

**BEFORE THE TAUPŌ DISTRICT COUNCIL**

<b>UNDER</b>	the Resource Management Act 1991 (the Act)
<b>IN THE MATTER</b>	of an application for a private plan change to rezone land for residential purposes, known as Proposed Plan Change 37 to the Taupō District Plan
<b>APPLICANT</b>	AN Rajasingham, LPT Trustees No, 124 Limited, Thiru Trustee Company Limited, Lexus Trustees 11 Limited, and CN Top Investment Limited.

---

**EVIDENCE OF DAVID JOHN GREAVES ON BEHALF OF THE OWNERS OF RANGATIRA  
BLOCKS 8A17A5 AND 8A17A6 AND RANGATIRA 8A1T2X AND 8A1T2Y AND PT  
RANGATIRA A1T2 (PLANNING)  
Dated this 29<sup>th</sup> day of October 2021**

---

## 1.0 INTRODUCTION

- 1.1 My name is David Greaves I am an Environmental Planner and Director of Enspire Consulting Limited, an environmental consultancy that provides environmental, planning and process management services.
- 1.2 I am a qualified and experienced environmental planner, having completed a Bachelor of Resource and Environmental Planning at Massey University in 2002. I am also a full member of the New Zealand Planning Institute.
- 1.3 Previously I have been employed as an environmental planner at South Taranaki District Council and New Plymouth District Council. In 2006 I was employed as the Principal Planner at Taupō District Council, managing Council's resource consent functions. In 2007 I became the Planning Manager at Taupō District Council, being responsible for all of Council's Resource Management functions including resource consent processing and District Plan development. In 2011 I became Council's Consents and Regulatory Manager, overseeing all of the Council's regulatory functions, including resource and building consent processing, health and liquor licencing, animal management and local government compliance. Following this, I was employed as a planning consultant in Tauranga in April 2015 before joining Ryder Consulting Limited (now Enspire Consulting Limited) in January 2016.
- 1.4 I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses, as set out in the Environment Court's Practice Note 2014. In this regard, this report is within my area of expertise, except where I rely on the evidence of another person. In such instances I cite those that I am relying on and summarise my understanding of their evidence.

## 2.0 THE SUBMISSION

- 2.1 The owners of Rangatira Blocks 8A17A5 and 8A17A6 and Rangatira 8A1T2X and 8A1T2Y and Pt Rangatira A1T2 (hereafter referred to as the '**Rangatira 8a17 Trusts**' or '**the Owners**') made submissions (Submitter 50) and further submissions (FS 60) to the Proposed Private Plan Change 37 ('the **Plan Change**' or '**PC37**').
- 2.2 In its primary submission, the Owners identified that they generally support the proposed Plan Change with the proposed zoning generally aligning with the long term development aspirations of the Owners and that the area identified for residential development is, in their opinion, suitable for residential uses. The submission also provided background to the involvement of the Owners in the historical development of the Nukuhau area, including previous subdivisions and the provision of public access over part of their land, known as the Rangatira 8A17A6 block, that is located in the Brentwood Stormwater Gully.

- 2.3 The submission sought a number of minor amendments to PC37, in particular, the replacement of the identified proposed stormwater reserve adjacent to the south-western boundary of the property with a three metre landscaping strip and a change to the indicative roading layout.
- 2.4 In its further submission, the Owners addressed a number of concerns with the proposed plan change. Of particular relevance are the concerns regarding the availability of development in light of existing and future traffic congestion and wastewater servicing; the management of stormwater gullies; the suitability of some of the residential land within the Plan Change as a result of presence of Contact Energy's adjacent geothermal activities; support for a higher density of development in locations within the Plan Change; and, uncertainty regarding the potential effects on the existing Nukuhau Shopping Centre from the proposed shopping centre.
- 2.5 As a consequence of the Owners' submission and further submission, the conclusions of the s42A report and the evidence of the Applicant, I address the following matters in this evidence:
- Appropriateness of proposed zoning;
  - Staging of development;
  - Density of development;
  - Stormwater reserve identification;
  - Effects on existing community shopping centre.

