

TAUPŌ DISTRICT PLAN

Under: the Resource Management Act 1991

In the matter of: **Proposed Plan Change 37**

Nukukau – Rezone land from Rural Environment to a mix of General Residential Environment and Medium Density Residential Environment to enable some 780 dwellings and Neighbourhood Shops overlay.

S42A REPORT OF MATT BONIS

Planning Report on Submissions and Further Submissions

6 October, 2021

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Attachments

<i>Attachment A</i>	<i>Relevant experience</i>
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<i>Attachment G</i>	<i>Archaeology – Letter Lynda Walker</i>
<i>Attachment H</i>	<i>Ecology. Shaw</i>
<i>Attachment I</i>	<i>Landscape. Ryder.</i>
<i>Attachment J</i>	<i>Urban Design. Hugo</i>
<i>Attachment K</i>	<i>Contamination. Gray</i>
<i>Attachment L</i>	<i>Geotechnical and Natural Hazards. Farquhar</i>

1.0 INTRODUCTION

1. This report is prepared in accordance with section 42A of the Resource Management Act 1991 (**RMA**).
2. My full name is Matthew William Bonis. I am an Associate at Planz Consultants in Christchurch. I have held this position since 2009.
3. I hold a Bachelor in Regional Planning degree and have been employed in the practice of Planning and Resource Management for some 23 years. I am a full member of the New Zealand Planning Institute and a Certified Hearings Commissioner.
4. My experience with regards to matters raised through the Proposed Plan Change (**PPC**) is provided in **Attachment A**. I was commissioned by Taupō District Council to assist in considering the Plan Change both in terms of this Section 42A Report, as well as the First Schedule clause 25 Report in December 2020. I have reviewed all relevant material, visited the site, and had numerous discussions with the Proponent's Planner.
5. I have read and am familiar with the Environment Court's Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note 2011, and agree to comply with it. My qualifications as an expert are set out above. Other than where I state that I am relying on the advice of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
6. Terms and coding used in the evidence include:
 - WRC** – Waikato Regional Council
 - PPC or PPC37** – Proposed Plan Change 37
 - RMA or the Act** – The Resource Management Act 1991
 - TD2050** – Taupō District Growth Strategy (updated 2018)
 - TDC** – Taupō District Council
 - ODP / TDP / District Plan** – Operative Taupō District Plan
 - The Proponent** – The 'co-operating land owners' being
 - AN Rajasingham, LPT Trustees No, 124 Limited and Thiru Trustee Company Limited at 24 Acacia Bay Road.
 - Lexus Trustees 11 Limited, 48 Acacia Bay Road.
 - CN Top Investment Limited, 6 Poihipi Road.
 - The plan change area / the area** – the site as subject to the PPC37 rezoning request
7. I have relied on the expert evidence of the below, as outlined in Attachments E to J below, unless explicitly identified:
 - Attachment E: Three Waters Infrastructure. Mssrs Swindell, Cordell and Meadowcroft
 - Attachment F: Transport. Mr Smith.
 - Attachment G: Archaeology. Correspondence provided by Ms Lynda Walter.
 - Attachment H: Ecology. Mr Shaw.
 - Attachment I: Landscape. Ms Ryder.

Attachment J. Mr Hugo.

Attachment K. Mr Gray.

Attachment L. Geotechnical and Natural Hazards. Mr Farquhar

8. I have also referred to a Report by Property Economics Ltd (Attachment D, 2021) to the Taupō District Council which I understand is publicly available. That report relates to residential demand. PEL have not provided evidence on this matter.
9. The **purpose** of this s42A Report is to recommend to the Hearings Panel whether PPC37 as applied for, or amended by submissions, will better meet the purpose of the Resource Management Act 1991 compared to the existing provisions.
10. I am familiar with Taupō District and surrounds. I was the reporting Council Officer for Plan Changes 28 – 33, and most recently Plan Change 36. I have visited the site and surrounds on 25 September 2020 and was welcomed onto the site by the Hamish Crawford from WSP. I am extremely grateful for the landowner's manaakitanga in that instance.
11. The Hearings Panel will also be greatly assisted by evidence from the Proponents of PPC37 and submitters. The Hearings Panel are not constrained or bound in any way to accept or adopt the recommendations in this report.

2.0 EXECUTIVE SUMMARY OF SECTION 42A REPORT

12. Table 1 outlines a summary of PPC36 and main issues raised by submissions.

Taupō District Plan	Operative 25 September 2007
Waikato Regional Policy Statement	Operative 28 April 2016
Name of Proposed Plan Change	PPC37 - Nukuhau – Rezone land from Rural Environment to General Residential Environment and Medium Density Residential Environment
Date of notification	3 February 2021
Number of submissions received	Fifty-nine Submissions <ul style="list-style-type: none"> • Forty four (44) Oppose / Seek Amendment • Twelve (12) Support • Two (2) Not Stated <p>One Further Submission.</p>
Main issues emerging from submissions	<ul style="list-style-type: none"> • Capacity at the Control Gate Bridge – Transport • Internal roading and cycling network. • Range and typology of housing provision. • Support / opposition for additional housing supply. • Wastewater capacity constraints on development. • Information sufficiency. • Effects on stormwater and the internal gully system • Reverse sensitivity issues / impacts on Contact Energy. • Effects on Archaeology. • Effects on Cultural heritage / engagement with māna whenua. • Provision of reserves (sports), rather than just stormwater gullies.
Additional issues raised in this report	Matters in relation to: <ul style="list-style-type: none"> • Consultation with parties, including Rangatira Block, Spark and Ministry for Education. • Ecology effects • Contamination and management

Table 1: Summary of PPC36 and key matters

13. This section 42A report recommends that the Plan Change be **accepted**. The basis of that recommendation is as follows:

12.1 The proposed **Objective 3a.2.2A** (as recommended to be confined to the Nukuhau Structure Plan Area) and **Objective 3a.2.3** as associated with the rezoning of the Nukuhau land area, are seen as the more appropriate. The objectives seek: to enable more people to live in an area proximate to and consolidating the urban environment of Taupō township in a manner that provides for medium – long term residential development capacity, as set out in the NPS – Urban Development (2020); give effect to **Policy 6.11** of the WRPS, and achieve **Section 3e** of the

operative Taupō District Plan as these relate to realising Nukuhau as an Urban Growth Area identified in the TD2050 Growth Management Strategy.

- 12.2 The Request would appropriately take into account the efficient and effect functioning of supporting infrastructure in terms of three - Waters and the supporting road network and open-space network (including cycle / pedestrian networks), in a manner that gives effect to and achieves the relevant higher order framework.
- 12.3 However, as identified within the Transport Assessment accompanying the Request and evidence of Mr Smith for the Council, there is an agreed issue with capacity at the Control Gates Bridge. Consequently, the transport effects of the Request create a tension with those planning provisions seeking that urban development is integrated with infrastructure planning and funding decisions¹. I have recommended deferral of subdivision until that capacity issue is able to be resolved.
- 12.4 There is agreement that the zoning is the more appropriate in terms of matters associated with landscape values, ecology and biodiversity and urban design. Where there are residual issues, these are identified, and recommended additional planning provisions have been provided. Those mechanisms are considered to be both efficient and effective in terms of resolving those matters.
- 12.5 There is also agreement that neither geotechnical issues, natural hazard risk nor contaminated soils prevent rezoning, with orthodox processes associated with subdivision able to manage specific groundworks.
- 12.6 There is a contested matter as whether the Proponent has appropriately engaged with māna whenua, which has consequential considerations in terms of cultural effects, as well as archaeology and historic heritage. The Proponent has advised of appropriate engagement with māna whenua. Both the Proponent and submitters raising this issue are requested to further address this matter at the Hearing. Additional information in terms of the Archaeological Assessment methodology is also requested.
- 12.7 Subject to these matters being resolved (and inclusive of the recommended deferment), it is considered that the proposed rezoning, as accompanied by the Structure / Outline Plan, rule set at 4a.7.2, and the provisions at Policy 3a.2.2A(i) and 3a.2.3((i) to (v) achieve the Objectives in an efficient and effective manner.

¹ NPS – UD. Objective 6(a). WRPS Policy 6.1(a) Development Principles 6A (matter d), Policy 6.3(a)(iv) and Policy 6.11(a)(v). ODP Policy 3e.2.3(v).

3.0 THE PROPOSED PLAN CHANGE

3.1 Context

13. Proprietors of Nukuhau (**the proponent**) have applied to the Taupō District Council to rezone 77.78ha area immediately northwest of the Taupō urban boundary in the Nukuhau area (**the plan change area / the area**). The zoning sought is predominantly General Residential Environment. Some 8.3ha is proposed as Medium Density Residential. A Neighbourhood Shopping Centre (Shops) overlay of some 2,500m² is also proposed on the western side of Acacia Bay Road. A network of internal roads and shared cycle / pedestrian paths, stormwater reserves, recreational reserves and landscape strips are also proposed.
14. The area is zoned under the TDP as Rural Environment.
15. The area is split into two parts and is located on the immediate northwest of the Taupō urban boundary, on elevated southward-sloping topography approximately 410m to 450m above sea level. The two parts are dissected by Poihipi Road and adjoin Acacia Bay Road and Wairakei Drive.
16. The plan change area comprises of pastoral farmland and a limited number of rural lifestyle allotments. There a modest number of existing dwellings in the plan change area, with established shelterbelts and a mixture of native and exotic vegetation surrounding those dwellings. The area contains the Brentwood Gully feature and several tomos.
17. The site is not noted in the ODP as being either:
 - 17.1 Outstanding Landscape Area (OPA)
 - 17.2 Amenity Landscape Area (ALA); or
 - 17.3 Significant Natural Area (SNA).Either of which would confer a statutory notation and associated protection in terms of specific values.
18. The plan change area adjoins the Taupō urban boundary. Nukuhau and Rangatira Park are two established residential suburbs that are encompassed within the adjoining Residential Environment Zone.
19. The Waikato River is located approximately 870m to the south of the area which flows out of Lake Taupō.
20. To northeast of the plan change area is the Rural Environment Zone and is a continuation of the topographical southward slope that overlooks Lake Taupō. On the southeast side of Wairakei Drive is the Low-Density Residential Zone.
21. To the west of the area is multiple owned Maori land, being some 993.49ha of pastoral land, also zoned Rural Environment.
22. To the north is a cluster of fee simple lifestyle allotments, with approximately six dwellings and a commercial parcel occupied by Taupō Plants Limited.
23. The Taupō Town Centre is located within a 5 minute drive to the south of the area via Wairakei Drive and the Control Gate Bridge over the Waikato River.
24. The overriding purpose of the Plan Change is to rezone the land to facilitate residential development.
25. The request was initially lodged with Council in September 2020.

Figure 1: Site location



3.2 Site History

26. As set out in the WSP Archaeology Report dated 7 September:

It is understood that the area around present day Taupō township, and the mouth of the Waikato River, was strategically important to Māori and likely heavily occupied relative to surrounding interior regions. There are currently no relevant archaeological reports from previous archaeological investigations that have been produced for the study area or in the immediate vicinity².

27. That report identifies, through both historical survey and aerial photography, that part of the Plan Change area was in pine plantation, fern and manuka in 1919, and pasture and scrub in 1945 with no visible structures.

28. Appendix H to the notified Request identifies the recorded site history³, noting the following:

² WSP Archaeology. 7 September 2021 [10]

³ WSP Detailed Site Investigation. Sept 2019 [5]

- 28.1 Rangatira 8A6B1 Block Māori Land Plan 22228 (Site 1) - Scrub and bush, land disturbance possible sawmill / coal yard (1971 – 1997).
- 28.2 Lot 2 DP 384060 (Site 3) – Scrub and bush, farm pasture with rural residential. Farming.
- 29. It is acknowledged that māna whenua will be able to talk to the rich and detailed record of Māori oral traditions and whakapapa concerning the broader area.
- 30. As identified in the notified plan change request⁴, the current land uses are a mix of uses, including lifestyle blocks and rural farmland, with the majority of the land holding being pasture and used for animal grazing.

3.3 Statutory History to the Plan Change area

Operative Plan and Policy Statement notations

- 31. The area is zoned Rural Environment in the District Plan. Section 3e of the Plan ‘Land Development’ identifies ‘Urban Growth Areas’ as resources for new urban land development⁵; The wider Nukuhau area is identified as a Northern Urban Growth Area⁶ (Figure 2). The accompanying explanation states that these areas will fulfil the majority of growth in the northern area of Taupō

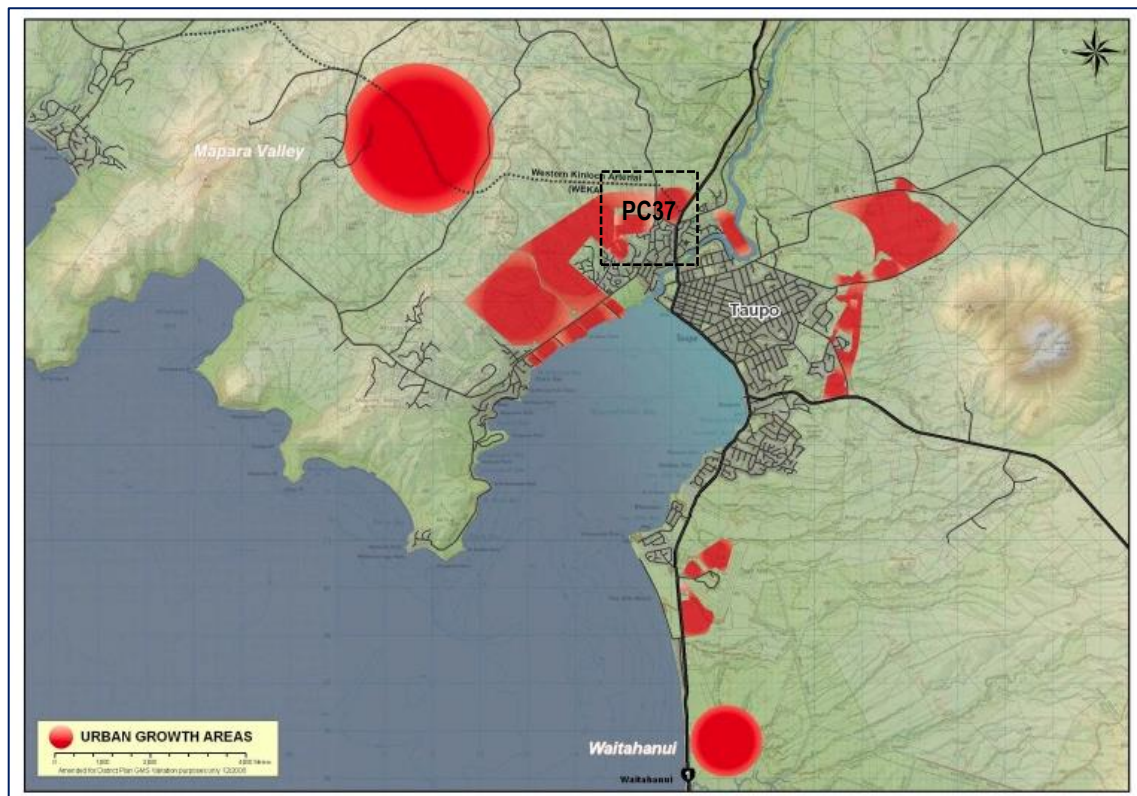


Figure 2: ODP Section 3e.6.1 ‘Northern Urban Growth Areas’

⁴ Nukuhau Private Plan Change Request to the Taupō District Plan. Nov 2020 [6]

⁵ Policy 3e.2.1(i)

⁶ Taupō District Plan. Section 3e.6.1

32. The WRPS at **Policy 6.11** seeks to implement the Taupō District 2050 Growth Strategy. The policy is in three parts. Clause (a) seeks to focus urban land development to identified Urban Growth Areas; with clauses (b) and (c) setting out a process and subsequent merits-based approach respectively to potential rezoning.

TD2050 (2006) and TD2050 (2018)

33. TD2050 (2006) sits at the heart of all of the spatial planning the Council has undertaken over the last 15 years. The district wide strategy addresses a wide range of issues that could influence the growth of the district.
34. The strategy identifies a pattern of future urban growth, as predicated on the optimistic population projections of the time. Those projections showed ongoing population growth for the entire planning period. The growth approach was to focus settlement patterns on existing centres, including the area subject to PC37.
35. The Strategy articulated how the Plan was to be amended (which took place in 2010 with the introduction of Section 3e):
- “Taupō District 2050 has signalled a significant shift in philosophy for the Proposed District Plan to better deal with those cumulative effects (from development). The Plan is now going to be used to strategically zone land for future urban growth in accordance with the settlement pattern identified in Taupō District 2050”.⁷*
36. TD2050 (2018) reviewed and replaced the superseded TD2050 (2006).
37. Apart from needing to refresh the Growth Strategy given its age, population projections were considerably more subdued in 2018 than in 2006. The revised populations projections from Statistics New Zealand that were inputted into the refresh identified the district population peak within the planning period. TD2050 (2018) identified that there were 5,000 potential residential lots zoned or previously identified for growth to meet an anticipated residential demand for 3,000 residential lots till 2048⁸; that is, a surplus of 2,000 residential lots over 30 years.
38. The Draft TD2050 Refresh as provided to the Council for public consultation⁹. The Council Minutes¹⁰ record the Council resolution to adopt the refresh, including the as consulted on removal of Mapara Valley as a Northern Growth Area. Nukuhau, being that area subject to the Plan Change is retained as ‘Future Residential Growth’.

⁷ Taupō District 2050(2006) [Page 135]

⁸ TD2050 (2018) [Figure 3]

⁹ 31 July 2018 – Ordinary Council Meeting, Policy and Decision Making Item 5.5
https://Taupo.infocouncil.biz/Open/2018/07/TDC_20180731_ATT_2250.PDF

¹⁰ 31 July 2018 – Ordinary Council Meeting, Policy and Decision Making Item 5.5
https://Taupo.infocouncil.biz/Open/2018/07/TDC_20180731_MIN_2250.PDF

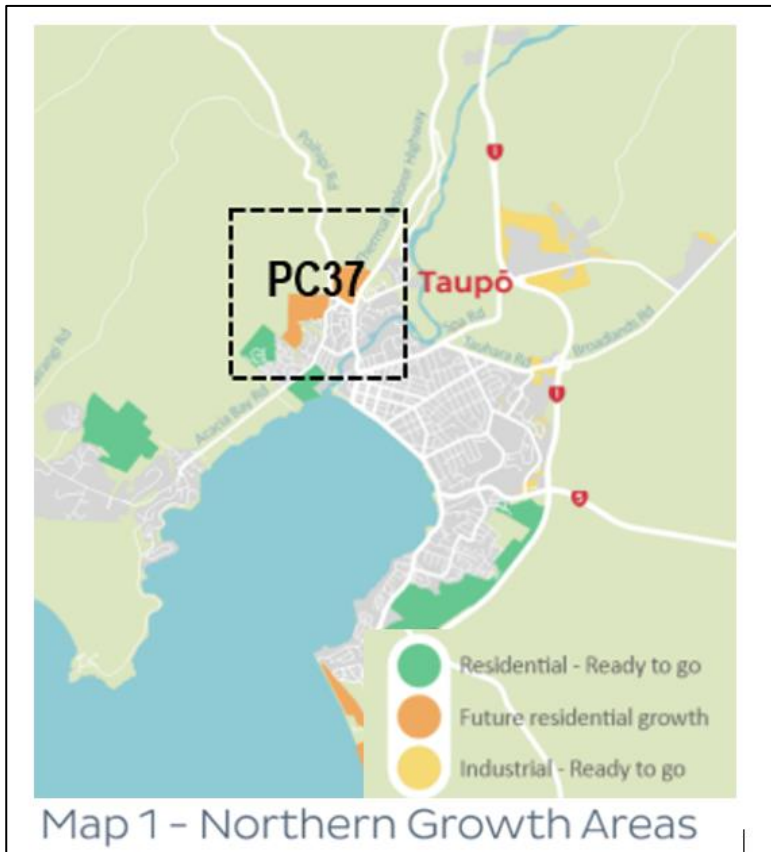


Figure 3: Northern Growth Areas TD2050 (2018)

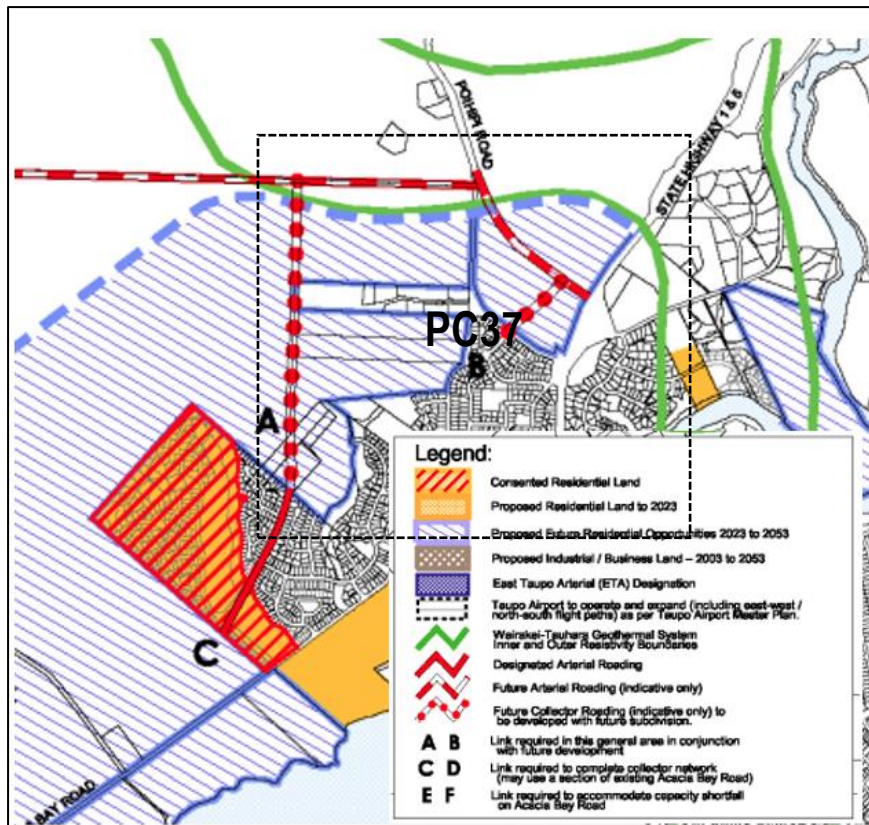
Taupō Urban Structure Plan (2004) 'TUSP'

39. The stated purpose of the TUSP is a high level 20 – 50 year sustainable growth management strategy for urban Taupō ¹¹. The Structure Plan is to respond to growth management issues and set a number of overarching objectives for responding to these, including:
- 39.1 Objective 1 - Managing land use dynamics;
 - 39.2 Objective 2 - Maintaining urban amenity and a compact urban form;
 - 39.3 Objective 3 - Maintaining a continuity of approach to urban growth management;
 - 39.4 Objective 4 - providing a strategic link to Council's key documents and processes; and
 - 39.5 Objective 5 - Providing an implementation framework for managing urban growth.
40. The role of the TUSP in terms of supplementing the *“Proposed District Plan by indicating long term growth options to guide urban expansion in a coherent way and provide a section 32 RMA 1991 component to future variations to that document¹²”* is an identified outcome of Objective 3.
41. The TUSP identifies the Plan Change Request site as providing future residential opportunities 2023 – 2050, as well as an indicative connecting roading network¹³.

¹¹ TUSP 2004 [7]

¹² TUSP 2004 [13]

¹³ TUSP 2004 [Map A]



3.4 The Plan Change Request

Background

42. The request was lodged on 10 September 2020.
43. The Council issued a request for further information pursuant to clause 23 of Schedule 1 of the Resource Management Act 1991 on 2 October 2020. That request sought additional information on the following matters:
 - 43.1 wastewater infrastructure capacity;
 - 43.2 implied local centre zoning;
 - 43.3 further information on the existing supply / demand balance in zoned and serviced residential land in the district context;
 - 43.4 greater clarity as to the plan provisions sought, including improved specificity of the Structure Plan as sought.
 - 43.5 the provision of formal recreational area reserves as part of the Request, and rationale.
 - 43.6 the nature and extent of the landscape / urban design assessment accompanying the Plan Change and its application through the proposed provisions to manage subsequent development.
44. Information relating to the clause 23 request was received on 12 November 2020, with the Plan Change notified on **3 February 2021**, with 59 submissions received by closing on 5 March 2021. One (1) Further

submission was received by Owners of Rangatira 8A17A5, Rangatira 8A17A6, Rangatira 8A1T2X and 8A1T2Y and Part Rangatira 8A1T2 when further submissions closed on 30 April 2021.

45. In response to submissions received the Consultants for the Proponents provided additional information on **15 June 2021** outlining a number of responses to matters raised, including: the provision of an amended Structure Plan; response to Waikato Regional Council in terms of alignment of gully systems; and consultation with NZHPT, Spark and the Ministry for Education.
46. On **22 September 2021**, as signalled in the Panel Minute 3 (dated 2 July), the Consultants for the Proponents provided the following additional information:
 - 46.1 A letter dated 22 September setting out additional consultation with Contact Energy, Māna whenua, Bike Taupō and the Waikato Regional Council.
 - 46.2 Changes to the Plan Change and an amended Appendix 9.7 Structure Plan are as follows:
 - (a) Moved medium density area (moved slightly further south).
 - (b) Realigned Poihipi Road along northern boundary.
 - (c) Slight movement of Acacia Bay Road further to the west.
 - (d) Slight movement of Watene Lane where it meets Poihipi Road further to the east.
 - (e) 10m landscape strip to the south of Poihipi Road.
 - (f) Proposed land swap with the Contact Energy land to the north (to allow better alignment of the proposed Poihipi Road).
 - 46.3 Additional traffic information; and
 - 46.4 Archaeological Assessment.

Outline of the Plan Change Request

47. The Plan Change seeks to rezone a 14.63ha area referred to as Nukuhau, and seeks to rezone some 77.78ha of Rural Environment to the immediate north-west of the Taupō urban area to Residential Environment to facilitate the establishment of up to 780 dwellings.
48. The zoning sought is predominantly General Residential Environment. Some 8.3ha is proposed as Medium Density Residential. A Neighbourhood Shopping Centre (Shops) overlay¹⁴ of some 2,500m² is also proposed on the western side of Acacia Bay Road. The accompanying Structure Plan also seeks to provide a network of stormwater and recreation (shared walking and cycling routes) reserves.
49. The Plan Change request provisions are relatively straightforward, principally:
 - 49.1 Rezoning for Residential Environment (zone) and hence largely reliant on the existing Residential Environment provisions in the operative Plan (Chapter 3a 'Objectives and Policies', and Chapter 4a "Rules and Performance Standards).
 - 49.2 Insertion of the proposed 'Nukuhau General Residential' and 'Nukuhau Medium Density Residential' Environments to introduce distinctive built form controls.
 - 49.3 Provision of a 'Neighbourhood Shops' overlay (circa 2,500m²) to provide for a small range of convenience retail and commercial services.

¹⁴ Neighbourhood Shops Overlay over the General Residential Zone provides for convenience retail and services (refer 4a.4.11) and increased built form (refer Rule 4a.1)

- 49.4 Insertion of two new objectives.
- (a) Proposed Objective 3a.2.2A would seek to provide for a range of housing types and densities and associated Policy (i) which seeks to enable a variety of housing types in the Residential and Medium Density zone. It is noted that these provisions as notified are not specific to the Nukuhau Plan Change area.
 - (b) Proposed Objective 3a.2.3 which seeks to enabled residential development of the Nukuhau Structure Plan Area as envisaged by the Plan, while maintaining and enhancing the gully and stormwater flow path network and contributing positively to residential character and amenity. Associated Policies (i) to (v) seek to enable development that 'reflects the intent of' the Nukuhau Structure Plan, provides housing choice and residential amenity, achieves a connected open space and cycling network; with subdivision only to occur where resulting lots are connect to the Council's wastewater network infrastructure.
- 49.5 Rules (4a.1 – 4a.1.12) which introduce the Nukuhau General Residential and Nukuhau Medium Density Residential built form standards.
- 49.6 Rules that would seek to implement the Nukuhau Structure Plan, including subdivision and the provisions of services.
- (a) Rule 4a.7.1 and 4a.7.2 seek to ensure wastewater connection and design of subdivision in accordance with the Nukuhau Structure Plan.
 - (b) Rule 4a.7.3 determines any subdivision 'not in accordance' with the Nukuhau Structure Plan to be a Discretionary (**DIS**) activity.
 - (c) Rule 4a.7.4 which seek to recognise, and effectively defer residential subdivision given existing wastewater capacity issues until wastewater constraints at the flood gates are able to be overcome as a Non-complying (**NC**) activity.
 - (d) Rules 4a.7.5 and 4a.7.6 seek controls on landscaping (referencing Appendix 9 as proposed to be added to the to the Plan), Fencing Walls and Hedges, and Streetscape and the open space network, and road cross sections, also referencing design conditions set out in Appendix 9 as proposed to be added to the Plan).
- 49.7 The Nukuhau Structure Plan (Outline Development Plan) is sought to be inserted as Appendix 9.7 to the Plan.
- 49.8 Section 3.2 of the Plan Change request identifies the proposed associated changes to the zoning maps as:
- Rezoned the identified Nukuhau area from Rural Environment Zone to General Residential, Medium Density Residential. Apply the Neighbourhood Shopping Centre overlay over a small area of General Residential zoned land.*

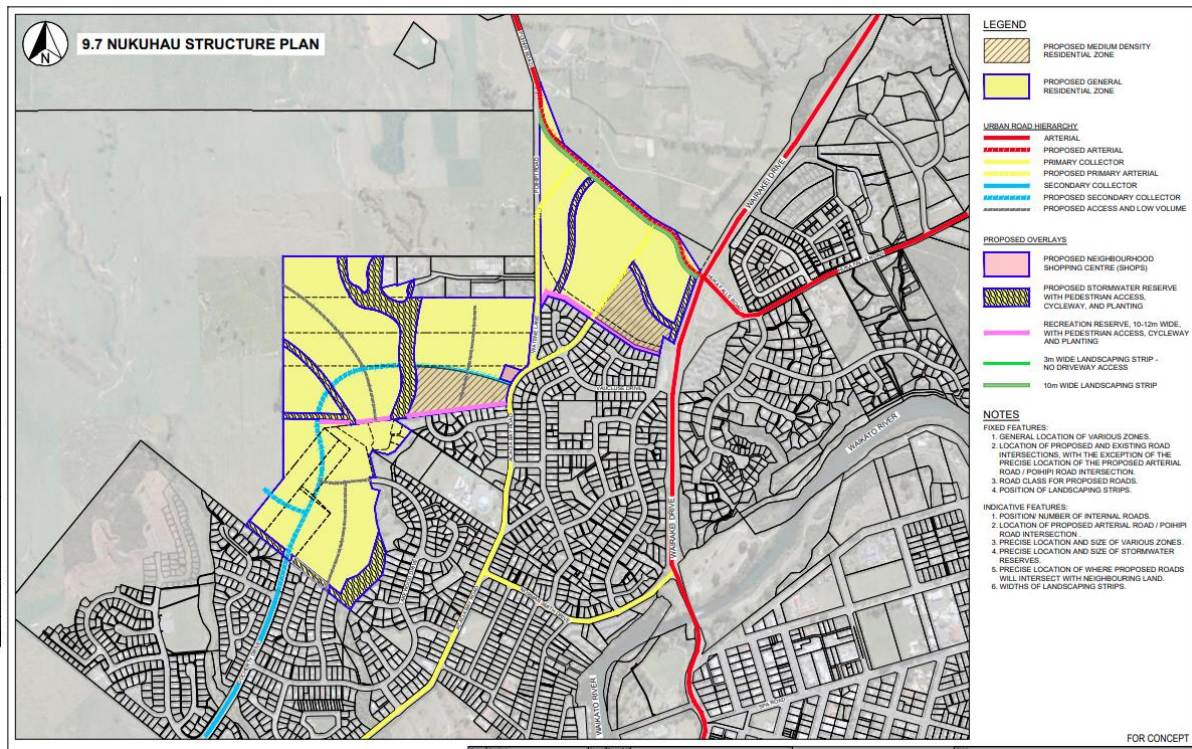


Figure 4: Nukuhau Structure Plan (Outline Development Plan) - As amended dated 22 September 2021¹⁵.

