



DEVI - Puketapu Structure Plan Development Area
 DEV2 - Carrington Structure Plan Development Area
 DEV3 - Junction Structure Plan Development Area
DEV4 - Johnston Structure Plan Development Area
 DEV5 - Patterson Structure Plan Development Area

Overview

The District Plan has five Development Areas within urban zones which have been identified as areas that are suitable for urban growth purposes where structure plans apply.

This chapter contains provisions which relate to the Johnston Structure Plan Development Area.

The Johnston Structure Plan Development Area is located within the rohe of Manukorihi and Otaraua, hapū of Te Atiawa iwi.

The Johnston Structure Plan Development Area covers 11.3ha of land at 2 Johnston Street, Waitara comprising both General Residential Zone and Open Space Zone land. The Structure Plan is to be read with a landscape plan and provisions which manage subdivision and development for this land. New development will be accessed by two new roads off Raleigh Street. The houses are proposed to connect to the Waitara water and wastewater service reticulation network through an extension to this network. This land has the potential capacity for an estimated 100 feasible dwellings in the short term.

The way the Johnston Structure Plan Development Area is subdivided will determine the quality and character of the area by introducing long-term development patterns that cannot be easily changed. Therefore, ensuring that subdivision is well-designed is an integral part of achieving successful living and community environments for future residents. To help achieve quality outcomes, Council encourages reference to its non-statutory Subdivision Design Guide as part of the subdivision resource consent process. This guide gives landowners, developers and subdivision designers guidance on best practice infrastructure and subdivision design, and outlines the type and quality of outcomes the Council is seeking for new subdivisions.

Strategic Objectives — All objectives and policies in this chapter are to be read and achieved in a manner consistent with the strategic objectives.

The provisions of the Johnston Structure Plan Development Area apply in addition to the underlying zone provisions. Where the same activity requires consent under two or more rules, the resource consent status of the activity will be determined by the most restrictive rule that applies.

Objectives	
DEV4-01	Urban development is enabled within the Johnston Structure Plan Development Area, provided it occurs in accordance with the Structure Plan for the area.
DEV4-02	Infrastructure is provided in an integrated, efficient and comprehensive manner to meet the planned needs of the Development Area.
DEV4-03	Activities within and adjacent to the Development Area do not compromise the ability to develop the area in accordance with the Johnston Structure Plan.
DEV4-04	The built urban environment of the Johnston Structure Plan Development Area provides for the relationship of tangata whenua with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance to Māori.

Policies	
DEV4-P1	<p>Allow the development of the Johnston Structure Plan Development Area in accordance with the Johnston Structure Plan in a way that:</p> <ol style="list-style-type: none"> 1. recognises that the site is located within Pekapeka Block which is a cultural landscape of national significance; 2. protects historic heritage; 3. facilitates an active relationship between the community and the Mangaiti Stream through the provision of the Open Space Zone and pathways; 4. avoid or mitigate the adverse effects of flooding and stormwater, including managing the effects of the associated flood hazard avoidance or mitigation measures; 5. protects and enhances the natural processes and ecological function of the Mangaiti Stream, with sensitive integration of the stormwater design, open space, cultural and recreational outcomes; 6. carries out stormwater management in an integrated manner that incorporates water sensitive design principles and practices in the Mangaiti Stream/McNaughton catchment; 7. protects the Mangaiti Stream by ensuring only two crossing points for vehicular access and three waters infrastructure; 8. provides for the relationship of tangata whenua with their culture, traditions, ancestral lands, waterbodies, sites, areas and other taonga of significance to Māori; 9. provides for and creates transport and open space networks which are sustainable, efficient and connected both internally and externally; 10. minimises incompatibility with the adjoining Rural Production Zone; and 11. provides for an integrated extension of the urban boundary and contributes towards the district's short-term residential growth.
DEV4-P2	<p>Manage activities that are potentially inconsistent with the Johnston Structure Plan or the role, function and planned character of the underlying zones and ensure it is appropriate for such activities to locate within the Development Area having regard to whether:</p> <ol style="list-style-type: none"> 1. the purpose and effects of the activity are likely to constrain, limit or compromise the development and use of the Development Area for the planned urban growth purposes; 2. the activity will provide for or support the future needs of the planned urban growth;