### **3.0 APPROPRIATENESS OF PROPOSED ZONING**

- 3.1 Both the Applicant and the author of the S42A report (Mr Bonis) have, in my opinion, provided an appropriate background to the Site, the existing zoning and the policy framework of the relevant planning documents, in particular the Taupō District Plan. As such, I do not repeat that detail in this evidence. I note, however, that the area subject to the Plan Change (the '**Plan Change Area**') is currently zoned Rural Environment and is bounded by existing developed Residential Environment zoned land. Furthermore, I record that the area is identified as a 'red blob' future urban development area in both the Taupō District Plan and the Taupō District 2050: Growth Management Strategy.
- 3.2 Both the Application and Mr Bonis rely on expert evidence from a number of specialists with regard to, amongst other matters, the Plan Change Areas archaeological values, landscape values, ecological values, geotechnical and natural hazard risks, and availability of infrastructure. In all instances, these experts have concluded that urban development of the Plan Change Area is appropriate, subject to a number of controls. Having reviewed that body of evidence, I am of the opinion that there are no archaeological, landscape, ecological, geotechnical and natural hazard or infrastructure reasons why urban development within the Plan Change Area cannot occur in the future. I do note

however that this position is subject to a number of factors being addressed, in particular the capacity of, and future provision for, infrastructure to service the area.

#### **4.0 STAGING OF DEVELOPMENT**

- 4.1 Having reviewed the S42A report and associated technical reports addressing transportation and wastewater, I acknowledge that there appears to be capacity issues within both the roading and wastewater networks that limits the ability to service the full development capacity of all land within the Plan Change Area. As I understand it, Mr Bonis has recommended that a non-complying activity rule and an associated policy be included in the Plan Change provisions to address the wastewater and transportation constraints that exist, until such time as additional capacity is provided. Ms Cleary, for the Applicant, proposes a discretionary activity rule, with regard to transportation matters. In offering this opinion Ms Cleary has relied on the transport assessment undertaken by Mr Sears and Ms Cui, which she states concludes that the scale of effect on the transportation network resulting from residential development in the Plan Change Area is less than that identified by Mr Smith for the Council.
- 4.2 Given the potential environmental effects resulting from the overflow of wastewater or the potential safety matters associated with the congestion of the transport network, I am of the opinion that a rule and policy framework that limits development in order to enable the appropriate management of adverse effects on what is key infrastructure is a valid and robust response. In my experience, an appropriately drafted discretionary activity or non-complying activity rule, and a supporting policy framework, are equally effective at managing resource consent applications, depending on where the Commissioners land with regard to the scale of effect. In that regard, a larger adverse effect would, in my opinion, justify a more cautious approach, and thus would suggest that a non-complying activity would be the more appropriate response. I note that a non-complying activity status does not prohibit the ability to seek, or be granted, resource consent, should it be determined that the effects of the specific proposal are not more than minor or that the application is not contrary to the objectives and policies of the relevant planning documents.
- 4.3 Further to the foregoing, in her evidence, Ms Cleary advises that, based on the evidence of the Applicant's transportation engineers, that the scale of effect on traffic safety from development within the Plan Change Area is smaller than the scale of effect reported by Council's transportation engineer. To this end, the Applicant's position appears to be that while development of the Plan Change Area is likely to result in increased congestion and waiting times for traffic crossing control gates bridge, the scale of effect may be appropriate, at least for the initial stages of development. Ms Cleary identifies that, should the Commissioners agree with this position on transportation effects, the Plan Change could be amended to provide for the staging of development, enabling

part, but not full, urbanisation within the Plan Change Area prior to the second bridge crossing being constructed. As I have identified in the preceding paragraph, Ms Cleary is of the view that a discretionary activity rule, with specific criteria identifying the consideration of traffic effects, is the most efficient means of achieving this partial development. It does not appear that Ms Cleary is proposing the identification of a specific staging plan within the zoning of the District plan. Similarly, Mr Crawford has identified the potential areas where 30% of the development could occur. However, as I understand it, Mr Crawford is not proposing that these areas are specifically identified in the Plan Change as being the first stage of development. I agree with this opinion.

4.4 Having reviewed the Application documents and the evidence of the Applicant and the Council, there does not appear to be any evidence to suggest that particular parts of land within the Plan Change area are more readily able to be serviced, from a wastewater and transportation perspective, without encountering the capacity issues identified in the preceding paragraphs. As such, should the Commissioners determine that partial development of the Plan Change Area is able to be provided for, I am of the opinion that the most efficient way of achieving that is via a rule and policy framework, generally as proposed by the Applicant, rather than by the identification of specific stages within the Plan Change itself. Put another way, in my opinion, there is no evidence to support the promotion of development on one specific piece of land over any other land in the Plan Change Area and therefore, should some development be considered appropriate in the short term, a decision on that application for resource consent should be made on a case by case and 'first in first served' basis. Such an approach is, in my opinion, consistent with the principles associated with resource use under the Resource Management Act and follows the allocation principles that have been used, for many years now, in the allocation of access to water. Consequently, and for the avoidance of any potential doubt, I am of the opinion that the specific identification of staging within the Plan Change Area is not appropriate.