3.5 Preliminary Matters

50. There are two preliminary matters that I wish to draw to the attention of the Panel:

50.1 *Submissions received after the close of submissions.*

Submissions 56, Manuel Pou family whanau trust; Submission 57, Carolyn George; Sub 58 Jan Smith; and Submission 59 Marina Wineera were via the District Plan consultation portal / link, but was specific to PPC37, albeit not in a manner that would meet the legal niceties of a Form 5 Submission. They were received prior to the closure of submissions for PPC37.

The Panel will need to decide as to whether these submissions can be considered as received.

For my part, I have assessed them with Attachment C, note that they raise issues that are already within the suite of matters to be considered, and that accordingly, I do not consider that any party, including the Proponents are prejudiced through their inclusion.

50.2 *Submissions seeking extension of the spatial area of the Plan Change:*

Submission 33 from G & R Brandon, Ripeka Ma Trust seek inclusion of Watene Lane (63 Watene Lane) into the Plan Change area.

¹⁵ A more legible version can be found at:

<https://www.Taupōdc.govt.nz/repository/libraries/id:25026fn3317q9slqygym/hierarchy/Council/Consultation/Nukuhau%20Plan%20Change/Additional%20information%20September%202021/Updated%20Structure%20Plan%20Map.pdf>

It is understood that the 'Scope' of a plan change is limited by the terms of the proposed change (including its breadth), and the content of the submission(s) filed.

There is a considerable body of case law in terms of scope associated with a Plan Change. The main principles as these relate to PPC37 are:

- (a) a submission can only fairly be regarded as 'on' a variation if it is addressed to the extent to which the variation changes the pre-existing status quo.
- (b) if the effect of regarding a submission as 'on' a variation would be to permit a planning instrument to be appreciably amended without real opportunity for participation by those potentially affected, this is a powerful consideration against any argument that the submission is truly 'on' the variation.

It is the breadth of the Plan Change, and the submissions lodged on the Plan Change that provide the basis for modification or alterations in terms of clauses 10 and 24 of Schedule 1.

I consider that the Submission 33 from G & R Brandon, Ripeka Ma Trust are not amendments to the *status quo* with as the submission requests zoning beyond the PPC37 site and is therefore considered to be outside the scope of the Plan Change. That submission point is recommended to be **rejected**.

4.0 STATUTORY CONSIDERATIONS

4.1 Overview

51. The Request and accompanying Section 32¹⁶ (dated 26 January 2021) provides a consideration of the higher order planning documents as assessed in the preparation of PPC37¹⁷.
52. In essence, the legal framework is set by sections 32 and 75(3) of the RMA.
53. It involves a comparison between the status quo (the Operative Plan provisions and what is advanced by PPC37 (including potential modifications sought in submissions)).
54. That comparison is to consider whether the proposed provisions will achieve and/or better meet the purpose of the RMA (in terms of the insertion of Objective 3a.2.2A and Objective 3a.2.3) and subsequently whether the subsequent changes to provisions (including changes to Policy 3a.2.2A(i), and Policy 3a.2.3(i) to (v) and associated rules, proposed Appendix 9 and Structure Plan / Outline Plan (and assessment matters) are the 'most appropriate' to achieve the Objective (as well as any relevant settled operative Objectives in the Plan).
55. Section 75(3) sets out a mandatory directive that the District Plan must give effect to: any national policy statement and any regional policy statement.

4.2 Decision Making Framework

56. In accordance with the Schedule 1 process of the RMA, this report and the proposed recommendations have focused on those matters raised in the submissions and relief sought.
57. In some instances, in addressing the relief sought, additional amendments have been proposed. These matters have also been addressed, where relevant by the respective Council experts.

4.3 The Resource Management Act and Relevant Case Law

58. I understand that the statutory requirements for consideration of proposed plan changes are set out clearly in *Colonial Vineyard vs Marlborough District Council*¹⁸. (**Attachment B**)
59. In summary,
 - (a) Provisions in the District Plan are to assist the Taupō District Council in undertaking its functions under the Act¹⁹. Including the function of seeking to achieve the integrated management of the use, development and protection of land and associated natural and physical resources of the (Taupō) District²⁰.

¹⁶<https://www.Taupō>

[dc.govt.nz/repository/libraries/id:25026fn3317q9slqygym/hierarchy/Council/Consultation/Nukuhau%20Plan%20Change/Plan%20change%20documents/Plan%20Change%20Request.pdf](https://www.dc.govt.nz/repository/libraries/id:25026fn3317q9slqygym/hierarchy/Council/Consultation/Nukuhau%20Plan%20Change/Plan%20change%20documents/Plan%20Change%20Request.pdf)

¹⁷ Sections 4 and 5 of PPC37.

¹⁸ [204] NZEnvC, 55, at paragraph [17]

¹⁹ Section 74(1)(a)

²⁰ Section 31(1)(a)

Important physical resources include both residential built form and necessary and associated infrastructure to support such.

That function is to be fulfilled by objectives, policies and methods within the District Plan, controlling any actual or potential effects of the use, development and protection of land²¹.

In establishing, implementing and reviewing the objectives, policies and methods (of the Plan), ensure sufficient development capacity²² in respect of housing to meet the expected demands of the district²³.

- (b) The preparation of the District Plan is to be undertaken in accordance with the provisions of Part 2, and any applicable regulations.
- (c) The approach needs to align with the Council's functions under the Act and other relevant instruments.
 - i. That processes (and provisions that drive processes) are timely, efficient and cost effective and proportionate to the functions being performed, and that plan drafting is clear and concise (Section 18A); and
 - ii. When reaching a conclusion as to which provision is the '*most appropriate*' the requirements of s32, having regard to the efficiency and effectiveness of the provision is to be considered.

60. In terms of the **purpose** of the District Plan, **s72** of the RMA1991 states:

"the purpose of the preparation, implementation and administration of district plans is to assist territorial authorities to achieve the purpose of this Act."

The relevant questions in terms of the Council's functions in relation to the development, form, infrastructure integration and amenity associated with residential development (and the neighbourhood shops overlay) are therefore:

- (a) Are controls necessary and appropriate to achieve integrated management of the use, development and protection of land and associated natural and physical resources of the district; and
- (b) Are resultant provisions (objectives, policies and rules (including zones)) appropriate to manage any actual or potential effects of the use, development of protection of land.

4.4 National Policy Statements (NPS-Urban Development)

61. National Policy Statements are the RMA legislative tool whereby central government can prescribe objectives and policies to address matters of national significance. The Council must prepare and change its plan in accordance with a NPS (s74(1)) and must give effect to any relevant NPS (s75(3)).

62. The only relevant NPS in this instance is the National Policy Statement on Urban Development (NPS-UD).

63. In brief, it is also understood that the Request would be consistent with the NPS-FM which came into effect on 01 July 2011 and updated on 01 August 2014, August 2017 and 3 September 2020. The NPS-FM provides objectives and policies to manage freshwater and quality and quantity under the RMA. It is

²¹ Section 31(c)

²² Section 2 Interpretation, s30(5)

²³ Section 31(1)(aa)

understood that nitrogen discharge through wastewater that could discharge to Lake Taupō associated with PPC37 has been accounted for.

Overview of the NPS - UD

64. This matter is addressed in Section 5.1.1 of the Plan Change Request. There is no dispute as to the relevant of the NPS-UD, or application to the Taupō District as a Tier 3 local authority under Appendix 1 to the NPS.
65. The stated purpose is about recognising the national significance of:
- 65.1 urban environments and enabling such environments to develop and change²⁴;
 - 65.2 providing sufficient development capacity to meet the needs of people and communities and future generations²⁵.
66. The relevant aims of the NPS-UD that I consider relevant are:
- Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*
- Objective 4: New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.*
- Objective 5: Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*
- Objective 6: Local authority decisions on urban development that affect urban environments are: integrated with infrastructure planning and funding decisions; and strategic over the medium term and long term; and responsive, particularly in relation to proposals that would supply significant development capacity.*
67. In implementing these objectives, the NPS-UD directs planning decisions to contribute to well-functioning urban environments. Among several other factors, such environments must 'have or enable' a variety of homes that meet the needs, in terms of type, price and location and different households, and have good accessibility for all transport types²⁶.
68. Taupō District, as a Tier 3 urban environment is also, within its district plan for urban environments to enable heights and density of urban form commensurate with the greater of the level of accessibility of existing or planned public and active transport or the relative demand of housing that location²⁷.
69. Planning decisions that affect urban environments are also to have regard to:
- 69.1 potential for changes to the planned urban built form where RMA documents have given effect to the NPS-UD;
 - 69.2 that those changes may detract from amenity values appreciated by some, but improve amenity values appreciated by others;
 - 69.3 that those changes are not in themselves an adverse effect.
 - 69.4 the benefits of urban development that are consistent with a well functioning urban environment;
 - 69.5 any relevant contribution that will be made to meeting the requirements of the NPS-UD to provide or realise development capacity; and

²⁴ NPS-UD Objective 4

²⁵ NPS – UD Policy 2

²⁶ NPS- UD Policy 1.

²⁷ NPS-UD Policy 5

69.6 the likely current and future effect of climate change²⁸.

70. Local authority decisions affecting urban environments are to be responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even where that development capacity is unanticipated by RMA documents; or out of sequence with planned land release²⁹.
71. Lastly, I note the direction that district plans are not to set minimum carparking requirements apart from accessible parks³⁰. The Plan Change Request does not seek to amend Section 6.2 and 6.3 of the ODP which relates to parking numbers and requirements.
72. As a Tier 3 district, Taupō is to provide *at least sufficient development capacity* to meet expected demand for housing in existing or new urban areas, and in the *short* (3 year), *medium* (10 year) and *long term* (30 year)³¹. To be sufficient to meet expected demand for housing, the development capacity must be plan enabled; and infrastructure - ready; and feasible and reasonably expected to be realised³².
73. Housing development capacity is plan enabled, where for the short term it is on land zoned for housing use in the ODP; for the medium term where either zoned in the ODP or in a proposed plan; the long term where identified in a relevant (growth plan) or strategy³³. To be considered plan enabled, land zoned for housing in an ODP must be permitted, controlled or restricted discretionary³⁴.
74. Housing development capacity is infrastructure ready where for the short term adequate existing infrastructure supports development; for the medium term either supporting infrastructure is in place; or funding for adequate infrastructure is identified in the Long Term Plan (LTP); lastly for long term, either funding is identified in the LTP or the local authority's infrastructure strategy³⁵.
75. Clause 3.7 sets out the local authorities responsibilities where there is insufficient development capacity identified with respect to Clause 3.2 and 3.3.
76. Clause 3.8 sets out requirements to consider unanticipated out-of-sequence developments, with regard to be had to whether the request would contribute to a well functioning environment, and is well connected along transport corridors.
77. There is no requirement on Taupō District as a Tier 3 local authority to apply the competitiveness margins outlined in Clause 3.22 for the short (20%), medium (20%) or long term (15%) as to housing development capacity. However, Clause 1.5 Implementation by Tier 3 local authorities states:

Tier 3 local authorities are strongly encouraged to do the things that tier 1 or 2 local authorities are obliged to do under Parts 2 and 3 of this National Policy Statement, adopting whatever modifications to the National Policy Statement are necessary or helpful to enable them to do so.

Application to PC37

78. In terms of the District Plan provisions, the short and medium-term capacity requirements are relevant, with the Plan to ensure that 'development capacity' must be feasible, zoned and either infrastructure ready or funding for such is identified in the Long-Term Plan.

²⁸ NPS-UD Policy 6.

²⁹ NPS – UD Policy 8.

³⁰ NPS-UD Policy 11.

³¹ NPS – UD Clause 3.2(1)

³² NPS – UD. Clause 3.2(2)

³³ NPS – UD. Clause 3.4(1)

³⁴ NPS – UD. Clause 3.4(2)

³⁵ NPS – UD. Clause 3.4(3)

79. In giving effect to the requirements of the NPS-UD, the provisions of the District Plan must ensure that sufficient development capacity, being both feasible and zoned, for residential activities is able to be realised and supported by an associated policy framework.
80. There is agreement that the request would make a significant contribution to the district meeting its requirements in terms of the NPS – UD as to ensuring sufficient development capacity. In reaching that conclusion I note:
- 80.1 The Report by Property Economics (**Attachment D**) identifies that the Nukuhau Private Plan Change Request (together with Five Mile Bay A and C) represents a total of 1,220 residential sections, which when combined with the existing supply of (vacant or developable lots) 5,355 will be exceeded by 2043, or 2038 (where a 15% competitiveness margin is added) as associated with a Stats NZ High Projection and where the existing 30% unoccupied dwellings trend holds true³⁶. Importantly, compared to historical projections for Taupō District there is no predicted decline in population or household growth in the district over the 30 year planning period.
- 80.2 Both amenity and character (landscape³⁷ and urban design)³⁸ outcomes are acceptable.
- 80.3 Service provision and integration (with the exception of road access) are acceptable³⁹, subject to linking subdivision to wastewater connection – which is programmed in the LTP for 2021 – 2023⁴⁰, and would therefore constitute medium term capacity in terms of being infrastructure ready⁴¹.
81. In terms of Transport infrastructure, the evidence of Mr Smith identifies that the site has a number of locational benefits promoting active transport modes to developing alternative sites to the southern edge of the town⁴², and that the design of the development would not preclude public transport opportunities⁴³. These are aligned with those provisions of the NPS – UD as to good accessibility for public and active transport⁴⁴.
82. There is however a tension between the identification of the Request as providing for sufficient development capacity in the short to medium in the absence of improvements associated with the Control Gate. As identified by Mr Smith⁴⁵:
- I have concluded that there is currently insufficient capacity in the vicinity of the Control Gate Bridge to accommodate traffic associated with the Plan Change. My own assessment of capacity as well as that presented in the traffic note demonstrates that the bridge is operating at or near capacity and further development which is currently zoned will extend delays and queues at the bridge and adjacent intersections.*
83. Provision of housing development in the absence of such works creates a tension with the achievement of Policy 1 of the NPS – UD, as whilst development provides capacity, it would do so in a manner that would not be fully consistent with achieving a ‘well-functioning urban environment’. As funding the Control

³⁶ PEL Attachment D identifies a current growth rate between high and medium.

³⁷ EIC Ryder [13]

³⁸ EIC Hugo [38]

³⁹ EIC Swindells, Cordell and Meadowcroft

⁴⁰ EIC Cordell [32]

⁴¹ NPS – UD Clause 3.4(3)(b), but given the immediacy of the LTP funding programme may well be considered ‘short term’

⁴² EIC Smith [6.31]

⁴³ EIC Smith [6.3.1]

⁴⁴ NPS – UD Policy 1(c)

⁴⁵ EIC Smith [7.3]

Gate improvements is not identified in the LTP⁴⁶, the rezoning if approved by the Panel (as subject to a deferment) until the Control Gate impediment was overcome, would likely categorise such housing development as providing for long term *development capacity*⁴⁷.

4.5 Waikato Regional Policy Statement (WRPS)

84. The WRPS was made operative in May 2016. It is therefore the more recent subordinate statutory document to the Resource Management Act 1991, compared to the Taupō District Plan which was made operative in September 2007.

4.5.1 Indigenous Biodiversity

86. The area subject to the request is not notated within the ODP as being the subject of a statutory Significant Natural Area.

87. As identified in the evidence of Mr Shaw, the area is a combination of lifestyle blocks and rural farmland⁴⁸, with a reasonable expectation as to urbanisation⁴⁹. There is no suggestion in the evidence from Mr Shaw that the site would warrant consideration under Method 11.2.1, the criteria in section 11A that would otherwise accord significance to any part of the Request area being subject to Policy 11.2⁵⁰.

88. However, Mr Shaw identifies that there is a divergence in views as to the adequacy of the ecological assessment accompanying the request in relation to specific species⁵¹.

89. The relevant provisions of the WRPS relate to:

Objective 3.19 Ecological Integrity and indigenous vegetation

The full range of ecosystem types, their extent and the indigenous biodiversity that those ecosystems can support exist in a healthy and functional state.

Policy 11.1 Maintain or Enhance indigenous biodiversity

Promote positive indigenous biodiversity outcomes to maintain the full range of ecosystem types and maintain or enhance their spatial extent as necessary to achieve healthy ecological functioning of ecosystems, with a particular focus on:

- (a) *working towards achieving no net loss of indigenous biodiversity at a regional scale;*
- (b) *the continued functioning of ecological processes;*
- (c) *the re-creation and restoration of habitats and connectivity between habitats;*
- (d) *supporting (buffering and/or linking) ecosystems, habitats and areas identified as significant indigenous vegetation and significant habitats of indigenous fauna;*
- (e) *providing ecosystem services;*
- (f) *the health and wellbeing of the Waikato River and its catchment;*
- (g) *contribution to natural character and amenity values;*
- (h) *tāngata whenua relationships with indigenous biodiversity including their holistic view of ecosystems and the environment;*
- (i) *managing the density, range and viability of indigenous flora and fauna; and*
- (j) *the consideration and application of biodiversity offsets.*

⁴⁶ EIC Smith [7.3]

⁴⁷ NPS – UD Clause 3.4(3)(c)

⁴⁸ EIC Shaw [9]

⁴⁹ EIC Shaw [18]

⁵⁰ Policy 11.2 Protect significant indigenous vegetation and significant habitats of indigenous fauna

⁵¹ EIC Shaw [22] Long tail bats, pipits and lizard.

Method 11.1.1 seeks that district plans should provide for indigenous vegetation when managing land use change.

Method 11.1.3 seeks the management of effects from the loss or degradation of non-significant indigenous vegetation, including legal protection and offsets.

90. Mr Shaw has identified an additional process step to be undertaken at time of subdivision to ensure survey and provision for any identified species. Subject to those requirements, I consider that the Plan Change would 'give effect' to the relevant indigenous biodiversity provisions of the WRPS.

4.5.2 **Landscape, Amenity and Urban Design**

91. The area subject to the request is not notated within the ODP as being the subject of a statutory Outstanding Natural Landscape. Accordingly, the relevant provisions relate to the transition from general rural amenity to urban uses, within the context that the request area has been identified as an Urban Growth Area⁵².

92. The following relevant provisions are set out as follows:

Objective 3.21 Amenity

The qualities and characteristics of areas and features, valued for their contribution to amenity, are maintained or enhanced.

93. The objective is implemented through Policies including Policy 6.1 which relates to the Planned and co-ordinated subdivision, use and development. That Policy references a number of Development Principles (Section 6A), including that new development should:

(j) maintain or enhance landscape values ...;

94. Ms Ryder in considering the Request identifies that there are some inconsistencies between the methodology accompanying the application and the recent adoption of the Te Tangi a Te Manu Aotearoa New Zealand Landscape Assessment Guidelines. However, she concludes that subject to: this matter being thoroughly addressed in the Proponent's evidence⁵³; further guidance as to how measures associated with design measures are captured within the structure plan⁵⁴; and capturing 'associative' and tāngata whenua values, that the report and outcomes are relatively robust.

95. The Plan Change in its current form would give effect to the Amenity provisions of the WRPS.

4.5.3 **Geotechnical Risk**

96. Relevant provisions in relation to Geotechnical risk are set out as below:

Policy 13.1 Natural Hazard Risk Management Approach

Natural hazard risks are managed using an integrated and holistic approach that:

- (a) *Ensures the risk from natural hazards does not exceed an acceptable level;*
- (b) *..*
- (c) *Avoids the creation of new intolerable risk...*

Policy 13.2 Manage Activities to reduce the risks from natural hazards

⁵² WRPS Policy 6.11

⁵³ EiC Ryder [10]

⁵⁴ EiC Ryder [39, 40]

Subdivision, use and development are managed to reduce the risks from natural hazards to an acceptable or tolerable level including by:

- (a) ensuring risk is assessed for proposed activities on land subject to natural hazards;
- (b) reducing the risks associated with existing use and development where these risks are intolerable;
- (c) avoiding intolerable risk in any new use or development in areas subject to natural hazards;

In addition, the development principles for **Section 6A 'Development Principles'** requires new development:

(h) be directed away from ... natural hazard areas....:

97. Mr Farquhar has assessed the Request and concluded that an appropriate level of assessment has been conducted to support the rezoning. Any residual matters 'can be addressed through further geotechnical investigation and assessment, and engineering controls and land engineering works at subdivision stage, as per industry practice and as set out in the Outline Development Plan submitted with the Plan Change'⁵⁵.
98. In terms of the existence of tomos and the management of stormwater, Mr Farquhar concludes:
- 'Present indications are that tomos are not pervasive to the extent that they would constrain or preclude overall residential development of the land. However they will need further assessment at subdivision consent stage to determine what measures should be undertaken with stormwater to avoid creation of tomos and what measures should be taken with building and land development to mitigate their effects'*⁵⁶.
99. Accordingly, I consider that the Proponents approach does give effect to the relevant provisions in the WRPS. Including the proactive approach found within **Policy 13.1**, **Policy 13.2** and **Development Principle 6A(h)**, whereby development risk is to be ascertained prior to any statutory decision that zoning to increase intensification can take place.

4.5.4 Historic and Cultural Heritage

100. Based on the evidence of Ms Walter, there is considerable residual disagreement as whether the conclusion contained in the Proponents Archaeological Assessment (dated 7 September 2021 [page 20]) is supportable. That statement reads:

Given the low risk for archaeology across the majority of the Site and the low significance of the potential archaeological site around the visible pits, development of the site for the Plan Change or existing zoning designation is expected to have minor negative effects on archaeological values.

101. Ms Walter has helpfully in her correspondence set out those missing elements in the methodology that would provide her with greater comfort, without which she is unable to advise as whether the Plan Change is the more appropriate.
102. Accordingly, without such matters being addressed by the Proponent I am unable to confidently state whether the request would give effect to:

Objective 3.18

Sites, structures, landscapes, areas or places of historic and cultural heritage are protected, maintained or enhanced in order to retain the identity and integrity of the Waikato region's and New Zealand's history and culture.

Policy 10.1 Managing historic and cultural heritage

⁵⁵ EIC Farquhar [1.5]

⁵⁶ EIC Farquhar [7.7(c)]

Provide for the collaborative, consistent and integrated management of historic and cultural heritage resources. Improve understanding, information sharing and cooperative planning to manage or protect heritage resources across the region.

Policy 10.2 Relationship of Māori to taonga

Recognise and provide for the relationship of tāngata whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga

Policy 10.3 Effects of development on historic and cultural heritage

Manage subdivision, use and development to give recognition to historic and cultural heritage and to integrate it with development where appropriate.

4.5.5 Growth Management and Infrastructure

103. A careful consideration of these respective provisions is necessary, given the identification of the Plan Change area in terms of TD2050, and reference to the recognition of TD2050 within **Policy 6.11**.

Objective 3.12 Built environment

Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes, including by:

- a. promoting positive indigenous biodiversity outcomes;
- b. preserving and protecting natural character, and protecting outstanding natural features and landscapes from inappropriate subdivision, use, and development;
- c. integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;
- d. integrating land use and water planning, including to ensure that sufficient water is available to support future planned growth;
- e. ...;
- f. ...;
- g. minimising land use conflicts, including minimising potential for reverse sensitivity;
- h. ...

Policy 6.1 Planned and co-ordinated subdivision, use and development

Subdivision, use and development of the built environment, including transport, occurs in a planned and co-ordinated manner which:

- a. has regard to the **principles in section 6A**;
- b. recognises and addresses potential cumulative effects of subdivision, use and development;
- c. is **based on sufficient information to allow assessment of the potential long-term effects of subdivision, use and development**; and
- d. has regard to the existing built environment.

Method 6.1.1 seeks that local authorities have regard to the principles in Section 6A when preparing, reviewing or changing ... district plans.

Policy 6.3 Co-ordinating growth and infrastructure

Management of the built environment ensures:

- a. **the nature, timing and sequencing of new development is co-ordinated with the development, funding, implementation and operation of transport and other infrastructure**, in order to:
 - i. **optimise the efficient and affordable provision** of both the development and the infrastructure;

- ii. maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;
 - iii. protect investment in existing infrastructure; and
 - iv. **ensure new development does not occur until provision for appropriate infrastructure necessary to service the development is in place;**
- b. ...;
- c. the **efficient and effective functioning of infrastructure**, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained; and....

Policy 6.11 Implementing Taupō District 2050

Growth in the Taupō District will be managed in a way that:

- a. recognises that Taupō District 2050 provides for the management of future growth, including by:
 - i. recognising the appropriateness of the urban growth areas **as an important resource** for providing for new urban land development and as the focus for future urban growth;
 - ii. ensuring patterns of future urban development are consistent with the strategic directions of Taupō District 2050, the identified urban growth areas, and any subsequently adopted structure plans;
 - iii. **avoiding urban development in the rural environment outside of the identified urban growth areas** to prevent a dispersed pattern of settlement and the resulting inefficiencies in managing resources;
 - iv. avoiding the cumulative effect that subdivision and consequent fragmented land ownership can have on the role of the urban growth areas in providing the supply of land for urban development;
 - v. **ensuring that staging of development in the urban growth areas** is efficient, consistent with and supported by adequate infrastructure; and
- b. ensures that urban development of an identified urban growth area occurs by way of a Taupō District 2050 structure plan process and associated plan change process.
- c. **acknowledges** that changes to the Taupō District Plan intended to implement Taupō District 2050 **must be considered on their merits under the RMA.**

(emphasis added)

104. For the sake of completeness, **Objective 3.27** was inserted (19 December 2018) as directed by the NPS-Urban Development Capacity into the WRPS to establish minimum housing targets for the 'Future Proof Area'. Taupō District was not included.
105. Considering these matters collectively:
- 105.1 There is no hierarchy established in **Policy 6.11(a) to (c)**.
 - 105.2 In terms of **Policy 6.11(b)** Nukuhau is identified within TD2050(2006)⁵⁷ and is identified in the Council's TUSP (2004).
 - 105.3 The words 'give effect to' in s75(3) of the RMA require a purposive consideration of the Regional Policy Statement framework as a whole.
 - 105.4 Nukuhau is identified as an urban growth area for the purpose of **Policy 6.11**. In terms of Policy 6.11(a)(ii) the TDC has undertaken a comprehensive assessment of where urban growth should occur within the district by way of a consultative process resulting in the Taupō District 2050 Growth Management Strategy (TD2050). TD2050 was 'refreshed' and adopted by TDC in October 2018 and retains Nukuhau as a future growth area.

⁵⁷ TD2050 (2006) was the Council's approved Growth Strategy when the Plan Change Request was lodged in 2017. The TD2050 (2018) cannot be the document referred to in Policy 6.11 but forms a 'Management Plan prepared under other Acts' for the purpose of a merit assessment of the Proposal under s74(2)(b) of the RMA 1991.

- 105.5 **Policy 6.11(a)(iii)** is expressed in directive terms. It seeks to 'avoid' urban development outside of the identified urban growth areas. It is intended to provide certainty as to where urban development might go, and to avoid incremental or ad hoc development. As above, Nukuhau as a future growth area provides an *important resource* for providing for new urban land development (**Policy 6.11(a)(i)**) with clause (v) seeking that the staging of development (enabled) in urban development areas is done in a manner that is efficient and supported by adequate infrastructure.
- 105.6 **Policy 6.11(c)** reiterates the requirements of the RMA1991 that an identified Growth Area in TD2050 can still be refused or amended as subject to its merits when considered fully under the process set out in the First Schedule of the RMA 1991.
- 105.7 **Policy 6.11(a)(i)** is expressed in that manner that it recognises urban growth areas as an important resource to facilitate urban development, with clause (v) seeking that such is appropriately coordinated with efficient supporting infrastructure.
106. The General Development Principles at **Section 6A** considered within the Request⁵⁸, I consider the following:
- 106.1 The proposed Nukuhau Development will support the existing Taupō urban area, including through providing medium term housing supply⁵⁹ in a matter that consolidates the existing urban area⁶⁰ and promotes a compact urban form and active transport modes⁶¹. Principle (a), (e) and (i);.
- 106.2 The Structure / Outline Plan accompanying the Request (Appendix 9.7) retains a clear delineation between urban areas and rural areas, embodies low impact stormwater design⁶² (principles (b, m and n);
- 106.3 With the exception of the Control Gates Bridge, the development will not compromise existing infrastructure, including wastewater connection and water requirements have been identified⁶³ (principles (d, f and g).
- 106.4 Incorporates measures to manage reverse sensitivity effects on Contact Energy, including the realignment of Poihipi Road to provide greater separation to sensitive residential developments, and associated planting strip⁶⁴. Matter (h) and (o).
- 106.5 Maintain landscape values⁶⁵, and ensure through additional measures at time of subdivision localised biodiversity can be appropriately maintained⁶⁶. Matters (j) and (k).
- 106.6 I am not aware of any matter or deficiency that would not be considered at time of subdivision in relation to passive solar design (matter n), climate change (matter p), or waste management (s).
- 106.7 There are two matters associated with cultural heritage and māna whenua relationships that should be addressed by the Proponent through evidence (matter j) and (matter q), as well as the

⁵⁸ PCC Section 9.5 [43]

⁵⁹ (Attachment D - PEL)

⁶⁰ EIC Smith [6.31]

⁶¹ EIC Smith [6.19]

⁶² EIC Meadowcroft [47]

⁶³ EIC Swindells, Cordell and Meadowcroft.

⁶⁴ Refer <https://www.Taupō>

[dc.govt.nz/repository/libraries/id:25026fn3317q9slqygym/hierarchy/Council/Consultation/Nukuhau%20Plan%20Change/Additional%20information/Response%20to%20TDC%20Request%20for%20further%20info.pdf](https://www.dc.govt.nz/repository/libraries/id:25026fn3317q9slqygym/hierarchy/Council/Consultation/Nukuhau%20Plan%20Change/Additional%20information/Response%20to%20TDC%20Request%20for%20further%20info.pdf)

⁶⁵ EIC Ryder [41], Hugo [40]

⁶⁶ EIC Shaw [37]

matters raised by Ms Walter in relation to the Archaeological Assessment (matter j). However, the issue goes to the current paucity of information, not that such values represent an insurmountable hurdle to the request.

- 106.8 The residual issue is associate with the Control Gate Bridge. Based on assessment provided by Mr Smith, without improved capacity at the Control Gate Bridge, his evidence is that development facilitated by the request would not be able to be met with efficient and effective infrastructure. He recommends a resource consent trigger that would prevent development without consideration by Integrated Transport Assessment (ITA); I have recommended based his evidence that the rezoning would be deferred with uplift occurring on the operation of improved Control Gate capacity. Without these provisions, I consider that the Request has a tension with these aspects of the WRPS (Development Principles 6A (matter d)), Policy 6.3(a)(iv) and Policy 6.11(a)(v).
107. In all other respects, and subject to further guidance from the Proponent of māna whenua and archaeology matters, I consider the Request would give effect to the relevant provisions of the WRPS.

4.6 Taupō District Plan (ODP)

4.6.1 Section 3e – Land Development

108. Section 3e of the ODP contains the framework for the strategic framework for Land Development / Growth Management in the district. The introduction notes that the *‘Chapter is to be read in conjunction with the Objectives, Policies and Rules and Standards pertinent to each Environment’*.
109. As identified, the Nukuhau Request area is explicitly identified as an Urban Growth Area for the purpose of interpreting the provisions and Figure 3e.6.1 ‘Northern Urban Growth Areas’ (which in a circular fashion is defined as *‘the areas as identified in section 3e.6’*).
110. At the risk of oversimplification, the relevant provisions seek to provide for and manage urban growth (**Objective 3e.2.1**) through recognising the appropriateness of Urban Growth Areas as *a resource* for planned and staged urban growth (of which Nukuhau is identified as such – Section 3e.6.3) and ensuring that any new urban development is predicated only by way of Structure Plan process and associated plan change (**Policy 3e.2.1, Objective 3e.2.1**).

