*

Comment: As above, infrastructure requirements such as the stormwater overland flowpath required by the structure plan are being addressed as part of a separate application. The existing activities do not require and upgraded infrastructure or services and are located at the eastern end of the

subject site and have no bearing on infrastructure or servicing requirements for the other business park properties.

*5. Require subdivision and development to comply with the minimum standards in the Development Code for the provision of infrastructure and services, or to an alternative standard which is as effective and efficient in the long term and results in improved environmental outcomes.*

Comment: As above, no specific infrastructure or services are required to support or facilitate the activities sought. The consent is sought for a period of two years in which time it is anticipated that wider structure plan infrastructure can be consented and constructed.

*6. Require all subdivision and development proposals submitted to Council to include a comprehensive assessment prepared in accordance with the information requirements of the Development Code.*

Comment: Given the nature and scale of the activities proposed, minimal engineering works are proposed, with the only proposed works including the upgrading of the site vehicle entrance to a WBOPDC Development Code Diagram A standard. No other development engineering works are proposed.

*7. Subdivision and development practices that take existing topography, drainage and soil conditions into consideration with the aim of minimising the effects of stormwater run-off.*

Comment: The site is generally flat to gently undulating with a general fall from the south-east to the northwest across the site where overland stormwater flows are dispersed. No storage or specific land drainage measures are proposed or considered necessary to minimise the effects of stormwater runoff from the activity areas.

*8. Require the design and development of subdivision to reflect the principles of optimum energy efficiency and solar energy gain (in relation to the size and shape of each proposed lot, and the design and orientation of the subdivision as a whole) and generation of renewable energy such as solar water heating.*

Comment: The application is not for a subdivision or residential activity that requires any solar orientation and therefore the policy is not relevant.

*9. Adverse effects of traffic generation from subdivision and development on the transport network will be avoided, remedied or mitigated.*

As detailed through the assessment of the Chapter 4B (Transportation) objective and policies, the transportation assessment and assessment of effects included in the application, traffic effects are less than minor with very low and intermittent traffic required.

Summary:

Based on the above assessment, the objectives and policies are largely irrelevant given the scale and type of activities that are sought to be legitimised by the proposal.

The consent is sought on an interim basis to allow the existing small scale onsite activities to operate until the wider development is consented and structure plan requirements are met where required. Thus, it is the applicant's intentions that the majority of the underlying requirements will be met, but the existing activities, which generate a very low level of effects, can continue for the immediate future.

Accordingly, it is considered that the proposed development for legitimatisation of existing activities on site is not contrary to the objectives and policies.