4.5 I also note, for completeness, that the Owners sought, in its submission, that a limited first stage of approximately 29 lots be provided for on their land, without constraint from the proposed infrastructure capacity rules. While the evidence of the wastewater and transportation technical experts has cast doubt on the ability for the Commissioners to provide for this relief without restriction, I understand that the Owners remain hopeful of a decision on the Plan Change that provides for this limited development. A rule that enables partial development of their land, subject to the management of adverse effects, as identified in the preceding paragraphs of this evidence, would enable, at least in part, the relief sought by the Owners.

## **5.0 DENSITY OF DEVELOPMENT**

5.1 In their further submission, the Owners identified their support for a number of submitters, including Rangatira E, regarding the provision for medium density

development on various parts of the Plan Change Area. Furthermore, at paragraph 4.09 of the further submission, the Owners supported the submission of Contact Energy that questioned the suitability of a medium density zoning adjacent to the Company's geothermal electricity generation operations, citing potential reverse sensitivity issues. The Owners offered an alternative location for medium density zoning, away from the Contact Energy land, as a means of addressing this reverse sensitivity issue.

- 5.2 I understand that since the close of submissions, discussions have been had between the Applicant and Contact Energy. Consequently, and as identified in the evidence of Mr Crawford, the Application has been amended to move residential development away from Contact Energy's operations through the realignment of Poihipi Road. I do note however that the proposed amendment does not appear to have completely addressed the potential for reverse sensitivity effects associated with the development of the Plan Change.
- 5.3 In their submission, the Owners identified that they have undertaken preliminary investigations into the development opportunities available on their land. This has included approaches from third parties regarding the development of higher density development and the removal of the pine plantation that was previously established on the Site. As I understand it, these preliminary investigations have not identified any specific constraints on the land that would restrict it from being developed to the scale proposed by the medium density provisions proposed in PC37.
- 5.4 In addition to the initial constraints assessments that have been undertaken for the land, I note that the Owners Site is well connected to the roading network, with access being able to be gained from Docherty Drive, Lakewood Drive and Northwood Drive. Further, the Site is adjacent to the gully network and the land that the Owners have made available to Taupō District Council for reserve, therefore providing good alternative transport and recreation linkages. The Site is a considerable distance from Contact Energy's operations and that of the arterial roading network, ensuring that the risk of reverse sensitivity from these activities is completely avoided.
- 5.5 Given this and the remaining outstanding reverse sensitivity issues associated with residential development adjacent to Contact Energy's operations, I am of the opinion that the identification of medium density zoning on the Owners property, as identified in their further submission (and attached as Appendix A to this evidence), is as appropriate, or more so, than the areas identified by the Applicant. Put another way, all of the evidence and justification provided by the Applicant for the identification of medium density zoning in other areas of the Plan Change are applicable to the Owners Site. Furthermore, the Owners Site does not contain the potential reverse sensitivity issues given its separation from the arterial road network and Contact Energy's operation.
- 5.6 For completeness, I note that whilst the proposed Plan Change has identified areas to be specifically zoned for medium density residential development, it

also provides for a rule framework that could facilitate such development on a case by case basis via a resource consent application. While this framework is potentially appropriate in achieving increased development density, I am of the opinion that, for the reasons I have previously conveyed in this statement and as a means of providing certainty to existing and future landowners of the area and the community as a whole, it is more appropriate to take the opportunity while the Plan Change is being considered to clearly identify the form and location of the anticipated development and clearly identify it on the planning maps, rather than to defer it to a later date and process. As my analysis has identified, with the exception of the potential further avoidance of reverse sensitivity effects, there does not appear to be any difference between the Owners land and the other areas of the Plan Change that are identified for medium density development.

- 5.7 I agree with the evidence of Ms Cleary that the provision for urban development in the Plan Change Area will give effect to the National Policy Statement on Urban Development and given its proximity to the Taupō CBD and existing residential development, represents the efficient use of the land resource.

