

THE PROPRIETORS OF HAUHANGAROA NO 6



APPLICATION TO TAUPO DISTRICT COUNCIL TO CHANGE THE OPERATIVE DISTRICT PLAN

WHAREROA NORTH

DECEMBER 2017



TE TOHU A PAREKAAWA

**HAERE MAI KI WHAREROA,
NAU MAI KI TE WHENUA ROROA NGATI PAREKAAWA.
KIA HORA RA TE MARINO, KIA WHAKAPAPA POUNAMU TE MOANA, KIA TERE TE KAROHIROHI, I MUA TO
HUARAHU AKE AKE.
NA ONA WHANAU.**

THE LANDMARK OF PAREKAAWA

**WELCOME THEREFORE TO WHAREROA,
THE ANCIENT LAND OF NGATI PAREKAAWA.
MAY YOUR LIFE THERE BE SERENE,
THE LAKE GLISTEN FOR YOU LIKE GREENSTONE,
AND THE SHEEN OF SUMMER DANCE FOREVER BEFORE YOUR PATHWAY.
FROM HER DESCENDANTS.**

The Proprietors of Hauhungaroa No 6

Application to Change the Taupo District Plan Pursuant to Section 73(2) of the Resource Management Act 1991 (Incorporating Section 32 Evaluation Report)



Prepared by:

Joanne Lewis BRP (Hons), M Phil, MNZPI

LEWIS CONSULTANCY
PLANNING AND RESOURCE MANAGEMENT

P O Box 1563, Taupo
Ph 07 3782416

Email: joanne@lewisconsultancy.co.nz



Reviewed by:

Catriona Eagles BRP (Hons), MNZPI



And in association with:

KEY SOLUTIONS

KeySolutions Ltd
66 Wharewaka Rd
Taupo 3330



Cheal Consultants Ltd
P O Box 165
Taupo 3351



Mary Monzingo Ltd
Landscape Architect
mary@monzingo.co.nz
021 0066999
P O Box 1532, TAUPO 3351

Mary Monzingo Ltd
P O Box 1532
Taupo 3351

LEWIS CONSULTANCY
PLANNING AND RESOURCE MANAGEMENT

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Whareroa – The Legend

At the beginning of the 19th century Whareroa was dominated by Piripekapeka – a fortified pa controlled by the Ngati Parekaawa, a hapu tribe of Tuwharetoa, descended from Te Rangiita and his wife, Waitapu.

About 1803 the tribe was besieged here by a combined raiding party of Ngati Tamatera and Ngati Whakaterere, led by Hihitaua.

The attackers soon discovered the pa was impregnable and resorted to treachery. They pretended to conduct a tangi, or funeral, in mourning for some of their slain warriors.

Despite a warning sounded by Te Kokopu on his putatara flute, the defenders – drawn by the ritual tangi – flocked down from Piripekapeka into the midst of the war party, which promptly abandoned its pretence and took them prisoner.

The beguiled captives were taken by canoe across Lake Taupo to Motutere Point – where they were mercilessly slain and consumed. Ringleader Hihitaua was later killed by the Ngati Maniapoto tribe near Waikeria.

EXECUTIVE SUMMARY

Whareroa is a remote holiday settlement on the western shores of Lake Taupo and which, over the past thirty years, has been developed in stages by The Proprietors of Hauhungaroa No 6. The connection of the landowners with this whenua and their long commitment to the growth, development, and on-going well-being of Whareroa Village is unique to the Whareroa story. The long-term plan for Whareroa Village is for residential development on both the south and north sides of the Whareroa Stream. Infrastructure and reserve planning to date reflects that vision and with the subdivision stages on the southern side now completed the landowners' focus is now on the north side.

The Taupo District Plan identifies Whareroa North as a location for future residential growth and requires that it be developed in accordance with a structure plan which in turn is to be implemented by a Private Plan Change to rezone the land. The "Southern Settlements Structure Plan" (SSSP) was adopted by Taupo District Council (TDC) in May 2013 and provides for the northside development at Whareroa. The SSSP clarifies that TDC will not undertake the rezoning process but instead private landowners will determine when the market is ready and their investment in that process should be made. The Proprietors of Hauhungaroa No 6 have accepted that directive and embarked on a Private Plan Change process to secure the appropriate District Plan provisions which reflect the SSSP and will enable implementation of their vision for the northside. In this way sections will be available to meet future market demand and the community's planning for growth in the southern settlements of Lake Taupo will be given effect to.

The Plan Change proposal provides for serviced residential development at Whareroa North consistent with the Taupo District Plan and the SSSP, and which takes into account the nature of the land, proximity to Whareroa settlement, and the natural and landscape values of the locality.

Specifically, the Plan Change seeks to:

- rezone land at Whareroa North from "Rural Environment" to "Residential Environment";
- lock in a concept plan which will deliver between 140 and 160 residential lots clear of land identified in the District Plan as having natural and/or landscape values;
- provide for staging of the subdivision to match efficient servicing and to meet demand for sections;
- leave unaltered the District Plan provisions which manage the effects of indigenous vegetation clearance, earthworks, and structures (associated with construction of road and services to the residential development area) through land identified as having natural and/or landscape values;
- amend the wording of relevant District Plan rules to ensure that subsequent subdivision consent processes reflect the concept plan.

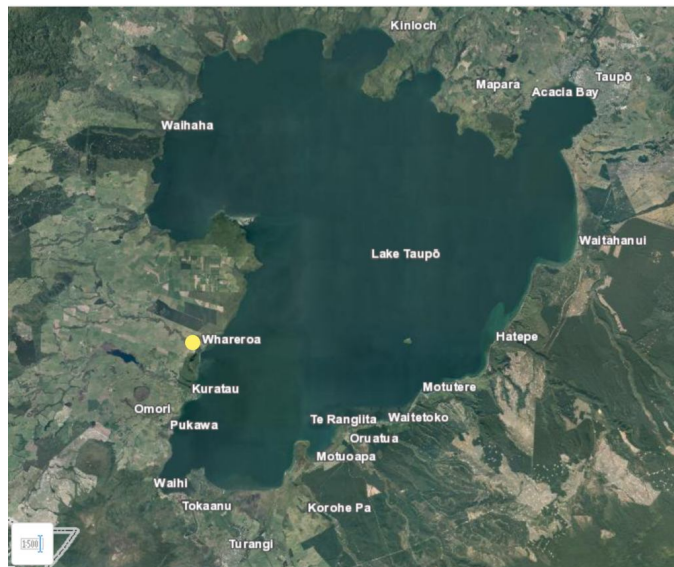
A range of environmental effects are considered as part of the Plan Change application (including in relation to services and roading, ecological effects, visual and landscape effects).

The proposed Plan Change is considered in relation to the relevant regional and district planning documents and statutory provisions of the Resource Management Act 1991. It is concluded that the proposed District Plan provisions will provide an appropriate regulatory framework to ensure that the potential effects on the environment of the proposal can be satisfactorily avoided, remedied or mitigated. The Plan Change will also give effect to the District Plan and structure plan vision for the Whareroa North area consistent with the Waikato Regional Policy Statement and in turn therefore promote the sustainable management of natural and physical resources (thereby being consistent with the purpose and principles of the Resource Management Act 1991).

1 INTRODUCTION

1.1 Purpose of this Report

- 1.1.1 This report has been prepared in accordance with the information and process requirements of the Resource Management Act 1991 ("RMA") in relation to applications for amended District Plan provisions (referred to as "private Plan Change" applications) provided for by s73(2) of the RMA.
- 1.1.2 The land affected by the Plan Change is at Whareroa which is on the southwest shores of Lake Taupo and located wholly within the jurisdiction of the Taupo District Council (being the territorial authority) and the Waikato Regional Council (being the regional authority).



- 1.1.3 The land proposed to be re-zoned through this Plan Change application is identified in the aerial photographic plan below.



1.1.4 The purpose of this report is to describe and assess the matters subject to the proposed Plan Change in accordance with the relevant requirements of the RMA.

1.2 Report Structure

1.2.1 This report comprises the following:

- **Background** (Section 2): background to the development of Whareroa Village and including the north side;
- **The Site and Locality** (Section 3): a description of the site and its surrounds, and also an overview of the various assessments relating to suitability of the site for future residential development;
- **The Plan Change Proposal** (Section 4): an overview of the changes sought to the Operative Taupo District Plan (and those that will remain unaltered), concept plan and servicing, and alternatives considered;
- **TDC Planning – growth at Whareroa North** (Section 5): an analysis of existing TDC plans which anticipate growth at Whareroa North (District Plan and the Southern Settlements Structure Plan);
- **Statutory Framework** (Section 6): an overview of the statutory framework for the Plan Change in terms of the RMA;
- **Relevant Planning Documents** (Section 7): an assessment of the proposal against the Taupo District Plan, Regional Policy Statement, Regional Plan, and Tuwharetoa Iwi Environmental Management Plan;
- **Effects on the Environment** (Section 8): consideration of environmental effects resulting from implementation of the proposed Plan Change;
- **Part II – Resource Management Act 1991** (Section 9): analysis of the Plan Change in terms of the matters set out in Part II of the RMA;
- **Consultation** (Section 10): an overview of the consultation undertaken in relation to the proposal which the Plan Change seeks to provide for;
- **Section 32 Analysis** (Section 11): an assessment of the appropriateness of the proposal and the provisions in terms of the relevant matters set out in Section 32 of the RMA;
- **Conclusion** (Section 12): a summary of the overall outcome of the report.

2 BACKGROUND

2.1 Background to development of Whareroa Village

2.1.1 The Proprietors of Hauhungaroa No 6 ("the Incorporation"), the applicant for this Plan Change application, is the maori landowning entity which has been responsible for the release of land at the Whareroa settlement, on the southwestern shores of Lake Taupo, since the 1980's.

Whareroa Village Early Days

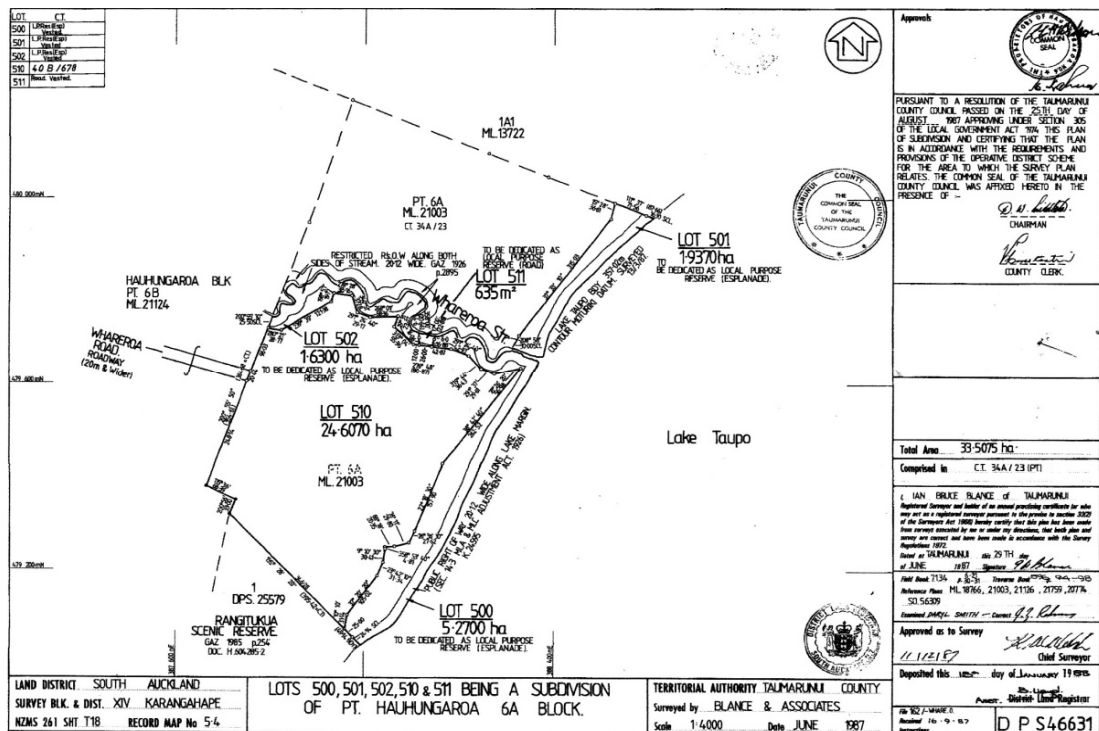
2.1.2 In the early 1960s Whareroa Station was under development by the Department of Lands and Survey and the Department of Maori Affairs. The Departments agreed to the owners taking over administration of approximately 200 acres of the Station adjoining Lake Taupo for development of a holiday settlement subdivision there. The main purpose of the proposed subdivision was for the anticipated profits to be used in assisting the development of the farm. However, because the farm was under the control of the two Government Departments, neither of which was agreeable to take responsibility for the subdivision, it was necessary to form a separate entity for this purpose. This was how the Maori Incorporation, The Proprietors of Hauhungaroa No. 6 came into being in 1965. The 200 acre lakeside block, bisected by the Whareroa Stream and shouldered at each end by high cliffs including that of Rangitukua, was set aside at that time. The balance land to the west remained as a successful farming enterprise for the trustees and beneficial owners, and recently large tracts of it have been planted in manuka.

2.1.3 The 200 acre lakeside block had no road access. The Incorporation established what was little more than a farm track from the Kuratau Hydro Road across farmland to what is now Whareroa Village. In order to fund development of the land the Incorporation negotiated with the (then) Department of Land and Survey to vest the Rangitukua cliff face and adjacent land as Reserve in exchange for residentially zoned land which the Department owned at Omori. The Incorporation subdivided the land at Omori into what is now known as Piripekapeka.

2.1.4 By 1979 the then Taumarunui County Council had zoned the lakeside land in its District Plan for residential development - including the northern part of the block which is the subject of this current rezoning application. This process included court proceedings (particularly around road upgrading and the extent of reserve vesting).

2.1.5 Physical construction of the Whareroa subdivision commenced in the 1980's and required a formed and sealed road from the State Highway some 9 km to the new settlement (along the Kuratau Hydro Road and negotiated access road through the Waituhi Kuratau Station). In 1987 subdivision (see DPS 46631 below) resulted in vesting of:

- esplanade reserves of 6.9ha on the south side of Whareroa Stream (including along the stream and lake frontage);
- a 1.9ha esplanade reserve along the lake frontage on the north side of the Whareroa Stream;
- road reserve where the future road to the north meets the Whareroa Stream (ie between esplanade reserve areas to the west and east).



- 2.1.6 In this way, and from the outset, esplanade reserves were set aside along the entire lake frontage of the 200 acre block where the future holiday settlement was planned. The future road link for the northside development was also set aside.
- 2.1.7 Sale and purchase contracts for the first sections at Whareroa were in place by 1986, with the majority of building activity being undertaken from the early 1990s (the delay likely a reflection of the stock market crash of the late 1980's).
- 2.1.8 Since that time Whareroa has been gradually developed in stages by the Incorporation (on behalf of the landowners) in response to demand for sections there.

Local Body and Zoning Changes

- 2.1.9 Following local body amalgamation in the late 1980's the Whareroa area fell under the jurisdiction of Taupo District Council. In 2000 that Council prepared its' first District Plan (under the Resource Management Act 1991). Land which was not used for urban purposes at that time, including the land at Whareroa North (and along with other rural land in the District which had previously been zoned for future residential purposes) was allocated a "Rural" zoning. That District Plan became operative in 2007.
- 2.1.10 In mid 2006 Council's growth management strategy, "*Taupo District 2050 – District Growth Management Strategy*" (TD2050) identified the land at Whareroa North as a location for preferred urban growth, and in 2010 a series of District Plan Changes were completed which introduced new Plan provisions providing for that growth through a Structure Plan and Plan Change process.
- 2.1.11 A Structure Plan was finalised by Taupo District Council in mid 2013 and this Private Plan Change application completes the process set down in the Taupo District Plan to give effect to the TD2050 urban growth area at Whareroa North. The District Plan and Structure Plan context for this Plan Change proposal are explained in greater detail in Section 5 below.