Objective 3e.2.1 *Provide for and manage urban growth so as to achieve the sustainable management of the District’s natural and physical resources.*

POLICIES

- i. *Recognise the appropriateness of Urban Growth Areas **as an important resource for providing for new urban land development** and as the focus for future urban growth.*
- ii. *Ensure patterns of future urban development are consistent with the identified Urban Growth Areas as described in Section 3e.6*
- iii. **Prevent urban development in the rural environment outside of the identified Urban Growth Areas.**
- iv. *Avoid the cumulative effect that subdivision and consequent fragmented land ownership can have on the role of the Urban Growth Areas in providing the supply of land for urban development.*
- v. *Ensure that urban development of an identified Urban Growth Area occurs by way of a Taupō District Structure Plan Process and associated plan change process.*

(emphasis added)

111. **Objective 3e.2.2** seeks that the subdivision and development of Urban Growth Areas occurs by way of Taupō District Structure Plan Process and Plan Change. I consider that there is not a Taupō District Council initiated Structure Plan for this area, as the TUSP came prior to the provisions of Section 3e. However, I consider that the Request has appropriately considered and identified in the proposed Structure Plan (9.7 Nukuhau Structure Plan) and Plan Change Request those elements identified in Section 3e.7 of the Plan. Accordingly, I consider that the Request achieves this objective.
112. Associated policies seek to define the precise location, extent, form and staging of development by, and ensure that the planning and development of Urban Growth Areas adequately takes into account the efficient and effective functioning of supporting and surrounding infrastructure (**Policy (v)**); as identified there is concern as to transport capacity associated with the Control Gates.
113. **Objective 3e.2.3** seeks to ensure the maintenance of an appropriate and sufficient level of community infrastructure⁶⁷. In terms of supporting infrastructure:
- 113.1 with respect to **three waters** based on the evidence provided by the Council⁶⁸ I consider that sufficient capacity is provided, and subject to the constraint on development associated with wastewater connection (proposed Policy 3a.2.3 (v) and proposed Rule 4a.7.4) I consider that these achieve⁶⁹ and implement⁷⁰ the objective and Policies (i) and (ii);
 - 113.2 with respect to **reserves**, the extent of open space gully and cycle / pedestrian network is acknowledged. However, as identified in the Schedule 1 information request, provision of a local park (kick a ball) reserve contribution is sought to be identified. Whilst the subsequent Proponent response states that such an approach is supported⁷¹, this does not appear to be reflected in the amended Structure / Outline Plan (dated 22 September) and provisions. Subject to such, and given the extensive nature of open space networks provided I consider that the Request would clearly achieve Policy (iii) in meeting the community needs for both reserves and open space.
 - 113.3 lastly, in terms of the *'safe and efficient functioning of the existing and future roading networks'* Mr Smith has outlined his reasoned concerns associated with capacity at the Control Gate Bridge to accommodate development enabled by the Request. It is understood that in all other aspects, including modal choice, roading network connections and the efficient and effective integration of demand associated with the 79ha of residential development facilitated by the request into the roading network, that Mr Smith supports the Plan Change⁷².
 - 113.4 Accordingly, I can conclude that in the absence of increased capacity, this aspect of the development will not achieve this policy (and **Policy 3e.2.2(v)**), nor that aspect of **Objective 3e.2.3**.
 - 113.5 Mr Smith has carefully identified an ITA based mechanism to ensure that enabled development would otherwise *'avoid, remedy or mitigate'* such effects; I have alternatively identified deferment as potential alternative.

⁶⁷ Defined as 'Council-operated physical infrastructure including roads, and infrastructure involved in operating the wastewater, stormwater and drinking water systems'.

⁶⁸ EIC Swindells, Cordell and Meadowcroft.

⁶⁹ s32(1)(b)(ii)

⁷⁰ s75(1)(b) and (c)

⁷¹ Correspondence Proponents (15th June) [page 7]. Refer <https://www.Taupō>

dc.govt.nz/repository/libraries/id:25026fn3317q9slqygym/hierarchy/Council/Consultation/Nukuhau%20Plan%20Change/Additional%20information/Response%20to%20TDC%20Request%20for%20further%20info.pdf

⁷² EIC Smith [7.4]

- 113.6 Whilst either of those mechanisms would ensure that development was aligned with the provision of appropriate transport networks, they require consideration in terms of the following:
- The Proponent of the Plan Change would be unable expediate the issue, as (apart from financial contributions from development) the provision of additional capacity is a strategic issue undertaken on an area that is outside the control of the Proponent.
 - The provision of additional capacity at Control Gates has been signalled by the Council for some time, including the Taupō Commercial and Industrial Structure Plan (2014) which signalled an additional bridge circa 2021⁷³.
 - Any construction of additional capacity at Control Gates will require resource consents from both the Waikato Regional Council and the Taupō District Council; as well as managing encumbrances with Contact Energy, and consideration of effects and requirements of māna whenua and Tūwharetoa Māori Trust Board.
 - The *Taupō District Council Asset and Activity Management Plan – Transport 2021* (refer section 7.5.3) states the planning and investigation of a second bridge crossing is planned to occur by 2030/31 with funding budgeted for 2033/34.
- 113.7 Accordingly, whilst the provision of additional capacity is clearly flagged across a number of Council plans and strategies, and as identified by Mr Smith is necessary to resolve an existent issue⁷⁴, resolution as of a specific date cannot be expressed as a certainty.
114. The Plan Change if approved cannot include a mechanism which would bind the Council to agreeing to the installation of additional capacity at Control Gate. There are, as above many practical and legal issues, all of which involve both considerable complexity, least of all funding; with many of these matters also subject to other legislation, and / or outside the Council's control.
115. Fundamentally, if the Panel agreed that the additional capacity was necessary for the Request to be 'the more appropriate' in terms of achieving both the relevant WRPS provisions and those above in **Objective 3e.2.3** and associated **Policy (v)**; then in my view deferment until additional capacity is provided is the most effective and efficient means to ensure that these provisions are achieved, and only where the Proponents of the Plan Change acknowledge that that risk is one the Proponent is prepared to make (refer Table 2).
116. There are four alternatives in terms of considering the management of Control Gate capacity with the Request. Table 2 provides a broad consideration of the efficiency and effectiveness of the alternatives in achieving the Objectives in Section 3e given this constraint.
117. I understand efficiency to be the measure of whether the provisions will be likely to achieve the objectives at the lowest total cost to all members of society or achieves the highest net benefit to all of society.
118. Effectiveness is a measure of contribution new provisions make towards achieving the objectives of the plan, and how successful they are likely to be in solving the problem they were designed to address.

⁷³ Taupō Commercial and Industrial Structure Plan (2014), Transport Assessment [54].

⁷⁴ EiC Smith [7.2]

Table 2: Alternative approaches for Control Gates

Mechanism	Efficiency	Effectiveness
No Constraint ⁷⁵	Low – Enables residential growth to meet housing demand, but would not be efficient as does not address the constraint, and places costs (congestion, delays) onto the wider community.	Low – Given the identified and agreed nature of the constraint, an absence of a mechanism to resolve or mitigate leaves the issue unaddressed.
Discretionary Activity Consent ⁷⁶ or alternatively as an ‘Unserviced Residential Development’ Objective 3a.2.2 and Rule 4a.3.3	Low / Moderate – May provide for some staged release of land (and potential contraflow benefits (commercial and School ⁷⁷ (although this would require Notice of Requirement), but incremental and disjointed in terms of consideration of transport effects, resulting in increased congestion and associated costs on the wider community.	Low / Moderate – Provides for some release where demonstrably acceptable based on an individual ITA, however as identified zoned residential capacity would form part of the ‘environment’ ⁷⁸ , and generates foreseeable congestion.
Deferment	Moderate – Identifies zoned capacity available when constraint is removed. Albeit this would be delayed beyond the LTP and would represent long term capacity under the NPS – UD.	Moderate – Has a clear nexus with limiting growth to the removal of the capacity constraint. However, the ability to ‘solve’ the constraint is complex, and is outside the control of the Proponent.
Decline the Plan Change	Low – Reduces long term residential capacity. the request provides a gain of 79ha of residential development that would otherwise be proximate to, and consolidate Taupō urban area. Existing capacity issue associated with zoned residential potential remains.	Low – In all remaining aspects (accepting māna whenua remains contested), and as identified in Section 3e residential development is appropriate at Nukuhau. Decline would remove long term residential capacity.

119. Objective 3e.2.4 and associated policies seek to avoid degradation of Taupō District’s lakes, waterways and aquifers from wastewater. Based on: the evidence of Mr Cordell in terms of the provision of wastewater connections; Rule 4a.7.4 in the Request which requires wastewater connection; the stormwater evidence of Mr Meadowcroft as coupled with the evidence of Mr Farquhar⁷⁹ that the geology would not preclude the proposed stormwater reserve network identified in Structure / Outline Plan 9.7, the Request achieves these Objective and Policies.
120. Objective 3e.2.5 and associated policies seek to ensure that land development does not detract from amenity values and the qualities of the environment. I consider, based on the evidence of Ms Ryder and Mr Hugo that positive amenity and urban design benefits can be accrued from the Request. There remains a residual issue associated with appropriately determining cultural and archaeological values associated with the Request area as required under Policy 3e.2.5. The experts for the Proponent advise that these have been appropriately taken into account, whereas this is disputed by submitters including Heritage

⁷⁵ Appendix E (Transport) to the Request.

⁷⁶ EIC Smith [4.17]

⁷⁷ EIC Smith [6.35]

⁷⁸ Section 104(1)(a). EIC Smith [4.11]

⁷⁹ EIC Farquhar [7.8]

New Zealand – Pouhere Taonga. The position of experts for the Council is that further information is required from the Proponent to be addressed through evidence as to whether this aspect of the provisions are advanced, in all other respects I consider that the Objective and Policies are achieved.

121. For the reasons outlined in paragraph [115Error! Reference source not found.], it is considered that the Plan Change, without deferment would not achieve **Objective 3.2.1**, **Objective 3e.2.3** as specific to confidence to address capacity issues associated with the Control Gate bridge, and **Objective 3e.2.5**. The Proponent is requested to advance residual concerns associated with the maintenance and provision of cultural and archaeological values where and if these are present in the area subject to the Request.

4.6.2 Section 3f – Traffic and Transport

122. The evidence of Mr Smith identifies that, apart from identified issues associated with the Control Gate capacity, the wider transport network is sufficient to cater for increased transport generation and demands associated with the Plan Change. He also identifies that subject to improvements to the Outline Development Plan as associated with an addition of a shared path facility is required along Acacia Bay Rd/Watene Lane on the boundary of the PC37 site⁸⁰, that the Plan Change will be well serviced and connected for pedestrian and cyclists seeking to access the town centre and Rangatira Park⁸¹.
123. Accordingly, and as subject to the recommended approach of deferment of the Plan Change (to facilitate development until the Control Gate capacity is advanced) it is considered that the proposal would achieve respective **Objective 3f.2.1** and associated Policies. Without deferment the Request would not achieve nor implement aspects of the Objective seeking the safe and efficient operation of the roading network, but would still achieve the remaining provisions associated with active transport modes and appropriate integration with the wider network.

Objective 3f.2.1 *The safe and efficient operation of the roading network, and movement of traffic, including cyclists and pedestrians within the District.*

Policy (i) *Ensure activities avoid, remedy or mitigate any adverse effects on the operation and function of the roading network, including the movement of traffic cyclists and pedestrians, as accordance with the Roading Hierarchy.*

Policy (ii) *Encourage activities, including the design and location of new vehicle crossings, to provide for the safe and efficient movement of traffic, including cyclists and pedestrians.*

Policy (iii) *Encourage the use of alternative modes of transport such as cycling and public transport.*

4.6.3 Section 3g – Tangata Whenua Values

124. **Objective 3g.2.1** seeks that the cultural and spiritual values of Tangata Whenua are recognised and provided for in managing the activities within the district. Associated policies seek to take account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in the management of natural and physical resources; ensure that activities have regard to cultural values; and ensure that activities undertaken on or near Sites of Significance to Tangata Whenua are undertaken in a manner which provides for the cultural and spiritual value and significance of the site.

⁸⁰ EiC Smith [4.4, Figure 2]

⁸¹ EiC Smith [6.16]

125. This matter is contested by Submitters⁸², all of which question whether there has been appropriate consultation with the correct iwi authority with māna whenua, and therefore the Proponent has failed to engage with correct iwi authority (consulted with TMTB not with Te Kotahitanga).
126. The provision of māna whenua input into the Archaeological Assessment has also been raised by Heritage New Zealand Pouhere Taonga⁸³, and Ms Walter for the Council.
127. Without question I am unable to identify which group has māna whenua for the request area and is able to speak to these matters – this will be a matter to be advanced by the parties in evidence before the Panel.
128. However, I acknowledge the following:
- 128.1 The Proponent has outlined considerable endeavours associated with engagement with māna whenua⁸⁴. Which concluded that:

“...we took advice on cultural matters at an early stage by Andrew Kusabs and Gloria McLaughlin. Andrew and Gloria are heavily involved in Rangatira 8A17 and are also involved in Ragatira E. We have consulted with Andrew and Gloria throughout the process of this proposed Plan Change and referred our cultural queries to them. Further, we understood that the views they gave were the views of māna whenua....

“A meeting of 19 February 2019 involved both Andrew and Gloria, Neil and Michelle Hickman as representatives of a subject landowner, and Hamish Crawford of WSP (who took these notes). In this meeting Gloria and Andrew stated that a Cultural Impact Assessment would not be needed. In this meeting we understood that the views they gave were the views of māna whenua. They made it very clear that they knew the past knowledge of the land and confirmed that there were no sites of significance located on the land”.

That last matter was confirmed by e-mail sited as dated 2 July 2021 from Andrew Kusabs to Hamish Crawford (as an expert for the Proponent) which states:

Kia ora Hamish

I have spoken to my co trustees and they are not in favour of you to bring representatives of Heritage New Zealand onto our lands.

Before we entered into our developments we asked our elders to advise us of any sites of historical or archeological significance. There were none then and there are none now.

The elders advice has subsequently been proven correct as despite a large area having been developed nothing of interest has come to light.

Our elders, now sadly departed, would not appreciate someone else looking over their shoulders. However, we have no problem with Heritage folk examining the lands of the owners you represent. Our elders did not provide us with advice on your lands

Your request is declined

Andrew Kusabs Chair

Rangatira 8A17 and other blocks

⁸² Including Sub 20 Rauhoto Land Rights RMA Committee, Sub 21 Eunice Wharehinga, Sub 23 James and Miurel Tamiuru (Henry Whanau Trust).

⁸³ Sub 36.

⁸⁴ Refer <https://www.Taupō>

[dc.govt.nz/repository/libraries/id:25026fn3317q9slqygym/hierarchy/Council/Consultation/Nukuhau%20Plan%20Change/Additional%20information/Response%20to%20TDC%20Request%20for%20further%20info.pdf](https://www.tau-po.govt.nz/repository/libraries/id:25026fn3317q9slqygym/hierarchy/Council/Consultation/Nukuhau%20Plan%20Change/Additional%20information/Response%20to%20TDC%20Request%20for%20further%20info.pdf)

- 128.2 The Nukuhau Urban Growth Area was identified in the Taupō District Plan as being appropriate for urban development, as undertaken through a Schedule 1 process, including consultation with iwi and statutory notification.
- 128.3 Both the TD2050(2006) and recent TD2050 refresh identify the Nukuhau Urban Growth Area for urbanisation and were consulted on.
- 128.4 In terms of cultural values associated with stormwater disposal, I understand from Ms Ryder, Mr Farquhar and Mr Meadowcroft that there is an appropriate and planted stormwater network identified within the Structure Plan, and that *'the stormwater concepts of dispersed ground soakage and vegetated swales treatment is consistent with other recent developments around Lake Taupō and with WRC stormwater Guidelines'*⁸⁵.
129. Based on the above, and where the Panel considers that the Proponent has engaged with appropriate māna whenua I consider that the Proposal achieves the objectives and associated policies.

4.6.4 Section 3h – Landscape Values

130. As identified the Request area is neither notated as Outstanding Natural Landscape or Amenity Landscape Area. Accordingly, provisions in Section 3h 'Landscape Values' are not relevant to the proposal, with appropriate amenity outcomes expressed in Section 3a Residential Environment.

4.6.5 Section 3i – Natural Values

131. The Plan Change area is not contained within any notated Significant Natural Area. However, as identified by Mr Shaw, there is the potential for 'at risk' species such as Long Tailed Bat to be present.
132. **Objective 3i.2.3** seeks to ensure the enhancement of areas of natural value in the Taupō District. Policy (ii) seeks to Recognise and encourage development that enhances areas of natural value.
133. As outlined by Mr Shaw subject to additional requirements associated with survey for at risk species prior to subdivision and development, effects on potential localised at risk species is able to be addressed. I have recommended addition of Rules to the subdivision provisions at 4a.7 of the Request to ensure this, and subject to which I consider the Request achieves this objective.

4.6.6 Section 3i – Natural Hazards

134. The relevant provisions in the District Plan are:

Objective 3i.2.1 *Protection of activities, development and life from the adverse effects of natural hazards.*

Policies

- i. *Control the design and location of activities 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.*
- ii. *Manage the location, design, and type of new activities and development to avoid or mitigate the adverse effects of erosion, ground rupture and deformation, hot ground and land instability on development and the community.*

⁸⁵ EiC Meadowcroft [47]

Objective 3I.2.2 Activities and development do not create, accelerate, displace, or increase the effects of a natural hazard.

Policies

- i. Ensure that activities do not 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.
- ii. Ensure that activities and structures do not increase the risk to the community or the environment from the effects of natural hazards.
- iii. Ensure that where development occurs within areas subject to the effects of natural hazards, property owners and/or occupiers are informed of and manage the risk.

135. There is agreement between Mr Farquhar and the Proponents of the Plan Change as to both investigations and conclusions regarding geotechnical and natural hazard risk from the Request. Mr Farquhar⁸⁶ concludes:

"I consider that ... constraints can be addressed through further geotechnical investigation and assessment, and engineering controls and land engineering works at subdivision stage, as per industry practice and as set out in the Outline Development Plan submitted with the Plan Change.

Overall I consider the geotechnical information provided to support the Private Plan Change satisfactorily demonstrates that the land is suitable for residential / urban development".

136. Accordingly, the proposal is considered to achieve and implement these provisions of the ODP.

4.6.7 Section 3a – Residential Environment

137. The Plan Change seeks the provision of a Residential Environment (zone). Provisions around amenity, residential character and urban design are considered in **Objective 3a.2.1**.

Objective 3a.2.1 The maintenance and enhancement of the character and amenity of the Residential Environment.

POLICIES

- i. Maintain and enhance the character and amenity of the Residential Environment by controlling the bulk, location and nature of activities, to ensure activities are consistent with a residential scale of development, including an appropriate density and level of environmental effects.
- ii. ...
- iii. To provide for a number of small scale convenience based retail, commercial and community facilities as identified as a "Shop" on the Planning Maps where these:
 - a. provide a high standard of urban amenity; and
 - b. remain compatible with the scale of the surrounding residential environment
- v. Any relevant Structure Plans, strategies or guidelines should be taken into account in the design of any development within the residential environment.
- ix. Avoid, remedy or mitigate adverse effects of subdivision, use and development in the residential areas on cultural, historic, landscape and natural values, as identified through the provision of this Plan.
- x. Recognise the important role of reserves and their existing infrastructure and services (including those provided by commercial operators) in providing recreational opportunities for the community.

⁸⁶ EIC Farquhar [1.5, 1.6]

138. Subject to the recommendation and amendment associated with provision of a local pocket park [30], it is considered that the Proposed Plan Change would appropriately recognise and provide for reserves (**Policy 3a.2.1(x)**). Through the application of the Residential zone provisions, structure plan and Appendix 9 requirements a coherent residential amenity would be provided (in terms of **Policy 3a.2.1(i)**) as outlined the evidence of Ms Ryder and Mr Hugo.
139. The provision of a small scale 'shop overlay' of 2,500m² is modest enough to provide for the immediate and localised convenience needs of households in this area, including the potential additional 780 household that would be enabled by the Request. I do not consider that these would result in any material adverse distributional effects on the Taupō Town Centre. The bulk and location standards associated with such, and the identified location fronting Arcacia Bay Road will ensure compatibility with surrounding residential amenity and coherence.
140. Proposed Appendix 9.7 Structure Plan will appropriately guide development as consistent with Policy (v) and ensure the orderly and coordinated development of the 79ha Request area overtime, noting that such will likely span some time and be associated with a number of individual landowners.
141. There remain residual issues as raised as associated with cultural and historical values that are to be addressed in evidence by the Proponent and Submitters. Subject to these matters being satisfactorily addressed, I consider that the Proposal achieves this Objective and associated provisions.

4.6.8 Section 3o – Geothermal Activity

142. Contact Energy⁸⁷ have raised concerns associated with Reverse Sensitivity effects on its facilities and operations at Te Mihi. In particular *'that the realigned section of Poihipi Road should be the northern extent of any residential development to provide a buffer between the proposed residential areas and the nationally important renewable electricity generation activities to the north'*.
143. I understand from the amended Structure / Outline Plan received 22 September that this has been undertaken by Proponent.
144. Accordingly, I consider the Proposal to achieve:

Objective 3o.2.2 The avoidance of reverse sensitivity effects arising from incompatible land uses establishing or expanding on Geothermal Areas[1] shown on the maps at the end of this section.

POLICIES

- i. To discourage land uses which are or may be incompatible with the use and development of geothermal based industry in the Geothermal Areas shown on the maps at the end of this section.
- ii. To ensure that new activities are compatible with existing geothermal based industry.

4.7 Other Management Plans and Strategies

145. Section 74 of the RMA requires regard to be had to management plans and strategies prepared under other Acts. In this regard, and as detailed in Section 3.3 of this Report the Request is consistent with these Plans.

⁸⁷ Sub 48.

4.8 Iwi and hapū management plans

146. Section 74(2A)(a) of the RMA states that Council must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the District.
147. This matter is addressed at Section 10.6 of the Request.
148. The Ngāti Tūwharetoa Environmental Iwi Management Plan (EIMP) establishes Ngāti Tūwharetoa environmental base lines and provides tools that assist hapū/whānau and the tribe as a whole to achieve and protect those base lines.
149. The Ngāti Tūwharetoa EIMP states that it is driven all relevant tikanga and kawa to protect Taupō nui-ā-Tia and all tribal taonga, as a holistic view of the environment is at the very core of Tūwharetoa resource management.
150. Relevant provisions associated with **Te Waipuna Ariki (water)**, seek to ensure Ngāti Tūwharetoa assert and exercise rangatiratanga and kaitiakitanga within the rohe, and that the mauri of Te Waipuna Ariki is protected and enhanced for future generations. Relevant policies seek to ensure that the protection of mauri of water is advocated for through effective policy and planning instruments. As identified above, and contained within the evidence of Mr Meadowcroft in particular, an appropriate stormwater network has been developed through the Structure / Outline Plan, as supported by investigation by the Proponent. Appropriate qualities and quantities of stormwater runoff are therefore anticipated, with any subdivision and associated development to facilitate such through the subsequent consents, including disposal of road stormwater⁸⁸.
151. Associated with **Papatūānuku (land)**, provisions seek to encourage resource users and/or landowners to implement sustainable land use system, and protect important landscape features from inappropriate use and development. In terms of whether the Request Area is being inappropriately developed, as identified in 128 I am unable to advise as to whether recognised māna whenua has provided guidance, but I understand that such has been sought and that the area has been recognised, through public consultation, for urban growth for some 20 years. I do not consider from the evidence of Mr Farquahar or Mr Gray that there are neither geophysical or contamination issues that would preclude sustainable land development.
152. Lastly, in terms of **Ngā Otaota Me Ngā (flora and fauna)**, there appears to be agreement between Mr Shaw and the Proponents Ecologist that additional survey of 'at risk' species such as Long Tailed Bats would need to be conducted prior to any subdivision. In addition, the site is agreed to have low representation in terms of ecological value, with no areas qualifying as containing significant indigenous vegetation. Accordingly, the Request would be consistent, in my view, with provisions that *seek protection and enhancement of the mauri of indigenous flora and fauna*.
153. I also understand that consultation has been occurring with Tūwharetoa Māori Trust Board in the preparation of the Request, including up to the preparation of evidence for the Hearing.

4.9 Conclusion as to the Statutory Framework

154. The proposed rezoning has been telegraphed in Council initiated Growth Strategies for some twenty years. The proposed Request is the most appropriate means of securing a District Plan framework enabling residential development (and a shops overlay) at Nukuhau, as guided by a specific Structure / Outline Plan.

⁸⁸ EiC Meadowcroft [51]

155. The provision of such residential development helps to secure residential development capacity as aligned with requirements in the NPS – UD, and is of a form and substance, especially given proximity to Taupō town centre and associated consolidation, that would be consistent with achieving well-functioning urban environments, as required by that NPS.
156. In terms of the relevant WRPS provisions, subject to clarity provided by the Proponent as to cultural and archaeological matters, the proposal appropriately ‘gives effect’ to the relevant provisions, especially recognition of Nukuhau as a Growth Area for the purposes of **Policy 6.11**. The Request also contributes to the attainment of provisions outlined in the Development Guidelines 6A as required by **Policy 6.1(a)**.
157. In a similar fashion, the Request achieves (and implements) the provisions of the ODP – and as above with greater clarity to be provided on cultural and archaeological matters.
158. The caveat, and it is one of substance, is that the Control Gate bridge capacity issue means that without resolution any development enabled by the Request would not:
- 158.1 represent a contribution to well-functioning urban environments as required by the NPS – UD (**Objective 1**) although would further the provision of housing and housing types to meet future needs.
 - 158.2 give effect to WRPS (Development Principles 6A (matter d)), **Policy 6.3(a)(iv)** and **Policy 6.11(a)(v)**.
 - 158.3 achieve and implement **Objective 3.2.1**, **Objective 3e.2.3** as specific to confidence as a legal and funding mechanism to address capacity issues associated with the Control Gate bridge, and **Objective 3e.2.5** and **Objective 3f.2.1**.
159. I have recommended deferment of the enablement of subdivision until that issue is resolved. I have acknowledged the complexities associated with such, but consider that such deferment is necessary to overcome the issues above. Subject to which I consider that the Request would achieve the higher order statutory framework.

5.0 EFFECTS ASSESSMENT AND SUBMISSIONS

5.1 Submissions and further submissions received

160. Of the fifty-nine submissions received:

160.1 Forty-four (44) objected or sought changes;

160.2 Twelve (12) were in full support; and

160.3 three (3) did not state their position.

161. One (1) further submission was sought which relates to a number of matters.

162. **Appendix C (1 – 12)** to this report categorises submissions in terms of matters raised as below, with Section 6 of this report considering the effects of these matters in greater detail based on the assessments provide by the Proponent and the reviews undertaken by Council Experts as appended to this report (**Attachments D to L**).

- (a) Support / Opposition or Neutral
- (b) Infrastructure (three waters) and Reserves
- (c) Transport
- (d) Cultural effects
- (e) Archaeological effects
- (f) Landscape and Urban Design
- (g) Demand, Shops overlay and Community facilities
- (h) Geotech and Contamination
- (i) Reverse Sensitivity
- (j) Plan Provisions
- (k) Consultation
- (l) Part 2 matters.

6.0 ASSESSMENT OF EFFECTS

6.1 General

163. There are a range of potential positive and adverse effects associated with PPC37.
164. The following section addresses these effects. Where matters are largely uncontested or are not pivotal in terms of the statutory considerations outlined in Section 4, these matters are not laboured.
165. The remaining matters including transport effects (particularly capacity of the Control Gates Bridge), reverse sensitivity, landscape, urban design, cultural impacts, consultation and ecology, as well as mechanics to secure the development outcomes intended by PPC37 are addressed in greater detail.

6.2 Existing Environment and baseline

166. The site is zoned Rural Environment. There are a handful of residential dwellings on those blocks west of Acacia Bay Road, with no obvious signs of residential development north of Poihipi Road.
167. Over the 79ha area, one (1) rural lot per 10ha could be created as a **Controlled activity**⁸⁹;
168. I am not aware of any unimplemented resource consents for the site.
169. There is no permitted baseline in terms of new residential allotments and associated development, and the existing environment offers no comparable scenario to the level of development proposed through PPC37.

6.3 Positive Effects

170. I consider that the positive effects⁹⁰ that are not contested include:
- 170.1 Increased self-determination for the land owners.
 - 170.2 Provision of additional 780 residential allotments of market supply to existing stock within the district and Taupō township.
 - 170.3 Rerouting Poihipi Road / Wairākei Drive intersection.
 - 170.4 Proposed stormwater reserves with pedestrian and cyclist access.
 - 170.5 Provision of a (wider) range of housing types and densities to meet the needs of all communities and the growth of Taupō.
 - 170.6 Formation of an urban growth area that is proximate to, and consolidates the existing Taupō urban area.

⁸⁹ District Plan Rule 4b.3.1(i)

⁹⁰ Reference Section 7.10 of the Request

6.4 Infrastructure (Three Waters)

Submissions

171. Submissions on this matter raise matters (**Appendix C1**), including the following:
- 171.1 Provision of grey water systems (Sub 18 Hendricks)
 - 171.2 Support for the comprehensive approach to stormwater management as detailed in the Plan Change documents (Sub 43 Waikato Regional Council)
 - 171.3 Submitter seeks clarification on the method for mitigation of pollutants in stormwater and gully discharges (Sub 52 Todd Land Development)
 - 171.4 LWAG commend the use of WRC's guidelines in regard to the applicant's stormwater management strategy. However, submits that the developers and consultants should work towards a higher level on environmental standards. For instance, we recommend they include water retention and reuse (Sub 53 Lakes and Waterways Action Group).
 - 171.5 Provision of water meters (Sub10 James Bowater)
 - 171.6 Refuse on the basis of inadequate water pressure (Sub 37 McKenzie)
 - 171.7 LWAG submits the upgrade presents TDC with a golden opportunity to deal with foreseeable wastewater loadings in one infrastructure upgrade. In addition, it makes sense for TDC to consider, in the upgrade, future urban development in the west beyond foreseeable wastewater loadings. LWAG also support the inclusion of the needs of the Nukuhau development in this upgrade. (Sub 53 Lakes and Waterways Action Group)
 - 171.8 Reject the proposal as Taupō 's infrastructure cannot sustain another large housing development (Sub 46 J&A Wilks)
 - 171.9 Spark should be consulted with on all matters (Sub 51 Spark).

The Applicant's position

172. Appendix D to the Request sets out the analyses of Water and Wastewater demands and infrastructure provision as associated with the Proposal.
173. In terms of water network improvements necessary to facilitate development, upgrades are identified at Section 5.2 of that report. For wastewater, the report identifies at Section 6.1 the existing gravity wastewater network, identifying the constraint at the Waikato River crossing. To resolve this matter, the Request identifies at proposed Policy 3a.2.3(v) and Rule 4a.7.4 a constraint on land use until created lots are able to connect to the Council wastewater network. In all other respects matters can be addressed at the time of subdivision.
174. Stormwater is addressed in Appendix F, which outlines the proposed development layout (Section 1.4) to accommodate forecast stormwater and achieve compliance with the Taupō District Council Stormwater Strategy (Taupō District Council, 2009) requirements and those of the revised (2018) stormwater management guidelines from WRC. The report concludes⁹¹ that the proposal is:

“a solution that aligns with WRC guidelines and provides good community outcomes. The modelling has shown that there are no major issues with the proposed development in regards to stormwater (meeting the pre-development flows)”.