## **6.0 STORMWATER RESERVE IDENTIFICATION**

- 6.1 The Plan Change has proposed a stormwater reserve, with associated access and landscape planting along the length of the south-western boundary of the Owners land. In its submission, the Owners noted that the topography of this area is not typical of a stormwater gully and as such is more appropriate to be identified as a landscaping strip to differentiate it from the existing residential area than as a dedicated stormwater reserve.
- 6.2 As I understand it, at the time that the Owners cleared the Site of the pine tree plantation, some limited recontouring occurred as part of the removal of the stumps and re-grassing of the Site. These works have clearly identified the contour of the land. While the area is undulating and the topography serves some stormwater management purpose, the area identified for stormwater reserve is not of the scale or composition of the other 'major' gullies in the Plan Change Area. Attached as Appendix B are a number of photographs of the south-western boundary area identified as future stormwater reserve clearly identifying the undulating contour.
- 6.3 The proposed rule framework identifies that the subdivision of land within the Nukuhau Structure Plan that is in accordance with Appendix 9 is a controlled activity under rule 4a.7.2. Appendix 9 identifies the proposed stormwater reserve along the south-western boundary of the Owners land. Consequently, any development that does not propose the formation of the stormwater reserve shall be considered as a discretionary activity under rule 4a.7.3. I note that Ms Cleary has identified a number of amendments in her evidence to the structure of the Plan Change. Specifically, that subdivision in the Nukuhau Structure Plan area is a discretionary activity under rule 4a.7.2.

- 6.4 In general, I support the rule framework proposed by the Plan Change, being the identification of key design elements including indicative roading layout and the location of reserves within an overall high level plan. However, in my opinion, the identification of the stormwater reserve along the south-western boundary of the Owners property does not appear to be as robustly 'ground truthed' as other elements of the Plan Change have been. As a result, and again in my opinion, the anticipated development outcome may not result in the most efficient use of land and consequently results in an unnecessary level of uncertainty as to the form of future development.
- 6.5 It appears to me that the actual purpose of identifying the south-western boundary of the Owners site is to provide a landscaping 'buffer' between the existing residential area and the future development area. This may be appropriate and, in my view is able to be managed adequately through the resource consent process. I note that the proposed matters of assessment for rule 4a.7.2 include, amongst other things, the provision for landscaping and for the identification and management of stormwater gullies and overland flow paths. In my opinion, this provides adequate guidance for plan users to ensure that appropriate landscaping and stormwater management are provided for at the time of development. To provide further certainty to the outcome, I propose that the notation in Appendix 9 be amended, as proposed by the Owners in their submissions, to be a 3 metre wide landscaping strip along the entire length of the south-western boundary. This amendment will ensure that the 'buffer' to the established residential area is provided for, without unnecessarily taking up land that is can more readily provide for residential land development.

## **7.0 EFFECTS ON EXISTING COMMUNITY SHOPPING CENTRE**

- 7.1 The Proposed Plan Change identifies an area of approximately 2,500 m<sup>2</sup> for a Neighbourhood Shopping Centre within the northern part of the Plan Change Area. There is very little analysis within the Plan Change or the evidence of the Applicant's experts to justify the shopping centre. I understand that the intent of the shopping centre in this location is to simply 'service the local community'. The Neighbourhood Shopping Centre is identified as an overlay and is subject to the same performance standards as the other existing 'Neighbourhood Shops' that are identified in the District Plan.
- 7.2 In its submission, Rangitaira E submitted that the identification of an additional shopping area may result in adverse effects on the existing Rangatira Shopping Centre (the '**Existing Shops**') on the corner of Acacia Bay Road and Mansell Road. The Owners supported this submission point in their further submission. There appears to be considerable development potential for further expansion of the Existing Shops on the western portion of their site. As I understand it, some of the Owners also have an ownership interest in the Existing Shops.
- 7.3 Mr Bonis has briefly addressed the proposed Neighbourhood Shopping Centre in the s42A report. In that regard, Mr Bonis considers that the scale proposed will facilitate the needs of the local community and will not give rise to



distribution effects on the Town Centre. There does not, however, appear to be any assessment of the potential effects on the Existing Shops or justification as to the scale of such a facility.

- 7.4 In light of this uncertainty and the clear information gap as to the potential effect of the proposal on the Existing Shops, I am of the opinion that an assessment conducted by a recognised and experienced expert should be provided by the Applicant to enable the Commissioners to make a decision on this element of the Plan Change. Failing that information being supplied, I am of the opinion that this element of the proposal should be rejected and any future consideration of establishing a Neighbourhood Shopping Centre be undertaken through the resource consent process, where an appropriate assessment of the potential effects (and benefits) can be undertaken based on a complete application.