Substantial planning for Whareroa North

- 2.1.12 Over the past twelve years the Incorporation has invested considerable resources working collaboratively with Council towards putting in place sound planning mechanisms (both resource management and infrastructure) to support residential development north of the Whareroa Stream:
- Since late 2006 the Incorporation, through its multi-disciplinary consultant team (surveyor, engineer, planner, landscape architect, ecologist), has worked on planning for the development of Whareroa North with a team of Council staff and their specialist consultants. This work has involved the Incorporation commissioning many technical reports such that it has invested significantly in planning for the Whareroa North development and the provision of access to it;
 - Planning for access to the upper plateau area has involved obtaining an agreement in principle from the Tuwharetoa Maori Trust Board to the bridging of the Whareroa Stream, as well as negotiating an agreement with Council staff about the alignment and grade of road access up to the plateau land which would minimise the road “footprint” and therefore the vegetation clearance required. This involved the Incorporation commissioning computer modelling of concepts and options for consideration and discussion;
 - The Whareroa North development proposes full connection to public services, with Council staff and the Incorporation’s consultant team liaising on issues around capacity and resource consents for wastewater and water supply as explained in detail in the report of KeySolutions Limited at Appendix 3;
 - The net result of this collaborative work is that the Whareroa North growth area adds economies of scale to the delivery of infrastructure services, enabling it to be provided with these services in a cost effective manner.
- 2.1.13 Attached (Appendix 1) is an overview of the background work and milestones of the Whareroa North project, including the various documents (consents, agreements, letters) referred to above.
- 2.1.14 As documented in that overview, in late 2010 the collaborative design work referred to above culminated in a development concept plan for the land supported by both the Council staff/consultant team as well as the Incorporation. That concept provided for houses set in indigenous bush, reserves, and walkway linkages and was shared with the Whareroa community in early 2011. The desire to protect and enhance ecological and landscape values strongly influenced the final form and style of the development concept and was the focus of significant input by ecologists and landscape architects for both the Incorporation and the Council.
- 2.1.15 Since that time Council progressed work on the Southern Settlement Structure Plan referred to above, and the Incorporation was actively involved in that Local Government Act 2002 process. Since the structure plan became operative in 2013, the landowners have worked consistently towards a Private Plan Change to progress appropriate District Plan provisions for development north of the Whareroa Stream in accordance with the 2010/2011 concept plan (but improved in that houses sites in the protected indigenous bush are no longer proposed, but instead additional farmland to the west is to be secured).
- 2.1.16 In summary, the Incorporation, alongside Council, has invested substantially (and in a sustained, measured, professional, and collaborative manner) in the long-planned northern extension of Whareroa Village.

Whareroa South side completed

2.1.17 In total some 200 sections at Whareroa have been released over about 30 years. The pace of section sales over the years has reflected the economic circumstances of the time. All seven stages of the southern part of Whareroa settlement are now completed and all sections are sold. Several remain in the name of the Incorporation but are subject to sale and purchase agreements which provide for the purchasers to pay them off over a period of time.

2.2 Future Demand for Sections at Whareroa

2.2.1 Whareroa Village is predominantly a holiday settlement with about 17 permanently residing households (8.4% of properties there). Its remoteness and absence of commercial activities sets it apart from other lakeshore holiday settlements (including other south-western Lake Taupo holiday settlements such as Kuratau and Omori).

2.2.2 Taupo District Council has recently indicated that with long-term declining population projections for the Taupo District and demographic changes, the growth scenario for the District is a subdued one. The Incorporation has considered this issue, and based on its understanding of the Whareroa settlement and experience with the cyclic nature of the long term property market, it is optimistic about the prospects for uptake of sections it proposes to offer (on a freehold and possibly also leasehold basis) at Whareroa North for the following reasons:

- The Incorporation has undertaken measured and sustained release of sections at Whareroa over the past 30 plus years and has no reason to expect that the same approach to staged development on the north-side will not be similarly successful;
- Notwithstanding the prospect that population growth in the Taupo District may be subdued in the long term, the success of Whareroa North does not rely on resident population growth, but rather its appeal to prospective property purchasers as a holiday settlement;
- About half of the owners of properties at Whareroa reside in the Waikato and Auckland regions where roading improvements (eg Waikato Expressway) and flow on effects from substantially increased property equity levels (in terms of discretionary spend potentially available for holiday property purchase) are anticipated to support continued interest in holiday property ownership at Whareroa;
- The Incorporation considers that there will always be a demand for sections at Whareroa because of attributes, such as its remote location and absence of commercial activities, which set Whareroa apart from other lakeside settlements in the south western part of Lake Taupo (like Omori and Kuratau);
- Providing product choice in terms of location as well as section sizes and landscape context is an important element of a sustainable market and the Whareroa North product proposes to provide a unique offering to that diversity.

2.2.3 Mindful of the above matters (and continued interest evident in the Whareroa property market), and with all its sections now sold, the Incorporation proposes to progress its long-term vision for the north-side of Whareroa settlement.

2.3 Plan Change for Whareroa North

2.3.1 The purpose of this Plan Change process, therefore, is to facilitate the long-planned extension of Whareroa Village to the north on the plateau above the Whareroa Stream, but taking into account the ecological and landscape values of the area and the efficient extension of public infrastructure.

- 2.3.2 As explained in more detail in Section 5 below, in the case of this Plan Change proposal, existing public planning documents (Taupo District Plan and Southern Settlements Structure Plan) signal the northern expansion of the village and specifically require that a private Plan Change process be undertaken by the landowners, when they consider it appropriate, to secure the appropriate District Plan provisions (including rezoning of land) to support it.
- 2.3.3 The preparation of this Plan Change application has involved consultation with potentially affected neighbouring landowners, the local community, local hapu (Ngati Parekaawa through Poukura Marae), the Tuwharetoa Maori Trust Board, the Waikato Regional Council, the Department of Conservation, as well as various Taupo District Council officers.

3 THE SITE AND LOCALITY

3.1 Plan Change Site

3.1.1 This Plan Change application relates to land immediately north of the Whareroa Stream and shown in the aerial photograph below (and at Section 1.1 above).



3.1.2 The land affected by the Plan Change application ("the land") is currently held in two parcels identified above with yellow marker dots:

- The western portion of the land affected by the Plan Change application is currently part of Whareroa Station. The legal description of this 1,742 ha block of Maori Freehold Land is "Part Hauhungaroa No 6B Block" and it is in the ownership of The Proprietors of Whareroa Station. It is the north-eastern corner of the Whareroa Station land (a 6.38 ha area identified with a dashed line along its southern and western boundaries in the aerial photograph above) which is affected by the proposed Plan Change. The certificate of title for the Whareroa Station property is contained in Appendix 2;
- The remainder of the land affected by the Plan Change application is the balance of the 200 acres of Whareroa Station land which was set aside in the 1970's for residential development (as explained in paragraph 2.1.2 above). The legal description of this 18.9873ha parcel of

General Land is "Part Hauhungaroa No 6A Block" and it is in the ownership of the Incorporation (ie The Proprietors of Hauhungaroa No 6, the applicant). The certificate of title is contained in Appendix 2.

3.1.3 The land affected by the Plan Change application (being the 6.38 ha portion of Part Hauhungaroa 6B Block joined with the 18.9873 ha Part Hauhungaroa 6A Block) has no frontage to a legal road.

3.1.4 The Proprietors of Hauhungaroa No 6 and The Proprietors of Whareroa Station have discussed this re-zoning proposal which will facilitate development at Whareroa North. Following approval of the Plan Change application, formal subdivision consent and Maori Land Court processes will follow to enable the 6.38 ha western parcel to be transferred to the Incorporation.

3.2 Adjoining Properties

3.2.1 In terms of adjoining properties, and as seen in the aerial photograph above:

- The southern boundary of the majority of land is the northern bank of the Whareroa Stream (and alongside which is a one chain wide ROW imposed by statute on all maori land adjoining Lake Taupo in 1926);
- To the west (and in the case of the western 6.38 ha parcel, the south) is Whareroa Station. Whareroa Station is a large rural property through which Whareroa Stream passes to the stream mouth at the lakefront. Recently large areas of Whareroa Station, including immediately adjacent to the land subject to the Plan Change application, have been planted with about 500,000 manuka plants;
- To the east is a Local Purpose (Esplanade) Reserve vested in Taupo which, at its narrowest is about 40m wide. The reserve is clad in indigenous vegetation and mostly elevated some 23m above Lake Taupo then dropping steeply to the shoreline below;
- Along the full length of the northern boundary of the land affected by the Plan Change application is a 16 ha parcel of multiply owned maori land (Hauhungaroa 1A1B Block) and beyond that Hauhungaroa 1A1A Block, Hauhungaroa 1A2Y Block, Hauhungaroa 1A2X Block, Hauhungaroa 1A3 Block, and Poukura Marae on the margin of Lake Taupo. These lands are accessed across private land to Karangahape Road in the northwest. Apart from the marae complex, the land is in regenerating indigenous vegetation and there are numerous dwellings and other buildings located there, particularly towards the east, closer to Lake Taupo.

3.3 Whareroa Village

3.3.1 To the south of the Plan Change site is Whareroa Village, a lakeside settlement at the south-western end of Lake Taupo alongside the mouth of the Whareroa Stream as it enters Lake Taupo. Whareroa is a relatively remote location with access from State Highway 32 (the so-called "western access" road between Kuratau Junction and Whakamaru) along a 9km sealed access road to the lake shore. The same road, which passes through rolling farmland, provides access to the Kuratau hydro dam.

3.3.2 The nearest settlement is Turangi to the south (some 30 minutes driving time away) and the wider locality is characterised by farming and forestry landscapes with Lake Taupo itself being the dominant entity.

The immediate surroundings of Whareroa Village comprise:

- Rangitukua Scenic Reserve to the south and southwest (between Whareroa and Kuratau). This 210 hectare reserve is managed by the Department of Conservation and provides a scenic backdrop to Lake Taupo and features steep rhyolite bluffs and dome, cliff and rock outcrop vegetation, as well as kowhai-kanuka forest;
- Whareroa Station to the west (as referred to above);
- Whareroa Stream to the immediate north and west of the settlement with its steep bush clad banks on the northern side and flats on the south side (which accommodate the most recent stages of the Whareroa village development). The waterway has particular significance as a trout spawning stream;
- The vast expanse of Lake Taupo to the east.

3.3.3 Most of Whareroa Village sits on land which slopes moderately steeply from the cliffs of the Rangitukua Scenic Reserve down to the Lake Taupo foreshore. The most recently developed part of the village is located on the flatter land immediately to the south of the Whareroa Stream.



View from land north of Whareroa Stream looking south to Whareroa Village nestled below Rangitukua

3.3.4 The character of Whareroa Village is described in a “Character Assessment Report” prepared by TDC in December 2010 as part of the development of the Turangi and Southern Settlements Structure Plan. That report describes the village:

“Whareroa

This area has a relaxed, moderately open space, expansive character.

The residential area is located under the ridgeline that runs adjacent to Lake Taupō’s shoreline south of Whareroa Road. The area has many features of a 1970s-1980s subdivision design. This is characterised by the gently curving road pattern combined with a number of cul de sacs. There are few front boundary fences and few well established trees, with lawn being the dominant landscape feature.



The street berm treatment is consistent throughout the development. This consists of no street trees, a standard 0.8m strip of lawn between the road and the 1.2m concrete footpath. There is kerb and channel throughout the development.

The building typology is generally reflective of the area's development stage; materials used throughout include fibre cement board, board and baton and several plastered finishes.

The residential planting is dominated by shrubs with few tall specimen trees and few heavily vegetated areas. Expansive lawn areas dominate the ground surface treatment. This planting palette means the buildings are the predominant feature in this area.

The uniform roading network, standard lot sizes, typical building typology and the expansive areas of lawn all combine to give an ordered suburban feel to this settlement.

The key elements that help to distinguish the character of this area include:

- *no power lines*
- *no street lights*
- *an 8m wide road carriageway with raised vertical kerb and channel*
- *no street trees*
- *sealed vehicle crossings to most properties*
- *clearly visible buildings*
- *a boat ramp*

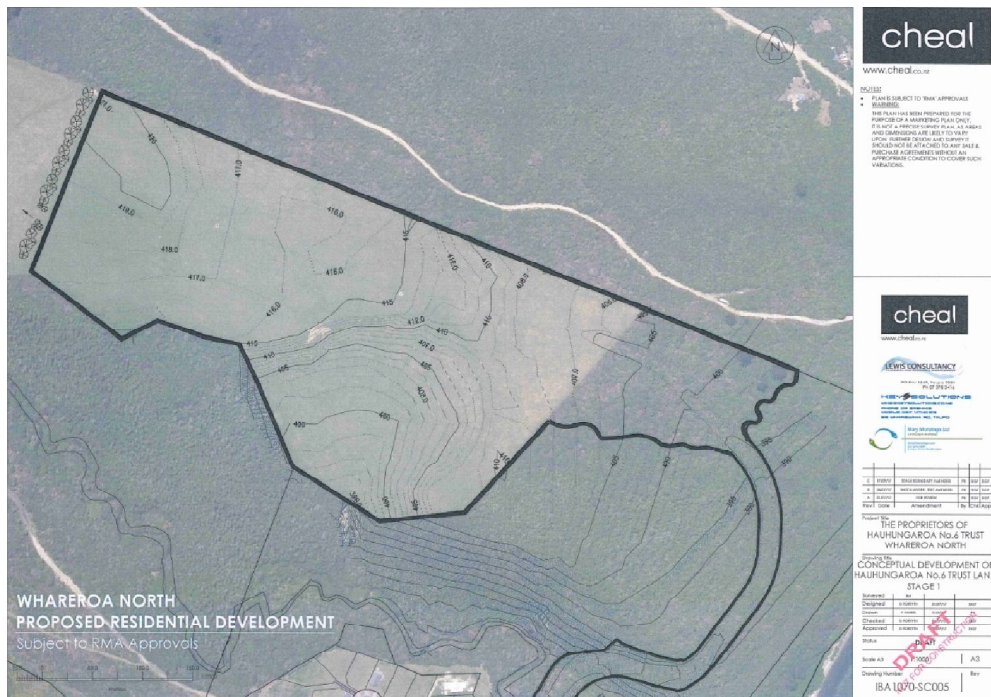
- 3.3.5 A network of reserves throughout the village (evident in the plan above) provides pedestrian walkways through and between residential areas within the village. Use of steps and informal pathways offers variety and interest. Along the lakeshore and riverside areas are more substantial reserves which also provide access to other facilities (such as public toilets, boat ramp, jetty and parking areas). In particular the expansive "Kowhai Flat" reserve along the lakeshore provides large flat grassed areas in close proximity to swimming, boating and walking opportunities.
- 3.3.6 The existing village comprises 202 freehold residential properties. With only 8% of properties used for permanent residences, Whareroa is predominantly a holiday settlement.
- 3.3.7 The properties at Whareroa are a range of front and rear lots (served by private, often shared, driveways/ROWS). There is a range of property sizes between 500 sq m and 1,626 sq m with an average residential section size of 731 sq m. The village has a predominantly "one house per section" type settlement pattern and there is a combination of both single level and two storey houses, with individual construction styles often reflecting the challenges of the topography of a site. The scale of the built form at Whareroa reflects both Council and private building height restrictions which has resulted in most sites being afforded views. There is a wide range of building styles, construction materials, exterior colour schemes, and landscape treatment evident throughout the village.
- 3.3.8 As well as reserves and other infrastructure (ie roading, water and wastewater reticulation, power and telecommunications) the following community facilities or structures are present at Whareroa:
- Monument at entrance to the village;
 - Village notice-board;
 - Transfer station and recycling centre (the associated building doubles as an informal sheltered meeting space and also contains a village book library);
 - Tennis courts and play equipment;
 - Public toilets at lakeside reserve;
 - Public boat ramp and jetty with associated parking area.
- 3.3.9 Section 4 of the Visual and Landscape Assessment at Appendix 4 provides a further overview of the existing village and provides additional detail about reserves there.

3.4 Site Suitability Characteristics

3.4.1 The suitability of the site for residential development (and access to it) has been the subject of numerous professional reports and technical assessments.

Topography and Geotechnical

3.4.2 The land subject to this Plan Change application consists of a steep river escarpment clad with indigenous vegetation, and a plateau area above which falls from the northwest to the east, and with a localised “bowl” midway along the southern side draining through a visible scarp area to the stream escarpment below. The elevation of the land where residential development is proposed falls from 420m at the northwest to 395m at the east (some 750m away) as shown in the contour plan below (which is also contained in the KeySolutions Infrastructure Report at Appendix 3).