⁹¹ PPC Request Appendix F [8.3]
Taupō District Plan

The Council's position

175. Mr Swindells has provided evidence in terms of **Water Supply**. He concurs⁹² that the Taupō water supply scheme can be upgraded to provide capacity to support the request, and that he supports the Plan Change accordingly. He notes that flow requirements associated with SNZ PAS 4509:2008 (Fire Fighting Water Supply Code of Practice) and to facilitate commercial development at the proposed Shop Overlay would be picked up through the orthodox development process⁹³.
176. He has also individually responded to relevant submissions (as conveyed in **Appendix C1**) fundamentally stating that appropriate water infrastructure is able to be supplied to meet demand associated with the Request.
177. Mr Cordell has addressed **Wastewater**. He acknowledges support for the limiting mechanism contained in the Request to ensure wastewater connection to the Council network is provided (over the Waikato River) prior to development⁹⁴, and therefore supports the Request.
178. He acknowledges that the Council's LTP has programmed funding for the Waikato Wastewater connection for 2021 – 2023, but implementation may change depending on the solution. He has also responded to submissions, noting appropriate wastewater connections will be in place prior to development.
179. Lastly, in terms of **Stormwater**, Mr Meadowcroft identifies that disposal of stormwater will need to comply with WRC guidelines, which can be verified and confirmed at the time of subsequent subdivision consent. He identifies that the proposed regime is appropriate in principle, and that the geotechnical assessment from Mr Farquhar has confirmed that the geology (including presence of tomos) is appropriate for the proposed stormwater solution. He does not consider runoff contamination from roading to be a material issue.
180. **In summary**, it is considered that development enabled by the Plan Change would be able to be supported by adequate (three water) infrastructure and would take account of the effective functioning of supporting and surrounding infrastructure⁹⁵; the imposition of regulation to ensure wastewater connection across the Waikato River is considered both efficient and effective in this regard.
181. Those submissions seeking that the Plan Change be rejected on the basis of insufficient three water infrastructure, or otherwise requiring additional measures are recommended to be **rejected**. Those in support, are accepted. Individual submissions are addressed in **Appendix C1**.

6.5 Infrastructure (Open Space)

The Submissions

182. Submissions (**Appendix C1**) oppose the proposal based on lack of recreation facilities to complement the existing natural and cultural features provided by the area (Geoff Rameka Sub 17, Robert McKenzie Sub 37).

The Council's Position

⁹² TDC Swindells [15]

⁹³ TDC Swindells [18]

⁹⁴ TDC Cordell [30]

⁹⁵ District Plan Policy 3e.2.2(iv) and (v). 3e2.3 Objective, Policy 3e2.3(i)

183. The Request, including the Structure / Outline Plan identifies a substantial amount of open-space, albeit confined to gully systems in facilitating a comprehensive linear pedestrian and cycle linkages⁹⁶ throughout the Plan Change area.
184. As outlined [113.2] identifies that the Proponent response to the Council's clause 25 request states that such an approach is supported⁹⁷, but is yet to be reflected in the amended Structure / Outline Plan (dated 22 September) and provisions. Subject to such, it is considered that an appropriate level of reserves and open space would be provided.
185. Accordingly, I concur that subject to that amendment, the Plan Change would achieve the provision of open space amenity to meet the needs of its community⁹⁸.
186. Submissions seeking that the Request be rejected due to a lack of reserve provision are recommended to be **rejected** as identified in **Appendix C1**.

6.6 Infrastructure (Transport)

The Submissions

187. Submissions (**Appendix C2**) raised the following themes:
- 187.1 Support for, or requests for further cycle and pedestrian connections within and external to the Request (Sub 34 P Marshall, Sub 38 MfEd, Sub 44.2 Bike Taupō).
 - 187.2 Opposition to the development until the Control Gates Bridge capacity issues are appropriately addressed (Sub 7 B McLennan, Sub 9 D Lawson, Sub 11 J Stillman. Sub 58 J Smith).
 - 187.3 Criticisms of the Transport Assessment accompanying the Request (Sub 9 D Lawson).
 - 187.4 New major roads feeding existing roads/streets should have roundabouts at intersections (Sub 10 Bowater)
 - 187.5 Remedy with urgency the existing lack of 'safe' pedestrian/cyclist routes between Nukuhau and Rangatira Park (Sub 19 D Stewart).
 - 187.6 Undertake a full update of the CSIP and Traffic Strategy by council to accelerate the installation of a second bridge into Taupō (Sub 9 D Lawson).
 - 187.7 Objection to rerouting of Poihipi Rd to send traffic down Watene Lane. Poihipi Road should be left as it is. (Sub 31 P Smith).
 - 187.8 The realigned section of Poihipi Road should be the northern extent of any residential development to provide a buffer between the proposed residential areas and the nationally important renewable electricity generation activities to the north (Sub 58 Contact Energy).

The Applicant's position

188. Appendix E to the Request contains the Transport Assessment (dated 28 October 2021), with supplementary assessment provided on 22 September 2021 responding to the Council's clause 25

⁹⁶ Plan Change Request [page 60]

⁹⁷ Correspondence Proponents (15th June) [page 7]. Refer <https://www.Taupōdc.govt.nz/repository/libraries/id:25026fn3317q9slqygym/hierarchy/Council/Consultation/Nukuhau%20Plan%20Change/Additional%20information/Response%20to%20TDC%20Request%20for%20further%20info.pdf>

⁹⁸ District Plan Policy 3e.2.3(iii)

request for additional sensitivity testing as associated with Control Gate Bridge capacity. The assessment identifies proximity and connectivity to the town's public transport network⁹⁹.

189. In terms of *modal choice, active trips and public transport* the assessment identifies a high level of provision for active modes and connectivity with the wider external Taupō Walking and Cycling network. Such facilities will comply with applicable design requirements at time of subdivision (and vesting)¹⁰⁰.
190. With regard to appropriate *interconnection to the roading network*, the assessment concludes at Section 8 that the realigned Poihipi Road / Huka Falls Road / Wairakei Drive intersection is appropriate. The intersection forms and control methods are set out in Section 9.3.3, identifying (appropriately) that the design and finalisation will be reassessed in due course / time of subdivision.
191. As identified by Mr Smith¹⁰¹, the Transport Assessment did not provide a detailed assessment of the current capacity of the Control Gate Bridge, but identified that by 2031 another bridge would be required with or without the Nukuhau development. This is confirmed in the additional modelling provided by the Proponent dated 22 September¹⁰², which identifies:
- 191.1 2025 Model - A LoS E at Norman Smith Street/Wairakei Drive intersection and LoS F southbound through movement on Wairakei Drive without Nukuhau; and LoS F and increased delays with Nukuhau for the am peak, and a LoS D – LoS F for the pm peak without Nukuhau, and LoS E to LoS F for the pm peak **with Nukuhau** with increased delays.
- 191.2 2030 Model – A LoS F at Norman Smith Street/Wairakei Drive intersection, and southbound through movement on Wairakei Drive without Nukuhau for the am peak, **without Nukuhau**, and LoS F with increased delays **with Nukuhau**. The same occurs for the pm peak.
- 191.3 Under either the 2025 or 2030 model, bridge operates over capacity with increased delays associated with **the Nukuhau** scenario for both am and pm peaks.

The Council's Position

192. Mr Smith identifies:
- 192.1 In terms of *modal choice, active trips and public transport* – that subject to the addition to the Structure / Outline Development Plan along the edge of the Acacia Bay Rd / Watene Lane on the boundary of the PC37 site to link the two proposed cycle / pedestrian connections¹⁰³, that a high level of internal connectivity would be provided. I agree.
- 192.2 He has recommended an additional shared path facility be added to the Structure / Outline Plan for Acacia Bay Rd / Watene Lane to connect the two proposed shared paths and thereby increase connectivity¹⁰⁴. I agree and consider such would be the more appropriate in terms of achieving **Policy 3f.2.1(iii)** as to encouraging modal choice.
- 192.3 Mr Smith also identifies that the location of the Request site is proximate to the Taupō Town Centre, and would therefore be accessible by and desirable for walking and / or cycling thereby

⁹⁹ PC37 Request. Appendix E [5.5]

¹⁰⁰ PCC37 Request. Appendix E [5.4]

¹⁰¹ EIC Smith [4.9]

¹⁰²

<https://www.Taupōdc.govt.nz/repository/libraries/id:25026fn3317q9slqygym/hierarchy/Council/Consultation/Nukuhau%20Plan%20Change/Additional%20information%20September%202021/Additional%20Traffic%20Information.pdf>

¹⁰³ EIC Smith [Figure 2, 4.4]

¹⁰⁴ EIC [Figure 2, 4.4]

providing excellent connectivity and high quality infrastructure for these modes. The area is also well located to be serviced by Public Transport¹⁰⁵. Mr Smith also identifies that:

“... the location supports the uptake of sustainable transport modes to a greater degree than other currently – zoned residential sites that are located further away from the town centre such as Acacia Bay, Mapara Road and Kinloch”¹⁰⁶.

- 192.4 In terms of *intersection and network design*, Mr Smith supports the configuration and alignment of intersection design, including the realignment of Poihipi Road to provide a greater buffer between residential activity and Contract Energy infrastructure¹⁰⁷. He considers the proposed alignment of the Docherty Drive / Acacia Bay Road intersection south of Watene Lane to be both ‘intuitive’ and appropriate¹⁰⁸. He acknowledges in response to a number of submissions that consideration of the most appropriate form of intersections (roundabouts vs signalised intersections) can and will be appropriately resolved at time of subdivision and do not need to be resolved through the Plan Change request¹⁰⁹.
- 192.5 In terms of *capacity and infrastructure*, there appears to be agreement between Mr Smith and the Transport Assessment undertaken by the Proponent. Fundamentally, whilst broader network capacity is available to accommodate traffic generated by the development, there is a significant constraint presented by the Control Gates Bridge. Mr Smith identifies the level of existing congestion caused at the Control Gates, including that for there is a 30 minute period of congestion for the am and pm peaks, with evening peak congestion represented by queuing back on Tongariro / Spa Road roundabout for some 3 minutes¹¹⁰. He identifies that any additional residential development facilitated by the Plan Change would exacerbate this congestion, and a cautious approach should be taken¹¹¹.
- 192.6 He identifies that it is reasonable to assume that second Control Gate Bridge will be part of a future receiving environment, but there remains uncertainty as to timing and staging as associated with development facilitated by the Request¹¹², and recommends either a Discretionary Activity consent status or deferment¹¹³.
- 192.7 I agree, noting that both Mr Smith and the Transport Assessment accompanying the application identify an adverse effect associated with congestion, that would be exacerbated by the Request. Accordingly, and as set out in Table 2 I consider deferment as the more efficient and effective of the options considered.
- 192.8 Deferred zoning is not an unusual technique. In my opinion it is a legitimate, and appropriate planning tool which has been used for a number of years and continues to be used throughout New Zealand. Deferred zoning can be used to determine in advance a potential change in land use and it is often used to signal a direction for growth which enables planning of infrastructure and adjoining areas to be aware of them. In this instance, the deferral (as similar to proposed Rule 4a.7.4 for wastewater) would require a non-complying activity consent for development in advance of additional capacity for vehicles being provided on the Control Gate Bridge. Reference

¹⁰⁵ EIC Smith [4.6]

¹⁰⁶ EIC Smith [5.13]

¹⁰⁷ EIC [6.8] Sub 48 Contact Energy

¹⁰⁸ EIC [6.9] Sub 47 P White.

¹⁰⁹ EIC [6.33] Sub 10.

¹¹⁰ EIC Smith [4.11]

¹¹¹ EIC Smith [4.12].

¹¹² EIC Smith [4.17]

¹¹³ EIC Smith [4.18, 4.21]

to such would also need to be added to proposed Policy 3a.2.3(v) for the purpose of s32(b)(i) and s75(1)(b) and (c).

193. The provisions would read (as **greyed, underlined and bold**):

<p>Policy (3a.2.3)</p> <p>v. Subdivision in the Nukuhau Structure Plan Area should only occur where:</p> <p>(i) <u>the resulting lots will be connected to Council's waste water network; and</u></p> <p><u>(ii) additional capacity for vehicle movement (beyond that available in October 2021) is provided at the Control Gates Bridge (through either expansion or a second bridge) across the Waikato River, or otherwise would not result in traffic demand that would result in substantial increases in delay or travel times.</u></p> <p><u>Rule 4a.7.5 Any subdivision within the Nukuhau Structure Plan Area prior to the provision of additional capacity at the Control Gates Bridge beyond that supplied in October 2021 is a non-complying activity.</u></p> <p>Note: Addition of shared path along Acacia Bay Rd / Watene Lane to be illustrated on 9.7 Nukuhau Structure Plan.</p>

194. Submissions opposed to the Plan Change on the basis of capacity at the Control Gates Bridge, or that otherwise development is not advanced in the absence of increases in capacity are **accepted in part**. Submissions seeking changes to the internalised roading network or substantial increases in cycle connections or facilities are **rejected**.

6.7 Cultural Effects

The Submissions

195. Submissions (**Attachment C3**) raised the following themes:

195.1 Plan Change is opposed on the basis that Maori land that is involved will require Maori Land Court approval to change its status to 'general' (Sub 17 G Rameka).

195.2 Cultural Impact Assessment was not mandated by the appropriate māna whenua hapu (Sub 20 Henry, Sub 21 E Wharehinga, Sub 23 James and Miurel Tamiuru Henry Whanau Trust)

The Applicant's Position

196. The applicant has identified that they have appropriately engaged with tāngata whenua and kaitiaki of the land. They conclude in their formal letter to Council dated 15 June 2021¹¹⁴ that appropriate and thorough engagement has been undertaken in terms of the views of māna whenua (refer Section 4.6.3). That

¹¹⁴

<https://www.Taupōdc.govt.nz/repository/libraries/id:25026fn3317q9slqygym/hierarchy/Council/Consultation/Nukuhau%20Plan%20Change/Additional%20information/Response%20to%20TDC%20Request%20for%20further%20info.pdf>

correspondence identifies from a meeting held on 19 February that there were no sites of significance, nor a need to undertake a Cultural Impact Assessment. The correspondence states:

“Our engagement with māna whenua is set out in the AEE and it should be noted that no advice was received that a cultural impact assessment should be prepared and we have not been advised of any cultural values or interests that would suggest a CIA was needed or that there are any cultural values that should be recognised in the Plan Change”.

The Council’s Position

197. As identified in Section 4.6.3, I am unable to determine which group has māna whenua and kaitiaki for the Request area. This matter remains contested.
198. Were the Panel to agree with the Proponent that appropriate engagement has been undertaken, then issues of cultural significance and impacts have been appropriately considered within the formation of the Plan Change. If not, then there are consequences both in terms of ensuring that the effects on cultural values have been appropriately recognised and provided for in the Request, noting that this issue has also been raised by Heritage New Zealand.
199. Accordingly, in terms of submissions I consider that this matter remains contested, and that relevant submitters address this matter and the consequences of such in terms of the Plan Change in their evidence.

6.8 Archaeological Effects

The Submissions

200. Submissions (**Attachment C4**) raised the following themes:
 - 200.1 Clarity is needed as to assessment heritage aspects of Nukuhau Lands (Sub 17 G Rameka).
 - 200.2 Complete an Archaeological Assessment (Sub 36 Heritage New Zealand) as well as in relation to the former church & gravesites noted on the 1900’s map (Sub 18).

The Applicant’s position

201. An Archaeological Assessment (WSP Sept 2021) was provided in the 22 September 2021 package of material provided by the Proponent.
202. The assessment consists of a review of the ArchSite database managed by the New Zealand Archaeological Association (NZAA), Rārangī Korero / the New Zealand Heritage List and the Taupō District Plan and states that there are currently no relevant archaeological reports from previous archaeological investigations that have been produced for the study area or in the immediate vicinity.
203. Whilst a survey was undertaken, this did not extend to the entirety of the Request site (Area A was not inspected)¹¹⁵, with two ‘depressions’ recorded, with test pits being inclusive as to the source of disturbance, and whether such was reflective of archaeological values.

¹¹⁵ WSP Archaeological Assessment. Sept 2021 [8].

204. The assessment overall records a low overall significance, with the Plan Change expected to have only minor effects on archaeological values¹¹⁶. Although for that part of the site notated as Area C which contains the two depressions, an archaeological authority should be sought from HNZPT for this work¹¹⁷.

The Council's position

205. Ms Lynda Walter has reviewed the material provided by the 22 September Archaeological Assessment and identified a series of weaknesses which she records as preventing her from being able to advise as to whether PC37 will have an adverse effect on historic heritage including archaeological sites¹¹⁸.
206. Ms Walter has carefully identified in Section 2 of her correspondence those matters, which if addressed through the Proponent's evidence and prior to the Hearing will provide an accurate determination as to whether the Request is the more appropriate in terms of the protection of historic heritage.
207. For my part, I am unaware of any specific notated sites, or silent files providing statutory resource management protection to the area. Neither is there any specific entry in terms of the New Zealand Heritage List / Rārangī Kōrero established under the Historic NZ Pouhere Taonga Act 2013. Regardless, there remains a duty in terms of the statutory framework including **Objective 3.18** and associated policies from the WRPS, and **Policy 3e.2.5(ii)** of the ODP in terms of maintaining or enhancing the significance of features or areas of cultural or historical value.
208. I have considered the WSP assessment, the correspondence from Ms Walter and the submission from Heritage New Zealand.
209. I am of the view that the confirmation of adverse effects on Archaeological values / Historic Heritage as being appropriate through the Plan Change is not insurmountable. Ms Walter has taken a considered and helpful approach to identifying the mechanism by which the Proponent is able to address the 'depressions / potential kumara pits' identified in Area C of the Assessment to confirm whether these are such or related to more recent livestock farming. She has also set out how additional consideration of available archaeological literature and high-resolution aerial photography for that area not able to be surveyed would provide confidence as to whether the WSP recommendation that values are low is indeed the case.
210. Lastly, as already identified there remains a contested matter as to whether māna whenua have been consulted with – I have identified correspondence from the Proponent that states that such has been undertaken, and that there are no '*sites of historical or archaeological significance. There were none then and there are none now.*'¹¹⁹
211. I also note that the regulation proposed is not silent on this matter, with Proposed Rule 4a.7.2(d) extending discretion (as a Controlled activity) to cultural and historic values.
212. The Proponent's witnesses are requested to consider this matter.
213. Subject to confirmation of the additional matters raised by Ms Walter and confirmation of low archaeological and historic heritage values, I would consider that the Plan Change would be appropriate in this regard.

¹¹⁶ WSP Archaeological Assessment. Sept 2021 [10.2].

¹¹⁷ WSP Archaeological Assessment. Sept 2021 [11.1].

¹¹⁸ Correspondence Walter [Section 2]

¹¹⁹ Reference para [128]

6.9 Ecological Effects

The Submissions

214. Submissions (**Attachment C5**) raised the following themes:
- 214.1 Informed tests requested for bird and bat assessments (Sub 18, T Hendricks).
 - 214.2 Support (Sub 43, WRC).

The Applicant's position

215. The Ecological Assessment is set out at Appendix J of the Request. It identifies that there are no notated Significant Natural Areas, and that the site has low ecological value and no areas within the site qualify as significant indigenous vegetation¹²⁰, but identifies that where long-tailed bats are confirmed to be present in the future then this may qualify parts of the site as being significant habitat of indigenous fauna, notably the stands of mature tree.
216. The Ecological Assessment identifies that there is the prospect of localised and mobile species which warrant survey and consideration at time of any subdivision. These include: Long-tailed bats, Pipits, and Lizards¹²¹, with effects on watercourses to be managed through sediment controls through (orthodox) subdivision processes.

The Council's position

217. This matter has been considered by Mr Shaw. He agrees with the assessment provided, and notes that the subject land is highly modified largely pastoral environment and has been in that state for some time¹²².
218. Whilst Mr Shaw identifies additional assessment that would have assisted the analysis¹²³, I am not of the view that these extend to disagreement with the conclusions. In terms of the residual issues, being Long-tailed bats, Pipits, and Lizards, Mr Shaw is in agreement that these should be surveyed and is not opposed to that being undertaken at time of subdivision, especially as he identifies actual land use change could be some time away¹²⁴. He identifies the manner in which these things should be considered at the time of subdivision¹²⁵.
219. I also note that the regulation proposed is not silent on this matter, with Proposed Rule 4a.7.2(d) extending discretion (as a Controlled activity) to ecological values. Based on the evidence of Mr Shaw, I consider that this provision could be redrafted to resolve this remaining issue and provide clarity and certainty as to the requirements.
220. The provisions would read (as **greyed, underlined and bold**):

<p>4a.7.2 Any subdivision within the Nukuhau Structure Plan that complies with Rule 4a.7.1 and is in accordance with the Structure Plan in Appendix 9 is a controlled activity.</p> <p>For the purposes of Rule 4a.7.2 the matters over which the Council reserves control for the purpose of assessment are:</p>
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¹²⁰ Request. Appendix J [2.5]

¹²¹ Request. Appendix J [3.1]

¹²² EIC Shaw [20]

¹²³ EIC Shaw [22]

¹²⁴ EIC Shaw [26]

¹²⁵ EIC Shaw [27 – 32].

a. ...

d. Any actual or potential effects on areas or features of cultural, ecological, historic, landscape or natural value, including comprehensive surveys for bats, lizards and pipits (including for pipits during the breeding season (August to February), and identify measures including management plans for how any identified adverse effects will be avoided or mitigated.

221. Accordingly, I consider in terms of ecological effects the Request is appropriate in terms of the higher order planning framework. Those submissions accepting the level of change in terms of ecological values (and controls) are **accepted**.

6.10 Landscape and Urban Design Effects

The Submissions

222. Submissions (**Appendix C6**) are broadly set and include the following matters:

222.1 Opposition to design controls proposed through Appendix 9 (Sub 1 B Hartstone);

222.2 Good design including controls on built form (Sub 18 T Hendricks).

222.3 Requests for fencing treatments of adjoining properties (Sub 13 S Tidmarsh).

222.4 Amend the plan change to ensure the character of gullies and stormwater paths are accentuated by utilizing height differences in the terrain (Sub 18 T Hendricks).

The Applicant's Position

223. The Urban Design and Landscape Assessment is Appendix G to the Request. The Assessment identifies the principles underpinning the overlap of Landscape and Urban Design outcomes that drive the structure plan.

224. The Report identifies that the Request area is not located with an ONL or ANA, but sits within the wider Kaiapo Landscape Type as identified in the Taupō District Landscape Study and is characterised by its complex land form, and land uses that consist of production forestry, gully systems and associated forest and shrubland, and urban development associated with Kinloch and Acacia Bay¹²⁶. The Assessment identifies that the overall landscape effect is associated with the transition to urban uses, with physical changes to natural character and appearance¹²⁷. Changes (facilitated by the Plan Change) being considered to be acceptable although there could be localised effects from earthworks albeit even these will be able to be appropriately absorbed over time. Effects on visual amenity are also considered in the Assessment to be appropriate, given largely the absence of sensitive viewpoints proximate to the Request area¹²⁸.

225. The Assessment at Section 7 identifies a number of principles associated, largely with design, to assist and resolve potential adverse effects These include the planting, building setbacks, boundary treatments and road design – as found in the proposed Appendix 9 Design Controls affixed to the Plan Change

¹²⁶ Request. Appendix G [5.1]

¹²⁷ Request. Appendix G [6.1]

¹²⁸ Request. Appendix G [6.2]

Request¹²⁹, with the conclusion that such will appropriately transition the area from Rural to Urban, without any material adverse landscape or visual effects¹³⁰.

The Council's position

226. The landscape and visual effects of the proposal have been considered by Ms Ryder; the Urban Design effects considered by Mr Hugo.
227. Mr Hugo considers that the realisation of the principles as contained in Appendix 9 of the Plan Change Request can be applied moving forward from structure planning to detailed development layout and implementation phases¹³¹. I concur and consider therefore such are efficient and effective in terms of achieving the design response set out in proposed **Objective 3a.2.3** of the Request. Mr Hugo identifies that the underlying approach to work with the landscape to deliver local amenity, a sense of place and unique local identity is achieved¹³².
228. Mr Hugo however raises a potential CPTED concern related to visibility of gully systems, and seeks amendments in the Structure Plan to identify that a portion of road network fronts the stormwater gully system to improve visibility. Mr Hugo has identified that the metrics of such are¹³³ a rule requiring 30% of the total length of stormwater reserve edges to have active road frontage and proposed trees in Section 6: Low Volume Road cross section¹³⁴. The Proponent is requested to address this matter in evidence and changes to Proposed Appendix 9. I agree.
229. Lastly, I note that Sub 18.14 proposes additional controls on parking, driveways, garages and design. I acknowledge the Design Guidance provided by Mr Hugo¹³⁵ that additional controls if pursued would enhance or optimise the development, however I am not of the view that imposing a design guide or design approval committee is appropriate (efficient and effective) in terms of the requirements of Section 32.
230. Ms Ryder has considered the Landscape Assessment, and concludes that the LVA is relatively robust and can be relied generally on in terms of support of the Plan Change¹³⁶. However, Ms Ryder raises concerns as to associative landscape values (tāngata whenua¹³⁷ and community values) being appropriate accommodated in the LVA¹³⁸. I have addressed the contested matter of māna whenua values in terms of both cultural effects and archaeological values.
231. Ms Ryder has recommended additional controls in terms of both recognising opportunities to integrate larger scale trees where present during subdivision, and the consideration of CPTED provisions as associated with subdivision as focused to nominal reserve widths to reduce 'entrapment'.
232. The provisions would read (as **greyed, underlined and bold**):

4a.7.2 Any subdivision within the Nukuhau Structure Plan that complies with Rule 4a.7.1 and is in accordance with the Structure Plan in Appendix 9 is a controlled activity.
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¹²⁹ Request. Appendix G [7]

¹³⁰ Request. Appendix G [8]

¹³¹ EIC Hugo [26]

¹³² EIC Hugo [27]

¹³³ EIC Hugo [32]

¹³⁴ EIC Hugo [34]

¹³⁵ EIC Hugo [36]

¹³⁶ EIC Ryder [48]

¹³⁷ EIC Ryder [30]

¹³⁸ EIC Ryder [48]

For the purposes of Rule 4a.7.2 the matters over which the Council reserves control for the purpose of assessment are:

- a. The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, suitable building platforms to accommodate future complying buildings, **application of Crime Prevention Through Environmental Design (CPTED) principles specifically in terms of open space provision**, and adequate management of stormwater.
- b. ...
- d. Any actual or potential effects on areas or features of cultural, ecological, historic, landscape or natural value, **including specific provision for large framework tree planting and retention**.

Note: Proponent also requested to modify the **Structure / Outline Plan 9.7 and / or Appendix 9** to account for requirement of 30% of the total length of stormwater reserve edges to have active road frontage and proposed trees in Section 6: Low Volume Road cross section.

233. Subject to such, I consider that the Request further attainment of respective statutory provisions as to providing housing choice and type, well-functioning urban environments, and respective amenity and character provisions in the WRPS and ODP. Submissions seeking further amendments are **rejected**.

6.11 Demand, Shops Overlay, Community Facilities

The Submissions

234. Submissions (**Appendix C7**) seek:
- 234.1 Refuse as alternative residential subdivisions in Taupō (Sub 37 R McKenzie);
 - 234.2 Support as Taupō needs additional residential housing supply (Sub 41 B Bartley);
 - 234.3 Support / opposition to the local shops overlay (Sub 49 A Kusabs)
 - 234.4 A school should be facilitated on the subject site (Sub 59 D Lawson, Sub 18 T Hendricks).
 - 234.5 Opposition based on the absence of community / shared resources including supermarket capacity, on street parking in the CBD, medical facilities and hospital capacity (Sub 32 E Waugh, Sub 37 McKenzie).

The Applicant's position

235. The Proponent identifies that the Request will make a material contribution to both housing supply and choice (as well as affordability). Section 7.6 sets out the growth projections as at the time of lodgement as predicated on the Property Economics Limited (PEL Report) for Whareroa (PC36). The Request identifies that that report identified that evidence from Statistics NZ that growth during that 2013 and 2018 census time period was concentrated in the Taupō Urban Area.
236. The Request notes that there is clear significant demand for sections in and around Taupō township, with Nukuhau being by far the more favourite location in the district for residential growth. That placing demand into high growth areas assists in the efficient use of infrastructure, and that the area has been identified as a Growth Area since the TD2050 (2006) was adopted by the Council.

237. The 'Neighbourhood Shops' overlay contributes to amenity in the area¹³⁹.

The Council's Position

238. The NPS – UD came into force on 20 August 2020. I have identified the respective framework in Section 4.4 of this Report.

239. I have referred to the Property Economics Limited Report (Appendix D, July 2021)¹⁴⁰ which sets out forecast population and household growth for the district and compared such to supply¹⁴¹. That Report identifies that the existing zoned district capacity will be exceeded by demand by 2043, or 2038 where a 15% competitiveness margin is added. That report also does not seek to localise demand against available supply – that is it does not forecast the supply / demand balance at different areas within the district.

240. I have obtained from the Taupō District Council updated records of both building consents for residential dwellings and lot creation. In broad terms, this supports the contention that there is sustained demand for dwellings and sections proximate to urban Taupō, with the Taupō Urban area accounting for over half of new dwellings since 2016, and well over half of new lots created.

Table 3: Dwellings and Lot Creation 2010 – 2020. Source TDC

AREA	YEAR	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Total	Dwellings	132	123	115	128	160	218	304	316	282	276	326
	New Lots	88	76	37	76	77	81	97	230	331	251	174
Taupō Urban	Dwellings	69	55	54	57	53	87	142	147	146	144	180
	New Lots	57	34	25	58	51	41	78	163	264	103	104
Acacia Bay	Dwellings	3	4	2	2	7	3	1	6	7	6	7
	New Lots	0	1	0	1	0	0	0	0	1	1	1
Mapara (rural residential)	Dwellings	9	8	5	7	10	15	23	18	16	15	13
	New Lots	3	16	3	7	5	3	8	4	7	5	20
Kinloch Urban	Dwellings	13	23	21	25	39	49	66	55	33	48	48
	New Lots	3	0	0	0	6	19	6	38	29	107	24
Kinloch Area rural	Dwellings	2	1	3	2	4	5	4	3	5	3	2
	New Lots	0	0	4	2	1	0	0	0	0	1	2
Kuratau/Omori/Whareroa	Dwellings	8	9	2	6	3	6	3	10	15	11	15
	New Lots	0	0	1	1	7	2	0	20	1	0	1

¹³⁹ Request [3.2]

¹⁴⁰ PEL (2021) Appendix X.

¹⁴¹ It is understood that these are based on the 31 March 2021 Stats NZ Projection Updates.

Motuoapa	Dwellings	7	5	5	6		8	15	16	14	10	10
	New Lots	0	0	0	0	0	0	0	0	0	26	0
Other areas.	Dwellings	21	18	23	23	44	45	50	61	46	39	51
	New Lots	25	25	4	7	7	16	5	5	29	8	22

241. I have set out in Section 4 of this report the statutory framework in relation to urban growth. This seeks:
- 241.1 WRPS **Policy 6.1** – A focus on planned and coordinated subdivision and development, including the Development Principles in Section 6A which seek to support existing urban areas, make use of opportunities for urban intensification, and promote compact urban forms.
- 241.2 WRPS **Policy 6.3** seeking to coordinate growth and development, and **Policy 6.11** which recognises TD2050 as the Growth Management Strategy for Taupō, within which Nukuhau is acknowledge as a Growth Area.
- 241.3 The Taupō District Plan at Section 3e sets out provisions to ‘provide for and manage urban growth so as to achieve the sustainable management of the district’s natural and physical resources’ (**Objective 3e.2**).
242. I understand these considerations fall to the role of Council(s) appropriately managing, in terms of s31 the extent and distribution of (residential) zoned land to ensure that the costs of dispersal, as associated with increased infrastructure costs, transport efficiencies, inefficient land use and overall community amenity are appropriately considered.
243. Essentially, in the absence of additional residential demand, an oversupply of zoned land leads to a transfer in investment with no resultant net increase in community enablement, but with a corresponding decrease in the efficient use and integration of infrastructure with development. This is usually a cost borne by the wider community, whereas any benefits (such as they are) are enjoyed by a small number of people.
244. PEL have identified that as predicated on the current Stats NZ Projections, that supply including that identified in the Request will be required to meet the NPS – UD medium to long term demand. Furthermore, and importantly, the projections do not show that demand is peaking within the projected timeframes. Lastly, as identified in Table 3, there is sustained demand for new residential houses and sections proximate to urban Taupō.
245. There remains a residual issue as associated with the provision of investment in the Control Gates Bridge to provide an appropriate level of service to cater for growth. However as identified by both WSP and Mr Smith, that investment appears to be required regardless of development facilitated by the Plan Change Request as needed to service existing zoned demand. Accordingly, it cannot be stated that the Request if approved (as recommended) results in the inefficient provision of infrastructure; the converse is the case in that such would improve the efficiency of infrastructure that is required to serve the community regardless.
246. Accordingly, I consider that the Request provides residential housing supply and types that will appropriately meet demand, consolidates existing urban form, and would not lead to the inefficient provision of supporting infrastructure.
247. Accordingly, those submissions that support the Plan Change in terms of providing housing supply are **accepted**.