## **8.0 CONCLUSION**

- 8.1 The Owners made submissions and further submissions to the Plan Change. Generally, the Owners support the principles of the Plan Change, being that the land identified is logically positioned to provide for future urban development for Taupō. However, there are a number of parts of the Plan Change that are proposed to be amended. Specifically:

- That the south-eastern portion of the Owners property be identified as containing a Medium Density overlay, as identified in the plan attached as Appendix A;
- That the Stormwater Reserve notation proposed along the south-western boundary of the Owners site be amended to a 3m landscaping strip; and
- That the Neighbourhood Shopping Centre overlay be removed from the Plan Change Maps.

- 8.2 In addition to the amendments, identified above, I support Ms Cleary's opinion that the Plan Change should not specifically identify the staging of development. To this end, I am of the view that should the Commissioners determine that the potential effects from some development on the wastewater and transportation networks are appropriate, that the realisation of this development should be achieved via resource consent on a 'first in first served' basis.

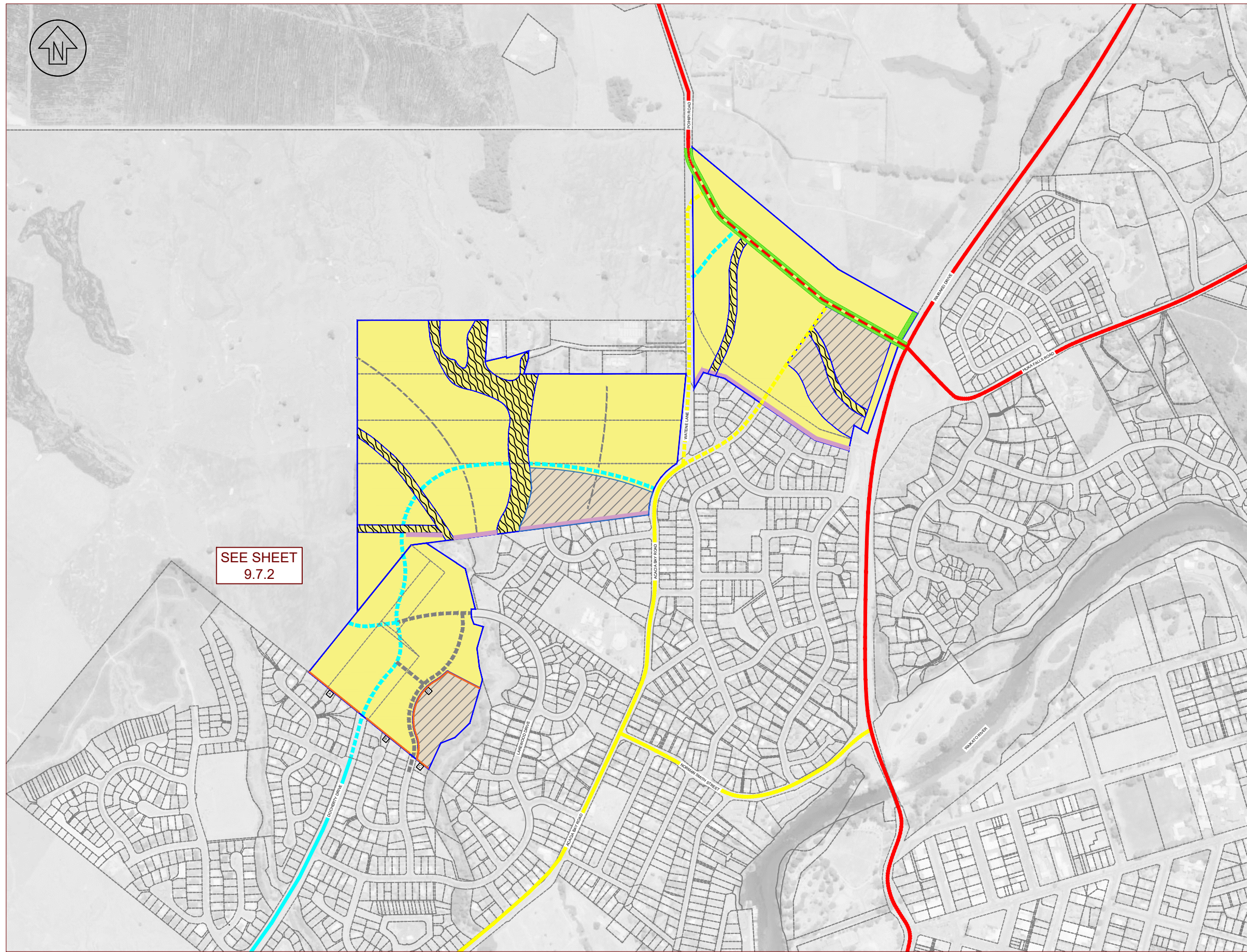


David Greaves  
**Planner**




29 October 2021

**Appendix A: Proposed Zoning Plan from the Owners' Further Submission**

















**LEGEND**

-  PROPOSED MEDIUM DENSITY RESIDENTIAL ZONE
-  PROPOSED GENERAL RESIDENTIAL ZONE
-  PROPOSED NEIGHBOURHOOD SHOPPING CENTRE (SHOPS)