3.4.3 The KeySolutions report also addresses various geotechnical site suitability matters which are summarised below:

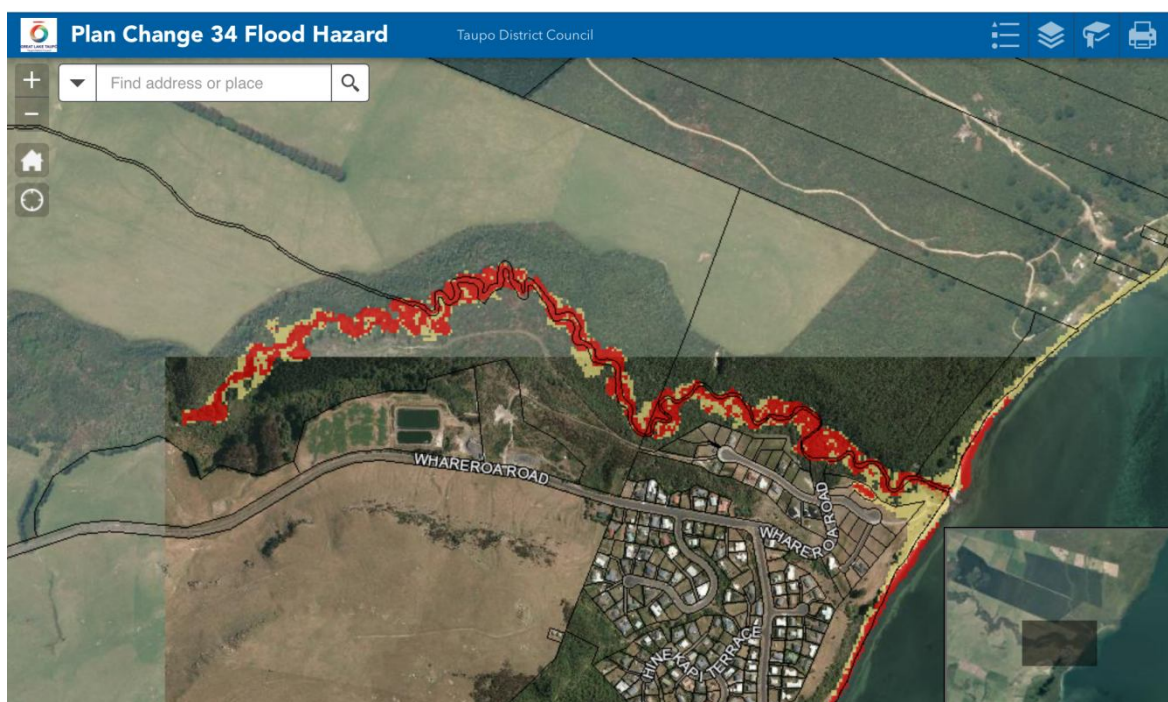
- Land stability: investigations undertaken to date do not identify issues of significance (such as land instability, erosion, etc) although more detailed work will be required to support future resource consent processes;
- Fault line: no nearby fault lines likely to present issues;
- Liquefaction: potential liquefaction issues in the vicinity of the Whareroa Stream will (along with flood hazard issues) be addressed in the design and consenting stages for the proposed road and bridge.

Potential Soil Contamination

- 3.4.4 It is appropriate to consider if the site has been used for an activity in the past which may have resulted in the land being contaminated and therefore a potential health risk for future residents.
- 3.4.5 Most of the plateau land (where the future house sites are proposed to be located), has been grazed as part of the Whareroa Station farming operation over many decades. The farm manager has confirmed that to his knowledge this part of the farm has not been used for an activity that may have resulted in soil contamination (for example sheep dip, storage of herbicides or other chemicals, etc). This land is at the extreme northeast corner of Whareroa Station and for that reason, including its distance from road access, it is unlikely to have been the location of any operational or maintenance hub for the farm.
- 3.4.6 As well as seeking advice from the landowners, and in relation to the framework set down in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“the NES”), enquiries have been made of the Taupo District Council and the Waikato Regional Council to confirm if the records of either authority indicate that an activity or industry described on the Ministry for the Environment’s “Hazardous Activities and Industries List” (HAIL) may have been undertaken on the site.
- 3.4.7 Advice from those authorities (at Appendix 10) is that there are no records or information to indicate that the site has in the past been used for a HAIL activity.
- 3.4.8 On that basis it is concluded that, in terms of potentially contaminated soil which could adversely impact on the health of future residents, the land is suitable for residential purposes.

Flood Hazard

- 3.4.9 A recently notified Taupo District Plan Change identified areas in the District which are susceptible to risk of flooding in a one in 100 year event. Below is a copy of the Flood Hazard Map for the Whareroa Stream area. The red area indicates a “high flood hazard” area.



- 3.4.10 At Whareroa the flood hazard areas are confined to the Whareroa Stream trench and adjacent low lying areas. That includes the location where it is proposed to extend Whareroa Road (and services) by bridging the Whareroa Stream.
- 3.4.11 The location and design of the future road and bridge will need to ensure that the infrastructure can continue to operate during and after a flood event. That will include ensuring that the bridge design takes into account the flood level of the Whareroa River (ie that the deck of the bridge is sufficiently clear of it and the abutments do not adversely affect the flow of water).
- 3.4.12 These matters are appropriately addressed through the future resource consent processes required to authorise the road (including bridge) and associated activities.

Natural Values

- 3.4.13 Except for part of the plateau which is in pasture, the Plan Change proposal land is covered in other vegetation of varying ecological quality.
- 3.4.14 In 2005 The Incorporation commissioned an ecological assessment of its' property by Bioresearches Group Limited.¹ The Bioresearches report contained an analysis of the range and quality of vegetation on the site and summarized that in its' report (at Figure 4 *Northside Vegetation Areas*, and Figure 8 *Whareroa Stream Riparian Vegetation Areas*). Apart from the 2 ha area of regenerating scrub (and which is included in the area to be rezoned "Residential Environment"), the balance of the vegetation is generally secondary forest typically kanuka and five finger dominant.
- 3.4.15 The Bioresearches report summarised that:
- No rare or endangered plant species or plant communities were recorded;
 - No nationally threatened plant species were recorded;
 - Avifauna is dominated by common native and endemic species and no threatened species were recorded (but long-tailed cuckoo is probable during the spring/summer period);
 - No other significant wildlife was recorded;
 - Based on the surveys undertaken the upper area would have moderate wildlife value rather than high or outstanding and would be similar to large adjacent areas of Lake edge habitat.
- 3.4.16 Later, surveys of the site were also undertaken to determine if lizards (skinks, geckos) or bats were present². The surveys did not reveal any sightings or evidence of lizards on the site.
- 3.4.17 The Barr and Habgood lizard survey report offered some comment about the condition of the vegetation at Whareroa North and the prevalence of pests (including pigs):
- "During the survey at least 6 pigs were seen and they were often heard during night surveys. The forest had extensive pig damage particularly on the flats above the lake and stream scarps, which in places left the forest floor completely devoid of natural cover or debris (see appendix for photos). In addition, two mice were found under ACO's during checks and there is almost certainly a high rat population.*
- The forest at Whareroa North is mixture of young and low regenerating scrub and tall regenerating scrub, which suggests a history of disturbance and/or clearance. This disturbance coupled with the ongoing habitat destruction from pigs and predation from introduced predators has probably rendered the local population of lizards extinct."*

¹ Bioresearches Group Limited, 2005, "Ecological Characteristics of The North Side Development Area and Adjoining Whareroa Stream Riparian Habitat"

² Barr, B and Habgood, M, 2008 "Report on the long-tailed bat survey conducted at Pt Hauhungaroa 6A Block", and Barr, B and Habgood, M, 2008 "Report on the Lizard Survey conducted at Pt Hauhungaroa 6A Block, Whareroa North"

- 3.4.18 The result of the various ecological studies undertaken by the Incorporation was that the natural values at the site were associated with avifauna and the vegetation which supported that.
- 3.4.19 Since the Incorporation undertook its ecological assessment work, TDC introduced a "Natural Values" Plan Change and the part of the Plan Change proposal site which is outside of the pasture land and the 2ha of scrub, is identified as part of the "Te Kokomiko Point, Poukura Pa Bush, Wharf" Significant Natural Area 062. SNA 062 also includes substantial areas to the west and to the north of Whareroa North site (see excerpt of District Plan Map showing extent of SNA 062 at Section 7.2 below).
- 3.4.20 Below is a copy of the TDC consultant ecologists's assessment sheet supporting the identification of "Te Kokomiko Point, Poukura Pa Bush, Wharf" as a SNA.

TE KOKOMIKO POINT, POUKARA PA BUSH, WHAREROA STREAM		
Study No:	084	TDC 2005 Site #:
DOC ID:	013,014	
Grid Reference:	T18 530590	
Tenure:	Māori land	
Protection Status:	Unprotected	
Area (ha):	707.34 (need to check)	
Altitude Range (m):	360-520	
Ecological District:	Taupo	
Geological/Landform Unit:	Flat, rhyolite/andesite – alluvium/tephra; Hilly, rhyolite; Lake; Rolling rhyolite/andesite; Steep, rhyolite/andesite.	
BIOCLIMATIC ZONE	VEGETATION TYPE	LANDFORM
Lowland	Kanuka/kamahi-rewarewa-(podocarp) forest (DOC 1998a)	Stream gully
Lowland	Wilding pines/poplar-broadleaved forest (DOC 1998a)	Stream gully
Lowland	Kowhai treeland (DOC 1998a)	Lake edge (DOC 1998a)
Lowland	Kamahi/rewarewa forest (DOC 1998a)	Hillslopes and ridgetops (DOC 1998a)
Lowland	Kamahi/rewarewa-treefern-mahoe forest (DOC 1998a)	Gullies (DOC 1998a)
Lowland	Whauwhaupaku-rewarewa-kamahi forest (DOC 1998a)	Plateau (DOC 1998a)
Lowland	Manuka shrubland (DOC 1998a)	Plateau (DOC 1998a)
Lowland	Pasture grassland (DOC 1998a)	Plateau (DOC 1998a)
Flora:	No threatened or at risk species as listed in de Lange <i>et al.</i> 2009 are known from this site.	
Fauna:	New Zealand 'bush' falcon (ranked as 'Threatened/Nationally Vulnerable' in Miskelly <i>et al.</i> 2008), long-tailed cuckoo (ranked as 'At Risk/Naturally Uncommon' in Miskelly <i>et al.</i> 2008), kereru, tui, grey warbler, bellbird, shining cuckoo and pukeko have been recorded from this site (DOC 1990b and 2008 survey).	
Special Ecological Features:	The site contains a large tract of indigenous forest, and regenerating indigenous shrubland which is a habitat for one threatened and one at risk bird species. The site acts as a protective buffer to Lake Taupo and is contiguous with Te Hapua Bay Scenic Reserve.	
Threats:	Animal pests (possums, DOC 1998a), and pigs (2008 survey)	
Data Reliability:	1	
References:	DOC 1990a; DOC 1998a; DSIR 1983.	
Notes/Comments:	Tephra and pumice overlie a basaltic plateau, atop ignimbrite cliffs (DOC 1998a). Site 85 (Whareroa Stream Riparian Strip and Outlet) has been included in this site.	
2008 SNA Criteria Met:	The parts of the site that are in exotic plantation and pasture, or mixed exotic scrub and pasture do not meet the SNA criteria and have been removed from the site.	
Assessment for Significance Based On:	Site visit	
Site Visited:	13 November 2008	
Grid Reference of Part Visited:	E2751280, N6257230; E2750490, N6257030; E2751470, N6256770; E2747770, N6258530; E2745390, N6258600	
Reason for Site Visit 2008:	To assess boundaries of SNA, which have been questioned by landowner.	
Site Description of Part Inspected:	Boundaries were redrawn to exclude pasture and most areas of plantation forest. Areas subject to Land Improvement Agreement were not inspected, although boundaries were adjusted to remove obvious pasture and scrub as viewed while driving to the site. A detailed ecological assessment survey was not undertaken of obvious indigenous vegetation as indicated on aerial photographs, and viewed from edge of vegetation.	
Recommendation:	Realign SNA boundaries to remove pasture, plantation trees, and other exotic dominant vegetation. Include significant indigenous vegetation that was previously excluded from site – generally this was only a minor adjustment based on aerial photographs and scale	

Landscape Values

3.4.21 As well as a description of the existing village on the south side of the Whareroa Stream, the “Landscape and Visual Assessment” (LAVA) report of landscape architect Mary Monzongo (at Appendix 4) includes a description of the landscape and visual context of Whareroa North and also the visibility of the development land and elements of the proposed development.

3.4.22 Section 5 of the LAVA describes the landscape and visual context of the site as being:

- *“The southwestern part of the Taupō district exhibits a high degree of natural character because of the indigenous vegetation growing along the Lake margins and the predominantly pastoral land use.*
- *The southwestern lakeshore settlements of Pukawa, Omori, Kuratau and Whareroa cater for traditional holiday homes but some of these settlements are increasingly becoming home to more permanent residents. Much of the character that defines these settlements results from their small and compact nature and isolated lakeside locations. Pukawa and Kuratau also derive much of their character from their bush settings.*
- *The bush-clad Rangitukua Scenic Reserve is located to the immediate south of the village and visually dominates the landscape in the vicinity. Its distinctive cliffs provide spectacular views from the lake and portions of the village.*
- *The access to the Whareroa Village is through pastoral farmland, from State Highway 32, Western Access Road.”*

3.4.23 In terms of visibility, Section 7 of the LAVA describes:

- the land as being visible from:
 - parts of Whareroa village and Whareroa Road;
 - parts of Lake Taupō;
 - higher ground to the north and west; and
 - the eastern shore of Lake Taupō.
- the visibility of elements of the proposed development as being:
 - *“The visibility of the bridge site will be limited by existing vegetation (along the Whareroa Stream and on the escarpment) to areas of the Whareroa Village;*
 - *The road up the escarpment and the associated earthworks is likely to be visible from portions of the Whareroa village and portions of Lake Taupō;*
 - *The road and associated vegetation clearance across the plateau to the residential development area is likely to be visible from areas on Lake Taupō and Whareroa Village; and*
 - *The residential development will be visible from sections of Whareroa Road and Whareroa Village and Lake Taupō”.*

3.4.24 The LAVA also confirms that part of the site closest to Lake Taupo, as well as Lake Taupo, is included as an “Outstanding Landscape Area” in the Taupo District Plan and an “Outstanding Natural Feature or Landscape” in the Waikato Regional Policy Statement (as discussed in Sections 7.1 and 7.2 below).

Archaeological Values

3.4.25 In August 2005 the Incorporation commissioned archaeologist Don Prince (of Time Depth Enterprises Heritage Consultants) to undertake an archaeological assessment of the site³.

3.4.26 As well as undertaking a search of the NZ Archaeological Association files and relevant literature, the assessment states that Mr Prince also undertook a visual inspection with some sub-surface testing.

³ Prince, D, 2005, “Proposed Whareroa Village North Subdivision - Archaeological Survey and Assessment of Effects”

The assessment reports that *"No visible archaeological features or evidence for the presence of buried archaeological deposits were identified during the current inspection"*. However the report observes that the NZAA Site Record File identifies one archaeological site recorded in the vicinity being T18/9, Whareroa Pa, which for reasons explained in his report, Mr Prince understands was located on *"the naturally terraced slopes to the south of the Whareroa River"* (page 3).

3.4.27 The report concludes at page 6 by confirming that *"there are no constraints on archaeological grounds as no archaeological sites are located on or in the immediate vicinity of the proposed works"*, but recommends that *"following vegetation clearance within the bush block and prior to commencement of earthworks an archaeologist inspects the area so as to determine whether archaeological features/deposits exist"*.

Cultural Values

3.4.28 In 2008 the trustees commissioned Tina Porou Consultants Limited to prepare a Cultural Impact Assessment (CIA)⁴. The CIA confirms in summary that *"This cultural impact report has identified that there are no major cultural impacts that would hinder the proposed subdivision, nor the construction of the Whareroa Bridge."*

3.4.29 In the case of the Whareroa North site, and as outlined in Section 10 ("Consultation"), the owners and trustees are tangata whenua of the land and an established relationship is in place with Ngati Parekaawa of Poukura Marae.

3.4.30 Further, consultation also with the Tuwharetoa Maori Trust Board is on-going.

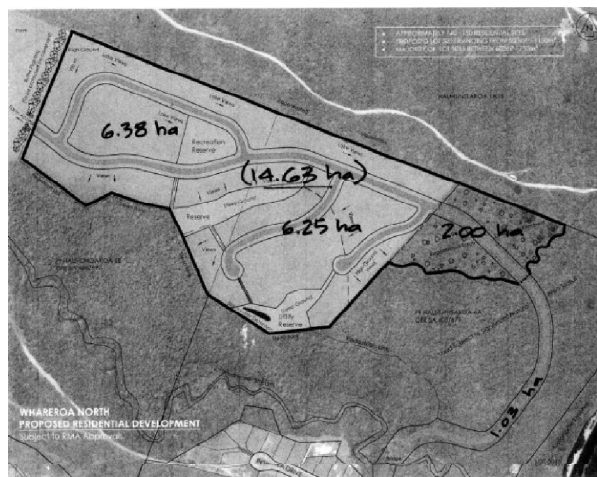
3.4.31 This engagement has clarified that there are no known sites of cultural significance which are likely to be affected by implementation of the Plan Change proposal. Taonga of significance to tangata whenua (including the mauri of the waters of the Whareroa Stream and Lake Taupo) will, however, need to be considered further during the design and resource consenting stages as the proposal is implemented.

⁴ Tina Porou Consultants Limited, 2008, *"Cultural Impact Assessment – Whareroa North Structure Plan and Whareroa Bridge Crossing"*.