	<ol style="list-style-type: none"> the scale, design and layout of the activity is compatible with the character and amenity of the Development Area as it transitions and once urbanised as planned; the activity can provide adequate infrastructure to service the activity's needs and in a manner that is consistent with the Johnston Structure Plan; and the degree to which the activity is inconsistent with the Johnston Structure Plan is minor.
DEV4-P3	<p>Require the restoration of the Mangaiti Stream, including by:</p> <ol style="list-style-type: none"> providing for the active relationship of tangata whenua through the provision of access and customary activities; incorporating mātauranga Māori and the expert cultural advice of tangata whenua; and protecting and enhancing the natural processes and character, ecological function and amenity values of the Mangaiti Stream.
DEV4-P4	<p>Manage the design of structures within the Johnston Structure Plan Development Area, including by:</p> <ol style="list-style-type: none"> ensuring cultural narratives are reinscribed in the public environment (roads and open space/reserves areas through language, technology, design and public art); encouraging the use of cultural narratives in other areas of the development; the location and design of road layout; maximising passive solar design opportunities; minimising visual clutter and ensuring a sense of appropriate building density with the adjacent rural area; maintaining visual permeability by ensuring that the height, bulk and form of buildings minimise adverse visual amenity effects, including a sense of enclosure or dominance of built form over open space; creating a subdivision that blends with its rural context; allowing for small lot sizes in the area labelled 'smaller' lots where setback requirements will be reduced; reducing the visual effects of the scale and bulk of buildings through variations in facades, materials, roof form, building separation and other design elements; and mitigating the effects of reverse sensitivity.
DEV4-P5	<p>Manage excavated landforms (cut and fill batters) within the Johnston Structure Plan Development Area by controlling excavated landforms to minimise visual effects and cultural effects.</p>
DEV4-P6	<p>Avoid additional traffic generation effects at the intersection of Raleigh Street with State Highway 3 prior to the physical completion and operation of safety upgrades as a result of development within the Johnston Structure Plan Development area.</p>
DEV4-P7	<p>Avoid activities that are inconsistent with the Johnston Structure Plan or activities that will:</p> <ol style="list-style-type: none"> constrain, limit or compromise the development and use of the Development Area for the planned urban growth purposes; result in adverse effects on the character and amenity of the Development Area, which cannot be appropriately avoided, remedied or mitigated; result in reverse sensitivity effects or conflict with permitted activities in the underlying zones; provide insufficient infrastructure to service the activity's needs, infrastructure that is inconsistent with the Johnston Structure Plan, or infrastructure that will constrain, limit or compromise the efficient provision of infrastructure to service future urban growth needs.
DEV4-P8	<p>Ensure that activities are designed and located appropriately in the Johnston Structure Plan Development Area, having regard to whether:</p> <ol style="list-style-type: none"> the type, location and density of the development is compatible with the planned urbanisation of the Development Area; the provision of business and retail activities is complementary to the planned urbanisation and will serve the needs of the community; the area's topographical, natural and physical characteristics, constraints and opportunities have been integrated into the overall design and layout of the activity; any risks from natural hazards to people, property and the environment will be exacerbated or acceptable; the natural values, historic heritage values and scheduled features within the Development Area are protected, maintained and enhanced; development has the potential to compromise cultural, spiritual or historical values of importance to tangata whenua that are associated with the Development Area, the outcomes of any consultation and expert cultural advice provided by tangata whenua have been incorporated including with respect to: <ol style="list-style-type: none"> the incorporation of mātauranga Māori into the design and development of the activity; opportunities for tangata whenua's relationship with ancestral lands, water, sites, wāhi tapu and other taonga to be maintained or strengthened, including by way of cultural narratives and context being reinscribed in the environment through applied cultural expression; options to avoid, remedy or mitigate adverse effects. the activity provides or will not constrain, limit or compromise the provision of: <ol style="list-style-type: none"> adequate, coordinated and integrated infrastructure to meet the planned urban needs of the area; connected transport networks that allow ease of movement to, from and within the Development Area; and integrated and accessible open space networks, parks and esplanade strips; any adverse visual effects can be appropriately avoided, remedied or mitigated through screening, planting, building design, siting, and the retention of existing vegetation; staging is appropriate to ensure development occurs logically and achieves good urban form.
DEV4-P9	<p>Ensure stormwater management within the Johnston Structure Plan Development Area is designed in accordance with best practice to minimise environmental impact and contribute to restoration of the Mangaiti Stream, by requiring a system that:</p> <ol style="list-style-type: none"> achieves stormwater hydraulic neutrality. The hydraulic neutrality criteria is that the post-development peak flow for the 20%, 10%, 2% and 1% storm events shall not exceed the pre-development peak flow for the same storm events; protects and enhances natural processes and ecological function of the Mangaiti Stream; aligns with any future catchment management strategy by reducing flooding within the Mangaiti Stream/McNaughton Catchment and improving water quality; maintains and enhances the natural character and amenity values; recognises the cultural and spiritual values of tangata whenua; and integrates with and achieves the outcomes for transportation and open space/ reserve areas.
DEV4-P10	<p>Recognise that only tangata whenua can identify their values and interests in the Johnston Structure Plan Development Area and ensure tangata whenua are able to exercise kaitiakitanga through the ongoing development and land use within the Johnston Structure Plan Development Area.</p>