**URBAN ROAD HIERARCHY**

-  ARTERIAL
-  PROPOSED ARTERIAL
-  PRIMARY COLLECTOR
-  PROPOSED PRIMARY COLLECTOR
-  SECONDARY COLLECTOR
-  PROPOSED SECONDARY COLLECTOR
-  PROPOSED ACCESS AND LOW VOLUME

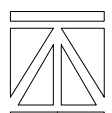
**PROPOSED OVERLAYS**

-  PROPOSED STORMWATER RESERVE WITH PEDESTRIAN ACCESS, CYCLEWAY AND PLANTING
-  RECREATION RESERVE 10-12m WIDE, WITH PEDESTRIAN ACCESS, CYCLEWAY AND PLANTING
-  3m WIDE LANDSCAPING STRIP - NO DRIVEWAY ACCESS
-  10m WIDE LANDSCAPING STRIP
-  A, B & C PRIVATE LANDSCAPING BUFFER 3m WIDE COVENANTS WITH HEIGHT RESTRICTION

**NOTES:**

FURTHER SUBMISSION  
A KUSABS, RANGATIRA 8A17

SEE SHEET  
9.7.2



**RANKILOR CONSULTANTS**  
CIVIL ENGINEERS, LAND DEVELOPMENT CONSULTANTS  
PLANNERS & SURVEYORS  
36 Gillies Avenue, PO Box 313 Taupo  
Ph: 07-377 1255 | Mob: 0274-769 450 | email: rankilor@xtra.co.nz

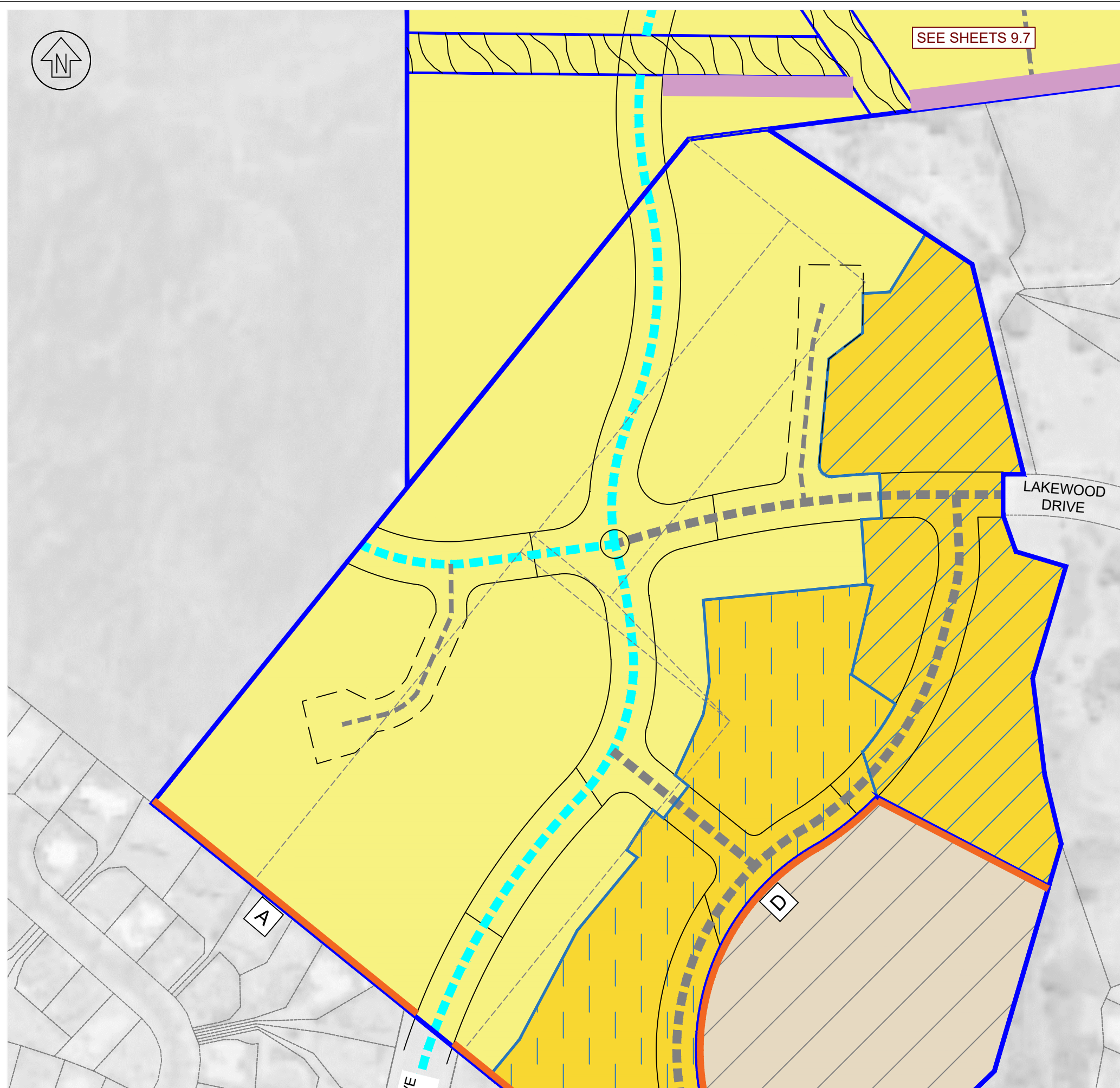
**9.7 Nukuhau Structure Plan  
Private Plan Change**