4 THE PLAN CHANGE PROPOSAL

4.1 Purpose of the Plan Change

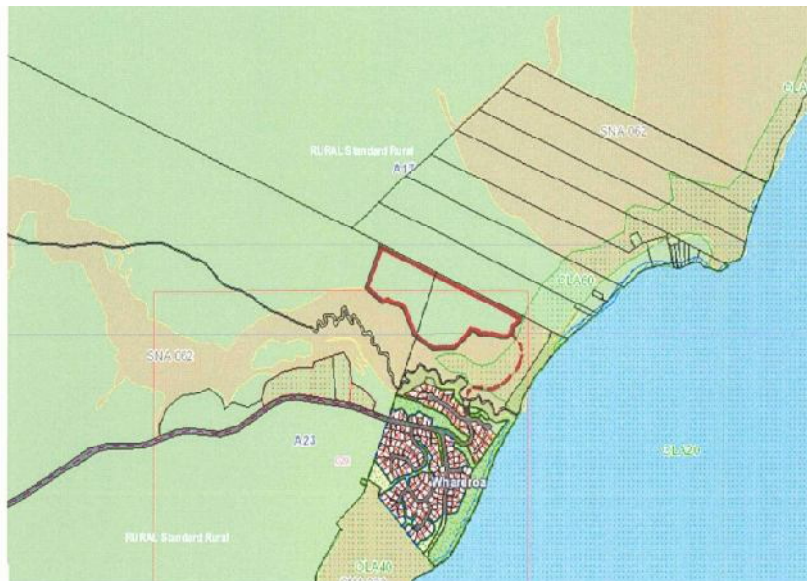
- 4.1.1 The application property is currently zoned "Rural Environment". Subdivision resulting in allotments less than 4ha in size is a non-complying activity in the Rural Environment and considered, in terms of the Taupo District Plan, to constitute an "urban" density of development. The District Plan policy framework directs that urban density subdivision and development be located only within future growth areas which have been subject to structure planning and re-zoning for that purpose. That framework is described in Section 5 below.
- 4.1.2 Accordingly the proposed District Plan Change seeks to rezone land at Whareroa North from "Rural" to "Residential" and to secure a District Plan framework enabling residential subdivision there which is in accordance with a specific concept plan (to be included as a new District Plan appendix and explained in Section 4.4 below). The land proposed to be rezoned "Residential Environment" is a 14.63 ha area of land comprising 12.63ha of pasture land (6.38ha of which is currently part of Whareroa Station) and 2 ha of regenerating scrub. See plan below.



- 4.1.3 As explained later in this report, the proposal is consistent with the Regional Policy Statement, the operative Taupo District Plan, and the Taupo District Council Southern Settlements Structure Plan.

4.2 The Proposed Plan Provisions

- 4.2.1 A full copy of the District Plan amendments proposed by this Plan Change application is at Appendix 5. In summary, the Plan Change proposes the following amendments to the District Plan:
- Amended District Plan Map C29 showing proposed "Residential Environment" zone applied to that 14.63 ha area of land described in Section 3.1 above and identified on the Plan Map as "Whareroa North". The remainder of the property, including the indicated access route from Whareroa Road, will retain the current "Rural Environment" zoning. See below.



 Land Proposed to be rezoned “Residential Environment”

 Access

- Amend District Plan “Section 3a: Objectives and Policies – Residential Environment” which provides policy support for the Residential Environment (including, by the Plan Change, at Whareroa North in accordance with the Whareroa North Residential Concept Plan). Specifically, the following amendments:
 - “Explanation” section at page 4: inserting new reference to Whareroa North and the Southern Settlements Structure Plan at paragraphs 3 and 4;
 - Inserting new Anticipated Environmental Outcome 3a.5vi: *“Development of the Residential Environment at Whareroa North which is consistent with Appendix 8”*.
- Amend District Plan “Section 4a: Rules and Standards – Residential Environment” which provides for residential subdivision. In particular:
 - Inserting new Subdivision Rule 4a.3.1A - Controlled Activity status for subdivision at Whareroa North which is in accordance with the Whareroa North Residential Concept and Staging Plan at Appendix 8;
 - Confirming that the matters of control listed below Rule 4a.3.2 also apply to new Rule 4a.3.1A;
 - Confirming that Subdivision Rule 4a.3.3 (being the restricted discretionary activity rule for subdivision which involves extension of public roads or services) does not apply to subdivision at Whareroa North which is in accordance with Appendix 8.
- New Appendix 8 being the Whareroa North Residential Concept Plan.

4.2.2 Provided subdivision is in accordance with the concept plan, the proposed amended District Plan provisions provide for residential subdivision at Whareroa North as a Controlled Activity. Below District Plan residential subdivision Rule 4a.3.2 is an extensive list of the matters over which Council reserves control. These will also apply, therefore, to residential subdivision of the re-zoned land

(provided the subdivision is consistent with the subdivision concept plan). These matters of control (and which conditions of subdivision consent may be imposed in respect of) include:

- design and layout of the subdivision in relation to access onto existing and proposed roads, suitable building platforms, and stormwater management;
- natural hazards including land stability and suitability of future building sites;
- consistent and appropriate standard of infrastructure;
- earthworks and vegetation removal;
- effects on landscape and natural values areas;
- consent conditions in accordance with s108 and s220 of the RMA.

4.2.3 The amended District Plan provisions proposed by the Plan Change application would result in any subdivision which is not in accordance with the subdivision concept and staging plan, falling to restricted discretionary activity status (under Rule 4a.3.3). In that case Rule 4a.3.3 makes it clear that the same range of matters (ie those listed in paragraph 4.2.2 above) will apply when any such an application for subdivision consent is determined.

4.3 Unaltered Plan provisions

4.3.1 As referred to above, the proposed road connection between the southern side of the Whareroa Stream and the proposed "Residential Environment" boundary is across land currently zoned "Rural Environment" in the District Plan. As further explained (in Section 7.2 of this report below) this land is also subject to Significant Natural Area (SNA) and Outstanding Landscape Area (OLA) overlays. The current District Plan provisions (zoning, policy framework, and rules) which apply to this area will remain unchanged by the proposed Plan Change. In particular, any earthworks, vegetation removal, or structures associated with the access road construction (and services) will continue to be subject to the following District Plan rules:

- For indigenous vegetation clearance within an SNA: District Plan Rules 4e.6.1 (permitted activity rule) and 4e.6.2 (restricted discretionary activity rule) and including Assessment Criteria 4e.6.2 a) to g);
- For structures in an OLA: District Plan Performance Standards (4b.1.1, 4b.1.2, 4b.1.3, 4b.1.4) and Rule 4b.2.7 (restricted discretionary activity);
- For earthworks in an OLA: District Plan Rule 4b.2.8 (restricted discretionary activity).

4.3.2 The effect of this existing (and to remain unaltered) District Plan framework is that the construction of the access road and associated vegetation clearance and retaining will require land use consent with restricted discretionary activity status at least.

4.3.3 In addition to land use and subdivision consents required from Taupo District Council, development at Whareroa North (in particular the first stage) will also require resource consents from the Waikato Regional Council including for bridging the Whareroa Stream, earthworks in a High Risk Erosion Area, etc.

4.4 Whareroa North Residential Concept Plan

4.4.1 As referred to above, the land proposed to be rezoned "Residential Environment" is the (14.63 ha) plateau area immediately north of Whareroa Stream. The concept plan (which is below and part of the set of amended District Plan provisions at Appendix 5) has been designed to best realise the potential of the site in relation to views, topography, access and servicing, future site orientation and

result in a “net environmental gain”. Although a matter for future resource consent processes to determine, that outcome is likely to be secured through design (road, earthworks, retaining elements) and provision of a mitigation package including:

- Legal and physical protection of the significant natural values area (apart from the road route);
- Offsetting indigenous vegetation lost on a “hectare per hectare” basis (in this case approximately 1.0 ha) either by the proposed buffer planting to the west, elsewhere in the affected SNA, at another location determined through future resource consent processes, or a combination of these locations;
- Pest management.

4.4.3 In the case of this Plan Change application, it is noted that the District Plan regulatory framework aimed at achieving a “net environmental gain” outcome is already in place. That framework is not altered or compromised by the Plan Change proposal.

4.5 Servicing and Infrastructure

4.5.1 The report of KeySolutions at Appendix 3 describes in detail how the future Whareroa North residential area is able to be appropriately and efficiently serviced. The report provides a comprehensive overview of the lengthy and collaborative relationship between the Incorporation and Taupo District Council towards infrastructure provision for Whareroa (including in anticipation of the northside development).

4.5.2 The concluding comments provide a summary:

- work to date has produced a viable concept for expanding Whareroa by up to 80% as has been envisaged since well before the first lots were created over thirty years ago;
- Whareroa North is signalled as a preferred location for future residential growth area in TDC’s document TD2050, Southern Settlements Structure Plan and District Plan. The Incorporation and TDC have been working in partnership for a long time to facilitate this;
- Roading infrastructure is in place to the boundary of Whareroa North which has the capacity to cater for the extra traffic which the development will generate;
- Water supply headworks are largely in place to cater for Whareroa North. The WRC consent for the water supply will accommodate growth at Whareroa North;
- Due to a collaborative effort between TDC and the Incorporation, wastewater infrastructure and the necessary WRC consents are in place to service Whareroa North;
- Stormwater management, utilities provision and geotechnical issues all have potential solutions;
- Staging is proposed so as to accommodate the needs of both the developer and TDC;
- Economies of scale, cost effectiveness and general infrastructural efficiency all have the potential to increase as a result of the expansion of Whareroa.

4.6 Alternatives Considered

4.6.1 In the course of developing the proposed Plan Change, several alternatives (to the approach proposed) were considered:

- House sites set in indigenous vegetation;
- A different bridge location;

- Seeking resource management authority for the proposal through resource consents instead of Plan Change;
- Apply the “New Residential Environment” zoning;

House sites set in indigenous vegetation

- 4.6.2 As explained further in Section 5.3, originally the development proposal for Whareroa North included house sites set in indigenous vegetation. That vegetation was part of a “Significant Natural Area” (SNA) identified in the District Plan. Although house sites set in SNA was an approach provided for in the SSSP, with the agreement of the adjoining Whareroa Station the Incorporation decided not to pursue residential sites in the SNA and instead sought to extend the residential development to the west into that farmland. That is reflected in the concept plan included in the set of amended District Plan Provisions (Appendix 5).
- 4.6.3 Both Council staff and the consultant project team agreed that the adjustment secures an improved environmental outcome (in terms of the ecological and landscape values of the locality) compared to the previous proposal. For that reason the previous proposal has not been assessed further and in particular is not considered to be a “reasonably practicable option” warranting detailed assessment through the Section 32 evaluation process outlined in Section 11 of this application document.

A different bridge location

- 4.6.4 Access to the Whareroa North residential subdivision area has long been planned from the end of Whareroa Road, across the Road Reserve set aside in the late 1980’s for that purpose, with a single span bridge over the Whareroa Stream and a sidling route climbing up through the vegetated river escarpment to the plateau above. In 2016 the Incorporation commissioned an investigation as to whether that remained the best route in terms of environmental, construction, community and cost factors.
- 4.6.5 The report (which is included in full as part of the KeySolutions Report at Appendix 3) considered five stream crossing locations and assesses each in terms of the following factors:
- Physical impact (eg earthworks and vegetation removal);
 - Initial cost;
 - Cost of new roading connection to stream crossing point on south side;
 - Cost of roading on the north side;
 - Connectivity (or lack thereof) between the south and north sides of Whareroa Village;
 - Existing services;
 - Land ownership and tenure;
 - Lifetime maintenance and operation costs.
- 4.6.6 For the reasons set out in the KeySolutions Report (and most significantly because of connectivity, cost and consenting issues), the long-planned stream crossing remains the best option. In particular a different bridge location would compromise the connectivity of the two parts of Whareroa Village to the extent they potentially would be considered as two separate communities. As a single village with good connectivity between the two parts, various community facilities and infrastructure (for example lakefront reserves and boating facilities, refuse and recycling facilities) are able to be utilised efficiently, whereas two separated settlements would potentially generate demand for duplicated services.

4.6.7 As these various stream crossing locations have already been well assessed, an alternative stream crossing point (to that proposed in the Plan Change proposal) is not considered to be a “reasonably practicable option” warranting further detailed assessment through the Section 32 evaluation process outlined in Section 11 of this application document.

Resource consent process (instead of Plan Change)

4.6.8 Consideration was given to advancing the proposal (ie for which this application seeks amended District Plan provisions) through resource consent processes instead of through the Private Plan Change process.

4.6.9 This would involve preparing applications for the suite of resource consents (Taupo District Council as well as Waikato Regional Council) required to authorise the subdivision development.

4.6.10 The Section 32 evaluation in Section 11 below assesses the comparative efficiency and effectiveness of the resource consent option and concludes that it is not the most appropriate way to achieve resource management authority for the Whareroa North proposal.

Apply the “New Residential Environment” zoning

4.6.11 Instead of seeking to apply the “Residential Environment” zoning and locking in a subdivision concept plan, consideration was also given to applying instead the “New Residential Environment”. The New Residential Environment is a zoning in the District Plan which is currently applied to parcels of land in only two locations (Kuratau and Acacia Bay). The New Residential Environment is one of the most restrictive residential zonings in the Taupo District Plan.

4.6.12 The specific New Residential Environment District Plan provisions are:

<p><u>3a RESIDENTIAL ENVIRONMENT</u> 3a.2 Objectives and Policies</p> <p>OBJECTIVE 3a.2.4 To enable the New Residential Environment to be developed in a manner which reflects the characteristics of the land and minimises offsite effects.</p> <p>POLICIES</p> <ul style="list-style-type: none">i. Subdivision and development in the New Residential Environment should be in a form and layout that includes a range of built densities that are appropriately suited to the physical, landscape and amenity characteristics, natural values and constraints of the land.ii. Subdivision and development in the New Residential Environment should not adversely affect the amenity of the wider Residential Environment. <p>EXPLANATION Whilst the New Residential Environment has been identified as suitable for residential development, the physical and landscape characteristics of the site require that the form and built densities of that development would have to be more sensitive to such factors.....”</p> <p><u>4a RESIDENTIAL ENVIRONMENT</u> 4a.3 Subdivision Rules</p> <p>4a.3.4 Any subdivision in the New Residential Environment, and any other subdivision which is not identified as a controlled, restricted discretionary, or non complying activity, is a discretionary activity.</p> <p>4a.7 Assessment Criteria 4a.7.17 SUBDIVISION</p> <p>.....</p> <p>g. In respect to the New Residential Environment the appropriateness of the design, layout and density of the subdivision, having particular regard to any:</p> <ul style="list-style-type: none">.....iii relevant stormwater catchment management plan,iv geotechnical and topographical considerations,....v landscape issues (particularly as they relate to any Amenity Landscape Area),vi natural values and any infrastructural servicing issues.
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- 4.6.13 Essentially the “New Residential” zoning identifies that the zoned land is appropriate for residential land use but does not define the density or other parameters for development there. Rather, as a discretionary activity, the application of the policies, assessment criteria, and any other matters relevant under section 104 (including Part 2 RMA matters) would be considered in the assessment of any consent application made. The applicant would need to consider the characteristics of the land being developed and also the surrounding area.
- 4.6.14 In the case of the Whareroa North project, many technical reports had already been commissioned about the land (see site suitability characteristics discussed in Section 3.3 above) and substantial design progress had been made such that the application of the New Residential Environment zoning was considered to be an inefficient mechanism to progress the proposal. Instead the proposed Plan provisions include a subdivision concept plan which provides details about the layout, density and nature of the proposed development.
- 4.6.15 The Section 32 evaluation in Section 11 below assesses the comparative efficiency and effectiveness of the “New Residential Environment” zoning option and concludes that it is not the most appropriate way to achieve resource management authority for the Whareroa North proposal.

5 TDC PLANNING - GROWTH AT WHAREROA NORTH

5.1 Introduction

5.1.1 In addition to the over-arching TD2050 growth management plan, in terms of spatial planning there are two Taupo District Council plans which relate to development at Whareroa North. Both of these have been developed through a statutory public policy making process. They are:

- The operative Taupo District Plan prepared under the Resource Management Act 1991;
- The “Southern Settlements Structure Plan” (SSSP) adopted by the Council in May 2013 and prepared under the Local Government Act 2002.

5.2 Taupo District Plan

5.2.1 Section 3e (“Land Development”) of the District Plan provides the policy framework for land development in the Taupo District. It is considered further in Section 7.1 below. In summary Section 3e of the District Plan sets out the policy framework and the resource management process for facilitating the development of specific “future growth areas” in the Taupo District. These future growth areas were identified as a result of a district wide growth management strategy - *Taupo District Growth Management Strategy* (known as “TD2050”) of May 2006.

5.2.2 TD2050 identifies Whareroa North area as a “future growth area” in the Taupo District. District Plan Changes undertaken by Taupo District Council and completed in 2010 introduced Section 3e of the Taupo District Plan which provides statutory support for the future urban growth outcomes signalled in the TD2050 strategy.