248. In relation to the 'Neighbourhood Shop' overlay, I consider that the scale (2,500m²) and location will facilitate the convenience and accessible wellbeing needs of the local community, including those facilitated by the Plan Change. It is not of a scale that would give rise to the distribution effects on the Town Centre. Mr Smith has identified that such also provides benefits in terms of transport trips¹⁴².
249. In terms of submissions seeking additional commercial development or a School, these are not considered to be within the scope of the Plan Change, with the latter requiring a Notice of Requirement to facilitate development.
250. Accordingly, those submissions supporting the shop overlay are accepted; those seeking additional facilities are **rejected**.

6.12 Geotechnical and Contaminated Soils

The Submissions

251. Submissions (**Attachment C8**) support the assessments undertaken (S18 T Hendricks).

The Applicant's position

252. The Plan Change as notified contained a comprehensive Detailed Site Investigation (DSI - Appendix H) and Geotechnical Report (Appendix I).
253. The DSI detected some contaminants associated with possible HAIL activities, but that these do not exceed human health Soil Contaminant Standards. The report concludes, it is '*highly unlikely that the site poses a risk to human health*'¹⁴³.
254. The Geotechnical Report sets out findings of the initial investigations, *as well as the more recent deep geotechnical investigations. The Ministry of Business, Innovation and Employment's Module 21 guidance document was utilised to inform the supplementary geotechnical investigative work, primarily around quantum of testing, with special emphasis on:*
- *development constraints due to published and identified geological and geomorphic features;*
 - *identifying typical development constraints around soil types, primarily for civil development purposes;*
 - *identifying potential stormwater disposal methodologies (dwellings and roading), taking account of the hydrologic constraints and recommendations within the TDC Code of Practice for the Development of Land and other relevant standards;*
 - *identifying the anticipated level of additional investigation, modelling and reporting that will be required to accompany subdivision consents in due course.*
 - *Additional geohazards that may have an impact on the development, including liquefaction, lateral spread, slope stability, expansive soils, flooding, and geothermal-induced settlement*¹⁴⁴.

¹⁴² EIC Smith [4.20, 4.21]

¹⁴³ Request Appendix H [11]

¹⁴⁴ Request Appendix I [1]

255. The Report concludes that the Request area is suitable for Residential development from a geotechnical perspective¹⁴⁵, with any areas of observed concern able to be adequately addressed during the civil stage (subdivision). The Report also identifies additional geotechnical investigations (sub-surface and shallow NZS 3604-2011 investigations), which can be done at time of subdivision. The report also identifies that existing stormwater flow paths and gullies should be maintained where possible to avoid stormwater concentration in one area, and reduce the chance of tomo formation.

The Council's position

256. There appears to be substantial agreement between the parties that the assessments have been appropriately undertaken; correspondingly remediating any residual risk (to accepted levels) associated with facilitating residential development can be undertaken through the subsequent subdivision process.
257. Mr Gray identifies those additional investigation of the 'filled areas'¹⁴⁶ would be required in terms of potentially contaminated land and information gaps present in the DSI¹⁴⁷, but that these and appropriate management of identified sites (such as the site 3, asbestos associated with previous buildings, the sawmill, and coal area and sawmill) can be commenced at the time of subdivision, development or earthworks and would be necessitated regardless by the NES Soil Regulations¹⁴⁸.
258. Mr Farquhar has received the WSP assessment and concludes that '*sufficient work has been undertaken to identify and assess geotechnical constraints and the range of natural hazards that may affect the land and constrain residential development*'¹⁴⁹. and that matters can therefore be appropriately addressed at the subdivision stage¹⁵⁰.
259. He identifies that whilst tomos are present on the site¹⁵¹, these are not pervasive to the extent that that they would constrain or preclude overall residential development of the land¹⁵². He agrees with the WSP report that the fault line identified in north-western corner of Site the land and associated fault avoidance zone are sufficiently defined so that development can be precluded in that area of land¹⁵³.
260. Accordingly, I consider that the Request is appropriate in terms of contaminated land and geotechnical and natural hazard risk. Submissions supporting such are **accepted**.

6.13 Reverse Sensitivity

The Submissions – Attachment C9

261. Contact Energy (Sub 48) have set out a number of submission points in terms of concerns associated with reverse sensitivity effects.

The Proponent's position

¹⁴⁵ Request Appendix [11]

¹⁴⁶ EIC Gray [9.11]

¹⁴⁷ EIC Gray [11.2]

¹⁴⁸ EIC Gray [11.4]

¹⁴⁹ EIC Farquhar [3.7]

¹⁵⁰ EIC Farquhar [9.3]

¹⁵¹ EIC Farquhar [7.1]

¹⁵² EIC Farquhar [7.7(c)]

¹⁵³ EIC Farquhar [7.7(d)]

262. In that correspondence dated 15 June 2021, the Proponent advises as to a meeting with representatives of Contact Energy on 20 May 2021 and 10 June 2021, which incorporated changes made to the Structure Plan – specially in terms of the Poihipi Road alignment and associated planting. The Proponent advises that these matters are sufficiently addressed.

The Council's position

263. I understand the definition of 'reverse sensitivity' to extend to the effect on existing lawful activities from the introduction of new activities, or the intensification of existing activities in the same environment, that may lead to restrictions on existing lawful activities as a consequence of complaints.
264. The strategic and broader community importance of Contact Energy's facilities in terms of being renewable electricity generation in the WRPS and ODP is recognised.
265. I acknowledge the steps undertaken by the Proponent to realign Poihipi Road and that such is supported by both Mr Smith and Ms Ryder in terms of landscape. I also note that Mr Smith¹⁵⁴ has addressed concerns from Contact Energy with reference to submission points on the future design of a realigned Poihipi Road intersection with Wairakei Drive, the construction phase of the Wairakei Drive / realigned Poihipi Rd / Huka Falls Road intersection upgrade, and potential closure of that intersection; advising that the concerns raised by Contact Energy are relevant and would be appropriately accounted for through those processes. Mr Smith also advises that if Contact Energy's upgrade is completed prior to the Plan Change network improvements being implemented then the extent of this issue is also resolved.
266. Accordingly, I **accept in part** these submissions raised by Contact Energy. I recommend **rejection** of the submission seeking to impose encumbrances on residential development given both the broad manner in which the submission is drafted, and that encumbrances of themselves do not address effects.

6.14 Plan Provisions

The Submissions – Attachment C10

267. There are a number of miscellaneous submissions on individual provisions. I have through this assessment, and as predicated on the evidence of Mr Smith, Ms Ryder and Mr Hugo in particular identified acceptance of the overall network, landscape consequences and design characteristics associated with the Request. Accordingly, those submissions seeking amendment to the structure plan or design elements are **rejected**.
268. Submissions seeking a highly regulated approach to requiring housing types (Sub 18 T Hendricks) is rejected as being unnecessary. The RMA is an enabling statute and the proposed Bulk and Location Provisions 4a1.1 to 4a.1.12 are considered sufficient to enable and encourage housing choice and typology.
269. Submissions (Sub 20 A Henry) seek that the Request be reject on as not constitute 'sound Resource Management practices' with regards to the clauses in the Resource Management Act 1991 are recommended to be rejected on the basis that that matter was considered under the cl 23 Schedule 1 Report prior to notification.

¹⁵⁴ EIC Smith [5.2 – 5.6]

270. Sub 8.3 B MacLennan opposes Objective 3a.2.2A. Whilst the nature of the opposition is not stated, it is considered that this Objective (and associated Policy) is broadly set at the wider Taupō level, and could therefore result in unintended consequences¹⁵⁵ in terms of s104 assessments for residential development in other areas that breach plan standards. Accordingly, it is recommended that this submission be utilised to narrow the focus of the Objective such that it is clearly focused on the Nukuhau Structure Plan area.
271. The provisions would read (as **greyed, underlined and bold**):

<p><u>OBJECTIVE</u></p> <p>3a.2.2A A range of housing types and densities is available in the Nukuhau Structure Plan Area to meet the needs of all communities and the growth of Taupō.</p> <p><u>POLICIES</u></p> <p>i. Enable a variety of housing types in the Nukuhau General Residential and Nukuhau Medium Density Zone, including <u>integrated residential development such as low-rise apartments, semi-detached or terraced housing, and multi-unit development; and retirement villages.</u></p>

6.15 Consultation

The Submissions – Attachment D11

272. There are a large number of submissions seeking the Request be declined on the basis of an absence of targeted consultation. The Request has followed the Schedule 1 process, accordingly these submissions are recommended to be **rejected**.

6.16 Part 2 Matters

The Submissions – Attachment D12

273. There are a large number of submissions seeking the Request be declined on the basis of an inability to achieve sustainable management as set out in Section 5 of the RMA, or those matters listed in Section 6, 7 and 8 of the Act. I have highlighted that specific matters as these relate to cultural values have a bearing in terms of s5, s6(e) and (f), and s7(a) and s8 that pertain to māna whenua and are appropriate to be represented through submissions, and remain contested. I have identified such in **Attachment C12**, but in all other respects recommend that submissions be **rejected**.

6.17 Overall Conclusion on adverse effects

274. Effects associated with the inadequacy of capacity at the Control Gate Bridge to accommodate demand represents the only substantial hurdle in terms of effects. However, as identified, and subject to the

¹⁵⁵ Request Section 11.2.2 identifies that its application is to be to the Nukuhau Structure Plan Area:

*“The inclusion of the above objectives referring to the need to provide for a range of housing types and densities and the **enabling of the residential development of the Nukuhau Structure Plan area** is the most appropriate way to meet the purpose and principles of the Act”.*

deferral of subsequent subdivision and development otherwise enabled by the Request, I am of the view that the land affected by PPC37 is more appropriately zoned as requested. In terms of this, I note that this is influenced by both the long history of the site being identified in Taupō District Strategic Growth Plans and the Operative District Plan for urbanisation, as well as the medium – long term requirements for sufficient residential development capacity. All other infrastructure is able to be established, there are no substantial natural or environmental constraints, and the area represents consolidated development of the Taupō Urban Area.

275. I have, with the assistance of the Council Experts identified additional matters to be added to the provisions (specially within proposed Rule 4a.7.2 to address specific matters associated with ecology, landscape and design at time of subdivision). These are necessary as the more appropriate to achieving the higher order statutory provisions, and the associated expert evidence is that those effects can, through judicious design, and subdivision controls and process be adequately avoided, remedied or mitigated.
276. There remains a substantial contested issue in relation to māna whenua, and how that matter is then resolved in terms of cultural, archaeological and historic heritage values. The views expressed by the Proponent is that engagement has been undertaken with the appropriate parties, these values are appropriately taken into account and the Plan Change can proceed. As advised, I am unable to make a determination on the appropriate hapu or māna whenua and kaitiaki.

8.0 CONCLUSIONS AND S32AA

8.1 Part 2 Matters

277. Under s74(1) the Council must prepare a district plan in accordance with the provision of Part 2 of the RMA. These matters are briefly referenced in Section 9.3 of the Request.
278. I understand that the settled objectives of the District Plan, and the provisions of the RPS, already achieve and embody the RMA's statutory purpose of sustainable management. I have comprehensively assessed those plan and policy provisions earlier in this Section 42A Report. I have acknowledged that the NPS – UD came into force in August 2020, and as that document would not have been accounted for in the Operative WRPS and District Plan I have also assessed the NPS – UD in this Report.

8.2 Amendments

279. I have recommended amendments to the notified Request for the following:
- 279.1 **Objective 3a.2.2A** and associated **Policy 3a.2.2A(i)** to confine application to the Nukuhau Structure Plan Area. As outlined, without such the provisions could result in unintended consequences in providing policy support for developments outside of this area. Accordingly, the amendments are considered to be the more appropriate in terms of achieving the purpose of the Act.
- 279.2 Amendments to **Rule 4a.7.2** to account for the need to further consider matters associated with landscape (CPTED, larger trees), Design (overlooking and visibility of gullies), and Ecology (surveys and mechanisms for protection of 'at risk' species at time of subdivision). I consider that

these insertions relate to existing requirements to be undertaken at time of subdivision and are both efficient (as they will be linked with existing subdivision processes) and effective (in addressing residual matters).

- 279.3 Amendments to **Policy 3a.2.3(v)** and insertion of **Rule 4a.7.5** which acts to provide a deferral of development otherwise enabled by the Request until such time as increased road capacity is provided at the Control Gate Bridge. I have identified that without such, development would not be efficient and effective in terms of achieving the higher order statutory framework, with some tension with those provisions of the WRPS¹⁵⁶ and Taupō District Plan¹⁵⁷ that seek development of Growth Areas adequately accounts for the efficient and effective functioning of supporting and surrounding infrastructure.

8.3 Section 32AA

280. Section 11 of the Request included an assessment under s32 of the RMA. Its overall conclusion was that PPC37 was the most appropriate means of achieving the Act and the existing and proposed provisions would ensure that any other potential effects (e.g. geotechnical issues, stormwater management, enhancement of natural features) are, or would be appropriate addressed at time of subdivision and development.
281. I accept that:
- 281.1 The PPC37 Request, including Objectives and provisions (and zoning) achieve the WRPS and ODP framework for delivering additional residential land supply within the district, albeit with the addition of a deferment associated with the Control Gates bridge, amendments to provisions as identified above, and clarity as to engagement with māna whenua.
- 281.2 The insertion of the Nukuhau Structure Plan and Appendix 9 provisions brings a greater degree of integrity and certainty of outcomes, compared to other methods.
- 281.3 Potential adverse effects (particularly design, natural values, infrastructure and transport) are able to be appropriately managed in accordance with the provisions identified.
- 281.4 The rezoning enabled by PPC37 provides a reasonable level of certainty and efficiency in terms of medium-term residential supply and associated process and costs.
282. Section 32AA of the RMA requires a further evaluation of any changes that are made to a proposal after the initial section 32 report has been completed. The further evaluation may be the subject of a separate report, or referred to in the decision-making record.¹⁵⁸ Clause 10 of Schedule 1 to the RMA directs that the Council's decision on submissions on a plan is to include such further evaluation, to which it is to have particular regard when making its decision.¹⁵⁹
283. This Section 42A Report is not that report but should assist the Panel in contributing to the Council's decision-making record.
284. I have recommended amendments to a number of the proposed rule provisions within this Report. I am satisfied that those amendments are reasonably practicable and they will more effectively and efficiently

¹⁵⁶ Policy 6.3(a)(iv) and 6.3(c), Policy 6.11(a)(v)

¹⁵⁷ Policy 3e.2.2(v)

¹⁵⁸ RMA, s 32AA(1)(d) and (2).

¹⁵⁹ RMA, Schedule 1, cl 10(4)(aaa).

ensure the development enabled by PPC37 is appropriately designed, staged and implemented as a result of the subsequent land use and subdivision process.

285. The changes recommended are not expected to result in material adverse effects on economic growth or employment within the district. The benefits of the changes primarily relate to greater precision as to transport network capacity and avoiding wider societal costs associated with congestion and delay.
286. The amended provisions will more effectively achieve Objective 3a.2.2A and Objective 3a.2.3 as proposed by the request, as well as the operative Objectives.

8.4 Conclusion

287. Based on the analysis set out in this evidence, I recommend that the changes within the recommended provisions in this Report be accepted.
288. Recommendations associated with each submission point is provide in **Attachment C**.
289. The changes recommended in this report are considered necessary and appropriate as the most appropriate mechanism for the achieving the objectives of the District Plan and to enable additional housing supply relating to PPC37 which seeks a proposed rezoning of the subject land from Rural to General Residential and Medium Density Residential and an overlay over the General Residential Zone providing for a small area of Neighbourhood Shopping Centre (Shops).

Matt Bonis

6 October 2021

ATTACHMENT A QUALIFICATIONS AND EXPERIENCE

Qualifications

I hold a Bachelor of Regional and Environmental Planning (Hons) gained from Massey University in 1995.

I have worked as a strategic planner and policy advisor for over 21 years.

My main areas of expertise are spatial planning, strategic policy development, strategic infrastructure development and business growth. I have worked extensively on these issues in both New Zealand and the United Kingdom.

Experience

- Associate, (and Senior Planner) Planz Consultants, Christchurch, New Zealand April 2005 – Present
- Senior Planner, Strategy and Policy Christchurch City Council, Christchurch, New Zealand June 2000 – April 2005
- Community Resource Management Advisor, Christchurch Community Law Centre, Christchurch, New Zealand November 1999 – May 2000
- Planner Adams Hendry Planning Consultancy, Winchester, United Kingdom May 1998 – August 1999
- Policy Planner, District Planning New Plymouth District Council, New Plymouth, New Zealand December 1995 – March 1997

Recent Experience in Plan Changes

- Implementation of the Christchurch International Airport Master Plan through Plan Change 84, and implementation of Designations, REPA, Protection Surfaces and Operational and Engine testing Contours through the replacement Christchurch District Plan. *Client: Christchurch International Airport, under the Resource Management Act 1991, Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 and Airport Authorities Act 1966.*
- Airport Planning, Designation and Appeals on Chapter 17 and Chapter 37 Queenstown Lakes District Plan. *Client: Queenstown Lakes District Council, under the Resource Management Act 1991.*
- Resolution of Business and Growth Policy Appeals to Change 6 Auckland Regional Council. *Client: Auckland Regional Council, under the RMA1991, LGA(A)A 2004.*
- Drafting provisions and preparation of evidence and attendance at Independent Hearings Panels on spatial business distribution for the Auckland Unitary Plan. *Client: Auckland Council, under the RMA1991, LGA(A)A 20*
- Drafting provisions and preparation of evidence and attendance at Hearings and Environment Court on Plan Changes 28 – 33 spatial business distribution for Taupō District. *Client: Taupō District Council, under the RMA1991.*
- Section 42A Reporting Officer for Taupō Plan Change Request 36 Whareroa.

ATTACHMENT B: RELEVANT CASE LAW

The mandatory requirements in terms of establishing District Plan provisions has been well versed in case law, including *Long Bay-Okura Great Parks Society Incorporated vs North Shore City Council* (Decision A 078/2008), amended in the *High Country Rosehip Orchards Ltd and Ors v Mackenzie DC* ([2011] NZEnvC387) to reflect changes made by the Resource Management Amendment Act 2005, and also *Colonial Vineyard vs Marlborough District Council*¹⁶⁰

A. General Requirements

1. A district plan should be designed to accord with and assist the territorial authority *to carry out* its functions so as to achieve, the purpose of the Act.
2. When preparing its district plan the territorial authority must *give effect* to any national policy statement or New Zealand Coastal Policy Statement.
3. When preparing its district plan the territorial authority shall:
 - a. *Have regard to* any proposed required policy statement;
 - b. *Give effect to* any operative regional policy statement;
 - c. *have regard to* the extent to which the plan needs to be consistent with the plans of adjacent territorial authorities.
4. The Supreme Court (referring the Environment Court in *Clevedon Cares vs Manukau City Council* has stated that '*give effect to* is a strong directive, creating a firm obligation on those subject to it.

In relation to regional plans.

- a. the district plan must *not be inconsistent with* an operative regional plan for any matter specified in s30(1) [or a water conservation order]; and
 - b. *Must have regard to* any proposed regional plan on any matter of regional significance etc.;
5. When preparing its district plan the territorial authority must also;
 - a. *Have regard to* any relevant management plans and strategies under other Act, and and to consistency with plans and proposed plans of adjacent territorial authorities;
 - b. *Take into account* any relevant planning document recognised by an iwi authority; and
 - c. *Not to have regard to* trade competition;
 6. The district plan must be prepared *in accordance* with any regulation and any direction given by the Minister for the Environment.
 7. The requirement that a district plan (change) must also state its objectives, policies and the rules (if any) and may state other matters.

B. Objectives (the section 32 test for objectives)

8. Each proposed objective in a district plan is *to be evaluated* to the extent to which it is the most appropriate way to achieve the purpose of the Act.

C. Policies and methods (including rules / zone boundaries) (the section 32 test for policies and rules).

9. The policies are *to implement* the objectives, and the rules (if any) are *to implement* the policies.
10. Each proposed policy or method (including each rule) is to be examined, as to whether it is the most appropriate method for achieving the objectives of the district plan by:
 - a. *Identifying* other reasonably practicable options for achieving the objectives:

¹⁶⁰ [204] NZEnvC, 55, at paragraph [17]

- b. *Assessing the efficiency and effectiveness* of the provisions in achieving the objectives, including:
 - i. Identifying, assessing and quantifying (where practicable) the benefits and costs of the environmental, social and cultural effects anticipated from the implementation of the provisions, including opportunities for economic growth and employment; and
 - ii. Assessing the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods; and
 - iii. If a national environmental standard applies and the proposed rule imposes a greater prohibition or restriction than that, then whether that greater prohibition or restriction is justified in the circumstances.

D. Rules

- 11. In making a rule the territorial authority must *have regard to* the actual or potential effect of activities on the environment.
- 12. There are special provisions for rules about contaminated land.
- 13. There must be no blanket rules about felling of trees in any urban environment.

E. Other statutes

- 14. Territorial authorities may be required to comply with other statutes.

ATTACHMENT C: CONSIDERATION OF INDIVIDUAL SUBMISSIONS

ATTACHMENT C1: THREE WATERS

7-Technical Reports > 7.3-Appendix F - Stormwater Management Report

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS18.13	Thomas Hendricks		7-Technical Reports > 7.3-Appendix F - Stormwater Management Report	Seek Amendment	Grey water systems must be mandatory for all residences, to lower the impact during heavy rains on the immediate ground flow, and to aid in drought-resistance.	Reject	Unable to be mandated through existing statutory framework. Proposed Stormwater is consistent with WRC Guidelines.
OS52.5	Chris Todd	Owners of 179 Acacia Bay Road Todd Land Development Consultancy Ltd (TLDC) - Director & Senior Engineer	7-Technical Reports > 7.3-Appendix F - Stormwater Management Report	Not Stated	Submitter seeks clarification of the design flood event and what flows are likely to be discharged to the gully from the Plan change areas.	Accepted as stated.	TDC supports detailed analysis for maximum certainty on catchment flows. This has been undertaken.

19-Stormwater

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS33.3	Gary & Rebecca Brandon	Ripeka Ma Trust	19-Stormwater	Seek Amendment	The layout of the gullies should be marked as preliminary for applicable stormwater design at a later stage.	Accept	TDC considers that gully realignment must be managed through a subsequent resource consent process
OS34.2	Peter Marshall	Tukairangi Trust	19-Stormwater	Seek Amendment	Large planted soil conservation areas should be set aside using existing gullies and overland water flow patterns to cope with increased run off from hard surfaces and stormwater.	Accept	TDC supports planting of gully systems to reduce erosion and flood risk. Refer Figure 9-A and 9-B accompanying the Request.
OS43.1	Hannah Craven	Waikato Regional Council	19-Stormwater	Support	The Waikato Regional Council supports a comprehensive approach to stormwater management as detailed in the Plan Change documents.	Accept - Statement	TDC supports WRC in with the use of WRC Guidelines for stormwater management.
OS43.1 FS60.13	Andrew Kusabs	David Rankilor - Rankilor Consultants	19-Stormwater	Support	The Waikato Regional Council amongst other matters requires full compliance with the most recent principles of stormwater management including minimising realignment of existing natural stormwater gully features. The Trustees support this position	Accept - Statement	Refer EIC of Mr Meadowcroft.

OS49.8	Brett Farquhar	C/- Stratum Consultants Ltd Rangatira E Trust	19-Stormwater	Oppose	The submitter opposes the plan change due to lack of analysis on discharge of contaminants to the lake.	Reject	WRC Guidelines provide for appropriate contaminant reduction
OS52.1	Chris Todd	Todd Land Development Consultancy Ltd (TLDC) - Director & Senior Engineer Owners of 179 Acacia Bay Road	19-Stormwater	Seek Amendm ent	The Stormwater Management Report should be extended to include the catchment and its characteristics.	Reject	Report seen as appropriate in terms of guiding assessment.
OS52.2	Chris Todd	Todd Land Development Consultancy Ltd (TLDC) - Director & Senior Engineer Owners of 179 Acacia Bay Road	19-Stormwater	Seek Amendm ent	There should be further certainty around the recommended stormwater management strategy within the Stormwater Management Report.	Reject	WRC Stormwater Guidelines have been adopted as the strategy to manage stormwater.
OS52.3	Chris Todd	Todd Land Development Consultancy Ltd (TLDC) - Director & Senior Engineer Owners of 179 Acacia Bay Road	19-Stormwater	Not Stated	The flood analysis within the Stormwater Management Report incorrectly shows NRL (Nukuhau Resorts Ltd) as being floodable.	Accept	Note that current TDC flood modelling does not show the Nukuhau Resorts Ltd as flooding.
OS52.4	Chris Todd	Todd Land Development Consultancy Ltd (TLDC) - Director & Senior Engineer Owners of 179 Acacia Bay Road	19-Stormwater	Seek Amendm ent	Submitter seeks clarification on the method for mitigation of pollutants in stormwater.	Reject	WRC Stormwater Guidelines have been appropriately followed.
OS52.6	Chris Todd	Todd Land Development Consultancy Ltd (TLDC) - Director & Senior Engineer Owners of 179 Acacia Bay Road	19-Stormwater	Not Stated	The submitter seeks clarity on how the applicant in conjunction with council propose to manage the upper catchment above Acacia Bay to mitigate the effect of peak rainfall events.	Statement	TDC supports the use of gully systems to reduce the impacts from erosion and flooding.
OS52.7	Chris Todd	Todd Land Development Consultancy Ltd (TLDC) - Director & Senior Engineer Owners of 179 Acacia Bay Road	19-Stormwater	Not Stated	The submitter seeks clarity on whether the applicant is intending to work with council to create detention and infiltration systems to the gully discharges from the residential areas between Acacia Bay Rd and subject site. We believe these should be undertaken prior to considering the need for the culvert under Acacia Bay Road.	Statement	TDC promotes the use of gully systems to slow flows but notes that the applicant does not have control of the downstream gully systems.

OS52.8	Chris Todd	Todd Land Development Consultancy Ltd (TLDC) - Director & Senior Engineer Owners of 179 Acacia Bay Road	19-Stormwater	Not Stated	The submitter seeks clarity on what has been provided for in terms of the balance of the catchment above the applicants site contributing to the catchment.	Statement	TDC supports a full understanding of the catchment flows.
OS52.9	Chris Todd	Todd Land Development Consultancy Ltd (TLDC) - Director & Senior Engineer Owners of 179 Acacia Bay Road	19-Stormwater	Not Stated	The submitter seeks clarity on what provision has been made for peer reviewing the flow calculations undertaken by WSP for the applicant and what level of benchmarking has been undertaken against WSP's findings that ratifies the projected flows.	Accept	TDC supports the need for peer review of flow calculations and benchmarking. WRC Stormwater Guidelines have been appropriately followed.
OS52.10	Chris Todd	Todd Land Development Consultancy Ltd (TLDC) - Director & Senior Engineer Owners of 179 Acacia Bay Road	19-Stormwater	Not Stated	The submitter seeks clarity on what monitoring of flow has occurred in recent years, say 5-10 and 10-20 years to measure the flows against actual rainfall.	Accept in part	TDC supports the fact that flow monitoring would provide improved validation on theoretical flows. WRC Stormwater Guidelines have been appropriately followed.
OS52.11	Chris Todd	Todd Land Development Consultancy Ltd (TLDC) - Director & Senior Engineer Owners of 179 Acacia Bay Road	19-Stormwater	Seek Amendm ent	It is submitted that an overall Catchment Plan that considers the whole catchment and waterflows throughout, particularly looking at potential Land Use changes and the impact on the primary downstream channel should be undertaken.	Accept	TDC comprehensive stormwater consent requires a Catchment Management Plan for greenfield developments.
OS53.1	Jane Penton	Lakes & Waterways Action Group (LWAG)	19-Stormwater	Seek Amendm ent	LWAG commend the use of WRC's guidelines in regard to the applicant's stormwater management strategy. However submits that the developers and consultants should work towards a higher level on environmental standards. For instance, we recommend they include water retention and reuse.	Accept	TDC supports the use of WRC Stormwater Guidelines for stormwater management.
OS53.2	Jane Penton	Lakes & Waterways Action Group (LWAG)	19-Stormwater	Oppose	LWAG recommend that the gullies not be modified as pumice soils are prone to erosion and are valuable stormwater management assets in their natural form.	Reject	Gully modification can allow reduction in flow velocity and erosion

OS53.3	Jane Penton	Lakes & Waterways Action Group (LWAG)	19-Stormwater	Seek Amendm ent	LWAG agrees with WRC's informal advice "to not modify natural gully systems'. LWAG submits that the proposed realignment and merging of channels is 'significant'.	Accept	TDC considers that gully realignment must be managed through a subsequent resource consent process
OS53.4	Jane Penton	Lakes & Waterways Action Group (LWAG)	19-Stormwater	Not Stated	In general, LWAG appreciate the intentions of the proposed stormwater management strategy but seek clarity on how individual lot owners would be encouraged to take this up.	Reject	Building Consent and TDC Code of Practice manage the on-site soakage requirements
OS55.1	Garry McCarthy		19-Stormwater	Not Stated	The submitter seeks clarity that stormwater will be adequately managed given the system seems to be approaching its maximum now.	Accept	TDC support the need for the Applicant to demonstrate its management of post development flows to pre-development levels.
OS40.2	Loic van Hille		15-Community infrastructure	Not Stated	Reconsider the amount of infrastructure and services available on the Nukuhau side of the bridge before expanding residential land further.	Reject	Area identified in TD2050 Refresh, and appropriately serviced by 3 Water Infrastructure. Residual issue of Transport capacity with Control Gate Bridge.

30-Drinking Water

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS10.2	James Bowater		30-Drinking Water	Seek Amendm ent	All buildings (whether houses, shops, etc) that are connected to the Taupō Water System, should have water meters installed at the cost of the Developers.	Reject	The TDC Water Supply Bylaw defines those properties that are to be metered.
OS37.9	Robert McKenzie	Family	30-Drinking Water	Oppose	Refuse the request in its entirety. Water pressure is already questionable at certain times in this area.	Reject	Network extension will be designed within TDC requirements as detailed within the Water and wastewater study provided as part of the Structure Plan Change documents.

7-Technical Reports > 7.1-Appendix D - Water and Wastewater Study

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS11.2	Jennifer Stillman		7-Technical Reports > 7.1-Appendix D - Water and	Seek Amendm ent	Infrastructure capacity, including water, wastewater and traffic (esp Control Gates Bridge) should be	Accept	Capacity upgrades have been detailed within the Water and wastewater study provided as part of the Structure Plan Change documents.