Rules

Refer to Part 1 for how to use this District Plan, including activity status abbreviations.

Activities Rules

DEV4-R1	Activities (excluding subdivision) that are permitted or controlled activities in the underlying zone.
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> the activity is in accordance with the Johnston Structure Plan; and all DEV4 Effects Standards are complied with. 	<p>Activity status where compliance not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The matters in DEV4-P2 and DEV4-P8. The effects of non-compliance with any relevant DEV4 Effects Standard and any relevant matters of discretion in the infringed effects standards. The degree to which site specific characteristics of the Johnston Structure Plan Development Area have been addressed in the design and layout of the area. Whether the indicative road transport network has taken into account the design/layout of Johnston Structure Plan Development Area. The effect of modifications to the alignment of the indicative transport network roads on the indicative transport network and the connections and linkages desired for the comprehensive development of Johnston Structure Plan Development Area. The degree to which the activity achieves public access along the Mangaiti Stream. The extent to which the design/layout of the indicative road transport network and the Open Space Zone is integrated. The extent to which the protection of the Mangaiti Stream and its margins is achieved. The extent to which roading/pedestrian connectivity is provided.
DEV4-R2	Subdivision of land within the Johnston Structure Plan Development Area
<p>Activity status: CON Where:</p> <ol style="list-style-type: none"> the design and layout of the subdivision is in accordance with the Johnston Structure Plan; all DEV4 Effects Standards are complied with; the minimum allotment size is: <ol style="list-style-type: none"> 350m² within the area marked 'small lots'; or 500m² across the remainder of the Johnston Structure Plan; the minimum average allotment size within the following areas is: <ol style="list-style-type: none"> Raleigh Street road frontage lots: 660m²; larger lots adjoining Johnston Street and Rural Production Zone: 1,000m² a footpath is provided on the western side of Raleigh Street extending from Johnston Street to Ranfurly Street; Johnston Street is widened to 5.5m sealed width from the intersection with Raleigh Street for the entire road frontage length of Johnston Structure Plan Development Area; road frontage lots on Raleigh Street to have a minimum road frontage width of 20m; and all vested roads shown on the Structure Plan. <p>Matters over which control is reserved:</p> <ol style="list-style-type: none"> The design and layout of the subdivision to ensure it is consistent with and gives effect to the structure plan, including any of the following aspects: <ol style="list-style-type: none"> site specific controls and/or features; the provision of adequate and integrated infrastructure within the structure plan area; the provision and design of the road and pedestrian transportation network, including indicative road transport networks; connectivity and ease of movement to/from and within the Structure Plan area; mitigation of adverse effects on waterbodies, including the provision of esplanade strips or esplanade reserves; avoidance or mitigation of adverse effects on historic heritage and tangata whenua ability to exercise their relationship with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance; the provision of parks, reserves and pathways and the provision of open space areas; the catchment, treatment and disposal of stormwater, including the incorporation of low impact design principles. procedures to be followed if artefacts are discovered including the provision of an opportunity for on-site monitoring by tangata whenua during excavation within the area identified as Open Space Zone; 	<p>Activity status where compliance not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The degree to which comprehensive development and integrated management of all the land within Johnston Structure Plan Development Area is able to be achieved when the structure plan area is held in multiple ownership. The degree to which infrastructure provisions are coordinated within the Johnston Structure Plan Development Area. The degree to which site specific characteristics of the Johnston Structure Plan have been addressed in the design and layout of the area. Whether the indicative road transport network has taken into account the design/layout of Johnston Structure Plan Development Area. The effect of modifications to the alignment of the indicative road transport network on the road transportation network and the connections and linkages desired for the comprehensive development of Johnston Structure Plan Development Area. The degree to which the activity achieves public access along the Mangaiti Stream. The extent to which the design/layout of the indicative roading network and the Open Space Zone is integrated. Protection of the Mangaiti Stream and its margins is achieved. Roading/pedestrian connectivity is provided. The extent to which the design of the road transportation network considers pedestrian safety. How the matters over which control under this rule is reserved are given effect to, including full consideration of the activity in relation to these matters. Where subdivision will occur prior to physical completion and operation of the upgrade of the intersection of Tate Road/State Highway 3 and closure of the Raleigh Street/State Highway 3 intersection: <ol style="list-style-type: none"> the effect on the safety and efficiency of the intersection of Raleigh Street with State Highway 3; findings of a detailed integrated transport assessment relevant to the traffic environment at the time of application; and how feedback from Waka Kotahi has been incorporated into the integrated transport assessment prepared in (b) above. Where the speed restriction on Raleigh Street between the Waitara and Johnston Street intersection is more than 50 km/hr: <ol style="list-style-type: none"> the effect on safety and efficiency of Raleigh Street.