5.2.3 Appendix 6 contains relevant excerpts of Section 3e of the District Plan. Section 3e.6.3 “*South Eastern and Western Urban Growth Areas*” includes a map identifying the Whareroa North Urban Growth Area.

5.2.4 Through the policy direction set down in Section 3e of the District Plan the Taupo District Council aims to provide for and manage urban growth in a sustainable manner by:

- ensuring that patterns of future urban development are consistent with the identified Urban Growth Areas described in Section 3e.6 of the District Plan (ie including the Whareroa North Urban Growth Area);
- preventing urban development in areas outside of the identified urban growth areas;
- ensuring that urban development of an identified Urban Growth Area occurs by way of a Taupo District Structure Plan process which is specified in Section 3e.7 of the District Plan and includes consideration of services and infrastructure required to support future urban development.

5.2.5 Currently the Whareroa North land is zoned “Rural Environment” in the District Plan. Through the provisions referred to above, the District Plan envisages that the Whareroa North land will be subject to a structure plan process followed by a zoning change in order to facilitate future development of the land there for residential purposes.

5.2.6 As explained in Section 5.2 below, the structure plan process in relation to Whareroa North has already been undertaken. This current Plan Change application addresses the zoning change as envisaged by Section 3e of the District Plan.

5.3 Southern Settlement Structure Plan (SSSP)

SSSP signals growth areas

- 5.3.1 The structure plan process envisaged in the District Plan provisions discussed above has been undertaken by the Council. The Incorporation was an active participant in the development of the structure plan which culminated in the SSSP becoming operative in May 2013. Excerpts from the SSSP concerned specifically with Whareroa North are at Appendix 7.
- 5.3.2 Specifically, the SSSP identifies which urban growth areas (identified in TD2050) are best able to meet the residential land requirements for the south western part of Lake Taupo District through until 2035. The SSSP identifies only two areas as appropriate for future development within the timeframe of the Plan:
- Whareroa North
 - Omori and Kuratau.
- 5.3.3 The executive summary of the SSSP explains that the Plan provides for a reduced urban growth scenario compared to the TD2050, and reflects that Council considers that private landowners/developers should undertake District Plan changes to zone land for new development (instead of Council itself).

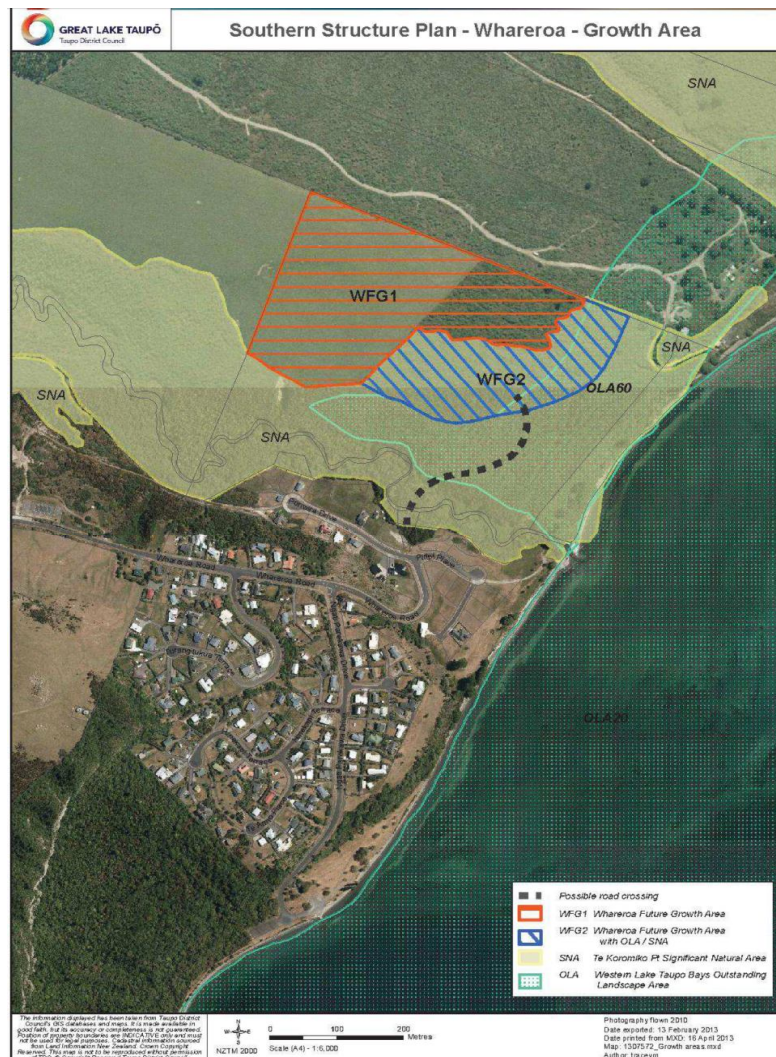
SSSP directs re-zoning through Private Plan Changes

- 5.3.4 The SSSP provides for residential growth at both Whareroa North and Omori/Kuratau but significantly in terms of this private Plan Change application process, specifically leaves it for private landowners rather than Council to rezone the land ahead of pursuing a specific subdivision proposal. The SSSP (page 8) records that one of the key benefits of the structure plan is that "the 'market' is left to determine when demand is such that land should be re-zoned and developed rather than Council attempting to determine when more land is necessary" (emphasis added). The Executive Summary (page 8) of the SSSP lists four matters which "have shaped the location and extent of the location and extent of the identified growth areas" and these include:
- "Council has to manage its costs very carefully, particularly money spent on new infrastructure;
 - Council now considers it more appropriate that private landowners/developers undertake changes to the District Plan to zone land for development, rather than Council doing this work". (emphasis added)
- 5.3.5 The owners of the Whareroa North land accepted that mid 2013 directive from Council, have considered the likely timeframe and demand for more residential sections at Whareroa, and are pursuing this Plan Change application (as specifically required by the District Plan) to facilitate that.

Concept plan and SSSP

- 5.3.6 The Whareroa North growth area is covered in pages 48 to 51 of the SSSP. A plan on page 51 of the SSSP (and included below) identifies elements of the Whareroa North site. This includes a "possible road crossing" connecting to the existing road network on the southern side of the Whareroa Stream, and parts of the site considered suitable for some form of future growth.
- 5.3.7 Specifically there are two identified areas for growth shown as "Whareroa Future Growth Area 1" (the red hatched area, being pastureland and regenerating scrub) and "Whareroa Future Growth Area 2" (the blue hatched area). The difference between them being that Area 2 (the blue hatched

area) is identified as a “Significant Natural Area” or an “Outstanding Landscape Area” (or both) in the District Plan, whereas Area 1 is not.



5.3.8 As explained in Section 4.6.2, subsequent to the 2013 SSSP the Incorporation decided not to pursue residential sites within the area identified as having significant ecological values (ie the blue hatched area), and instead has sought to secure additional farmland to the west. Accordingly the concept plan included in the set of amended District Plan Provisions (Appendix 5) provides for residential development further to the west and outside of the blue hatched protected indigenous vegetation area in the SSSP.

5.3.9 That adjustment is considered to secure an improved environmental outcome (in terms of the ecological and landscape values of the locality) compared to that signalled in the SSSP for Whareroa North. In all other respects the concept plan now being advanced through the Plan Change application is consistent with the SSSP for the Whareroa North Growth Area.

Infrastructure

5.3.10 In terms of community services and infrastructure at Whareroa (and consistent with the report of KeySolutions at Appendix 3 of this application document) the SSSP confirms:

- There is sufficient capacity in the public water supply system for the assessed demand;
- Resource Consent for the public wastewater system includes allowance for the Whareroa North development;

- It is not considered that there are constraints regarding stormwater.

5.3.11 The 2013 SSSP also identifies that planning for the provision of other services (including boating facilities) needs to be considered with any new development. As well as the recycling facility building (which doubles as a small community hall when required), in the case of boating facilities at Whareroa now, in 2017:

- Following a sustained community fundraising effort, a jetty was installed alongside the boat-ramp at Whareroa in 2013;
- At a total of 342 to 362 houses at Whareroa (ie 202 properties on the south side and 140 to 160 on the north side), the potential maximum number of homes does not warrant a second boat-ramp at Whareroa;
- An initiative for a boat storage facility at Whareroa is currently being considered;
- At some time in the future it may be necessary to consider extending the public carpark area adjacent to the boat-ramp at Whareroa.

Matters to address in rezoning proposal

5.3.12 Further, the SSSP identifies a list of matters which a Plan Change for the Whareroa North Future Growth Area should cover (page 49, SSSP). These are addressed as below.

Matter to be considered	Considered....
<i>Potential effects of development on the significant natural area (SNA) including assessment against the relevant objectives, policies, and implementation methods of the Taupō District Plan, Waikato Regional Policy Statement and Region Plan;</i>	Refer Sections 4, 7 and 8. Note: District Plan SNA and OLA provisions remain unchanged.
<i>Potential effects of development on the Outstanding Landscape Area (OLA) including assessment against the relevant objectives, policies, and implementation methods of the Taupō District Plan, Waikato Regional Policy Statement and Regional Plan;</i>	
<i>Ecological effects of the removal of indigenous vegetation (if any) and potential for new ecological corridors and connections to be made;</i>	Refer Sections 4, 7, 8 and 11.
<i>Landscape effects of built structures and visible infrastructure including roads, retaining structures and the bridge within sensitive landscape areas;</i>	Refer Sections 4, 7, 8 and 11.
<i>Any need for potential erosion control;</i>	Refer Sections 4, 7 and 8.
<i>Potential conflict that may arise between the desire for views and new vegetation planting;</i>	Houses set in bush not now proposed.
<i>The opportunity to create new recreation areas within the site and connections to other recreation corridors and the Lake;</i>	Reserves and pedestrian routes provided in accordance with discussions with TDC Reserves staff. Refer Section 4.4.
<i>Retaining buffer vegetation between the built environment and remaining farm land; and</i>	Provided for. Refer Section 4.4.
<i>The visual effects of new development when viewed from the existing settlement and from the Lake</i>	Refer to Section 8.2 and Visual and Landscape Assessment Report at Appendix 4.

5.4 Summary

5.4.1 In summary, the Incorporation proposes to advance a Private Plan Change for the northern extension of Whareroa settlement. That process is consistent with both the Council's District Plan and the Southern Settlements Structure Plan (being the two relevant and community developed District Council policy documents).

6 STATUTORY FRAMEWORK FOR THE PLAN CHANGE

- 6.1 It is proposed to Change the Operative Taupo District Plan in order to provide for urban growth at Whareroa North in accordance with the urban growth provisions of the District Plan and the SSSP. The proposal is explained in Section 4 of this report and includes a residential concept plan included in the amended Plan provisions at Appendix 5.
- 6.2 Section 73(2) of the Act enables any person to request a territorial authority to change a district plan in accordance with the provisions of Part 2 of the 1st Schedule to the RMA. The preparation of this request for a plan change has been undertaken in accordance with the 1st Schedule of the Act.
- 6.3 Clause 22 of the 1st Schedule requires that such a request shall be made in writing and shall:
- explain the purpose of, and reason for, the proposed plan change. In the case of this plan change request that explanation is provided in Sections 2 and 4;
 - contain an evaluation report prepared in accordance with Section 32 of the Act for the proposed change. In the case of this plan change request that evaluation report is provided in Section 11;
 - describe and assess environmental effects arising from implementation of the change. In the case of this plan change request that is provided in Section 8.
- 6.4 Clause 29 of the 1st Schedule clarifies that (with all necessary modifications) Part 1 of the 1st Schedule (being the process for Council plan changes) applies also to requests for plan changes.
- 6.5 Section 74 of the Act sets out the matters to be considered by Council when preparing or changing a District Plan (and which also apply to a plan change request). In addition to the s32 evaluation referred to above, these matters include:
- Council's functions under s31 of the Act. Section 31 of the Act identifies the functions of a Council including "*The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district*";
 - the provisions of Part II of the Act (ie Section 5 to 8 of the Act); Further, any Plan Change is subject to the *Purpose and Principles* of the Act (Sections 5 to 8) with the overriding purpose of the RMA being "*to promote the sustainable management of natural and physical resources*". These Part II matters are addressed in Section 9 of this report.
- 6.6 Section 74 of the Act also requires:
- Council to have regard to management plans and strategies prepared under other Acts. Section 5 of this report considers the SSSP prepared under the Local Government Act 2002;
 - Council to take into account any relevant planning document recognised by an iwi authority and lodged with the Council. Section 7 of this report considers relevant parts of the *Ngati Tuwharetoa Environmental Iwi Management Plan 2003*.
- 6.7 Relevant Section 75 provisions require that a district plan gives effect to any regional policy statement and is not inconsistent with a regional plan (for any Section 31 matter). The regional policy statement and regional plan matters relevant to this particular plan change request are discussed in Section 7 of this report.

7 RELEVANT PLANNING DOCUMENTS

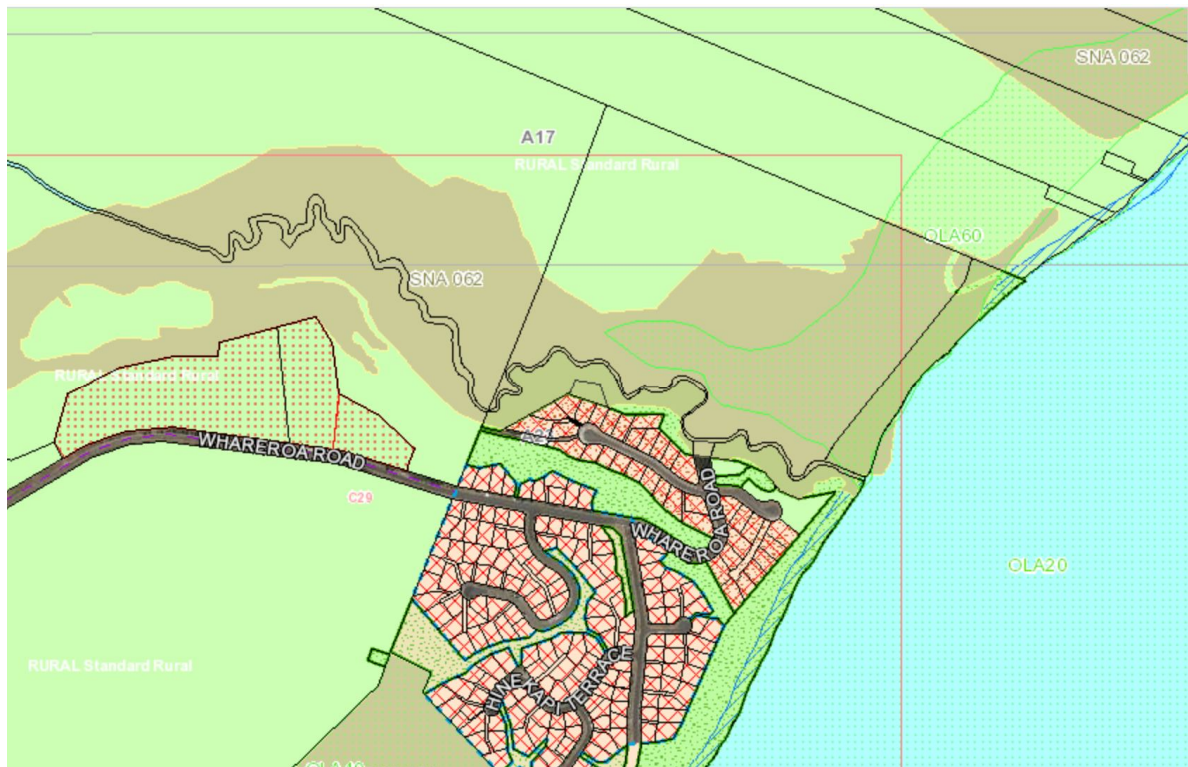
7.1 General

7.1.1 There are three statutory RMA planning documents particularly relevant to this Plan Change application. These are the Operative Taupo District Plan (the District Plan), the Waikato Regional Policy Statement (WRPS) and the Waikato Regional Plan (WRP). The key relevant provisions of the Taupo District Plan, WRPS and the WRP are discussed below in terms of consistency with the proposed Plan Change.

7.2 Taupo District Plan

Current Plan Provisions

7.2.1 The land subject to this Plan Change application is currently zoned “Rural Environment” (being the general rural zoning for the Taupo District). Parts of the site are also included in Outstanding Landscape Area (OLA) and Significant Natural Area (SNA) overlays. These are shown on the excerpt from the operative District Plan Maps below.



7.2.2 As discussed in Section 3.3 above, land immediately adjacent to the Whareroa Stream is identified as being subject to flood hazard in Plan Change 34 to the Taupo District Plan which was notified in mid October 2017. Submissions close on 20th December 2017.

7.2.3 Section 7 of the District Plan identifies that OLA 60, which extends a significant distance northwards from Whareroa, is “Western Lake Taupō Bays (Waihi to Whakaroa Peninsula)” and has the following landscape attributes:

- One of the most scenic and undeveloped parts of Lake Taupō. Very high level of uniqueness and natural character.
- Very high level of amenity and scenic qualities, characterised by sheer cliffs, native vegetation

and small secluded bays.