			Wastewater Study		resolved prior to the growth occurring.		
OS18.11	Thomas Hendricks		7-Technical Reports > 7.1- Appendix D - Water and Wastewater Study	Seek Amendment	Direct Council Water to investigate and utilize an appropriate version of available hydropower-in-pipe systems for all new piping, in conjunction with the local power utility.	Reject	Not a TDC requirement, nor is it something TDC is considering.
OS53.5	Jane Penton	Lakes & Waterways Action Group (LWAG)	7-Technical Reports > 7.1- Appendix D - Water and Wastewater Study	Support	LWAG agrees with the authors that 'TDC will need take in account' (WSP 2020b, Section 6.2) the wastewater needs of the Nukuhau development when designing the planned upgrade of the wastewater pipeline including the Waikato River crossing.	Accept	TDC is allowing for this development in infrastructure plans.
OS53.6	Jane Penton	Lakes & Waterways Action Group (LWAG)	7-Technical Reports > 7.1- Appendix D - Water and Wastewater Study	Support	LWAG submits the upgrade presents TDC with a golden opportunity to deal with foreseeable wastewater loadings in one infrastructure upgrade. In addition, it makes sense for TDC to consider, in the upgrade, future urban development in the west beyond foreseeable wastewater loadings. LWAG also support the inclusion of the needs of the Nukuhau development in this upgrade.	Accept	TDC is allowing for this development and future developments in infrastructure plans.
OS53.7	Jane Penton	Lakes & Waterways Action Group (LWAG)	7-Technical Reports > 7.1- Appendix D - Water and Wastewater Study	Support	LWAG whole-heartedly supports the planned upgrade to remove Acacia Bay wastewater to the Taupō treatment plant.	Accept in part	Decision on the future of the Acacia Bay WWTP to Taupō WWTP is yet to be confirmed, however this is certainly being considered in infrastructure planning.

13-Infrastructure

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS17.12	Geoff Rameka	Tuhingamata/ Ngati Te Urunga hapu/whanau, Nukuhau.	13-Infrastructure	Oppose	Submitter opposes the proposal based on lack of recreation facilities to complement the existing natural and cultural features provided by the area.	Reject	Refer [30]. Inclusion of local 'kick a ball' facility will result in substantial and varied open space opportunities. Refer EIC Hugo [35]
OS17.17	Geoff Rameka	Tuhingamata/ Ngati Te Urunga hapu/whanau, Nukuhau.	23-Telecommunications	Oppose	More thought to amenities for example; why is there no provision for the lands immediately south of Rauhoto marae to be a	Reject	Refer [30]. Inclusion of local 'kick a ball' facility will result in substantial and varied open space opportunities.

					large reserve/recreational area.		
OS37.4	Robert McKenzie	Family	23-Telecommunications	Oppose	Refuse the request in its entirety based on insufficient provision for recreational areas.	Reject	Suitable reserve provision has been made, and will be facilitated through the subdivision process.
OS44.10	Rowan Sapsford	Bike Taupō Advocacy Group	23-Telecommunications	Support	Retain the proposed shared use stormwater reserves with pedestrian and cyclist access.	Accept	Retained.
OS34.1	Peter Marshall	Tukairangi Trust	13-Infrastructure	Seek Amendment	The Proposed Plan Change should not cost current ratepayers for upgrading sewage and potable water infrastructure in Taupō which is inadequate to cope with the extra load established through the proposed residential development.	Reject	TDC water infrastructure is capable of servicing the Structure Plan area with upgrades funded by the Developers as defined within the Water and wastewater study provided as part of the Structure Plan Change documents.
OS34.3	Peter Marshall	Tukairangi Trust	13-Infrastructure	Seek Amendment	Rainwater harvesting for domestic use should be required.	Reject	Not currently a TDC requirement. Will be considered as part of upcoming the District Plan review process.
OS34.4	Peter Marshall	Tukairangi Trust	13-Infrastructure	Seek Amendment	Street lighting should be kept to minimum or negligible.	Reject	Not currently a TDC requirement. Will be considered as part of upcoming the District Plan review process.
OS46.2	John and Ali Wilks		13-Infrastructure	Oppose	Reject the proposal as Taupō 's infrastructure cannot sustain another large housing development.	Reject	TDC water infrastructure is capable of servicing the Structure Plan area with upgrades funded by the Developers as defined within the Water and wastewater study provided as part of the Structure Plan Change documents.
OS51.1	Fiona Matthews	Spark New Zealand Trading Limited	13-Infrastructure	Seek Amendment	Spark is consulted with throughout the Plan Change Process to ensure that telecommunications is recognised as essential infrastructure and additional infrastructure under the NPS-UD.	Reject	Spark has the opportunity subject to First Schedule notification as it has done. Note correspondence from the Proponent dated 15 June 2021 https://www.Taupōdc.govt.nz/repository/libraries/id:25026fn3317q9slqvgym/hierarchy/Council/Consultation/Nukuhaui%20Plan%20Change/Additional%20Information/Response%20to%20TDC%20Request%20for%20Further%20info.pdf Identifies further consultation endeavours by the Proponent towards Spark.
OS51.2	Fiona Matthews	Spark New Zealand Trading Limited	13-Infrastructure	Seek Amendment	Spark seek consultation to ensure that there is adequate infrastructure to support the demand for telecommunication services generated by the development. Accordingly, Spark seek provisions that sequence the release of land for urban	Reject	The provision of Telecommunications Infrastructure is facilitated by the National Environmental Standards for Telecommunications. If Spark wish to develop substantial facilities these are either provided by the NES – Telecommunications or would be subject to discussions

					development with the delivery of the required infrastructure within the Plan Change through the inclusion of rules that trigger the staged release of development capacity with the delivery of supporting infrastructure. Telecommunications infrastructure should be included within triggers for the staged release of development. TDC should commission a Development Strategy that appropriately recognises and facilitates investment in infrastructure, while responding to the demands and complexities facing urban areas, this will in turn encourage further investment by the telecommunications industry.		and agreement with the Proponent.
OS51.3	Fiona Matthews	Spark New Zealand Trading Limited	13-Infrastructure	Seek Amendment	Spark is consulted with throughout the development of infrastructure funding agreements.	Reject	As above.
OS51.4	Fiona Matthews	Spark New Zealand Trading Limited	13-Infrastructure	Seek Amendment	Engagement with Spark and other telecommunications providers at the early planning stages of development is vital to ensure new growth areas receive the level of telecommunications services that a property or business owner purchasing within new development would expect.	Reject	As above.
OS51.5	Fiona Matthews	Spark New Zealand Trading Limited	13-Infrastructure	Support	Spark generally supports the purpose and objectives of the plan changes however submits that telecommunications should be recognised essential infrastructure that forms part of an integrated approach to growth management and development planning.	Reject	As above.
OS55.2	Garry McCarthy		13-Infrastructure	Not Stated	The submitter seeks clarity that the extra load on wastewater infrastructure can be adequately managed.	Accept	Upgrades are made to wastewater infrastructure to meet additional wastewater due to growth. In this case, there is not currently sufficient capacity in pipework over the Control Gates Bridge to accept additional wastewater

							from this development and a solution will be required before development can occur. This is the subject of the Policy / Rule to require connection prior to development.
OS55.3	Garry McCarthy		13-Infrastructure	Not Stated	The submitter seeks clarity that the development will not impact on power supply.	Reject	Electricity demand and supply are requirements of the orthodox subdivision process.
OS55.4	Garry McCarthy		13-Infrastructure	Not Stated	The submitter seeks clarity that the fresh water supply system can be adequately managed.	Accept	This is detailed within the Water and wastewater study provided as part of the Structure Plan Change documents.
OS17.2	Geoff Rameka	Tuhingamata/Ngati Te Urunga hapu/whanau, Nukuhau.	2-3a Residential Environment > 2.3-3a.2.2A	Oppose	Submitter requests Council tend to current stormwater/flooding issues on the Paenoa Te Akau block by developing a full range of effective infrastructure.	Reject	Stormwater approach is considered appropriate.
OS50.5	Andrew Kusabs	Representing the owners of Rangatira 8A17A5 and Rangatira 8A17A6 and the owners of Rangatira 8A1T2X and 8A1T2Y and Part Rangatira 8A1T2.	2-3a Residential Environment > 2.4-Nukuhau Structure Plan Area	Seek Amendment	Addition to Nukuhau Structure Plan Area Text [para 2]: As at November 2020, the existing wastewater network does not have capacity to service all of the development of this land. Therefore most development can only occur when the wastewater infrastructure has been upgraded to the satisfaction of Council.	Reject	Appropriate controls have been proposed.
OS18.3	Thomas Hendricks		2-3a Residential Environment > 2.4-Nukuhau Structure Plan Area	Seek Amendment	Approve the plan, with requirements for correct wastewater and stormwater retention/dissipation to be implemented prior to housing, along with road creation.	Accept	These matters have been considered as being appropriately able to be provided / capacity at time of subdivision.

ATTACHMENT C2: TRANSPORT INCLUDING ACTIVE MODES

16-Walking and Cycling							
Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS34.6	Peter Marshall	Tukairangi Trust	16-Walking and Cycling	Seek Amendment	Ease of Cycle and pedestrian movement should be given priority over vehicular movement.	Accept in part	The Plan Change site is within a comfortable walking and cycling distance of the Taupō Town centre so there is an opportunity here through the provision of safe and high-quality infrastructure to make active travel an attractive and convenient travel option
OS38.3	Danielle Rogers	Ministry of Education	16-Walking and Cycling	Seek Amendment	The Ministry of Education seeks the consideration of safe transport routes and access to and from schools within the area.	Reject	Outside of Plan Change ambit. As above, and considered by Mr Smith an appropriate level of connectivity is provided, and the site is well located proximate to the Taupō Town Centre and St Patrick's Catholic School on Acacia Bay Road.
OS41.6	Bruce Bartley & Martin Frohke	Walnut Lane Limited	16-Walking and Cycling	Support	The submitter supports the Plan Change as it is close to the Taupō CBD and will allow people to walk and cycle to town.	Accept	-
OS44.1	Rowan Sapsford	Bike Taupō Advocacy Group	16-Walking and Cycling	Oppose	Bike Taupō seeks a positive effect on cycle safety through the provision of appropriate cycling safety infrastructure within and around the area of the proposed development.	Accept in part	Refer EiC Smith [6.18 – 6.23]
OS44.2	Rowan Sapsford	Bike Taupō Advocacy Group	16-Walking and Cycling	Seek Amendment	Bike Taupō seeks an assessment of the impact of increased levels of traffic on cycle safety especially at the Norman Smith and Acacia Bay Rd intersection.	Reject	Considered unnecessary.
OS44.4	Rowan Sapsford	Bike Taupō Advocacy Group	16-Walking and Cycling	Support	Bike Taupō seeks cycle access proposed for new stormwater and recreation reserves be retained.	Accept	No changes recommended in this respect.
OS44.5	Rowan Sapsford	Bike Taupō Advocacy Group	16-Walking and Cycling	Seek Amendment	Bike Taupō seeks that any decision by Council on the proposed plan change needs to be cognisant of the Taupō District Transport Strategy 2020, and specifically section 3.	Accept in part	Refer EiC Smith 4.7

OS44.6	Rowan Sapsford	Bike Taupō Advocacy Group	16-Walking and Cycling	Seek Amendment	Bike Taupō seeks consideration of the effects of the proposed development on cycle safety especially at key intersections and around the school.	Accept in part	Refer EIC Smith 6.9
OS44.7	Rowan Sapsford	Bike Taupō Advocacy Group	16-Walking and Cycling	Seek Amendment	Section 7.2.2 of the Traffic Impact Assessment considers a figure from the 2010 Walking and Cycling Strategy. The figure shows proposed cycle lanes along Acacia Bay Rd and Norman Smith Street which are not formed. These cycle lanes should be formed prior to the proposed development proceeding.	Reject	Outside of spatial extent of Plan Change.
OS44.8	Rowan Sapsford	Bike Taupō Advocacy Group	16-Walking and Cycling	Seek Amendment	The application should provide some clarity on how the development will encourage sustainable transport options and link to Taupō 's cycle and shared path network along Acacia Bay Rd.	Accept in part	Refer EIC Smith 6.9
OS44.9	Rowan Sapsford	Bike Taupō Advocacy Group	16-Walking and Cycling	Seek Amendment	Section 7.2.3 (Traffic Impact Assessment) traffic generation and intersection modelling should consider cyclists and the impact of cyclists and pedestrians using and crossing existing roads in the vicinity of the development.	Accept in part	Refer EIC Smith 6.9
OS44.13	Rowan Sapsford	Bike Taupō Advocacy Group	16-Walking and Cycling	Seek Amendment	There should be clarity within the application re how the development will avoid remedy or mitigate effects on the use of the existing roadway's by cyclists, especially students travelling to and from school at peak times	Reject	Outside spatial extent of Plan Change.
OS44.14	Rowan Sapsford	Bike Taupō Advocacy Group	16-Walking and Cycling	Seek Amendment	The application should take into account the safe functioning of surrounding infrastructure as it relates to the safe use of that infrastructure by cyclists as per TDP Objective 3e.2.2 policy v. The proposed plan change does not adequately take into	Accept in part	Refer EIC Smith 6.21 and 6.22

					account the safe functioning of surrounding infrastructure as it relates to the safe use of that infrastructure by cyclists.		
OS44.15	Rowan Sapsford	Bike Taupō Advocacy Group	16-Walking and Cycling	Seek Amendment	The application should consider the safe and efficient functioning of the surrounding roading networks as it relates to the safe use of those networks by cyclists as per TDP Objective 3e.2.3 policy iv. The proposed plan change does not adequately take into account the safe functioning of surrounding infrastructure as it relates to the safe use of that infrastructure by cyclists.	Accept in part	Refer EIC Smith 6.21 and 6.22
OS44.16	Rowan Sapsford (Bike Taupō Advocacy Group)		6-Section 32	Seek Amendment	The section 32 evaluation should consider the increased traffic loadings will have effects on the safe use of existing roads and intersections by cyclists – especially those commuting to Taupō town and schools at peak times.	Accept	No change. Loadings have been considered in the transport assessment. Modal options and connectivity have been identified as a positive.

Transport – 21 - Control Gate Bridge							
Sub No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Summary	Accept/Reject	Recommendation
OS8.7	Bruce MacLennan		21 - Controls Gate Bridge	Oppose	No development should proceed until capacity on Control Gates bridge is addressed.	Accept	Refer Section 6.6 Transport [46 - 46]
OS9.5	Daniel Pearl, Rebecca Lawson		21 - Controls Gate Bridge	Seek Amendment	The development should be rejected if Council and this development cannot provide for this additional traffic and new bridge before homes are occupied.	Accept in part	Refer Section 6.6 Transport [46 - 46]
OS11.1	James Bowater		21 - Controls Gate Bridge	Seek Amendment	A fund created (if not already done so) by Taupō District Council for developers to contribute to, to build another bridge or lane/s over the Waikato River	Accept in part	A development contribution is a contribution from developers of cash, or in some cases land, to fund the additional demand for reserves, network infrastructure and community infrastructure created as a result of growth. The Taupō District Council Policy is set out below: https://www.Taupōdc.govt.nz/repository/libraries/id:25026fn3317q9slqygym/hierarchy/Rules-regulations-and-

							licences/Policies/Development%20Contributions%20Policy%202021.pdf
OS11.6	Jennifer Stillman		21 - Controls Gate Bridge	Seek Amendm ent	The development should not be permitted to go ahead prior to the second bridge crossing being in place. I disagree with the assessment that the second bridge crossing is not necessary prior to 2041.		
OS12.1	Andrew & Sharon Welch		21-Control Gates Bridge	Oppose	Oppose the plan change on the basis of the additional traffic and resulting congestion at Control Gates Bridge and Spa Rd Roundabout.	Accept in part	Refer Section 6.6 Transport [46 - 46]
OS13.4	Susan Tidmarsh and Jojo Tayelor		21-Control Gates Bridge	Seek Amendm ent	Development should not proceed until the second bridge is built, this should also include a pedestrian bridge to improve safety.	Accept in part	Refer Section 6.6 Transport [46 - 46]
OS17.16	Geoff Rameka	Tuhingamata/N gati Te Urunga hapu/whanau, Nukuhau.	21-Control Gates Bridge	Oppose	The capacity of Control Gates Bridge needs to be addressed prior to the development occurring.	Accept in part	Refer Section 6.6 Transport [46 - 46]
OS32.1	Emma Waugh		21-Control Gates Bridge	Oppose	The proposed development should not be able to occur until the traffic capacity of Control Gates Bridge is resolved to avoid congestion.	Accept in part	Refer Section 6.6 Transport [46 - 46]
OS35.1	Pamela Riha		21-Control Gates Bridge	Oppose	No rezoning of rural land to provide for residential development should occur until the second bridge has been built over the Waikato River.	Accept in part	Refer Section 6.6 Transport [46 - 46]
OS39.1	Lorna Chinn		21-Control Gates Bridge	Seek Amendm ent	That the private plan change be conditional on provision for a second bridge crossing to town to alleviate traffic congestion, especially during peak times.	Accept	Refer Section 6.6 Transport [46 - 46]
OS40.1	Loic van Hille		21-Control Gates Bridge	Seek Amendm ent	The development does not go ahead until the capacity of Control Gates Bridge is addressed.	Accept	Refer Section 6.6 Transport [46 - 46]
OS41.8	Bruce Bartley & Martin Frohlke (Walnut Lane Limited)		21-Control Gates Bridge	Support	The submitter supports the plan change as the growth (development contributions and rates) will contribute to resourcing transport connections (inc second bridge crossing).	Accept in part	Refer Section 6.6 Transport [46 - 46]
OS42.1	Laurie Burdett		21-Control Gates Bridge	Support	Submitter supports the Poihipi Road realignment and traffic lights and other associated roading adjustments.	Accept	These aspects are supported by the s42A Report.
OS42.3	Laurie Burdett		21-Control Gates Bridge	Not Stated	Submitter states that the effect of the traffic from the proposed subdivision	Accept	Refer Section 6.6 Transport [46 - 46]

					on the access across Control Gates Bridge will be more than minor.		
OS45.1	Garrick Workman		21-Control Gates Bridge	Seek Amendm ent	Council needs to bring forward its plan to widen Wairakei Drive and Control Gates Bridge to cope with increased traffic volumes.	Reject	The Council process for such is the LTP, and this cannot be addressed through the Plan Change.
OS52.13	Chris Todd (Todd Land Development Consultancy Ltd (TLDC) - Director & Senior Engineer)	Owners of 179 Acacia Bay Road	21-Control Gates Bridge	Not Stated	The submitter seeks clarification on why the applicant having reported that the existing Control Gates Bridge is already at capacity are not making provision to accelerate the 2nd bridge crossing.	Accept in part	Refer Section 6.6 Transport [46 - 46]. Funding and control over the Control Gates Bridge is not at the direction of the Proponent.
OS57.1	Carolyn George		21-Control Gates Bridge	Seek Amendm ent	The proposed development should not proceed until there is a second bridge into town.	Accept	Refer Section 6.6 Transport [46 - 46]
OS58.1	Jan Smith		21-Control Gates Bridge	Seek Amendm ent	Capacity on Control Gates Bridge needs to be addressed prior to development occurring.	Accept	Refer Section 6.6 Transport [46 - 46]

7-Technical Reports > 7.2-Appendix E - Traffic Impact Assessment

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS9.1	Daniel Pearl & Rebecca Lawson		7-Technical Reports > 7.2-Appendix E - Traffic Impact Assessment	Oppose	Reject the plan change and require Section 7 and Appendix E be redone with development scenarios, and provide opportunity for public comment.	Reject	First Schedule process is being followed.
OS9.2	Daniel Pearl & Rebecca Lawson		7-Technical Reports > 7.2-Appendix E - Traffic Impact Assessment	Seek Amendm ent	The Appendix E Traffic Assessment should include an assessment of the 2021 traffic levels with the impact of this new development in the short term with only one bridge.	Accept in part	Mr Smith has undertaken review and assessment.
OS9.3	Daniel Pearl & Rebecca Lawson		7-Technical Reports > 7.2-Appendix E - Traffic Impact Assessment	Seek Amendm ent	The traffic impact should be properly assessed including the addition of 780 homes on the traffic into town.	Accept	Mr Smith has undertaken review and assessment.
OS9.7	Daniel Pearl & Rebecca Lawson		7-Technical Reports > 7.2-Appendix E - Traffic Impact Assessment	Seek Amendm ent	The developers should provide financial contributions for the second bridge equal to the percentage increase in traffic over 2021 levels.	Reject	Undertaken through sperate legislation and process.

OS10.1	James Bowater		7-Technical Reports > 7.2-Appendix E - Traffic Impact Assessment	Seek Amendment	Request that new major roads feeding existing roads/streets should have roundabouts at intersections.	Accept in part	The current road hierarchy map included as Figure 5-1 of the TIA does not preclude the installation of roundabouts where it may be appropriate to do so. This can be determined at time of subdivision.
OS11.1	Jennifer Stillman		7-Technical Reports > 7.2-Appendix E - Traffic Impact Assessment	Support	Support the provision of cycle ways and consideration given to planting and other aesthetic aspects of the development.	Accept	-
OS11.3	Jennifer Stillman		7-Technical Reports > 7.2-Appendix E - Traffic Impact Assessment	Support	Support additional buses as mentioned in the application.	Accept	Note that Ms Smith identifies site is appropriately located to be serviced by public transport.
OS13.1	Susan Tidmarsh	Susan Tidmarsh & Jojo Tayelor	7-Technical Reports > 7.2-Appendix E - Traffic Impact Assessment	Seek Amendment	Request speed bumps on the proposed secondary road near The Grove to slow traffic down and ensure safety.	Reject	Matter to be resolved by the Council as Road Controlling Authority.
OS15.2	Julie Jennings		7-Technical Reports > 7.2-Appendix E - Traffic Impact Assessment	Oppose	Submitter requests better traffic management/mitigation of the proposed intersection of Poihipi Rd and Huka Falls Road.	Accept in part	As outlined by Mr Smith, and subject to the Control Gate Bridge, transport effects can be appropriately managed, including through subsequent subdivision consents.
OS18.12	Thomas Hendricks		7-Technical Reports > 7.2-Appendix E - Traffic Impact Assessment	Seek Amendment	A pedestrian over street bridge needs to be considered, which does not impede views of mountain and lake but also prevents jumping or throwing objects.	Reject	Unable to be resolved through the Plan Change Process.
OS18.20	Thomas Hendricks		7-Technical Reports > 7.2-Appendix E - Traffic Impact Assessment	Seek Amendment	Cycle-ways along the streets need to have separate lane (ie. delineated by concrete barrier) to ensure cyclist and pedestrian safety.	Reject	Design to be developed through the subsequent subdivision process as guided by the Structure Plan.
OS19.1	David Stewart		7-Technical Reports > 7.2-Appendix E - Traffic Impact Assessment	Seek Amendment	Show more leadership with detailed master planning and mandated best practice design standards to ensure cohesive networks of pedestrian and cycle routes are developed as viable primary travel options.	-	Statement

OS19.3	David Stewart		7-Technical Reports > 7.2-Appendix E - Traffic Impact Assessment	Seek Amendment	Peer review the Traffic Impact Assessment as modelling of traffic impacts appears to be based on outdated sources.	Accept in part	Mr Smith has reviewed the assessment.
OS19.4	David Stewart		7-Technical Reports > 7.2-Appendix E - Traffic Impact Assessment	Seek Amendment	Remedy with urgency the existing lack of 'safe' pedestrian/cyclist routes between Nukuhau and Rangatira Park.	Reject	Not a matter to be addressed by the Plan Change in terms of condition of the existing levels of service.
OS43.3	Hannah Craven	Waikato Regional Council	7-Technical Reports > 7.2-Appendix E - Traffic Impact Assessment	Support	The Waikato Regional Council supports the consideration of public transport options to service the structure plan area.	Accept	Statement.

Transport - 20-Traffic and Rooding							
Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS9.4	Daniel Pearl & Rebecca Lawson		20-Traffic and Rooding	Seek Amendment	A full update of the CSIP and Traffic Strategy by council to accelerate the installation of a second bridge into Taupō.	Reject	Unable to be actioned though this process.
OS31.1	Peter & Maureen Smith		20-Traffic and Rooding	Oppose	Submitter objects to the rerouting of Poihipi Rd to send traffic down Watene Way. Poihipi Road should be left as it is. Another entrance near the quarry should be considered.	Reject	The realignment of Poihipi Road to the north has considerable merit, primarily due to the consolidation of two current intersections into a single intersection at Huka Falls Road. This reduces the number of conflict points along the Wairakei Drive corridor and An appropriately designed signalised intersection or roundabout at this location will result in better safety outcomes than the current layout.
OS31.2	Peter & Maureen Smith		20-Traffic and Rooding	Not Stated	Submitter seeks clarification as to whether the berm on Watene Way will remain under the proposal as it is currently well used.	Accept	Refer Proposed Structure Plan.
OS37.1	Robert McKenzie	Family	20-Traffic and Rooding	Oppose	Refuse the request in its entirety as roading infrastructure and access to Taupō CBD is already inadequate.	Reject	Plan Change is recommended to be approved, recognising the need for deferment until the Control Gate Bridge capacity is addressed.
OS42.2	Laurie Burdett		20-Traffic and Rooding	Seek Amendment	Submitter requests further work on how traffic numbers can be reduced especially in relation to Council's declaration on climate change.	Reject	Outside ambit of Plan Change. Mr Smith identifies that the Plan Change promotes modal and active transport choices and is proximate to the Town Centre.

OS47.1	Phil White			20-Traffic and Rooding	Seek Amendm ent	Revise the proposal so that Docherty Drive feeds into Watene Lane, or continues to eventually join Poihipi Rd.	Reject	The current alignment is suitable and connects to a location on Acacia Bay Road which connects the development well with the surrounding network
OS48.4	Todd Baldwin	Contact Limited	Energy	20-Traffic and Rooding	Seek Amendm ent	Contact Energy submits that the realigned section of Poihipi Road should be the northern extent of any residential development to provide a buffer between the proposed residential areas and the nationally important renewable electricity generation activities to the north. The current proposal will mean that construction traffic associated with Stage 2 of the Te Mihi Power Station will have to pass through the middle of a residential area rather than around it.	Accept	The updated ODP provided by the Applicant on 22 September 2021 includes this change in alignment
OS48.5	Todd Baldwin	Contact Limited	Energy	20-Traffic and Rooding	Seek Amendm ent	Contact submits that the realigned section of Poihipi Road is to be a wide landscaped corridor (similar to Wairakei Drive) so as to help create an effective buffer between residential activities and Contact's geothermal activities to the north.	Accept	The updated ODP provided by the Applicant on 22 September 2021 includes this change in alignment
OS48.6	Todd Baldwin	Contact Limited	Energy	20-Traffic and Rooding	Seek Amendm ent	Contact proposes that all roads within the subdivision of Lot 2 DP 384060 be created in separate titles, rather than by the usual vesting process, and for those titles to be subject to covenant / encumbrance. In the alternative, Contact proposes that roads be gazetted subject to the same terms.	Reject	Orthodox vesting process is considered appropriate. Understood from Proponent Letter dated 15 June 2021, that the Proponent has agreed to a side agreement for encumbrances to be registered on the titles.
OS54.1	Paul Henson	Think Taupō		20-Traffic and Rooding	Seek Amendm ent	The submitter requests that roundabouts be recommended for all new intersections. In particular, that a roundabout be the preferred option for the proposed new major Poihipi / Huka Falls / Wairakei Drive intersection.	Accept in part	These alternatives are able to be considered at time of subdivision.

12-Proposed Poihipi Rd and Wairakei Dr Intersection

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS11.5	Jennifer Stillman		12-Proposed Poihipi Rd and Wairakei Dr Intersection	Support	Maintain proposed realignment of Poihipi Rd. I consider that the proposed realignment of Poihipi Road to join Wairakei Drive, forming a four-leg signal intersection with Huka Falls Road is likely to be advantageous.	Accept	The realignment of Poihipi Road to the north has considerable merit. EIC Smith [6.11]
OS17.20	Geoff Rameka	Tuhingamata/ Ngati Te Urunga hapu/whanau, Nukuhau.	12-Proposed Poihipi Rd and Wairakei Dr Intersection	Oppose	Submitter opposes the new road replacing Poihipi Road and linking to Huka Falls Road.	Reject	An appropriately designed signalised intersection or roundabout at this location will result in better safety outcomes than the current layout. EIC Smith [6.11]
OS18.25	Thomas Hendricks		12-Proposed Poihipi Rd and Wairakei Dr Intersection	Seek Amendment	Traffic signals must be included for the new Wairakei Drive/Poihipi/Huka Falls intersection.	Reject	This matter can be considered through subsequent subdivision.
OS41.4	Bruce Bartley & Martin Frohke	Walnut Lane Limited	12-Proposed Poihipi Rd and Wairakei Dr Intersection	Support	The submitter supports the plan change as the realignment of Poihipi Road will improve access to the fast growing Kinloch urban area.	Accept	-
OS44.3	Rowan Sapsford	Bike Taupō Advocacy Group	12-Proposed Poihipi Rd and Wairakei Dr Intersection	Support	Bike Taupō supports the use of traffic lights at the proposed new Poihipi Road - Wairakei Drive intersection.	Reject	This matter can be considered through subsequent subdivision.
OS48.3	Todd Baldwin	Contact Energy Limited	12-Proposed Poihipi Rd and Wairakei Dr Intersection	Seek Amendment	Plan Change 37 not be approved unless and until an assessment is undertaken of the effects of Plan Change 37, including the proposed closure of the existing intersection of Poihipi Road and Wairakei Drive, in relation to the construction traffic associated with Stage 2 of the Te Mihi Power Station (which forms part of the existing environment) and appropriate measures put in place to manage those effects. If the existing intersection of Poihipi Road and Wairakei Drive is closed (or otherwise unavailable for Contact to utilise as part of the construction of Stage 2 of the Te Mihi Power Station), Contact is likely to be in an	Accept in part	Refer EIC Smith [5.2] <i>'the intersection design process would consider the intersection capacity requirements and appropriate layout and geometry based on likely future travel demands, including those from existing development as well as known and likely future consented development. I would expect this to include consideration of Contact Energy's future intentions if these were consented or clearly signalled and most likely to occur in the foreseeable future'</i> . Recommended deferral of development as Recommended through the s42A Report would also likely delay closure of Poihipi Road and Wairakei Drive intersection.