<ul style="list-style-type: none"> j. provision for adaptive management in the event of the discovery of previously unrecorded archaeological remains; k. design of planting and landscaping; l. methods to mitigate effects of reverse sensitivity with the surrounding rural zone, including the use of no-complaints covenants; m. provision for the development of environmental health indicators for the Mangaiti Stream which benefit from mātauranga Māori and measures to apply adaptive management to respond to the findings of the monitoring; n. provision for the development of a cultural narrative to inform the development including through cultural expression, integration of te reo Māori (bilingual signage and dual naming) and street furniture; o. Measures to reduce the impact of glare on occupants of the dwelling at 81 Raleigh Street from headlights from vehicles exiting the new road at the southern end onto Raleigh Street. 	
<p>(2) Activity status: DIS Where:</p> <ol style="list-style-type: none"> subdivision is proposed prior to the physical completion and operation of the upgrade of the intersection of Tate Road/State Highway 3 and closure of the Raleigh Street/ State Highway 3 intersection; or subdivision is proposed where the speed restriction on Raleigh Street between the Waitara and Johnston Street intersection is more than 50 km/hr. 	<p>Activity status where compliance not achieved: NC</p>
DEV4-R3	Stormwater disposal
<p>(1) Activity status: CON Where:</p> <ol style="list-style-type: none"> the development site achieves stormwater hydraulic neutrality; any subdivision and development that deals with stormwater disposal in relation to roads, rights of way and paved surfaces as part of subdivision is designed so that stormwater is treated and discharges into low impact design stormwater systems, such as (but not limited to) on-site soak holes, detention ponds, wetlands, vegetated swales, rain gardens, rainwater tanks, soakage pits and soakage holes, filter strips, infiltration trenches/basins, permeable paving, green roofs or tree pits to avoid direct discharges into the Mangaiti Stream; and all DEV4 Effects Standards are complied with. <p>Matters over which control is reserved:</p> <ol style="list-style-type: none"> Matters of control as for SUB Effects Standards as they apply to the General Residential Zone. The consistency and integration of the design with the matters set out in DEV4-P3, DEV4-P4, DEV4-P9 and DEV4-P10 	<p>Activity status where compliance not achieved: RDIS Where: Stormwater disposal does not meet the standards and terms for a controlled activity.</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The effects of direct stormwater discharges into the stream on the receiving environment. The effects that the disposal of stormwater into the Mangaiti Stream has on the archaeological, wāhi tapu, cultural, traditional, historical and spiritual values held by tangata whenua. The ability of an alternative stormwater disposal method to avoid and mitigate the environmental impact of additional stormwater on flood flows. The extent to and reasons why low impact stormwater design cannot be met. The consistency of the design with the matters set out in DEV4-P2 DEV4-P3, DEV4-P4, DEV4-P8 DEV4-P9 and DEV4-P10. The effects of non-compliance with any relevant DEV4 Effects Standard, and any relevant matters of discretion in the infringed effects standards.
DEV4-R4	Vesting of Open Space
<p>(1) Activity status: CON Where:</p> <ol style="list-style-type: none"> The Open Space area to vest is in accordance with the Johnston Structure Plan. <p>Matters over which control is reserved:</p> <ol style="list-style-type: none"> Detailed design of the Open Space area through a co-design process with the Council and tangata whenua which includes: <ol style="list-style-type: none"> areas of open space and proposed planting; details of plant species (requiring locally indigenous species and a focus on species that provide habitat for taonga and native species), trail design and surfacing, furniture and any other features; details of specific features and design elements that have been incorporated to reflect the cultural narrative of the site, location and form of these features and elements; detailed plans and sections of any proposed three waters or roading infrastructure, including any proposed roads or pathways crossing the Mangaiti Stream, including culverts and abutments (if any) and planting proposed to remediate the stream banks and other features required to ensure an attractive crossing point when viewed from the reserve; and the location of pipework and sewerage infrastructure within the reserve and provision made to avoid, remedy and mitigate potential spills in the event of pipeline breaches. Provisions for defects liability. 	<p>Activity status where compliance not achieved: RDIS Where:</p> <ol style="list-style-type: none"> The proposed Open Space area to vest is not in accordance with the Johnston Structure Plan. <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The extent of the non-compliance with the Johnston Structure Plan and how this effects the ability for comprehensive development and or comprehensive subdivision of the structure plan area and the environmental outcomes including the following: <ol style="list-style-type: none"> the degree to which infrastructure provisions are coordinated within the Johnston Structure Plan; the degree to which site specific characteristics (including the cultural matters) of the Johnston Structure Plan have been addressed in the design and layout of the area; whether the indicative road network has taken into account the design/layout of Johnston Structure Plan Development Area; consideration of the outcomes of the co-design process; the effect of modifications to the alignment of the indicative roads on the road transportation network and the connections and linkages desired for the comprehensive development of Johnston Structure Plan Development Area; the degree to which the activity achieves public access along the Mangaiti Stream; the extent to which the design/layout of the indicative roading network and the Open Space area is integrated;