- *Very high sense of place for Taupō communities as forming an 'untouched' wilderness experience only accessible by boat.*
- *The southern coastal margin of the south western bays is noted in tourist brochures as a less busy and rural scenic drive along the western side of Lake Taupō. The lake margins include some highly valued rock climbing areas, such as Whanganui Bay.*
- *Highly picturesque with pockets of native vegetation, shelter trees, and distinctive white pumice rocky outcrops.*

7.2.4 Section 7 of the District Plan identifies that SNA 062 (which includes substantial areas to the west and also the north of Whareroa North) is "*Te Kokomiko Point, Poukura Pa Bush, Wharf*".

7.2.5 As explained in Section 4.3 above, the District Plan provisions which apply to activities in SNAs and OLAs (including earthworks, structures, and vegetation clearance) remain unchanged by the proposed Plan Change. These include:

- For indigenous vegetation clearance within an SNA: District Plan Rules 4e.6.1 (permitted activity rule) and 4e.6.2 (restricted discretionary activity rule) and including Assessment Criteria 4e.6.2 a) to g);
- For structures in an OLA: District Plan Performance Standards (4b.1.1, 4b.1.2, 4b.1.3, 4b.1.4) and Rule 4b.2.7 (restricted discretionary activity);
- For earthworks in an OLA: District Plan Rule 4b.2.8 (restricted discretionary activity).

[It is noted that apart from a 7.5m building setback standard which applies to specific scenic and lakeshore reserves at Kinloch settlement, there are no specific District Plan performance standards which apply to residential development adjoining SNAs. Notwithstanding the absence of District Plan performance standards which potentially address edge effects relating to residential properties adjoining an SNA, these matters are able to be addressed through resource consent processes (as referred to in Sections 8.4.3 and 8.4.4 below).]

7.2.6 Whareroa Village is zoned "Residential Environment" (being the general residential zoning for the Taupo District). Properties there are subject to maximum height limits (generally between 5m and 7.5m) imposed at the time of subdivision for the purpose of securing and maintaining views. Other performance standards are those which apply to general residential development throughout the Taupo District (including 30% maximum building coverage, 40% maximum plot ratio, 5m setback from front boundaries, 1.5m setback from other boundaries, and a height to boundary restriction).

Objectives and Policies

7.2.7 No changes are required (or proposed by this Plan Change application) to the District Plan objectives and policies to accommodate the proposal for which this Plan Change application seeks to facilitate.

7.2.8 Consistency with the Taupo District Plan urban growth strategy (as expressed through Section 3e "Land Development" of the District Plan) as well as the Taupo District Council's Southern Settlements Structure Plan has been discussed in Section 5 above.

7.2.9 As well as the District Plan "Land Development" policy framework, objectives and policies in the following areas are also considered relevant to the Plan Change proposal:

- Residential Environment (Section 3a);
- Traffic and Transport (Section 3f);

- Landscape Values (Section 3h);
- Natural Values (Section 3i);
- Natural Hazards and Unstable Ground (Section 3l) – this includes consideration of Proposed Plan Change 34 (flood hazard).

7.2.10 An assessment of the proposal in terms of those District Plan objectives and relevant policies is provided below.

Residential Environment Policy Framework (Section 3a, District Plan)	
Objective 3a.2.1: The maintenance and enhancement of the character and amenity of the Residential Environment	
Policy 3a.2.1i	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.
Policy 3a.2.1viii	Protect the character of the District's lake and river margins from buildings which are visually obtrusive and/or result in the loss of amenity of the foreshore area, by controlling the scale and location of structures.
Policy 3a.2.1ix	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.
<p>It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3a.2.1 in that:</p> <ul style="list-style-type: none"> • Application of the Residential Environment performance standards (following re-zoning), will ensure that future activities in the Whareroa North residential area (including buildings) reflect a residential scale of development thereby maintaining and enhancing the character of the Residential Environment there. • The Whareroa North residential area is set well back from lake and river margins and buildings there will not, therefore, adversely impact (by being visually obtrusive) on the character of these riparian areas. • In terms of the Residential Environment, adverse effects on identified landscape and natural values from implementation of the Whareroa North Concept plan are avoided, remedied, or mitigated by: residential development being outside of the identified SNA and OLA areas and subdivision consent criteria 4a.3.2 (which includes "<i>effects on landscape and natural values areas</i>") applying, enabling consent conditions to be imposed (including those recommended in Section 8 of the Landscape and Visual Assessment at Appendix 4). 	

Rural Environment Policy Framework (Section 3b, District Plan)	
Objective 3b.2.1: The management of the Rural Environment to maintain and enhance rural character and amenity.	
Policy 3b.2.1i	Maintain and enhance the amenity and character of the Rural Environment by providing land use performance standards and subdivision rules to manage the scale and density of development.
Policy 3b.2.1ii	Avoid urban development in the Rural Environment unless through a TD2050 Structure Plan Process and associated plan change.
Policy 3b.2.1iii	Maintain the open space and dispersed building character.
Policy 3b.2.1iv	Protect the District's lakes and river margins from buildings that are visually obtrusive and/or result in a decline of the amenity of the margin area.
Policy 3b.2.1vi	Avoid, remedy or mitigate adverse effects of subdivision, use and development of land on areas or features of cultural, historical, landscape or ecological value.
Policy 3b.2.1vii	Recognise and provide for Infrastructure and Network Utilities in the Rural Environment, while ensuring any adverse effects on or arising from them are avoided, remedied or mitigated as far as practicable.

Access to the land proposed to be re-zoned "Residential Environment" is over land which will retain a "Rural Environment" zoning. It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3b.2.1 in that:

- Roading is a common activity in the Rural Environment and (apart from the bridge structure which will likely breach boundary setback standards) it is unlikely that the proposal will breach performance standards intended to manage the scale and density of development.
- The proposed Plan Change seeks residential zoning which is consistent with a Structure Plan and TD2050 as required by the policy.
- Outside of the land proposed to be re-zoned, the open space and dispersed building character of this part of the Rural Environment will be maintained.
- The Whareroa North residential area is set well back from lake and river margins and buildings will not, therefore, be visually obtrusive from those locations. The bridge structure is able to be designed to minimise adverse amenity effects at the stream margin (as signalled by Rural Environment Assessment Criteria "4B.4.4 Building Setback" which would apply to the required Land Use Consent).
- In terms of the Rural Environment, adverse effects on identified landscape and natural values from implementation of the Whareroa North Concept Plan are avoided, remedied, or mitigated by: residential development being outside of the identified SNA and OLA; future resource consent processes (required by existing District Plan rules in relation to vegetation removal, earthworks, and retaining structures) providing opportunities to secure net environmental gain including through offset planting and protection (legal and physical) of indigenous vegetation there; and road and bridge design which minimises the extent of vegetation disturbance.
- Road and services infrastructure proposed to be extended from Whareroa Road north through Rural Environment land is able to be designed so that adverse effects are avoided, remedied or mitigated as appropriate.

Objective 3b.2.3: Provide for and Manage the effects of urban growth in the Taupo District

Policy 3b.2.3i	Avoid the creation of lots below 10ha in Urban Growth Areas identified in 3e.6 thereby preventing land fragmentation which will adversely affect the ability of the District Plan to provide for future urban growth needs.
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It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3b.2.3 in that the Plan Change does not propose to fragment land in the Whareroa North Urban Growth Area except for the specific purpose of implementing the Whareroa North Residential Concept Plan.

Objective 3b.2.5: The protection of adjoining Environments from the adverse effects of activities within the Rural Environment.

Policy 3b.2.5i	Manage the potential for adverse effects of activities in the Rural Environment at the interface of this and other more sensitive Environments.
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It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3b.2.5 in that consultation with adjoining property owners to the west (farm) and north (undeveloped land with dispersed dwellings) has resulted in written support for the proposal, and a proposed 10m wide vegetated buffer area to the west is included in the Whareroa North Residential Concept Plan. As has occurred in other parts of Taupo District where new residential development adjoins rural land, the subdivision process may result in Consent Notice provisions ensuring that future residential landowners are aware of the proximity (and potential effects of) the use of adjoining rural land.

Land Development Policy Framework (Section 3e, District Plan)

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.

Policy 3e.2.1i	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.
Policy 3e.2.1ii	Ensure patterns of future urban development are consistent with the identified Urban Growth Areas as described in Section 3e.6.
Policy 3e.2.1iii	Prevent urban development in the rural environment outside of the identified Urban Growth Areas.
Policy 3e.2.1iv	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.

Policy 3e.2.1v	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.
<p>It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3e.2.1 in that:</p> <ul style="list-style-type: none"> • The Plan Change seeks to facilitate the development of new urban land in the Whareroa North Urban Growth Area as specifically signalled in the TD2015 and SSSP which are Council policy documents intended to provide for and manage urban growth so as to achieve the sustainable management of the District's natural and physical resources. • The Plan Change is entirely consistent with the identified Whareroa North Urban Growth Area described in Section 3e.6 of the District Plan. • The proposed Plan Change seeks to facilitate urban development <u>within</u> (rather than outside of) an Urban Growth Area. • The land is currently in control of a single landowning interest (held in two entities) and does not involve fragmentation of land ownership which might otherwise compromise the role of the Whareroa North Urban Growth Area in providing land for urban development. • The current Plan Change process is the appropriate next step (as a structure plan is already in place) to give effect to urban development within the identified Whareroa North Urban Growth Area. 	
<p>Objective 3e.2.2: Ensure that the subdivision and development of Urban Growth Areas for new urban growth occurs by way of a comprehensive Taupō District Structure Plan Process and plan change.</p>	
Policy 3e.2.2i	Define the precise location, extent, form and staging of development of Urban Growth Areas by way of the Taupō District Structure Plan Process and associated plan change process.
Policy 3e.2.2ii	Ensure that the development framework for the Urban Growth Areas is determined by the Taupō District Structure Plan Process.
Policy 3e.2.2iii	That a range of residential densities, location of rural residential opportunities and the staging of the development of the Urban Growth Areas shall be determined by the Taupō District Structure Plan Process.
Policy 3e.2.2iv	Ensure that staging of development in the Urban Growth Areas is efficient, consistent with and supported by adequate infrastructure.
Policy 3e.2.2v	Ensure that the planning and development of Urban Growth Areas adequately takes into account the efficient and effective functioning of supporting and surrounding infrastructure.
<p>It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3e.2.2 in that:</p> <ul style="list-style-type: none"> • In association with the SSSP, the Plan Change proposal (including through the Whareroa North Residential Concept Plan) defines the precise location, extent, form and staging of development of the Whareroa North Urban Growth Area. • The SSSP (prepared by TDC in consultation with the community) sets out the development framework for the Whareroa North Urban Growth Area. • In relation to Whareroa North, the SSSP has already been prepared by TDC in consultation with the community. • As discussed in the KeySolutions Report at Appendix 3, the staging of development in the Whareroa North Urban Growth Area is efficient, able to be serviced, and is supported by long-planned infrastructure proposals. • As concluded in the KeySolutions Report at Appendix 3, "<i>Economies of scale, cost effectiveness and general infrastructural efficiency all have the potential to increase as a result of the expansion of Whareroa</i>". 	
<p>Objective 3e.2.3: Ensure the maintenance of an appropriate and sufficient level of community infrastructure within existing serviced areas.</p>	
Policy 3e.2.3i	Allow new activities and development to connect to existing water and wastewater infrastructure where there is adequate capacity to meet the needs of the development.
Policy 3e.2.3ii	Avoid, remedy or mitigate any adverse effects of the disposal of stormwater on the receiving environment.
Policy 3e.2.3iii	Ensure new activities and developments contribute to the provision and standard of reserves and open space amenity to meet the needs of the community including Esplanade Reserves in accordance with the provisions of the Act.
Policy 3e.2.3iv	Avoid, remedy or mitigate the adverse effects of new development and activities on the safe and efficient functioning of the existing and future roading networks including those identified through the Taupō District Structure Plan Process.

It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3e.2.3 in that:

- As concluded in the KeySolutions Report at Appendix 3, "Water Supply headworks are largely in place to cater for Whareroa North. The WRC consent for the water supply will accommodate growth at Whareroa North" and "Due to a collaborative effort between TDC and the Owners, wastewater infrastructure and the necessary WRC consents are in place to service Whareroa North".
- As concluded in the KeySolutions Report at Appendix 3 "Stormwater management,all have potential solutions".
- The Whareroa North Residential Concept Plan includes reserves and walkways as agreed with TDC Reserves Management Staff. The landowners have already set aside esplanade reserves over and above that required. Additional land (SNA) is likely to be legally protected as an outcome of implementation of the Plan Change proposal.
- In terms of roading infrastructure, and as concluded in the KeySolutions Report at Appendix 3 "Roading infrastructure is in place to the boundary of Whareroa North which has the capacity to cater for the extra traffic which the development will generate". In relation to the intersection of Kuratau Hydro Road and S H 32, the KeySolutions Report confirms that "The conclusion is that the existing intersection layout is generally in accordance with current standards both for the existing traffic volumes and allowing for the extra traffic generated from the proposed development at Whareroa North. Visibility to the north from Kuratau Hydro Road is less than the recommended 285m so it is suggested that vegetation within the road reserve be cleared to maximise the available visibility. Gray Matter advises "...The deficient visibility to the north does not appear to pose a significant safety risk as traffic volumes at the intersection are relatively low. There does not appear to be an existing crash problem at the intersection....". NZTA will be consulted regarding the findings from these reports and any recommendations from them will be incorporated into the design at the appropriate time."

Objective 3e.2.4: Ensure the maintenance of an appropriate and sufficient level of community infrastructure within existing serviced areas.

Policy 3e.2.4i	Implement integrated land management strategies in conjunction with Regional Authorities that will avoid, remedy or mitigate adverse environmental effects on Taupō District's lakes, waterways and aquifers.
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It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3e.2.4 in that, as concluded in the KeySolutions Report at Appendix 3, "Due to a collaborative effort between TDC and the Owners, wastewater infrastructure and the necessary WRC consents are in place to service Whareroa North".

Objective 3e.2.5: Ensure land development does not detract from the amenity value or qualities of the local environment.

Policy 3e.2.5i	Ensure that proposals for the subdivision and development of land assess the particular amenity values of the area including the physical characteristics of the land and avoids, remedies or mitigates any adverse effects.
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Policy 3e.2.5ii	Subdivision and subsequent development shall either maintain or enhance, but not detract from, the significance of features or areas of cultural, spiritual, historical, landscape or natural value, (as identified through the provisions of this Plan).
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It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3e.2.5 in that:

- Development of the Plan Change proposal considered the various site characteristics discussed in Section 3.4 of the application document (including topography, geotechnical issues, flood and liquefaction hazard, natural values, landscape values, archaeological values, and cultural values) and the Whareroa North Residential Concept Plan has been designed to best realise the potential of the site in relation to views, topography, access and servicing, future site orientation and development, and with good connectivity through road and pedestrian links, all while minimising development footprint in the area of indigenous vegetation.
- implementation of the Whareroa North Concept Plan is unlikely to detract from significance of identified landscape and natural values as residential development is proposed to be located outside of the identified SNA and OLA; future resource consent processes (required by existing District Plan rules in relation to vegetation removal, earthworks, and retaining structures) provide opportunities to secure net environmental gain including through offset planting and protection (legal and physical) of indigenous vegetation there; road and bridge design will involve minimising the extent of

vegetation disturbance, and subdivision consent criteria 4a.3.2 (which includes "effects on landscape and natural values areas") will apply, enabling consent conditions to be imposed (including those recommended in Section 8 of the Landscape and Visual Assessment at Appendix 4).

Traffic and Transport Policy Framework (Section 3f, District Plan)

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 3f.2.1i	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 Roding Hierarchy
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It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3f.2.1 in that, as concluded in the KeySolutions Report at Appendix 3, "Roading infrastructure is in place to the boundary of Whareroa North which has the capacity to cater for the extra traffic which the development will generate". In relation to the intersection of Kuratau Hydro Road and S H 32, the KeySolutions Report confirms that "The conclusion is that the existing intersection layout is generally in accordance with current standards both for the existing traffic volumes and allowing for the extra traffic generated from the proposed development at Whareroa North. Visibility to the north from Kuratau Hydro Road is less than the recommended 285m so it is suggested that vegetation within the road reserve be cleared to maximise the available visibility. Gray Matter advises "...The deficient visibility to the north does not appear to pose a significant safety risk as traffic volumes at the intersection are relatively low. There does not appear to be an existing crash problem at the intersection....". NZTA will be consulted regarding the findings from these reports and any recommendations from them will be incorporated into the design at the appropriate time." Further, implementation of the Whareroa North Residential Concept Plan will result in additional pedestrian walkway routes in the area.