					<p>unavoidable breach of the conditions on its Land Use Consent for the Te Mihi Power Station. Furthermore, Contact should not have to undertake any duplication to roading upgrades at its expense as a consequence of Plan Change 37.</p>	
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ATTACHMENT C3: CULTURAL VALUES & CONSULTATION

11-Cultural Values							
Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS17.19	Geoff Rameka	Tuhingamata/N gati Te Urunga hapu/whanau, Nukuhau.	11-Cultural Values	Oppose	Oppose the Plan Change on the basis that Maori land that is involved will require Maori Land Court approval to change its status to 'general'.	Reject	This process is independent of that undertaken by the Māori Land Court.
OS20.4	Aroha Henry	Rauhoto Land Rights RMA Committee	11-Cultural Values	Oppose	The cultural impact assessment was not mandated by the māna whenua hapu.	-	This matter remains contested. Submitters are asked to address this matter, and the consequences of such in terms of the Plan Change in their evidence
OS21.4	Eunice Wharehinga		11-Cultural Values	Oppose	The Cultural Impact Assessment was not mandated by the Māna whenua Hapu.	-	This matter remains contested. Submitters are asked to address this matter, and the consequences of such in terms of the Plan Change in their evidence
OS22.4	Hiraina Kapua	John Paki Te One Wineera (koro to Hiraina)	11-Cultural Values	Oppose	The Cultural Impact Assessment was not mandated by the Māna whenua Hapu.	-	This matter remains contested. Submitters are asked to address this matter, and the consequences of such in terms of the Plan Change in their evidence
OS23.4	James and Miurel Tamiuru Henry Whanau Trust		11-Cultural Values	Oppose	The Cultural Impact Assessment was not mandated by the Māna whenua Hapu.	-	This matter remains contested. Submitters are asked to address this matter, and the consequences of such in terms of the Plan Change in their evidence
OS24.4	Naina Wineera	John Paki Te One Wineera	11-Cultural Values	Oppose	The Cultural Impact Assessment was not mandated by the Māna whenua Hapu.	-	This matter remains contested. Submitters are asked to address this matter, and the consequences of such in terms of the Plan Change in their evidence
OS25.4	Raeleen Wineera	John Paki Te One Wineera	11-Cultural Values	Oppose	The cultural impact assessment was not mandated by the māna whenua hapu.	-	This matter remains contested. Submitters are asked to address this matter, and the consequences of such in terms of the Plan Change in their evidence
OS26.4	Raewyn Keremete		11-Cultural Values	Oppose	The Cultural Impact Assessment was not mandated by the Māna whenua Hapu.	-	This matter remains contested. Submitters are asked to address this matter, and the consequences of such in

							terms of the Plan Change in their evidence
OS27.4	Rangihiroa Te Whetu Whanau Trust	Rangihiroa Te Whetu Whanau Trust	11-Cultural Values	Oppose	The Cultural Impact Assessment was not mandated by the Māna whenua Hapu.	-	This matter remains contested. Submitters are asked to address this matter, and the consequences of such in terms of the Plan Change in their evidence
OS28.4	Rawari Hunia		11-Cultural Values	Oppose	The Cultural Impact Assessment was not mandated by the Māna whenua Hapu.	-	This matter remains contested. Submitters are asked to address this matter, and the consequences of such in terms of the Plan Change in their evidence
OS29.4	On behalf of William Wiremu, and Mate Taumaha Josephine Wineera	William Wiremu, and Mate Taumaha Josephine Wineera Whanau Trust	11-Cultural Values	Oppose	The Cultural Impact Assessment was not mandated by the Māna whenua Hapu.	-	This matter remains contested. Submitters are asked to address this matter, and the consequences of such in terms of the Plan Change in their evidence
OS36.2	Sherry Reynolds	Heritage New Zealand Pouhere Taonga	11-Cultural Values	Seek Amendment	HNZPT seeks that the application be placed on hold and that a CIA is undertaken and consideration be given to its findings and how any concerns can be addressed through amendments to the proposed Structure Plan and associated provisions.	-	This matter remains contested.
OS49.5	Brett Farquhar	C/- Stratum Consultants Ltd Rangatira E Trust	11-Cultural Values	Oppose	The contribution of Maori land, in offsetting the discharge of contaminants from other developed land, should be recognised and accounted for at some stage in the future. Further, the investment made by landowners, particularly the owners of Maori land, to reduce contaminants discharged from land use should also be recognised and protected due to the nature of land use.	Reject	Issues associated with wastewater have been appropriately addressed in the Request.

OS17.13	Geoff Rameka	Tuhingamata/Ngati Te Urunga hapu/whanau, Nukuhau.	9-Consultation	Oppose	Submitter opposes due to no discussion between TDC and Ngati Tuwharetoa and associated hapu about these issues where they apply to Maori land.	-	This matter remains contested.
OS20.2	Aroha Henry	Rauhoto Land Rights RMA Committee	9-Consultation	Oppose	Implement a communications plan so applicants know who the appropriate iwi authority contacts are. Applicant failed to engage with correct iwi authority (consulted with TMTB not with Te Kotahitanga).	-	This matter remains contested.
OS21.2	Eunice Wharehinga		9-Consultation	Oppose	Implement a communications plan so applicants know who the appropriate iwi authority contacts are. Applicant failed to engage with correct iwi authority (consulted with TMTB not with Te kotahitanga).	-	This matter remains contested.
OS22.2	Hiraina Kapua	John Paki Te One Wineera (koro to Hiraina)	9-Consultation	Oppose	Implement a communications plan so applicants know who the appropriate iwi authority contacts are. Applicant failed to engage with correct iwi authority (consulted with TMTB not with Te kotahitanga).	-	This matter remains contested.
OS23.2	James and Miurel Tamiuru (Henry Whanau Trust)		9-Consultation	Oppose	Implement a communications plan so applicants know who the appropriate iwi authority contacts are. Applicant failed to engage with correct iwi authority (consulted with TMTB not with Te kotahitanga).	-	This matter remains contested.
OS24.2	Naina Wineera	John Paki Te One Wineera	9-Consultation	Oppose	Implement a communications plan so applicants know who the appropriate iwi authority contacts are. Applicant failed to engage with correct iwi authority (consulted with TMTB not with Te kotahitanga).	-	This matter remains contested.

OS25.2	Raeleen Wineera	John Paki Te One Wineera	9-Consultation	Oppose	Implement a communications plan so applicants know who the appropriate iwi authority contacts are. Applicant failed to engage with correct iwi authority (consulted with TMTB not with Te Kotahitanga).	-	This matter remains contested.
OS26.2	Raewyn Keremete		9-Consultation	Oppose	Implement a communications plan so applicants know who the appropriate iwi authority contacts are. Applicant failed to engage with correct iwi authority (consulted with TMTB not with Te kotahitanga).	-	This matter remains contested.
OS27.2	Rangihiroa Te Whetu Whanau Trust	Rangihiroa Te Whetu Whanau Trust	9-Consultation	Oppose	Implement a communications plan so applicants know who the appropriate iwi authority contacts are. Applicant failed to engage with correct iwi authority (consulted with TMTB not with Te kotahitanga).	-	This matter remains contested.
OS28.2	Rawari Hunia		9-Consultation	Oppose	Implement a communications plan so applicants know who the appropriate iwi authority contacts are. Applicant failed to engage with correct iwi authority (consulted with TMTB not with Te Kotahitanga).	-	This matter remains contested.
OS29.2	On behalf of William Wiremu, and Mate Taumaha Josephine Wineera	William Wiremu, and Mate Taumaha Josephine Wineera Whanau Trust	9-Consultation	Oppose	Implement a communications plan so applicants know who the appropriate iwi authority contacts are. Applicant failed to engage with correct iwi authority (consulted with TMTB not with Te Kotahitanga).	-	This matter remains contested.

ATTACHMENT C4: ARCHEOLOGY

7-Technical Reports > 7.8-Appendix K - Archaeological Report							
Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS17.15	Geoff Rameka	Tuhingamata/ Ngati Te Urunga hapu/whanau, Nukuhau.	7-Technical Reports > 7.8- Appendix K - Archaeologi cal Report	Oppose	Submitter seeks clarity over the assessment of the natural heritage and historical aspects of the Nukuhau lands.	Accept in part	Additional material required by the Proponent to confirm that effects on Archaeological and Historic Heritage are low. Subject to which, confirmation that the Request is acceptable.
OS18.18	Thomas Hendricks		7-Technical Reports > 7.8- Appendix K - Archaeologi cal Report	Support	Complete an Archaeological Assessment ASAP in relation to the former church & gravesites noted on the 1900's map.	Accept in part	Additional material required by the Proponent to confirm that effects on Archaeological and Historic Heritage are low. Subject to which, confirmation that the Request is acceptable.
OS36.3	Sherry Reynolds	Heritage New Zealand Pouhere Taonga	5-Structure Plan Map	Seek Amendm ent	HNZPT seeks that the application being placed on hold and the applicant undertake an archaeological assessment prior to the decision making process on the Plan Change. Consideration should be given to its findings and how any concerns can be addressed through amendments to the proposed Structure Plan and associated provisions.	Accept in part	Archaeological Assessment has been undertaken (22 Sept 2021). Additional material required by the Proponent to confirm that effects on Archaeological and Historic Heritage are low. Subject to which, confirmation that the Request is acceptable.

ATTACHMENT C5: ECOLOGY

7-Technical Reports > 7.7-Appendix J - Ecological Assessment							
Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS18.17	Thomas Hendricks		7-Technical Reports > 7.7-Appendix J - Ecological Assessment	Support	Require tests for the relevant bird and bat assessments, to then make an informed decision on overall requirements. However, the overall plan should encourage bird nesting in areas between medium density units that will not interfere with views of the lake or volcanoes. If there is not a significant line of sight, it should be planted.	Accept	Appropriately undertaken at time of subdivision.
OS43.2	Hannah Craven	Waikato Regional Council	7-Technical Reports > 7.7-Appendix J - Ecological Assessment	Support	The Waikato Regional Council supports the recommendations of the Ecological Assessment.	Accept	Statement
OS17.9	Geoff Rameka	Tuhingamata/Ngati Te Urunga hapu/whanau, Nukuhau.	6-Section 32	Oppose	Submitter opposes the Section 32. Reject the plan change based on lack of consideration of natural or environmental factors.	Reject	Refer broad level assessment.

ATTACHMENT C6: LANDSCAPE AND URBAN DESIGN

7-Technical Reports > 7.4-Appendix G - Urban Design Assessment							
Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS19.2	David Stewart		7-Technical Reports > 7.4-Appendix G - Urban Design Assessment	Seek Amendment	Require the provision of reserves other than stormwater gullies (i.e sportsfields, playgrounds etc).	Accept	The Proponent has identified that a local 'kick a ball park' be provided. The Structure Plan is to be amended to show this.
OS18.14	Thomas Hendricks		7-Technical Reports > 7.4-Appendix G - Urban Design Assessment	Seek Amendment	Off-street parking - driveways and garages should be adequate. Centralized shared driveways down the back of medium density developments so that the roadways maintain more community open space and character.	Reject	Managed by the transport provisions of the Plan and the existing Structure Plan additional controls have not been pro-offered. I acknowledge the Design Guidance provided by Mr Hugo [EiC 36] that additional controls if pursued would enhance or optimise the development, however I am not of the view that imposing a design guide or design approval committee is appropriate (efficient and effective) in terms of the requirements of Section 32.

New Appendix 9 Design Controls							
Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS1.1	Ben Hartstone		4-New Appendix 9	Oppose	Submitter opposed to new Appendix 9.	Reject	These provide greater certainty as to outcomes.
OS2.8	Len Malcolm		4-New Appendix 9	Support	Approve plan change because I think it is a suitable area for housing growth and development as proposed.	Accept	-
OS4.1	Tane Lawless		4-New Appendix 9	Oppose	Submitter opposed to proposal until landowners within plan change area are consulted with.	Reject	Plan Change has followed First Schedule notification process.
OS7.1	Petra Corbett		4-New Appendix 9	Oppose	No development should occur until capacity on Control Gates bridge is addressed.	Accept in part	Refer Section 6.6.
OS17.4	Geoff Rameka	Tuhingamata/Ngati Te Urunga hapu/whanau, Nukuhau.	4-New Appendix 9	Oppose	Submitter questions whether the development is necessary to meet Taupō's growth projections.	Reject	Refer Section 6.11

OS17.7	Geoff Rameka	Tuhingamata/Ngati Te Urunga hapu/whanau, Nukuhau.	4-New Appendix 9	Oppose	Submitter opposes proposed New Appendix 9.	Reject	These provide greater certainty as to outcomes.
OS18.9	Thomas Hendricks		4-New Appendix 9	Seek Amendment	Amend Appendix 9 to include off street parking, speed bumps and other speed control mechanisms.	Reject	These can be managed, if needed through Council as Road Controlling Authority and subdivision design.

Residential Environment - 2-3a Residential Environment > 2.7-3a.5 Anticipated Environmental Outcomes

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS18.8	Thomas Hendricks		2-3a Residential Environment > 2.7-3a.5 Anticipated Environmental Outcomes	Support	Good design including: Alternating, different depths of semi detached units, Garages on backs of property with interior alleyway, Main street kept pedestrian/bike/scooter friendly, No on street parking, No work vehicles, All utilities underground, Precast concrete sidewalk can be dropped over access to utilities.	Accept	
OS17.6	Geoff Rameka	Tuhingamata/Ngati Te Urunga hapu/whanau, Nukuhau.	2-3a Residential Environment > 2.7-3a.5 Anticipated Environmental Outcomes	Oppose	Submitter opposes 3a.5 Anticipated Environmental Outcomes. Submitter requests affordable housing options, no houses blocking other views, no multi story dwellings and no big fences.	Accept in part	Additional housing supply assists (as only variable) with the provision of housing choice and meeting needs. Urban Design controls considered appropriate.
OS17.3	Geoff Rameka	Tuhingamata/Ngati Te Urunga hapu/whanau, Nukuhau.	2-3a Residential Environment > 2.7-3a.5 Anticipated Environmental Outcomes	Oppose	Submitter seeks further discussion with Council/developer for their opinions/feedback on the development. Need to ensure protection of marae and surrounding land blocks continues.	Reject	First Schedule Process is being followed.
OS8.6	Bruce MacLennan		2-3a Residential Environment > 2.7-3a.5 Anticipated Environmental Outcomes	Oppose	Request reduced number and density of housing to avoid cluttered appearance.	Reject	Density and Design is considered appropriate.
OS2.7	Len Malcolm	self	2-3a Residential Environment > 2.7-3a.5 Anticipated Environmental Outcomes	Support	Approve plan change because I think it is a suitable area for housing growth and development as proposed.	Accept	Statement

Residential Environment - 2-3a Residential Environment > 2.6-3a.3 Methods							
Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS18.6	Thomas Hendricks		2-3a Residential Environment > 2.6-3a.3 Methods	Seek Amendment	Permit container and tiny homes in appropriate locations within the development.	Reject	These are not precluded by the Plan Provisions, but a reasonable level of density and built form is set out in the proposed plan provisions.
OS18.7	Thomas Hendricks		2-3a Residential Environment > 2.6-3a.3 Methods	Support	Include guidance for tiny homes and character homes and restrict advertising billboards to commercial shopping areas.	Reject	These are not precluded by the Plan Provisions, but a reasonable level of density and built form is set out in the proposed plan provisions. Controls on signage is set at a broader level in the District Plan.
OS8.5	Bruce MacLennan		2-3a Residential Environment > 2.6-3a.3 Methods	Support	Submitter supports 3a.3 Methods.	Accept	Statement
OS2.6	Len Malcolm	self	2-3a Residential Environment > 2.6-3a.3 Methods	Support	Approve plan change because I think it is a suitable area for housing growth and development as proposed.	Accept	Statement

Residential Environment - 2-3a Residential Environment > 2.2-3a.2 Objectives and Policies							
Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS8.2	Bruce MacLennan		2-3a Residential Environment > 2.2-3a.2 Objectives and Policies	Oppose	Request that covenants are in place to ensure attractive gateway into Taupō .	Reject	Design controls internal to the Request Area are seen as appropriate.
OS2.2	Len Malcolm	self	2-3a Residential Environment > 2.2-3a.2 Objectives and Policies	Support	Approve plan change because as it is a suitable area for housing growth and development as proposed.	Accept	Statement
OS18.1	Thomas Hendricks		2-3a Residential Environment > 2.2-3a.2 Objectives and Policies	Support	Support the approval of medium density zones due to benefits for efficient, affordable housing options.	Accept	Support Noted

5-Structure Plan Map							
Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation

OS2.9	Len Malcolm	self	5-Structure Plan Map	Support	Approve plan change because I think it is a suitable area for housing growth and development as proposed.	Accept	Statement
OS4.3	Tane Lawless		5-Structure Plan Map	Oppose	Submitter opposed to the Structure Plan Map. No specific decision requested.	Reject	Amendments received dated 22 September to the Structure Plan are considered to resolve any residual issues.
OS5.1	Brent Walker		5-Structure Plan Map	Oppose	Submitter opposed to the Structure Plan Map.	Reject	-
OS6.1	Tony Watson	Self	5-Structure Plan Map	Seek Amendment	Submitter requests coloursteel fence along boundary backing housing on Herapeka St to reduce dust, privacy and security impacts.	Reject	To specific in terms of level of design control.
OS13.2	Susan Tidmarsh	Susan Tidmarsh and Jojo Tayelor	5-Structure Plan Map	Support	Support the reserve behind The Grove, request a decent sized reserve with lots of planting and a nice cycle path.	Accept	No change.
OS13.3	Susan Tidmarsh	Susan Tidmarsh and Jojo Tayelor	5-Structure Plan Map	Seek Amendment	Request fencing/planting for properties currently backing onto farmland to ensure privacy.	Reject	To specific in terms of level of design control.
OS14.1	Patricia Wharekawa	Myself	5-Structure Plan Map	Oppose	Oppose due to lack of consultation with owners of the Rangatira Block.	Reject	First Schedule Process being followed.
OS15.1	Julie Jennings		5-Structure Plan Map	Oppose	The widening of Control Gates Bridge needs to occur prior to the development due to the increased traffic congestion.	Accept in part	Refer Section 6.6
OS16.1	Mike Skiffington	Personal	5-Structure Plan Map	Oppose	The proposal should not proceed until after Control Gates Bridge has been upgraded to 4 lanes.	Accept in part	Refer Section 6.6
OS17.5	Geoff Rameka	Tuhingamata/Ngati Te Urunga hapu/whanau, Nukuhau.	5-Structure Plan Map	Oppose	Submitter seeks clarity on plans to address the increased traffic flows.	Accept in part	Refer Section 6.6
OS17.8	Geoff Rameka	Tuhingamata/Ngati Te Urunga hapu/whanau, Nukuhau.	5-Structure Plan Map	Oppose	Submitter opposes the proposed Structure Plan Map.	Reject	-
OS18.10	Thomas Hendricks		5-Structure Plan Map	Seek Amendment	Keep the fault zone identified in the geotechnical report free from residences. Offset this with extra floor in medium density.	Reject	Matters have been considered as appropriate in evidence by Mr Farquhar.
OS18.22	Thomas Hendricks		5-Structure Plan Map	Seek Amendment	Move the proposed shopping centre further away from Mansell Drive, along with the associated medium density zone on the relocated Poihipi Rd as its too close to the existing Mansell Drive shops.	Reject	Location considered appropriate.

OS18.26	Thomas Hendricks		5-Structure Plan Map	Seek Amendment	Amend the plan change to ensure the character of gullies and stormwater paths are accentuated by utilizing height differences in the terrain. Include concrete pathways for bikes/pedestrians to access gullies from opposite sides without crossing at street level.	Reject	Design considered appropriate
OS33.2	Gary & Rebecca Brandon	Ripeka Ma Trust	5-Structure Plan Map	Seek Amendment	Submitter seeks the inclusion of their property on Watene Lane [63 Watene Lane] within the Plan Change proposal.	Reject	Outside the Scope of the Plan Change. The submission is not 'on' the Plan Change.
OS34.8	Peter Marshall	Tukairangi Trust	5-Structure Plan Map	Seek Amendment	For amenity and visual purposes, the mature trees and vegetation on the old Landcorp Wairakei Block Manager's house property needs to be retained.	Accept in part	Refer Recommendation to Rule 4a.7.2(d) for the retention of larger tree retention through the subdivision process.
OS41.9	Bruce Bartley & Martin Frohlke	Walnut Lane Limited	5-Structure Plan Map	Seek Amendment	The roading hierarchy and future alignments should be defined at the time of construction. This plan change should add wording to state that the future roading paths are 'preliminary and indicative only'.	Accept in Part	Note Key to Structure Plan 9.7 and identification of 'Indicative' and 'Fixed' features. No further change necessary.
OS41.10	Bruce Bartley & Martin Frohlke	Walnut Lane Limited	5-Structure Plan Map	Seek Amendment	Add wording to state that the proposed stormwater flow paths are 'preliminary and indicative only', to be defined by a specific design at the time of construction.	Accept in Part	Note Key to Structure Plan 9.7 and identification of 'Indicative' and 'Fixed' features. No further change necessary.
OS43.4	Hannah Craven	Waikato Regional Council	5-Structure Plan Map	Oppose	Waikato Regional Council seeks amendments to the proposal to avoid effects to the existing gully system, including the requirement for a Gully Management Plan.	Accept in Part	Note correspondence to WRPS from Hamish Crawford Dated 15 June 2021: 'To clarify, the proposed Plan Change does not propose to realign gully systems....'
OS48.2	Todd Baldwin	Contact Energy Limited	5-Structure Plan Map	Seek Amendment	Replace the proposed Medium Density Residential Zone adjacent to Wairakei Drive with General Residential Zone in order to reduce the potential for complaints about geothermal activities.	Reject	Medium density area seen as appropriate. Amendment to Structure Plan to realign roading network and landscaping to provide buffer. Also area of General Residential density in intervening area.
OS48.2	Andrew Kusabs (Rankilor Consultants)	David Rankilor - Rankilor Consultants	5-Structure Plan Map	Support	Contact Energy Ltd amongst other matters requires the deletion of the medium density residential zone. The Trustees submit that the positioning of such zone close to Contact Energy Ltd interests may well be	Reject	As above

					inappropriate and the Trustees provide an alternative location as shown on the attached infrastructure plan.		
OS50.1	Andrew Kusabs (Rankilor Consultants)	Representing the owners of Rangatira 8A17A5 and Rangatira 8A17A6 and the owners of Rangatira 8A1T2X and 8A1T2Y and Part Rangatira 8A1T2.	5-Structure Plan Map	Seek Amendment	The exclusion of the block known as Rangatira 8A17A6 (link of private plan in the middle of Brentwood Gully).	Reject	Lodged as part of Plan Change Request and considered accordingly.
OS50.2	Andrew Kusabs (Rankilor Consultants)	Representing the owners of Rangatira 8A17A5 and Rangatira 8A17A6 and the owners of Rangatira 8A1T2X and 8A1T2Y and Part Rangatira 8A1T2.	5-Structure Plan Map	Seek Amendment	The removal of the proposed overlay on the Structure Plan Map entitled 'proposed stormwater reserve with pedestrian access, cycleway and planting'. Replace it with the requirement 'Private Landscaping Buffer 3m Wide Covenants with Height Restrictions'.	Reject	Note Key to Structure Plan 9.7 and identification of 'Indicative' and 'Fixed' features. No further change necessary allows for some degree of flexibility.
OS50.4	Andrew Kusabs (Rankilor Consultants)	Representing the owners of Rangatira 8A17A5 and Rangatira 8A17A6 and the owners of Rangatira 8A1T2X and 8A1T2Y and Part Rangatira 8A1T2.	5-Structure Plan Map	Seek Amendment	The amended Nukuhau Structure Plan 9.7 proposes portion 6a is the proposed first stage of the development and is provisionally designed to accommodate approximately 22 residential building sites of approximately 450m ² - 500m ² in size. It is proposed that Portion 6 A is developed immediately without the need to upgrade infrastructure. <i>[Please refer to full submission 50 for a map of portion 6A]</i>	Reject	Note constraints in terms of both Wastewater connection and Control Gates Bridge.
OS51.6	Fiona Matthews (Spark New Zealand Trading Limited)		5-Structure Plan Map	Seek Amendment	Spark is consulted with to ensure staging of infrastructure is appropriate and underground ducting, above ground mobile sites/facilities are provided for.	Reject	Considered inappropriate in terms of a requirement pursuant to s32.

ATTACHMENT C7: DEMAND AND SHOPS OVERLAY

17-District Growth/Land Supply							
Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS37.2	Robert McKenzie	Family	17-District Growth/Land Supply	Oppose	Refuse the request in its entirety as there are alternative residential subdivisions and the option to intensify housing in Taupō .	Reject	Area is identified in the ODP as an Urban Growth Area, and household demand in the area is increasing. Request area is needed to meet med / long term residential demand for Taupō .
OS37.8	Robert McKenzie	Family	17-District Growth/Land Supply	Oppose	Refuse the request in its entirety as productive land will be lost.	Reject	As above.
OS38.1	Danielle Rogers	Ministry of Education	17-District Growth/Land Supply	Not Stated	The Ministry of Education seeks engagement with the applicant and Council to understand the demographics and rate of growth anticipated.	Statement	Ministry for Education can access Council Growth Documents (PEL Attached) and discuss with Council at any time.
OS41.2	Bruce Bartley & Martin Frohlke	Walnut Lane Limited	17-District Growth/Land Supply	Support	Submitter supports the Plan Change as Taupō is growing faster than projected. Taupō needs to prepare for more growth and manage the negative impacts while enjoying the positive benefits of growth.	Accept	Request area is needed to meet med / long term residential demand for Taupō .
OS41.3	Bruce Bartley & Martin Frohlke	Walnut Lane Limited	17-District Growth/Land Supply	Support	The submitter supports the Plan Change as Taupō 's land supply for residential use is constrained by the ETA [East Taupō Arterial].	Accept	Request area is needed to meet med / long term residential demand for Taupō .
OS41.5	Bruce Bartley & Martin Frohlke	Walnut Lane Limited	17-District Growth/Land Supply	Support	The submitter supports the Plan Change as increasing the supply of land for residential use aligns with Central Government policies to improve housing affordability.	Accept	Request area is needed to meet med / long term residential demand for Taupō .
OS52.12	Chris Todd	Todd Land Development Consultancy Ltd (TLDC) - Director & Senior Engineer Owners of 179 Acacia Bay Road	17-District Growth/Land Supply	Not Stated	The submitter seeks clarification on the applicants assessment of growth/demand, which has not been substantiated against current demand for housing in the area.	Accept in Part	Refer PEL Report attached to s42A Report.

OS2.10	Len Malcolm	self	6-Section 32	Support	Approve plan change because I think it is a suitable area for housing growth and development as proposed.	Accept	Request area is needed to meet med / long term residential demand for Taupō .
OS2.1	Len Malcolm		2-3a Residential Environment > 2.1-3a.1 Introduction	Support	Approve plan change as it is a suitable area for housing growth and development as proposed.	Accept	Request area is needed to meet med / long term residential demand for Taupō .

18-Neighbourhood shops overlay

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS17.18	Geoff Rameka	Tuhingamata/ Ngati Te Urunga hapu/whanau, Nukuhau.	18- Neighbour hood shops overlay	Oppose	Submitter seeks improvement to existing Rangatira shops to include a medical facility/gas station and a supermarket rather than new shops.	Reject	Outside scope and mandate of Plan Change.
OS41.7	Bruce & Martin Bartley & Frohlike	Walnut Lane Limited	18- Neighbour hood shops overlay	Support	The submitter supports the Plan Change as the new commercial area will reduce the need to cross into the CBD so frequently.	Accept	Refer EIC Smith re positive convenience / accessibility provided by commercial overlay.
OS49.3	Brett Farquhar	C/- Stratum Consultants Ltd Rangatira E Trust	18- Neighbour hood shops overlay	Oppose	The submitter seeks the removal of the Neighbourhood shopping centre zone from PC37, or provide for a future zoning following certain retail thresholds being met.	Reject	Uncertain as to basis for submission. Scale and demand would avoid distributional effects and provide wellbeing benefits for localised community.
OS49.3	Andrew Kusabs	David Rankilor - Rankilor Consultants	18- Neighbour hood shops overlay	Support	Rangatira E submits in their submission No 3 that the location of an additional neighbourhood shopping centre is inappropriate and this is supported by the Trustees	Reject	Location is seen as appropriate given frontage and visibility, as well being central to localised community of need.

15-Community facilities, Commercial and Ministry for Education

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS8.8	Bruce MacLennan		15- Community infrastructure	Not Stated	Consultation needs to occur with the Ministry of Education to address the capacity of primary schooling in the area as a consequence of growth projected.	Reject	Ministry for Education can access Council Growth Documents (PEL Attached) and discuss with Council at any time.

OS9.6	Daniel Pearl & Rebecca Lawson		15-Community infrastructure	Seek Amendment	We note there is no provision for another school on this plan, which puts more pressure on the existing primary schools zoned for that area.	Reject	Note provision of a School is to be facilitated by the Ministry using a NoR process under the RMA1991. Mr Smith has identified benefits (in transport terms) from such being located on this side of the Waikato River. However the Plan Change as received does not facilitate this, nor can this be recommended to be provided within the s42A Report.
OS18.24	Thomas Hendricks		15-Community infrastructure	Seek Amendment	Housing cannot be allowed to start without a commitment to new schools/or upgrades from the Ministry of Education.	Reject	As above
OS19.5	David Stewart		15-Community infrastructure	Seek Amendment	Facilitate the provision of schools 'north of the bridge'. While provision of schools may be outside the mandate of Taupō District Council, the provision of one or more schools "north of the bridge" would undoubtedly have a positive impact on "across the bridge" vehicular traffic, student travel habits, and the wider sense of community.	Reject	As above
OS19.6	David Stewart		15-Community infrastructure	Seek Amendment	Facilitate more commercial space for at least essential services (e.g. supermarket, fuel) 'north of the bridge'.	Reject	The Plan Change Request as proposed – and considered through the First Schedule Process does not provide for such. / Scope.
OS32.2	Emma Waugh		15-Community infrastructure	Oppose	Submitter opposes the development based on the absence of community / shared resources including supermarket capacity, on street parking in the CBD, medical facilities and hospital capacity.	Reject	Refer EIC Smith [6.24]. 'I concluded that the peak on-street parking occupancy was 57% across the wider town centre but noted that there are small pockets of the town centre where visitors can not park in close proximity to their chosen destination. I further concluded that there is ample parking availability to meet the future needs of Taupō residents and visitors'.
OS37.5	Robert McKenzie	Family	15-Community infrastructure	Oppose	Refuse the request in its entirety due to limited education facilities and this necessitating travel for students over the inadequate bridge to town.	Reject	Refer above re inability to direct Ministry for Education to propose NoR.
OS37.6	Robert McKenzie	Family	15-Community infrastructure	Oppose	Refuse the request in its entirety based on inadequate parking in the CBD and stretched services, supermarkets and medical facilities.	Reject	Refer EIC Smith [6.24]. 'I concluded that the peak on-street parking occupancy was 57% across the wider town centre but noted that there are small pockets of the town centre where visitors can not park in close proximity to their chosen destination. I further concluded that there is ample

							<i>parking availability to meet the future needs of Taupō residents and visitors’.</i>
OS38.2	Danielle Rogers	Ministry of Education	15-Community infrastructure	Not Stated	The Ministry of Education seeks early engagement regarding the staging and timing of this development.	Reject	Ministry for Education can access Council Growth Documents (PEL Attached) and discuss with Council at any time.
OS39.2	Lorna Chinn		15-Community infrastructure	Seek Amendm ent	Further education facilities be provided in Nukuhau.		

ATTACHMENT C8: GEOTECHNICAL AND CONTAMINATION

7-Technical Reports > 7.5-Appendix H - Detailed Site Investigation

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS18.15	Thomas Hendricks		7-Technical Reports > 7.5-Appendix H - Detailed Site Investigation	Support	Submitter supports Appendix H Detailed Site Investigation.	Accept	Statement

7-Technical Reports > 7.6-Appendix I - Geotechnical Report

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS18.16	Thomas Hendricks		7-Technical Reports > 7.6-Appendix I - Geotechnical Report	Support	Submitter supports Appendix I Geotechnical Report.	Accept	Statement

ATTACHMENT C9: REVERSE SENSITIVITY

33-Electricity Generation							
Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS48.8	Todd Baldwin	Contact Energy Limited	33-Electricity Generation	Seek Amendment	Plan Change 37 not be approved unless and until the Applicant recognises the nature of the existing environment and undertakes an assessment of actual and potential effects on the Wairakei-Tauhara Geothermal System and Contact's activities to identify measures required in Plan Change 37 to avoid, remedy or mitigate adverse effects including in particular, measures to avoid reverse sensitivity effects.	Accept in Part	It is understood that the Proponent has met with Contact Energy and a number of changes have been made to the Structure Plan (dated 22 Sept).
OS48.9	Todd Baldwin	Contact Energy Limited	33-Electricity Generation	Seek Amendment	An appropriately worded reverse sensitivity covenant / encumbrance should be required, prior to any residential development occurring, on all resulting titles on the land between Poihipi Road, Wairakei Drive and Contact's land to the north, similar to those placed on the titles within the Taupō Heights Subdivision on the opposite side of Wairakei Drive.	Reject	Encumbrances do not reduce or remove the actual or potential effect.
OS48.10	Todd Baldwin	Contact Energy Limited	33-Electricity Generation	Not Stated	The documentation supporting Plan Change 37 does not assess the application against the NPS for Renewable Electricity Generation 2011, the RPS or the TDP.	Accept in part	Matters relating to Reverse Sensitivity in terms of the WRPS and ODP have been considered in this s32 Report.