	<ul style="list-style-type: none"> h. the protection of the Mangaiti Stream and its margins is achieved; i. roading/pedestrian connectivity is achieved; j. procedures to be followed if physical archaeology is discovered including the provision of an opportunity for on-site monitoring during excavation by tangata whenua; k. provision for adaptive management in the event of the discovery of previously unrecorded archaeological remains; and l. the degree to which the detailed design matters over which control is reserved under this rule are achieved.
DEV4-R5	Activities that are not otherwise provided for in this table
Activity status: RDIS Where: <ol style="list-style-type: none"> the activity is in accordance with the Johnston Structure Plan; and all DEV4 Effects Standards are complied with. Matters over which discretion is restricted: <ol style="list-style-type: none"> The matters in DEV4-P2 and DEV4-P8. 	Activity status where compliance not achieved: DIS

Effects Standards

DEV4-S1	Maximum number of residential units per site (excluding papakāinga)
One	Matters of discretion if compliance not achieved: <ol style="list-style-type: none"> Whether the increased number of habitable buildings on the site will have adverse effects on: <ul style="list-style-type: none"> a. the planned character and visual amenity of the area, and the privacy and outlook of adjoining sites; b. the ability to provide adequate outdoor living space on the site or the location of alternate recreation areas; c. any scheduled features; d. the natural character of the coastal environment or Mangaiti Stream; e. the matters in DEV4-P3 and DEV4-P8 (6); and f. The ability to mitigate adverse effects through the use of screening, planting or alternate design.
DEV4-S2	Maximum building height
6m above ground level.	Matters of discretion if compliance not achieved: <ol style="list-style-type: none"> The extent to which the height of the proposed building will: <ul style="list-style-type: none"> a. adversely affect the planned character and visual amenity of the surrounding area; b. reduce privacy of adjoining sites; c. have an overbearing effect on sites within the General Residential Zone; and d. adversely affect scheduled features, the natural character of Mangaiti Stream, or the cultural values of tangata whenua, if the site is adjacent to or adjoining the Mangaiti Stream reserve. The extent to which topography, planting or setbacks can mitigate the adverse effects of extra height. The ability to mitigate adverse effects through the use of screening, planting or alternate design.
DEV4-S3	Roofing and exterior cladding on buildings
Roofing and exterior cladding on buildings shall achieve the following light reflectivity value (LRV): <ol style="list-style-type: none"> Roofs: 25% or less; and Exterior cladding materials: 40% or less. 	Matters of discretion if compliance not achieved: <ol style="list-style-type: none"> The extent to which the increased LRV will adversely affect: <ul style="list-style-type: none"> a. the planned character and visual amenity of the surrounding area; b. any scheduled features; and c. the cultural values of tangata whenua, if the site is adjacent to or adjoining the Mangaiti Stream reserve. The extent to which topography, planting or setbacks can mitigate the adverse effects of the increased LRV. The ability to mitigate adverse effects through the use of screening, planting or alternate design.