Landscape Values Policy Framework (Section 3h, District Plan)

Objective 3h.2.1: Protect Outstanding Landscape Areas from inappropriate subdivision, use, and development which may adversely affect the Landscape Attributes.

Policy 3h.2.1i	Ensure subdivision, use, and development is located and designed in a way that protects the Landscape Attributes of Outstanding Landscape Areas.
Policy 3h.2.1ii	Protect Outstanding Landscape Areas from more than minor adverse visual effects of earthworks, including more than minor visible scarring or more than minor adverse change to the natural landform or natural feature.
Policy 3h.2.1iii	Avoid the erection of built structures that will have more than minor adverse visual effects on the Landscape Attributes of Outstanding Landscape Areas, or will result in cumulative adverse effects from increased built density.
Policy 3e.2.2iv	Avoid subdivision that will result in the fragmentation of open space character leading to any cumulative adverse effects on Outstanding Landscape Areas.
Policy 3e.2.2v	Where Significant Natural Areas are within Outstanding Landscape Areas, avoid, remedy, or mitigate more than minor adverse visual effects of Indigenous Vegetation Clearance on the Landscape Attributes of the Outstanding Landscape Area.
Policy 3e.2.2vi	Remedy or mitigate potential adverse effects of subdivision, use, or development on the attributes of Outstanding Landscape Areas, giving consideration to: <ul style="list-style-type: none"> a) The suitability of the site for the proposed subdivision, use or development. b) Recognise specific site requirements for some uses or development. c) The scale, location, design and nature of the subdivision, use or development, and whether it will be sympathetic with the Landscape Attributes of the Outstanding Landscape Area. d) The ability to remedy or mitigate significant adverse effects. e) The extent of any disturbance or modification to the Outstanding Landscape Area as a result of subdivision, use or development, including potential impacts of earthworks and

	<p>the ability of earthworked areas to be rehabilitated.</p> <p>f) The visual impact of Indigenous Vegetation Clearance within Significant Natural Areas on the Landscape Attributes, and the ability to revegetate cleared areas with appropriate indigenous species.</p> <p>g) The effectiveness and appropriateness of proposed mitigation to address adverse landscape and visual effects of subdivision, use or development, including appropriateness of mitigating vegetation to screen or soften built structures, and ongoing maintenance of mitigation planting.</p>
<p>It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3h.2.1 in that:</p> <ul style="list-style-type: none"> • The development proposed through the Whareroa North Concept plan has been located and designed to protect the attributes of the adjacent OLAs 20 and 60 by: locating residential development outside of identified OLAs; ensuring that future resource consent processes (required by existing District Plan rules in relation to vegetation removal, earthworks, and retaining structures) provide opportunities to secure net environmental gain including through offset planting and protection (legal and physical) of indigenous vegetation there; road and bridge design will involve minimising the extent of vegetation disturbance, and subdivision consent assessment criteria 4a.3.2 (which includes “<i>effects on landscape and natural values areas</i>”) will apply, enabling consent conditions to be imposed (including those recommended in Section 8 of the Landscape and Visual Assessment at Appendix 4). • As discussed in Section 8 of the Landscape and Visual Assessment at Appendix 4, “<i>The potential landscape and visual effects that may arise because of construction are anticipated to be temporary, as long as earthworks are managed to control dust and sediment and areas disturbed are stabilised (such as through establishment is grass or suitable shrubs and trees) immediately following construction. The potential landscape and visual effects that may arise as a result of earthworks will depend on how well they are integrated into the existing landform and stabilised through appropriate planting following construction</i>”. In this way issues relating to earthworks can be adequately dealt with through the resource consent process and in particular use of assessment criteria 4a.3.2 (which includes “<i>effects on landscape and natural values areas</i>”) will enable subdivision consent conditions to be imposed (including those recommended in Section 8 of the Landscape and Visual Assessment at Appendix 4). Further, restricted discretionary activity District Plan Rule 4b.2.8 applies to earthworks in an OLA which provides further regulatory control. • As above, and, further, in relation to structures in an OLA (such as retaining walls) District Plan Performance Standards (4b.1.1, 4b.1.2, 4b.1.3, 4b.1.4) and Rule 4b.2.7 (restricted discretionary activity) also apply and provide regulatory control. • The landscape context of the area is mixed (including existing holiday settlement, indigenous and planted vegetation, lake and river, undeveloped land to the north), and therefore it is unlikely that fragmentation of open space character will result in cumulative adverse effects on OLAs 20 or 60. • Methods to avoid, remedy or mitigate adverse effects of vegetation removal are available to address indigenous vegetation clearance where the SNA is within the OLA and these issues can be advanced through the resource consent process (and including the restricted discretionary activity resource consent required by District Plan Rule 4e.6.2 for removal of indigenous vegetation from an SNA). • The matters listed in Policy 3e.2.2vi are either addressed through the development of the Whareroa North Residential Concept Plan or are able to be addressed through detailed design and/or resource consent processes which are required by rules in the District Plan (in relation to OLAs and SNAs) and which remain unaltered as a result of the Plan Change proposal. 	
<p>Objective 3h.2.3: Recognise and encourage the enhancement of Amenity Values within Landscape Areas in the Taupō District</p>	
<p>Policy 3h.2.3i</p>	<p>Recognise and encourage subdivision, use or development that enhances Amenity Values within Landscape Areas in the Taupō District, by utilising, but not being limited to, the following principles:</p> <p><u>Subdivision Design</u></p> <ul style="list-style-type: none"> a) Subdivision design that utilises the existing landform and landscape features and aligns new allotment boundaries to natural patterns. b) Where possible, existing vegetation is retained and protected, and vegetation patterns that reflect the natural landform are maintained. c) Fencing styles are designed to complement the existing character of the Landscape Area. <p><u>Built Structures</u></p>

	<p>d) Built structures are located and designed in a way to integrate with the Landscape Attributes.</p> <p>e) Building materials utilise recessive colours and have low reflectance levels.</p> <p>f) Existing vegetation patterns are utilised to integrate buildings within the Landscape Area</p> <p><u>Roads</u></p> <p>g) Roading layout is designed and located to minimise visual prominence, where possible by following topography, and minimising the number of vehicle accesses onto roads.</p> <p><u>Earthworks</u></p> <p>h) Earthworks are located to minimise disturbance of the natural form and character of the Landscape Area, by avoiding visually prominent locations.</p> <p>i) Where practical, earthworks or areas surrounding earthworks are vegetated to soften any abrupt changes in landform, or reduce visible 'scarring' of the landform.</p> <p><u>Planting</u></p> <p>j) New tree planting and vegetation patterns reflect the existing landscape character and natural patterns of the landscape.</p> <p>k) Where possible, ecological corridors and ecosystems are restored.</p> <p>l) Planting is used to help integrate buildings with the Landscape Area.</p>
Policy 3h.2.3iii	Enable activities that result in a Net Environmental Gain for Landscape Areas in the Taupō District.
<p>It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3h.2.3 in that these aspects (design principles and the achievement of Net Environmental Gain for Landscape Areas) are able to be appropriately addressed during detailed design and consenting processes subsequent to the re-zoning proposal.</p>	
<p>Objective 3h.2.4: Acknowledge and encourage mechanisms that appropriately manage Landscape Areas in the Taupō District.</p>	
Policy 3h.2.4ii	Consider existing protection mechanisms where they provide an appropriate level of management of Landscape Areas.
Policy 3h.2.4ii	Recognising existing efforts of landowners to manage Landscape Areas in the Taupō District.
Policy 3h.2.4iii	Recognise the historical and current role of Maori in the long-term appropriate management of Landscape Areas in the Taupō District.
Policy 3h.2.4iv	Encourage new efforts to manage Landscape Areas.
<p>It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3h.2.4 in that:</p> <ul style="list-style-type: none"> • The SNA involved in the Plan Change area is not currently legally protected; • The SNA involved in the Plan Change area has been managed by the landowners who, in the late 1980's vested the vegetated escarpment at the eastern end of the site as an Esplanade Reserve (at a width well in excess of the standard 20m requirement); • The maori land-owning entity has actively managed its lands which are now considered by the community to have landscape values (including not clearing the indigenous vegetation for farming purposes); • Implementation of the Plan Change proposal provides an opportunity to secure enhanced management and protection of parts of SNA062. 	

Natural Values Policy Framework (Section 3i, District Plan)

<p>Objective 3i.2.1: The protection of Significant Natural Areas in the Taupo District from "more than minor" adverse effects of indigenous vegetation clearance.</p>	
Policy 3i.2.1i	Avoid remedy or mitigate more than minor adverse effects of vegetation clearance on the ecological values of Significant Natural Areas
Policy 3i.2.1ii	Consideration of the scale, intensity, purpose, location and design of activities within Significant Natural Areas to avoid, remedy or mitigate adverse effects on their ecological values, considering

	<p>the effects of the vegetation clearance on:</p> <ol style="list-style-type: none"> a) The composition of significant indigenous flora and fauna, and the naturalness, diversity and the life supporting capacity of Significant Natural Areas. b) Ecosystems located across a succession of natural habitats (such as geothermal areas, aquatic areas, riparian areas, foreshores, alpine areas and forest sequences etc), or in areas which experience occasional stress events (such as seasonal wetlands, slip faces, etc), and are more likely to be more diverse than anywhere else. c) Rare or threatened indigenous flora or fauna, or species unique to the District, including adverse effects on areas used by rare or threatened indigenous fauna on a regular basis. d) Protection of the long term ecological sustainability of a Significant Natural Area, including taking into account the level of disturbance within the area, pest impact, or threats, by existing or proposed protection measures with particular regard to covenants or other mechanisms which ensure the long term protection of natural values including significant indigenous vegetation or habitat. e) The extent to which the Significant Natural Area makes up part of an ecological corridor, and provides linkages to other indigenous habitats.
<p>It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3i.2.1 in that:</p> <ul style="list-style-type: none"> • Methods to avoid, remedy or mitigate more than minor adverse effects of vegetation removal from the SNA (for road construction purposes) are available, and these issues can be addressed through the resource consent process (including for the restricted discretionary activity resource consent required by District Plan Rule 4e.6.2 for removal of indigenous vegetation from an SNA). • The design of activities proposed in the SNA (in this case roading and associated activities) and required resource consent process provides the mechanism to consider the matters a) to e) above. 	
<p>Objective 3i.2.2: Facilitate the long term protection of areas of natural value in the Taupō District.</p>	
Policy 3i.2.2i	To provide a variety of mechanisms which encourage and facilitate, where possible, the formal protection of identified Significant Natural Areas in the Taupō District.
Policy 3i.2.2ii	Enable and recognise activities that result in a Net Environmental Gain for areas of natural value in the District.
Policy 3i.2.2iii	Recognise the historical and current role that maori have played in the long term management and protection of Significant Natural Areas in the Taupō District.
<p>It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3a.2.1i in that:</p> <ul style="list-style-type: none"> • A range of mechanisms is available for formal protection of the SNA and will be considered in the future design and consenting processes; • The District Plan signals an expectation for net environmental gain from future design and consenting process and this matter will be addressed in those future stages of implementing the Plan Change proposal. • Recognition of the role of the maori landowning entity in preserving the indigenous vegetation in the SNA areas on its property will carry forward to discussions about future protection as the Plan Change proposal is implemented. 	
<p>Objective 3i.2.3: The enhancement of areas of natural value in the Taupo District.</p>	
Policy 3i.2.3i	<p>To enable the enhancement of areas of natural value by:</p> <ol style="list-style-type: none"> a) Recognising landowners and trustees who have protected the areas of natural value on their lands, b) Recognising the extent of Significant Natural Areas under Māori land tenure, and the need to provide for the relationship of Māori and their culture and traditions with their ancestral lands and tāonga, c) Recognising all landowners as having kaitiakitanga (the ethic of stewardship) of the biodiversity on their lands, and identifying and implementing statutory and non statutory mechanisms to implement this. d) Facilitating landowners to achieve the long term protection and enhancement of areas of natural value through the use of non regulatory methods.
Policy 3i.2.3ii	Recognise and encourage development that enhances areas of natural value, particularly the establishment, re-establishment, extension or buffering of ecological linkages along waterways,

	and between existing areas of natural value.
It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3i.2.3 in that:	
<ul style="list-style-type: none"> • Implementation of the Plan Change proposal through realisation of the Whareroa North Residential Concept Plan is a reflection of the Incorporation's long-term commitment as kaitiaki of their lands (including biodiversity characteristics) and will involve consideration of culturally appropriate mechanisms to ensure the sustainability of that approach. • Implementation of the Plan Change proposal will enable consideration of ways to enhance areas of natural value (including the establishment, re-establishment, extension or buffering of ecological linkages along waterways, and between existing areas of natural value) as part of the subdivision design and ecological mitigation package aimed at achieving a "net environmental gain". 	

Natural Hazards Policy Framework (Section 3I, District Plan)	
Objective 3I.2.1: Protection of activities, development and life from the adverse effects of natural hazards.	
Policy 3I.2.1i	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.
Policy 3I.2.1ii	Manage the location, design, and type of new activities and development to avoid or mitigate the adverse effects of flooding, erosion, ground rupture and deformation, hot ground and land instability on development and the community.
It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3I.2.1 as hazard areas in the vicinity of Whareroa Stream (including flood and potentially liquefaction hazards) are able to be fully investigated, considered, and mitigated as part of the bridge and road design and resource consenting processes. Further, implementation of the Whareroa North Residential Concept Plan provides an opportunity to address a scour in the south facing river escarpment from the uncontrolled flow of stormwater from "the bowl" area.	
Objective 3I.2.2: Activities and development do not create, accelerate, displace, or increase the effects of a natural hazard.	
Policy 3I.2.2i	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.
Policy 3I.2.2ii	Ensure that activities and structures do not increase the risk to the community or the environment from the effects of natural hazards.
Policy 3I.2.2iii	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.
It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3I.2.2 in that hazard areas in the vicinity of Whareroa Stream (including flood and potentially liquefaction hazards) are able to be investigated, considered, and mitigated as part of the bridge and road design and resource consenting processes.	
Plan Change 34 Objective 3I.2.3: Keep people safe during a flood event with an annual exceedance probability of 1% and ensure that emergency services remain able to operate.	
Policy 3I.2.3i	<i>Ensure that communities are informed of the potential flood hazard (including residual risks) that may affect them.</i>
Policy 3I.2.3ii	<i>Avoid locating new buildings (excluding those associated with infrastructure) and major additions to existing buildings (excluding those associated with infrastructure) in high flood hazard areas due to the risk to people's lives from flood waters and building debris.</i>
Policy 3I.2.3iii	<i>Control the design of new buildings and minor additions in low and medium flood hazard areas to keep people safe.</i>
Policy 3I.2.3x	<i>Avoid subdivision that creates intolerable risk in high flood hazard areas. The location of building platforms within high flood hazard areas is considered to be intolerable.</i>
It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 3I.2.3 in that the future residential development area is on elevated land not	

<i>affected by potential flood hazard risk, and that flood hazard in the vicinity of Whareroa Stream (which potentially may be affect the safety of people and the functioning of emergency services) is able to be considered and mitigated as part of the bridge and road design and resource consenting processes.</i>	
Plan Change 34 Objective 31.2.4: Buildings and infrastructure are located and designed to ensure continued operation and to avoid structural damage during a flood event with an annual exceedance probability of 1%	
<i>Policy 31.2.4i</i>	<i>Avoid locating new buildings (excluding those associated with infrastructure) and major additions to existing buildings (excluding those associated with infrastructure) in high flood hazard areas given the likelihood of structural damage.</i>
<i>Policy 31.2.4ii</i>	<i>Control the design of new buildings and major additions to existing buildings in low and medium flood hazard areas to avoid structural damage during significant flood events.</i>
<i>Policy 31.2.4iv</i>	<i>Provide for, infrastructure (and buildings that enclose that infrastructure), and subdivision for infrastructure that is not vulnerable to flood risk or has a functional requirement to be in a flood hazard area.</i>
<i>Policy 31.2.4v</i>	<i>Avoid infrastructure (and buildings that enclose that infrastructure), and subdivision for infrastructure, that is vulnerable to flood risk in a flood hazard area.</i>
<i>It is considered that in relation to the relevant policies above, the proposed Plan Change advances achievement of Objective 31.2.4 in that flood hazard areas in the vicinity of Whareroa Stream are able to be fully considered and mitigated as part of the bridge and road design and resource consenting processes.</i>	

7.2.11 In summary:

- residential development at Whareroa North is specifically provided for in the Taupo District Plan urban growth objectives and policies and the Plan Change application is consistent with the process set down in the District Plan to re-zone the land;
- The District Plan framework around managing land identified in the District Plan as SNA specifically contemplates that protection (legal and physical) of natural values can be facilitated through development there, provided that a “net environmental gain” is able to be achieved. In this case there are not proposed to be house sites set in the SNA or OLA (as contemplated by the SSSP), although access to the land proposed to be rezoned “Residential Environment” is through an SNA/OLA. That provides a trigger for ensuring that, through the resource consent process, a net environmental gain is achieved (likely through a package involving off-set mitigation planting as well as physical and legal protection mechanisms);
- Consistency with other relevant District Plan objectives and policies concerned with the physical effects of implementation of the proposal (for which this application seeks changed District Plan provisions to facilitate) infrastructure and roading etc are provided for through the regulatory provisions of the existing District Plan and the proposed amendments. This includes locking in a concept plan for development of the Whareroa North residential area and through future resource consent processes required to give effect to that plan (and which are structured to ensure that the range of likely potential effects are avoided, remedied or mitigated as appropriate);
- Overall the proposed Plan Change sits comfortably with the District Plan policy framework.