ATTACHMENT C10: PLAN STANDARDS

Residential Environment - 2-3a Residential Environment > 2.1-3a.1 Introduction							
Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS3.1	Jarrold Mudford		2-3a Residential Environment > 2.1-3a.1 Introduction	Seek Amendment	Remove proposed road through Docherty Drive reserve and replace with a walking and cycling track.	Reject	Appropriate layout provided.
OS3.1	Andrew Kusabs	David Rankilor - Rankilor Consultants	2-3a Residential Environment > 2.1-3a.1 Introduction	Oppose	The proposed roading pattern has been designed in accordance with the Structure Plan of 2015 and Code of Practice of Land 2009. The roading layout has been designed to minimise earthworks and provide for future linkage to Rangatira E and medium density environment.	-	Roading network considered appropriate.
OS8.1	Bruce MacLennan		2-3a Residential Environment > 2.1-3a.1 Introduction	Oppose	Traffic capacity on Control Gates Bridge needs to be addressed prior to the development of the Plan Change area.	Accept in part	Refer Section 6.6

Residential Environment – 2-3a Residential Environment > 2.3 - 3a.2.2A							
Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS2.3	Len Malcolm	self	2-3a Residential Environment > 2.3-3a.2.2A	Support	Approve plan change as it is a suitable area for housing growth and development as proposed.	Accept	Refer 6.11
OS18.23	Thomas Hendricks		2-3a Residential Environment > 2.3-3a.2.2A	Seek Amendment	2.3-3a.2.2A should be amended to specifically state types of housing that is encouraged and allowed, i.e. low rise apartments, retirement centre, semi-detached, terraced, container homes, tiny homes, detached, etc. and specifically list any types not allowed, i.e. modular trailer homes, RV/campervans converted into fulltime living, etc.	Reject	Extent of specificity is unnecessary. RMA is an enabling statute – Proposed Bulk and Location Provisions 4a1.1 to 4a.1.12 provide for housing choice and typology.
OS8.3	Bruce MacLennan		2-3a Residential Environment > 2.3-3a.2.2A	Oppose	Submitter opposed to 3a.2.2A.	Accept in part	Appropriately recognises that a range of housing types are provided for. Objective (and policy) recommended to be

							amended to be applicable to the Nukuhau Structure Plan Area.
OS18.2	Thomas Hendricks		2-3a Residential Environment > 2.3-3a.2.2A	Support	Submitter supports low rise apartments, terraced housing and semi-detached units with mini gardens and fence height restrictions.	Accept in part	Provisions provide for choice.

2-3a Residential Environment > 2.5 - 3a.2.3

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS8.4	Bruce MacLennan		2-3a Residential Environment > 2.5-3a.2.3	Support	Submitter supports 3a.2.3.	-	This provision is not amended by the Plan Change.
OS2.5	Len Malcolm	self	2-3a Residential Environment > 2.5-3a.2.3	Support	Approve plan change as it is a suitable area for housing growth and development as proposed.	Accept	Refer Section 6.11
OS18.4	Thomas Hendricks		2-3a Residential Environment > 2.5-3a.2.3	Support	Restrictions required for the 10m offset as mentioned on page 27 of Appendix I - Geotechnical Report, due to the cliff edges and anticipated potential for slips within 6m of cliff edges.	Accept in part	It is understood offsets will be delivered through the subdivision process.
OS18.5	Thomas Hendricks		2-3a Residential Environment > 2.5-3a.2.3	Seek Amendment	Requirements should be in place for greywater use, reducing costs for owners and supporting the overall stormwater system.	Reject	Compliance with Council Infrastructure Standard sets the appropriate requirements.

Residential Environment - 2-3a Residential Environment > 2.4-Nukuhau Structure Plan Area

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS2.4	Len Malcolm	self	2-3a Residential Environment > 2.4-Nukuhau Structure Plan Area	Support	Approve plan change as it is a suitable area for housing growth and development as proposed.	Accept	Refer Section 6.11
OS14.2	Patricia Wharekawa	Myself	2-3a Residential Environment > 2.4-Nukuhau Structure Plan Area	Oppose	Oppose due to lack of consultation with owners of the Rangatira Block.	Reject	Schedule 1 Process followed.
OS17.1	Geoff Rameka	Tuhingamata/Ngati Te Urunga hapu/whanau, Nukuhau.	2-3a Residential Environment > 2.4-	Oppose	Submitter requests clarity over infrastructure provision and	Accept in part	Refer Section 6.4, 6.5 and 6.6.

			Nukuhau Structure Plan Area		timing. Infrastructure should be in place prior to the development.		
OS17.1	Andrew Kusabs	David Rankilor - Rankilor Consultants	2-3a Residential Environment > 2.4-Nukuhau Structure Plan Area	Oppose	Many submitters questioned the applicants Traffic Engineering Report and the delay of the 2 nd bridge until 2041. The submitter seeks the first stage residential development off the extension of Lakewood Drive but to defer further development in view of the traffic management dilemma.	Accept in part	Refer Section 6.6

3-4a Rules > 3.12-4a.7 General Rules

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS50.3	Andrew Kusabs	Rankilor Consultants Representing the owners of Rangatira 8A17A5 and Rangatira 8A17A6 and the owners of Rangatira 8A1T2X and 8A1T2Y and Part Rangatira 8A1T2.s	3-4a Rules > 3.12-4a.7 General Rules	Seek Amendment	Additions to 4a.7.2 h (additions <u>underlined</u>). Any natural, <u>significant</u> ephemeral water course, <u>significant</u> drainage gullies and <u>significant</u> overland flow path through the subdivision, and the effect that development may have on them, their character and value for amenity, and of the effects of any changes in the catchment flow or water quality characteristics on the downstream catchment and landowners.	Reject	Qualifier 'significant' is considered inappropriate in the context. These provisions guide subsequent subdivision development and such gradation is considered inappropriate.

8-General Rules

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS20.1	Aroha Henry	Rauhoto Land Rights RMA Committee	8-General	Oppose	This application does not constitute 'sound Resource Management practices' with regards to the clauses in the Resource Management Act 1991.	Reject	That consideration was undertaken by the c123 Schedule 1 Process.

OS20.6	Aroha Henry	Rauhoto Land Rights RMA Committee	8-General	Oppose	All TDC plans to be reviewed and aligned with the vision of the Ngati Tuwharetoa Settlement Act 2018 within 4-6 months.	Reject	Outside scope of the Plan Change.
OS21.1	Eunice Wharehinga		8-General	Oppose	This application does not constitute 'sound Resource Management practices' with regards to the clauses in the Resource Management Act 1991.	Reject	That consideration was undertaken by the cl23 Schedule 1 Process.
OS21.6	Eunice Wharehinga		8-General	Oppose	All TDC plans to be reviewed and aligned with the vision of the Ngati Tuwharetoa Settlement Act 2018 within 4-6 months.	Reject	Outside scope of the Plan Change.
OS22.1	Hiraina Kapua	John Paki Te One Wineera (koro to Hiraina)	8-General	Oppose	This application does not constitute 'sound Resource Management practices' with regards to the clauses in the Resource Management Act 1991.	Reject	That consideration was undertaken by the cl23 Schedule 1 Process.
OS22.6	Hiraina Kapua	John Paki Te One Wineera (koro to Hiraina)	8-General	Oppose	All TDC plans to be reviewed and aligned with the vision of the Ngati Tuwharetoa Settlement Act 2018 within 4-6 months.	Reject	Outside scope of the Plan Change.
OS23.1	James and Miurel Tamiuru Henry Whanau Trust		8-General	Oppose	This application does not constitute 'sound Resource Management practices' with regards to the clauses in the Resource Management Act 1991.	Reject	That consideration was undertaken by the cl23 Schedule 1 Process.
OS23.6	James and Miurel Tamiuru Henry Whanau Trust		8-General	Oppose	All TDC plans to be reviewed and aligned with the vision of the Ngati Tuwharetoa Settlement Act 2018 within 4-6 months.	Reject	Outside scope of the Plan Change.
OS24.1	Naina Wineera	John Paki Te One Wineera	8-General	Oppose	This application does not constitute 'sound Resource Management practices' with regards to the clauses in the Resource Management Act 1991.	Reject	That consideration was undertaken by the cl23 Schedule 1 Process.
OS24.6	Naina Wineera	John Paki Te One Wineera	8-General	Oppose	All TDC plans to be reviewed and aligned with the vision of the Ngati Tuwharetoa Settlement Act 2018 within 4-6 months.	Reject	Outside scope of the Plan Change.

OS25.1	Raeleen Wineera	John Paki Te One Wineera	8-General	Oppose	This application does not constitute 'sound Resource Management practices' with regards to the clauses in the Resource Management Act 1991.	Reject	That consideration was undertaken by the cl23 Schedule 1 Process.
OS25.6	Raeleen Wineera	John Paki Te One Wineera	8-General	Oppose	All TDC plans to be reviewed and aligned with the vision of the Ngati Tuwharetoa Settlement Act 2018 within 4-6 months.	Reject	Outside scope of the Plan Change.
OS26.1	Raewyn Keremete		8-General	Oppose	This application does not constitute 'sound Resource Management practices' with regards to the clauses in the Resource Management Act 1991.	Reject	That consideration was undertaken by the cl23 Schedule 1 Process.
OS26.6	Raewyn Keremete		8-General	Oppose	All TDC plans to be reviewed and aligned with the vision of the Ngati Tuwharetoa Settlement Act 2018 within 4-6 months.	Reject	Outside scope of the Plan Change.
OS27.1	Rangihiroa Te Whetu Whanau Trust	Rangihiroa Te Whetu Whanau Trust	8-General	Oppose	This application does not constitute 'sound Resource Management practices' with regards to the clauses in the Resource Management Act 1991.	Reject	That consideration was undertaken by the cl23 Schedule 1 Process.
OS27.6	Rangihiroa Te Whetu Whanau Trust	Rangihiroa Te Whetu Whanau Trust	8-General	Oppose	All TDC plans to be reviewed and aligned with the vision of the Ngati Tuwharetoa Settlement Act 2018 within 4-6 months.	Reject	Outside scope of the Plan Change.
OS28.1	Rawari Hunia		8-General	Oppose	This application does not constitute 'sound Resource Management practices' with regards to the clauses in the Resource Management Act 1991.	Reject	That consideration was undertaken by the cl23 Schedule 1 Process.
OS28.6	Rawari Hunia		8-General	Oppose	All TDC plans to be reviewed and aligned with the vision of the Ngati Tuwharetoa Settlement Act 2018 within 4-6 months.	Reject	Outside scope of the Plan Change.
OS29.1	On behalf of William Wiremu, and Mate Taumaha Josephine Wineera	William Wiremu, and Mate Taumaha Josephine Wineera Whanau Trust	8-General	Oppose	This application does not constitute 'sound Resource Management practices' with regards to the clauses in the Resource Management Act 1991.	Reject	That consideration was undertaken by the cl23 Schedule 1 Process.

OS29.6	On behalf of William Wiremu, and Mate Taumaha Josephine Wineera	William Wiremu, and Mate Taumaha Josephine Wineera Trust	8-General	Oppose	All TDC plans to be reviewed and aligned with the vision of the Ngati Tuwharetoa Settlement Act 2018 within 4-6 months.	Reject	Outside scope of the Plan Change.
c	Sarah Davidson	Taupō Business Chamber	8-General	Support	The Business Chamber supports Plan Change 37 as we consider the growth of the Taupō region by way of increased residential housing options and an additional shopping centre will greatly contribute to the local economy and thereby contribute towards our goal as a Business Chamber to support business growth and vitality thought the Taupō region.	Accept	Refer Section 6.11
OS30.2	Sarah Davidson	Taupō Business Chamber	8-General	Support	We encourage the developers to consider using local business in the construction and development phase as a way of generating local economic opportunity i.e. jobs.	Statement	-
OS33.1	Gary & Rebecca Brandon	Ripeka Ma Trust	8-General	Support	Approve the plan as will allow land for people to build homes closer to the township.	Accept	Refer Section 6.11 and 6.6
OS34.7	Peter Marshall	Tukairangi Trust	8-General	Seek Amendm ent	Decline the application if not cost neutral to ratepayers and based on insufficient infrastructure, restriction of peri urban sprawl and environmental considerations.	Reject	Plan Change considered under appropriate statutory framework <i>Colonial Vineyards</i> .
OS37.3	Robert McKenzie	Family	8-General	Oppose	Refuse the request in its entirety as it contributes to urban sprawl, visual, sound, air and water pollution.	Reject	Plan Change considered under appropriate statutory framework <i>Colonial Vineyards</i> .
OS41.1	Bruce Bartley & Martin Frohke	Walnut Lane Limited	8-General	Support	Submitter supports this plan change as believes the change in land use will deliver sustainable, significant and positive economic benefits for the Taupō District.	Statement	-
OS46.1	John and Ali Wilks		8-General	Oppose	Reject the proposal. It will devalue our property and cause years of noise pollution, loss of privacy and views.	Reject	Plan Change has been considered by Mr Hugo and Ms Ryder as to landscape character and amenity. Appropriate controls exist in the ODP in terms of noise (and construction noise)

OS48.7	Todd Baldwin	Contact Energy Limited	8-General	Support	Contact has no objection to the approval of Plan Change 37 insofar as it relates to the land the south-west of Poihipi Road.	Statement	-
OS49.1	Brett Farquhar	C/- Stratum Consultants Ltd Rangatira E Trust	8-General	Oppose	Oppose PC37 in its entirety until such a time as a district-wide analysis is completed through the upcoming District Plan review process.	Reject	Plan Change is able to be considered through Schedule 1 process.
OS49.7	Brett Farquhar	C/- Stratum Consultants Ltd Rangatira E Trust	8-General	Oppose	The proposed plan currently proposes no methodology to monitor the outcomes promised, and does not link to the future growth strategy of the district. There is a failure to comply with the Schedule 1 requirements of the RMA in methods to implement the plan.	Reject	Monitoring is a requirement of the territorial authority under s35 of the RMA1991.
OS56.1	Francis Pou Maroroa	Manuel Pou family whanau trust	8-General	Oppose	The submitter seeks Council to instantly abide with the Families Care and Protections Act Mandates, Maori Affair Act Mandates 1953 and Te Tiriti o Waitangi contra proferentem principles 1840.	Statement	Obligation is aimed at the TDC.

Residential Environment – 2-3a Residential Environment

Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS17.10	Geoff Rameka	Tuhingamata/Ngati Te Urunga hapu/whanau, Nukuhau.	2-3a Residential Environment	Not Stated	Submitter seeks clarity on why just residential development is proposed.	Reject	Small shops overlay also proposed.
OS17.11	Geoff Rameka	Tuhingamata/Ngati Te Urunga hapu/whanau, Nukuhau.	2-3a Residential Environment	Oppose	Submitter requests that development occur on North eastern and south eastern boundaries away from Lake Taupō. Nukuhau lands more suited to natural country style area and therefore the current Rural Environment should be retained.	Reject	Request has been considered under Schedule 1 process
OS17.14	Geoff Rameka	Tuhingamata/Ngati Te Urunga hapu/whanau, Nukuhau.	2-3a Residential Environment	Seek Amendment	Submitter questions the provision of affordable housing within the development for (local) Maori.	-	Refer Section 6.11 although the Request does not specify affordable or locally targeted housing.

OS18.19	Thomas Hendricks		2-3a Residential Environment	Seek Amendment	Slightly more area should be dedicated for medium density, rather than general density.	Reject	Plan Change has been assessed on its merits.
OS18.21	Thomas Hendricks		2-3a Residential Environment	Seek Amendment	Restrict advertising billboards to the commercial shopping area.	Reject	Outside scope of Plan Change. These matters are addressed by other provisions in the ODP.
OS49.2	Brett Farquhar	Rangatira E Trust	2-3a Residential Environment	Oppose	The submitter seeks the removal of the Medium Density Residential zone from PC37.	Reject	Plan Change has been assessed on its merits.
OS49.2	Andrew Kusabs	David Rankilor - Rankilor Consultants	2-3a Residential Environment	Support	Rangatira E submits in their submission No 2 that the inclusion of the medium density zone is inappropriate and as above in 4.09 the Trustees submit if such a zone is to be included it is more appropriate at the extension of Lakewood Drive.	Reject	Plan Change has been assessed on its merits.
OS11.4	Jennifer Stillman		2-3a Residential Environment	Seek Amendment	Request that the plan change area be rezoned as general residential, not medium density.	Reject	Plan Change has been assessed on its merits.

ATTACHMENT C11: CONSULTATION

9-Consultation							
Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS44.11	Rowan Sapsford	Bike Taupō Advocacy Group	9-Consultation	Not Stated	Bike Taupō were not directly notified of the engagement process and were unaware of it.	Statement	-
OS48.1	Todd Baldwin	Contact Energy Limited	9-Consultation	Seek Amendment	Despite being an adjoining landowner no consultation has been undertaken by the applicant with Contact. This has resulted in a range of relevant issues not being identified or assessed within the Plan Change. If these issues are not adequately resolved, the Plan Change as it relates to the land between Poihipi Rd and Wairakei Drive and Contacts land to the north, should be declined.	Statement	-
OS49.4	Brett Farquhar	C/- Stratum Consultants Ltd Rangatira E Trust	9-Consultation	Oppose	The proposal should be considered through the plan review process to ensure pathways for developing multiply-owned Maori land and incorporate matters from the Treaty settlements in relation to land at this locality.	Reject	Assessed under Schedule 1 process.
OS49.4	Andrew Kusabs	David Rankilor - Rankilor Consultants	9-Consultation	Support	Rangatira E submits in their submission No 4 support for the Trustees to be able to proceed as previously promised by Council with the first stage of development as per 4.07 above and as shown on the attached plans.	Accept in part	Assessed under Schedule 1 process.
OS49.6	Brett Farquhar	C/- Stratum Consultants Ltd Rangatira E Trust	9-Consultation	Oppose	The Section 32 also fails to address a number of issues relevant to Rangatira E. The applicant and council have failed in their duty to involve Rangatira E in this plan change process, and as such the council has failed to satisfy the requirements of the RMA before accepting the plan change for notification and public submission.	Statement	-
OS4.2	Tane Lawless		6-Section 32	Oppose	Undertake further consultation with landowners within plan change area before any changes are made.	Reject	Assessed under Schedule 1 process.

ATTACHMENT C12: PART 2

10-Part 2 Matters							
Submission No.	Submitter Name	Submitter Behalf Of/Org	Issue	Position	Submission Summary	Accept/Reject	Recommendation
OS20.3	Aroha Henry	Rauhoto Land Rights RMA Committee	10-Part 2 Matters	Oppose	TDC refrain from allowing any further resource consents until failing infrastructure has caught up. Review all TDC plans to include section 6 of the RMA, explicitly Section 6(e) in terms of consultation with hapu with regards to wastewater from this development crossing the Waikato River via the Control Gates Bridge.	Contested	-
OS20.5	Aroha Henry	Rauhoto Land Rights RMA Committee	10-Part 2 Matters	Oppose	The trustees have failed to inform the owners of Maori land, Rangatira 8A17 (one of the land blocks included in this plan) - of this plan change disadvantaging the owners from having an input into our Social, Economic and Cultural wellbeing for the Whenua (Natural/Physical Resource) and its people. Trustees of Rangatira 8A17 call a notified Hui of owners as per legal requirements of Te Ture Whenua Maori Land Act 1993. If all avenues fail an injunction will be sought.	Contested	-
OS20.5 FS60.2	Andrew Kusabs	David Rankilor - Rankilor Consultants	10-Part 2 Matters	Oppose	8A17 Trust called a meeting properly advertised by all owners in September 2013. It appears owners are unaware of the outcome of this meeting and also of the declaration by the Maori Land Court declaring these general lands.	Contested	-

OS21.3	Eunice Wharehinga		10-Part 2 Matters	Oppose	TDC refrain from allowing any further resource consents until failing infrastructure has caught up. Review all TDC plans to include section 6 of the RMA, explicitly Section 6(e) in terms of consultation with hapu with regards to wastewater from this development crossing the Waikato River via the Control Gates Bridge.	Contested	-
OS21.5	Eunice Wharehinga		10-Part 2 Matters	Oppose	The trustees have failed to inform the owners of Maori land, Rangatira 8A17 (one of the land blocks included in this plan) - of this plan change disadvantaging the owners from having an input into our Social, Economic and Cultural wellbeing for the Whenua (Natural/Physical Resource) and its people. Trustees of Rangatira 8A17 call a notified Hui of owners as per legal requirements of Te Ture Whenua Maori Land Act 1993. If all avenues fail an injunction will be sought.	Contested	-
OS21.5 FS60.3	Andrew Kusabs	David Rankilor - Rankilor Consultants	10-Part 2 Matters	Oppose	8A17 Trust called a meeting properly advertised by all owners in September 2013. It appears owners are unaware of the outcome of this meeting and also of the declaration by the Maori Land Court declaring these general lands.	Contested	-
OS22.3	Hiraina Kapua	John Paki Te One Wineera (koro to Hiraina)	10-Part 2 Matters	Oppose	TDC refrain from allowing any further resource consents until failing infrastructure has caught up. Review all TDC plans to include section 6 of the RMA, explicitly Section 6(e) in terms of consultation with hapu with regards to wastewater from this development crossing the Waikato River via	Contested	-

					the Control Gates Bridge.		
OS22.5	Hiraina Kapua	John Paki Te One Wineera (koro to Hiraina)	10-Part 2 Matters	Oppose	The trustees have failed to inform the owners of Maori land, Rangatira 8A17 (one of the land blocks included in this plan) - of this plan change disadvantaging the owners from having an input into our Social, Economic and Cultural wellbeing for the Whenua (Natural/Physical Resource) and its people. Trustees of Rangatira 8A17 call a notified Hui of owners as per legal requirements of Te Ture Whenua Maori Land Act 1993. If all avenues fail and injunction will be sought.	Contested	-
OS22.5 FS60.4	Andrew Kusabs	David Rankilor - Rankilor Consultants	10-Part 2 Matters	Oppose	8A17 Trust called a meeting properly advertised by all owners in September 2013. It appears owners are unaware of the outcome of this meeting and also of the declaration by the Maori Land Court declaring these general lands.	Contested	-
OS23.3	James and Miurel Tamiuru Henry Whanau Trust		10-Part 2 Matters	Oppose	TDC refrain from allowing any further resource consents until failing infrastructure has caught up. Review all TDC plans to include section 6 of the RMA, explicitly Section 6(e) in terms of consultation with hapu with regards to wastewater from this development crossing the Waikato River via the Control Gates Bridge.	Contested	-
OS23.5	James and Miurel Tamiuru Henry Whanau Trust		10-Part 2 Matters	Oppose	The trustees have failed to inform the owners of Maori land, Rangatira 8A17 (one of the land blocks included in this plan) - of this plan change disadvantaging the owners from having an input into our Social, Economic and Cultural wellbeing for the Whenua	Contested	-

					(Natural/Physical Resource) and its people. Trustees of Rangatira 8A17 call a notified Hui of owners as per legal requirements of Te Ture Whenua Maori Land Act 1993. If all avenues fail and injunction will be sought.		
OS23.5 FS60.5	Andrew Kusabs	David Rankilor - Rankilor Consultants	10-Part 2 Matters	Oppose	8A17 Trust called a meeting properly advertised by all owners in September 2013. It appears owners are unaware of the outcome of this meeting and also of the declaration by the Maori Land Court declaring these general lands.	Contested	-
OS24.3	Naina Wineera	John Paki Te One Wineera	10-Part 2 Matters	Oppose	TDC refrain from allowing any further resource consents until failing infrastructure has caught up. Review all TDC plans to include section 6 of the RMA, explicitly Section 6(e) in terms of consultation with hapu with regards to wastewater from this development crossing the Waikato River via the Control Gates Bridge.	Contested	-
OS24.5	Naina Wineera	John Paki Te One Wineera	10-Part 2 Matters	Oppose	The trustees have failed to inform the owners of Maori land, Rangatira 8A17 (one of the land blocks included in this plan) - of this plan change disadvantaging the owners from having an input into our Social, Economic and Cultural wellbeing for the Whenua (Natural/Physical Resource) and its people. Trustees of Rangatira 8A17 call a notified Hui of owners as per legal requirements of Te Ture Whenua Maori Land Act 1993. If all avenues fail and injunction will be sought.	Contested	-

OS24.5 FS60.6	Andrew Kusabs	David Rankilor - Rankilor Consultants	10-Part 2 Matters	Oppose	8A17 Trust called a meeting properly advertised by all owners in September 2013. It appears owners are unaware of the outcome of this meeting and also of the declaration by the Maori Land Court declaring these general lands.	Contested	-
OS25.3	Raeleen Wineera	John Paki Te One Wineera	10-Part 2 Matters	Oppose	TDC refrain from allowing any further resource consents until failing infrastructure has caught up. Review all TDC plans to include section 6 of the RMA, explicitly Section 6(e) in terms of consultation with hapu with regards to wastewater from this development crossing the Waikato River via the Control Gates Bridge. TDC refrain from allowing any further resource consents until failing infrastructure has caught up. Review all TDC plans to include section 6 of the RMA, explicitly Section 6(e) in terms of consultation with hapu with regards to wastewater from this development crossing the Waikato River via the Control Gates Bridge.	Contested	-
OS25.5	Raeleen Wineera	John Paki Te One Wineera	10-Part 2 Matters	Oppose	The trustees have failed to inform the owners of Maori land, Rangatira 8A17 (one of the land blocks included in this plan) - of this plan change disadvantaging the owners from having an input into our Social, Economic and Cultural wellbeing for the Whenua (Natural/Physical Resource) and its people. Trustees of Rangatira 8A17 call a notified Hui of owners as per legal requirements of Te Ture Whenua Maori Land Act 1993. If all avenues fail and	Contested	-

					injunction will be sought.		
OS25.5 FS60.7	Andrew Kusabs	David Rankilor - Rankilor Consultants	10-Part 2 Matters	Oppose	8A17 Trust called a meeting properly advertised by all owners in September 2013. It appears owners are unaware of the outcome of this meeting and also of the declaration by the Maori Land Court declaring these general lands..	Contested	-
OS26.3	Raewyn Keremete		10-Part 2 Matters	Oppose	TDC refrain from allowing any further resource consents until failing infrastructure has caught up. Review all TDC plans to include section 6 of the RMA, explicitly Section 6(e) in terms of consultation with hapu with regards to wastewater from this development crossing the Waikato River via the Control Gates Bridge.	Contested	-
OS26.5	Raewyn Keremete		10-Part 2 Matters	Oppose	The trustees have failed to inform the owners of Maori land, Rangatira 8A17 (one of the land blocks included in this plan) - of this plan change disadvantaging the owners from having an input into our Social, Economic and Cultural wellbeing for the Whenua (Natural/Physical Resource) and its people. Trustees of Rangatira 8A17 call a notified Hui of owners as per legal requirements of Te Ture Whenua Maori Land Act 1993. If all avenues fail and injunction will be sought.	Contested	-
OS26.5 FS60.8	Andrew Kusabs	David Rankilor - Rankilor Consultants	10-Part 2 Matters	Oppose	8A17 Trust called a meeting properly advertised by all owners in September 2013. It appears owners are unaware of the outcome of this meeting and also of the declaration by the Maori Land Court declaring these general lands.	Contested	-

OS27.3	Rangihiroa Te Whetu Whanau Trust	Rangihiroa Te Whetu Whanau Trust	10-Part 2 Matters	Oppose	TDC refrain from allowing any further resource consents until failing infrastructure has caught up. Review all TDC plans to include section 6 of the RMA, explicitly Section 6(e) in terms of consultation with hapu with regards to wastewater from this development crossing the Waikato River via the Control Gates Bridge.	Contested	-
OS27.5	Rangihiroa Te Whetu Whanau Trust	Rangihiroa Te Whetu Whanau Trust	10-Part 2 Matters	Oppose	The trustees have failed to inform the owners of Maori land, Rangatira 8A17 (one of the land blocks included in this plan) - of this plan change disadvantaging the owners from having an input into our Social, Economic and Cultural wellbeing for the Whenua (Natural/Physical Resource) and its people. Trustees of Rangatira 8A17 call a notified Hui of owners as per legal requirements of Te Ture Whenua Maori Land Act 1993. If all avenues fail and injunction will be sought.	Contested	-
OS27.5 FS60.9	Andrew Kusabs	David Rankilor - Rankilor Consultants	10-Part 2 Matters	Oppose	8A17 Trust called a meeting properly advertised by all owners in September 2013. It appears owners are unaware of the outcome of this meeting and also of the declaration by the Maori Land Court declaring these general lands.	Contested	-
OS28.3	Rawari Hunia		10-Part 2 Matters	Oppose	TDC refrain from allowing any further resource consents until failing infrastructure has caught up. Review all TDC plans to include section 6 of the RMA, explicitly Section 6(e) in terms of consultation with hapu with regards to wastewater from this development crossing the Waikato River via	Contested	-

					the Control Gates Bridge.		
OS28.5	Rawari Hunia		10-Part 2 Matters	Oppose	The trustees have failed to inform the owners of Maori land, Rangatira 8A17 (one of the land blocks included in this plan) - of this plan change disadvantaging the owners from having an input into our Social, Economic and Cultural wellbeing for the Whenua (Natural/Physical Resource) and its people. Trustees of Rangatira 8A17 call a notified Hui of owners as per legal requirements of Te Ture Whenua Maori Land Act 1993. If all avenues fail and injunction will be sought.	Contested	-
OS28.5 FS60.10	Andrew Kusabs	David Rankilor - Rankilor Consultants	10-Part 2 Matters	Oppose	8A17 Trust called a meeting properly advertised by all owners in September 2013. It appears owners are unaware of the outcome of this meeting and also of the declaration by the Maori Land Court declaring these general lands.	Contested	-
OS29.3	On behalf of William Wiremu, and Mate Taumaha Josephine Wineera	William Wiremu, and Mate Taumaha Josephine Wineera Whanau Trust	10-Part 2 Matters	Oppose	TDC refrain from allowing any further resource consents until failing infrastructure has caught up. Review all TDC plans to include section 6 of the RMA, explicitly Section 6(e) in terms of consultation with hapu with regards to wastewater from this development crossing the Waikato River via the Control Gates Bridge.	Contested	-
OS29.5	On behalf of William Wiremu, and Mate Taumaha Josephine Wineera	William Wiremu, and Mate Taumaha Josephine Wineera Whanau Trust	10-Part 2 Matters	Oppose	The trustees have failed to inform the owners of Maori land, Rangatira 8A17 (one of the land blocks included in this plan) - of this plan change disadvantaging the owners from having an input into our Social, Economic and Cultural wellbeing for the Whenua	Contested	-

					(Natural/Physical Resource) and its people. Trustees of Rangatira 8A17 call a notified Hui of owners as per legal requirements of Te Ture Whenua Maori Land Act 1993. If all avenues fail and injunction will be sought.		
OS29.5 FS60.11	Andrew Kusabs	David Rankilor - Rankilor Consultants	10-Part 2 Matters	Oppose	8A17 Trust called a meeting properly advertised by all owners in September 2013. It appears owners are unaware of the outcome of this meeting and also of the declaration by the Maori Land Court declaring these general lands.	Contested	-
OS34.5	Peter Marshall	Tukairangi Trust	10-Part 2 Matters	Seek Amendment	The plan change needs to have "particular regard" to the effects of climate change, and should pre-empt Zero Carbon Amendment Bill and be as close to Zero Carbon as possible, if necessary through off setting.	Contested	-
OS37.7	Robert McKenzie	Family	10-Part 2 Matters	Oppose	Submitter seeks clarity on how the concerns of the Central Governments Climate Change Commission will be addressed.	Contested	-
OS44.12	Rowan Sapsford	Bike Taupō Advocacy Group	10-Part 2 Matters	Seek Amendment	The application should consider of Section 5(2) as it relates to the health and safety of cyclists and Section 7i through enabling safe cycling and the associated benefits to climate change of more people riding.	Contested	-