DEV4-S4	Minimum building setbacks for areas marked as 'smaller lots' on the Johnston Structure Plan
<ol style="list-style-type: none"> From a road boundary: 1.5m (except where GRZ-S9 applies). From a side boundary: 1.5m (except where GRZ-S8 applies) or less than 1.5m where the length of all buildings erected within 1.5m of the side boundary does not exceed 12m or 50% of the boundary whichever is the lesser. For decks, balconies and terraces that are more than 2m above ground level and located along any side boundary: 2.5m. This standard does not apply to: <ol style="list-style-type: none"> Areas not marked as 'smaller lots' within the Johnston Structure Plan. Eaves (up to 600mm) of any roof, balcony, gutter or downpipe. Buildings that share a fence or wall along the common boundary. 	Matters of discretion if compliance not achieved: <ol style="list-style-type: none"> Effect on streetscape and planned character of the 'smaller lots' marked on the Johnston Structure Plan. The extent to which topography, site orientation and planting can mitigate the effects of the building or structure. Effect on amenity values of nearby residential properties, including outlook, privacy, shading and sense of enclosure. The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the site. Whether adequate mitigation of adverse effects can be achieved through the use of screening, planting or alternative design.

4. Outdoor living space (at ground level only).	
DEV4-S5	Fencing
<p>The following fencing standards apply:</p> <ol style="list-style-type: none"> 1. A post and rail fence of 1.2m in height above ground level or less shall be provided along the boundary shown on the Johnston Structure Plan. 2. No fencing of any sort shall be located on any site between a road and front elevation of a residential unit. 	

Johnston Structure Plan Development Area

Figure 112 - Johnston Structure Plan Development Area



Structure Plan Guidance

A structure plan is a framework to guide the development of an area. It contains maps and concept plans, supported by text explaining the background to the issues and the desired environmental outcomes for an area. It also promotes an understanding of the issues specific to the area and to achieve comprehensive development of the area.

The Mangaiti Stream is of cultural, traditional, historical and spiritual significance to Te Atiawa Iwi, Manukorihi Hapū and Otaraua Hapū. Despite the Mangaiti Stream not being listed as a Scheduled Site and Area of Significance to Māori or an archaeological site in the District Plan, it is identified as Statutory Acknowledgement Area under the Te Atiawa Claims Settlement Act 2016. Landowners, developers and contractors need to be aware of the requirements of the Heritage New Zealand Pouhere Taonga Act 2014 and/or any national legislation relating to archaeological sites, should an archaeological find arise during ground disturbance.