Sheet No.:	Drawing No.:	Issue:	Issue:	Amendment:	Date:	Approved:
Sheet 1 of 2	9.7	2	1	First issue	3/03/21	DVR
			2	Final release	30/04/21	DVR
Scale at A3: 1: 10000	Drawn:	Date: 30/04/21				


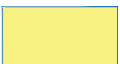










SEE SHEETS 9.7



**LEGEND**

-  PROPOSED MEDIUM DENSITY RESIDENTIAL ZONE
-  PORTION 6 PROPOSED GENERAL RESIDENTIAL ZONE
-  PORTION 6A PROPOSED GENERAL RESIDENTIAL ZONE
-  PORTION 6B PROPOSED GENERAL RESIDENTIAL ZONE
-  A, B, C & D PRIVATE LANDSCAPING BUFFER COVENANTS WITH HEIGHT RESTRICTION
-  PROPOSED PRIMARY COLLECTOR
-  PROPOSED SECONDARY COLLECTOR
-  PROPOSED ACCESS AND LOW VOLUME

**NOTES:**

FURTHER SUBMISSION  
A KUSABS, RANGATIRA 8A17

**RANKILOR CONSULTANTS**  
 CIVIL ENGINEERS, LAND DEVELOPMENT CONSULTANTS  
 PLANNERS & SURVEYORS  
 36 Gillies Avenue, PO Box 313 Taupo  
 Ph: 07-377 1255 | Mob: 0274-769 450 | email: rankilor@xtra.co.nz