The Mangaiti Stream and its protection must be recognised and anticipated to be provided for through the Johnston Structure Plan design and also through site specific policies.

Therefore it is important that the area is planned with sufficient detail at an early stage to ensure that essential services, parks and reserves, and the roading network achieve connectivity within the area and with the surrounding area in a cohesive manner.

Stormwater

The Mangaiti Stream begins within the Johnston Structure Plan Development Area and runs through the site, entering NPDC stormwater infrastructure within the Waitara West industrial area downstream. This infrastructure discharges at the Waitara Estuary, a site and area of significance to Manukorihi Hapū and Otaraua Hapū. Because of its undulating topography, soils, climate and relatively small catchment size, Mangaiti Stream can be prone to surface flooding during medium to large-scale storm events. Subdivision, and the resulting land uses, can increase the amount of impermeable surfaces within a catchment, increasing levels of stormwater runoff and the potential for flooding. Therefore, when undertaking a subdivision of land, it is important that the stormwater is managed to best practice to as far as practical avoid additional flooding. This is achieved by ensuring that the stormwater system installed achieves hydraulic neutrality.

Direct stormwater discharges to a waterway can cause adverse effects on its natural processes and ecological function. An increase in stormwater discharge could contaminate the waterway or result in the growth of nuisance weeds. Te Atiawa Iwi, Manukorihi Hapū and Otaraua Hapū have concerns over additional stormwater entering the Mangaiti Stream and polluting and damaging it. A solution for this is to have the stormwater discharged into low impact stormwater systems. Low impact design approaches to stormwater management can be simple and effective tools that ensure potential adverse effects on people, property and infrastructure are minimised. If stormwater is discharged into a low impact stormwater system this will ensure that additional stormwater entering the Mangaiti Stream will have a positive effect on the stream health and aims to enhance water quality.

Waitara is the subject of a number of stormwater management projects, and future stormwater management projects for the McNaughton Catchment are likely to have objectives of reducing flooding and improving water quality in this catchment.

This ensures that the design of any stormwater system for Johnston Structure Plan Development Area considers the objectives of these projects along with providing for the concept of Te Mana o Te Wai.

The Mangaiti Stream is of cultural, traditional, spiritual and historical significance to Te Atiawa Iwi, Manukorihi Hapū and Otaraua Hapū. Stormwater discharges and modification of the stream function can adversely affect those cultural, traditional, spiritual and historical values. This structure plan requires consideration to be given to protecting those values.

In designing and implementing the stormwater management system, it is important it integrates with outcomes for the transportation and open space/reserve areas. This integration would ensure the long-term sustainable use and development of the land, including the open space/reserve areas.

All structures in and discharges to the Mangaiti Stream are subject to the Taranaki Regional Freshwater Plan and the National Policy Statement for Freshwater Management, and may require consent under the rules in these documents.

NZS 4404:2010 Land Development and Subdivision is to be followed beginning with section 4.3.7.

Rule DEV4-R3 allows for the use of low impact systems as a controlled activity, and if unable to meet the controlled standards, the activity will be discretionary.

Restoring health of Mangaiti Stream

It has been acknowledged that there is an expectation to restore the health of the Mangaiti Stream.

Restoring the Mangaiti Stream will give effect to Te Mana o Te Wai. Engaging tangata whenua is required to ensure Te Mana o Te Wai, and the ability to exercise kaitiakitanga is given effect to.

Open Space Zoning

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

Mangaiti Stream

Section 6(a) of the Act requires councils to recognise and provide for the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development.

Statutory Requirements

- Section 6(d) of the Act requires councils to recognise and provide for the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers.
- Section 6(e) of the Act requires councils to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.
- Section 6(f) of the Act requires councils to recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development.
- Section 7(a) of the Act requires councils to have regard to the ability to exercise kaitiakitanga.
- Section 8 of the Act requires councils to take into account the principles of the Treaty of Waitangi.
- Policy 1 of the National Policy Statement for Freshwater Management 2020 requires that freshwater is managed in a way that gives effect to Te Mana o Te Wai.
- The Mangaiti Stream, a tributary of the Waitara River runs through the Johnston Structure Plan Development Area. The Waitara River and its tributaries are Statutory Acknowledgement Area under the Te Atiawa Claims Settlement Act 2016. It is entirely within the Open Space Zone which will allow for opportunities to recognise and provide for the cultural, traditional, historical and spiritual significance of the Mangaiti Stream.