### 9.7.2 Nukuhau Structure Plan Private Plan Change 37

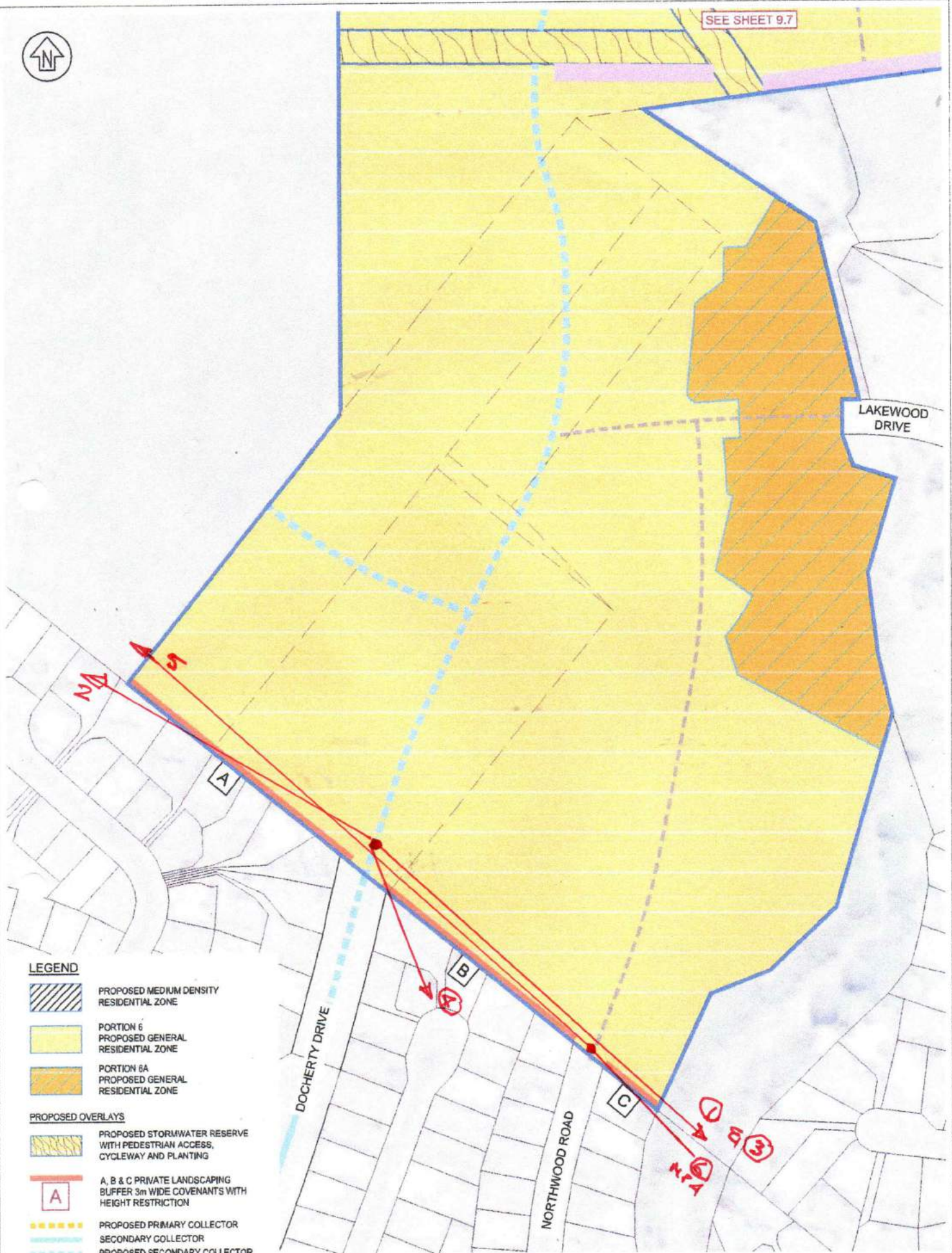
Sheet No.:	Drawing No.:	Issue:	Issue:	Amendment:	Date:	Approved:
Sheet 2 of 2	9.7.2	2	1	First issue	3/03/21	DVR
			2	Final release	30/04/21	DVR
Scale at A3:	Drawn:	Date:				
1: 2000		30/04/21				

## **Appendix B: Pictures of South-Western Boundary**













SEE SHEET 9.7



**LEGEND**

-  PROPOSED MEDIUM DENSITY RESIDENTIAL ZONE
  -  PORTION 6 PROPOSED GENERAL RESIDENTIAL ZONE
  -  PORTION 6A PROPOSED GENERAL RESIDENTIAL ZONE
- PROPOSED OVERLAYS**
-  PROPOSED STORMWATER RESERVE WITH PEDESTRIAN ACCESS, CYCLEWAY AND PLANTING
  -  A, B & C PRIVATE LANDSCAPING BUFFER 3m WIDE COVENANTS WITH HEIGHT RESTRICTION
  -  PROPOSED PRIMARY COLLECTOR
  -  SECONDARY COLLECTOR
  -  PROPOSED ACCESS AND LOW VOLUME

(Portion 6A Overlay)

**RANKILOR CONSULTANTS**

CIVIL ENGINEERS, LAND DEVELOPMENT CONSULTANTS, PLANNERS & SURVEYORS

50 Gillies Avenue, PO Box 214 Taupo  
Ph: 07-377 1256 | Mob: 07-729 459 | email: rankilor@rankilor.co.nz

**9.7.1 Nukuhau Structure Plan  
Private Plan Change 37  
Taupo District Plan**

Sheet No.:  
Sheet 2 of 2

Drawing No.:  
9.7.1

Issue:  
1

Issue:  
1

Amendment:  
First Issue

Date:  
5/03/21

Approved:  
DVR

Scale at A3:  
1: 2000

Drawn:  
DGC

Date:  
5/03/21





Photo 1 - looking south-west



Photo 2 - looking north-west





Photo 3 - looking south-west



Photo 4 - looking south-west





Photo 5 - looking north-west



Photo 6 - looking south-west