Archaeological Discovery Protocol

The area identified as Johnston Structure Plan Development Area is located within the Pekapeka Block, a cultural landscape of national significance, surrounded by known pā, papakāinga and other sites and areas of significance.

The Mangaiti Stream is of cultural, traditional, historical and spiritual significance to Te Atiawa Iwi, Manukorihi Hapu and Otaraua Hapu. Despite the Mangaiti Stream not being listed as Scheduled Site and Area of Significance to Māori or an archaeological site in the District Plan, it is identified as Statutory Acknowledgement to Te Atiawa under the Te Atiawa Claims Settlement Act 2016. Landowners, developers and contractors need to be aware of the requirements of the Heritage New Zealand Pouhere Taonga Act 2014 and/or any national legislation relating to archaeological sites, should an archaeological find arise during ground disturbance. Tai Whenua, Tai Tangata, Tai Ao, the Te Atiawa iwi environmental management plan contains specific provisions in relation to Scheduled Site and Area of Significance to Māori or an archaeological site and any disturbance of these.

All earthworks and land disturbance must be undertaken in accordance with the provisions of this plan.

Control of the design of buildings and structures within the Johnston Structure Plan

The Johnston Structure Plan area has been developed to avoid effects though the design has not benefited from cultural expertise. The location, size, and orientation of the various character types have been carefully considered and designed to create varied but integrated development. Policy DEV4-P7 covers those matters relating to structures and buildings that are not able to be expressed either through the Johnston Structure Plan layout and which are not covered by existing rules. Cultural expression is enabled via the cultural narrative plan to reflect the significance of the Pekapeka Block as a cultural landscape of National Importance and the significance of the Mangaiti Stream. Policy DEV4-P4 and associated Rules DEV4-R1 and DEV4-R4, DEV4-S1, DEV4-S2, DEV4-S3, DEV4-S4 and DEV4-S5 are to ensure that the effects of residential development on the character of the area are able to be considered.

Non-regulatory methods to achieve the above are:

1. Covenants on Records of Title (CFR) restricting built form in front yards and within landscape buffers.
2. Development of a cultural narrative plan.

Control excavated landforms (cut and fill batters) within the Johnston Structure Plan

In order to ensure that likely changes in topography appear natural over time, cut and fill batters should be battered at a gradient to match gently and smoothly into existing contours.

Raleigh Street traffic generation

Waka Kotahi NZ Transport Agency is planning safety upgrades to the stretch of State Highway 3 between Bell Block and Waitara. At the time of Plan

Change 49 being made operative, Waka Kotahi NZ Transport Agency were unsure on the timing and detail of these upgrades, and what this would mean for the intersection of State Highway 3 and Raleigh Street. Upgrades to the intersection of State Highway 3 and Raleigh Street are expected, and timing of the upgrades is also expected to coincide with the later stages of development of the Johnston Structure Plan Development Area.

Manukorihi Hapū and Otaraua Hapū

The provisions of the Te Atiawa iwi environmental management plan Tai Whenua, Tai Tangata, Tai Ao must be taken into account when developing this land. The design must address sections 6(a), (d), (e) and (f); 7(a), (b), (c), (f); and 8 of the Act. To provide for the relationship of Manukorihi Hapū and Otaraua Hapū with their ancestral lands, waters and sites and the ability of Manukorihi Hapū and Otaraua Hapū to exercise kaitiakitanga, and recognise:

1. Their relationship with their culture and traditions with their ancestral lands, waters, sites and wāhi tapu and other taonga;
2. The historic and contemporary cultural context/landscape this development is set within including the Pekapeka Block; and
3. The connection of urban development and the narratives of the cultural landscape. A Cultural Impact Assessment (CIA) has been prepared by Manukorihi Hapū and Otaraua Hapū and provides direction and information about the cultural values and significance of this land.