7.3 Waikato Regional Policy Statement

7.3.1 A Regional Policy Statement (RPS) sets out the objectives, policies and implementation methods to address the significant resource management issues of a region in order to achieve (among other matters) the integrated management of natural and physical resources of a region. The RPS is implemented partly through the statutory requirement that District Plans give effect to a RPS.

7.3.2 The Waikato Regional Policy Statement (WRPS) became operative on 20 May 2016. The particularly relevant objectives and policies in the WRPS relating to this Plan Change are around planned urban growth, ecological values, and landscape values. These are discussed below.

Planned urban growth

7.3.3 WRPS Objective 3.12:

“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) *.... Regionally important infrastructure;*
- f) *....mineral resources;*
- g) *Minimising land use conflicts, including minimising potential for reverse sensitivity;*
- h) *... changing land use pressures outside the Waikato region.....;*
- i) *....electricity transmission...;*
- j) *.... CBD in Hamilton city;*
- k) *... a range of commercial development to support..... of the region.”*

7.3.4 The WRPS states that Objective 3.12 is achieved through several policies (that are relevant to the Whareroa North Plan Change proposal). These are commented below in relation to the Whareroa North Plan Change proposal.

WRPS Policy	Comment re Whareroa North Plan Change proposal
<p>6.1 <i>Planned and co-ordinated subdivision, use and development;</i></p> <p>Subdivision, use and development of the built environment, including transport, occurs in a planned and co-ordinated manner which:</p> <ul style="list-style-type: none"> 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. 	<p>As the Whareroa North proposal is consistent with the Taupo District Growth Management Strategy, Section 3e of the Taupo District Plan, and the Southern Settlement Structure Plan it is considered that the Plan Change application is consistent with the policy which includes a set of “6A General Development Principles” and is supported by the range of information required by 6.1.8.</p>
<p>6.3 <i>Co-ordinating growth and infrastructure;</i></p> <p>Management of the built environment ensures:</p> <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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. the spatial pattern of land use development, as it is likely to develop over at least a 30-year period, is understood sufficiently to inform reviews of the 	<p>Consideration of the nature and sequence of development through staged residential development at Whareroa North (and efficient delivery of infrastructure) is considered to be consistent with this policy which is focussed on co-ordinating growth and infrastructure provision. Structure planning in Taupo District, and specifically the SSSP is concerned with matching urban growth and infrastructure planning – <i>“.. it is important for Council to have in place a Structure Plan, because infrastructure and development planning are essential long-term functions for Council to fulfil”</i> (p7, SSSP). The SSSP specifically provides for residential development north of the Whareroa Stream as now proposed, and accordingly it is considered that through that structure planning process, TDC has ensured that</p>

<p>Regional Land Transport Plan. As a minimum, this will require the development and maintenance of growth strategies where strong population growth is anticipated;</p> <ul style="list-style-type: none"> 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 d. a co-ordinated and integrated approach across regional and district boundaries and between agencies; and e. that where new infrastructure is provided by the private sector, it does not compromise the function of existing, or the planned provision of, infrastructure provided by central, regional and local government agencies. 	<p>RPS policy 6.3 (aimed at co-ordinating growth and infrastructure) is not compromised by implementation of the Whareroa North future growth area identified in that structure plan.</p> <p>Further, in terms of funding infrastructure for the northern development, the costs of infrastructure expansion (including additional roading and bridging of the Whareroa Stream) to service the northside will fall to the Incorporation as the sole landowner/developer affected in this case.</p>
<p>6.11 Implementing Taupo District 2050;</p> <p>Growth in the Taupo District will be managed in a way that:</p> <ul style="list-style-type: none"> a. recognises that Taupo District 2050 provides for the management of future growth, including by: <ul style="list-style-type: none"> 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 Taupo 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 Taupo District 2050 structure plan process and associated plan change process. c. acknowledges that changes to the Taupo District Plan intended to implement Taupo District 2050 must be considered on their merits under the RMA. 	<p>As discussed above, the Whareroa North proposal is consistent with various TDC planning policy documents (the TD2050 growth management strategy, Section 3e of the Taupo District Plan, and the SSSP), proposes staged development supported by efficient infrastructure delivery, and is being advanced by a plan change process (as required by the District Plan).</p> <p>It is considered therefore that the Plan Change application is consistent with RPS policy 6.11 which is concerned with implementing TD2050 through structure plan and plan change processes (and that such a plan change proposal is considered on its merits in terms of the RMA – that is the purpose of this plan change application document and its supporting reports and assessments).</p>
<p>11.1 Maintain or enhance biodiversity;</p> <p>Promote positive indigenous biodiversity outcomes to maintain the <u>full range of ecosystem types</u> and maintain or enhance their spatial extent as necessary to achieve healthy ecological functioning of ecosystems, with a particular focus on:</p> <ul style="list-style-type: none"> a. working towards achieving <u>no net loss</u> of indigenous 	<p>District Plan provisions which manage effects of activities in SNAs (and in particular resource consent requirements around removal of indigenous vegetation in SNAs) remain unchanged as a result of the Plan Change sought. The District Plan assessment criteria at Section 4e.6.2⁵ requires</p>

⁵ The matters over which the Council reserves discretion for the purposes of assessment are:

- a. The need for, or purpose of, any indigenous vegetation clearance.
- b. Having regard to measures proposed for avoidance mitigation or protection, the effects, including the cumulative effects of the proposed vegetation clearance on:
 - i. the values associated with natural character, biodiversity, significant habitat of indigenous flora and fauna and the ecological values of the Significant Natural Area.
 - ii. any indigenous vegetation that is to be retained including having regard to the rate of the recovery of that vegetation.
 - iii. the composition of significant indigenous flora and fauna and the naturalness, diversity, and the life supporting capacity and long term ecological sustainability of the Significant Natural Area.

<ul style="list-style-type: none"> 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 <u>ecosystem services</u> (external link); f. the health and wellbeing of the Waikato River and its <u>catchment</u>; g. contribution to <u>natural character</u> and <u>amenity values</u>; h. <u>tāngata whenua</u> 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. 	<p>matters to be considered which reflect the biodiversity aims of RPS policy 11.1.</p> <p>The Whareroa North proposal (which no longer includes house sites set in SNA but does include vegetation removal for access) will, in accordance with the relevant District Plan policy framework, need to demonstrate an overall “net environmental gain” and in this way the WRPS policy framework will also be advanced.</p>
<p>12.1 Outstanding Natural Features and Landscapes;</p> <p>Identified values and characteristics of outstanding natural features and landscapes (including seascapes) of regional or district significance are protected from adverse effects, including cumulative effects, arising from inappropriate subdivision, use and development.</p>	<p>The landscape and visual assessment report (Appendix 4) considers the Plan Change proposal and including the identification of the adjacent area as an Outstanding Natural Feature and Landscape (ONFL) in the WRPS.</p> <p>ONFL 9 coincides with the Taupo District Plan’s OLA 20 and 60. District Plan provisions which manage effects of activities in OLA’s (and in particular resource consent requirements around structures and earthworks in OLAs) remain unchanged as a result of the Plan Change sought. The Whareroa North proposal (which includes house sites set well back from the lakefront area and no longer includes house sites set in the ONFL/OLA, but does include earthworks and possibly retaining structures associated with access) will, in accordance with the relevant District Plan policy framework, need to demonstrate an overall “net environmental gain”.</p> <p>In these ways WRPS policy 12.1 will be advanced.</p>
<p>12.2 Preserve natural character;</p> <p>Ensure that activities within the coastal environment, wetlands, and lakes and rivers and their margins are appropriate in relation to the level of natural character and:</p> <ul style="list-style-type: none"> a. where natural character is pristine or outstanding, activities should avoid adverse effects on natural character; b. where natural elements/influences are dominant, 	<p>The landscape and visual assessment report (Appendix 4) considers the Plan Change proposal and including the appropriateness of it in relation to natural character of the area.</p> <p>The residential development is set well back from the lake and river margins and in an area of</p>

- iv. areas which experience occasional stress events (such as seasonal wetlands, slip faces).
- v. ecosystems located across a succession of natural habitats (such as geothermal areas, aquatic areas, waterways, wetlands, riparian areas, foreshores, alpine areas and forest sequences).
- vi. rare or threatened indigenous flora or fauna, or species unique to the District, including any adverse effects on areas used by rare or threatened indigenous fauna on a regular or seasonal basis.
- vii. changes resulting in an increased threat from animal and plant pests.
- viii. the extent to which the Significant Natural Area makes up part of an ecological corridor, and provides linkages to other habitats.
- ix. ecological effects arising from the changed size and shape of the vegetated areas of the Significant Natural Area before and after clearance, including effects of fragmenting vegetated areas, and edge effects.
- c. Any Net Environmental Gain, or environmental compensation, that results from the clearance or other activities associated or as a consequence to that clearance.
- d. The effect that the clearance will have on the attributes of any identified Landscape Area.
- e. Any further matters arising from the results of a report by a suitably qualified and experienced ecologist as to the effects which the clearance will have on the ecological values of the Significant Natural Area.
- f. Consideration of the scale, intensity, location and design of the area to be cleared so as to avoid, remedy, or mitigate adverse effects on the ecological values of the Significant Natural Area.
- g. Methods to protect the long term ecological sustainability of the Significant Natural Area, including the clearance, methodology, the scale, intensity, location and design of the area to be cleared and the scale and density of any revegetation proposed, maintenance of retained and revegetated areas, legal protection measures such as covenants or other mechanisms so as to avoid, remedy or mitigate adverse effects on the ecological values of the Significant Natural Area.

<p>activities should avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on natural character;</p> <p>c. where man-made elements/influences are dominant, it may be appropriate that activities result in further adverse effects on natural character, though opportunities to remedy or mitigate adverse effects should still be considered;</p> <p>d. promote the enhancement, restoration, and rehabilitation of the natural character of the coastal environment, wetlands and lakes and rivers and their margins; and</p> <p>e. regard is given to the functional necessity of activities being located in or near the coastal environment, wetlands, lakes, or rivers and their margins where no reasonably practicable alternative locations exist.</p>	<p>pasture land and regenerating scrub. The location of future residential development and access is in a mixed environment (in terms of “naturalness”) including vegetated lake and river escarpments, farmland, and an existing settlement, and accordingly it is considered appropriate that the proposed access road will be subject to resource consent processes which will ensure that minimisation and mitigation of adverse effects on natural character will be required.</p> <p>In these ways it is considered that WRPS policy 12.2 will be advanced.</p>
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Ecological Integrity and Indigenous Biodiversity

7.3.5 WRPS Objective 3.19:

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

7.3.6 The RPS states that Objective 3.19 is achieved through several policies (that are relevant to the Whareroa North Plan Change proposal). These are commented below in relation to the Whareroa North Plan Change proposal.

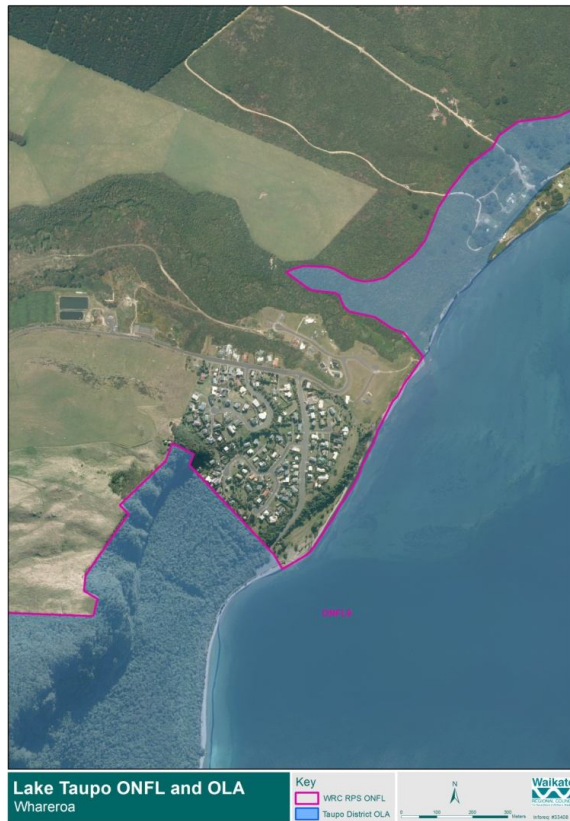
WRPS Policy	Comment re Whareroa North Plan Change proposal
6.1 <i>Planned and co-ordinated subdivision, use and development;</i> (as above)	As above (table at paragraph 7.3.4 above)
11.1 <i>Maintain or enhance indigenous biodiversity.</i> (as above)	As above (table at paragraph 7.3.4 above)
11.2 <i>Protect significant indigenous vegetation and significant habitats of indigenous fauna;</i> Significant indigenous vegetation and the significant habitats of indigenous fauna shall be protected by ensuring the characteristics that contribute to its significance are not adversely affected to the extent that the significance of the vegetation or habitat is reduced.	District Plan provisions which manage effects of activities in SNAs (and in particular resource consent requirements around removal of indigenous vegetation in SNAs) remain unchanged as a result of the Plan Change sought. The Whareroa North proposal (which no longer includes house sites set in SNA but does include vegetation removal for access) will, in accordance with the relevant District Plan policy framework, need to demonstrate an overall “net environmental gain” (likely to include off-set planting, pest management, legal protection of SNA) and in this way WRPS policy 11.2 will also be advanced.
12.1 <i>Outstanding Natural Features and Landscapes;</i> (as above)	As above (table at paragraph 7.3.4 above)
12.2 <i>Preserve natural character;</i> (as above)	

Outstanding Landscape Area

7.3.7 WRPS Objective 3.20:

“The values of outstanding natural and landscapes are identified and protected from inappropriate subdivision, use and development”.

7.3.8 Map 12-10 in the WRPS identifies that the area at Whareroa North which is OLA 60 in the Taupo District Plan, is also part of the WRPS ONFL 9 (Outstanding Natural Feature Landscape).



7.3.9 The RPS states that Objective 3.20 is achieved through several policies (that are relevant to the Whareroa North Plan Change proposal). These are commented below in relation to the Whareroa North Plan Change proposal.

WRPS Policy		Comment re Whareroa North Plan Change proposal
6.1	Planned and co-ordinated subdivision, use and development;	As above (table at paragraph 7.3.4 above)
12.1	Outstanding Natural Features and Landscapes;	As above (table at paragraph 7.3.4 above)

7.4 Waikato Regional Plan

7.4.1 The Waikato Regional Plan (WRP) is the implementation arm of the WRPS and contains policy and methods to manage the natural and physical resources of the Waikato Region.

7.4.2 To give effect to the proposal for which the Plan Change application seeks District Plan provision, various resource consent will be required from both the Taupo District Council (land use and subdivision consents), and also the Waikato Regional Council in terms of the regulatory provisions of the Waikato Regional Plan.

7.4.3 Although detailed design will determine the range and nature of consents required, that is likely to include regional consents for:

- bridging the Whareroa Stream;
- earthworks in a “high risk erosion area” (associated with road access);
- vegetation removal in a “high risk erosion area” (associated with road access);
- disposal of stormwater from roads.

7.4.4 It is likely that both regional and district council consents will be sought concurrently.

7.5 Other Plans

7.5.1 The *Ngati Tuwharetoa Environmental Iwi Management Plan 2003* is a plan which is required to be taken into account in terms of s74(2A) of the Act. It is considered that the proposed Plan Change is consistent with that Plan in that the proposed development (for which the Plan Change application seeks changed District Plan provisions) will be subject to RMA plans and future resource consent processes which will enable the appropriate protections for Nga Taonga o Tuwharetoa:

- Te Waipuna Ariki (water): particularly in that sewage will not be disposed of into waterways (but will connect to the existing community system which has capacity for it), stormwater will not be directed into the Whareroa Stream, and the ownership of the lakebed asset is acknowledged;
- Papatuanuku (land) and Nga Wahi Tapu (sacred places): in that land of cultural significance is avoided, and important landscapes are protected from inappropriate use and development;
- Tauranga Ika (fisheries): future bridge design to avoid adverse impact on the stream habitat;
- Nga Otaota Me Nga Aitanga Kararehe (flora and fauna): concern for the mauri of indigenous fauna and flora and maintaining and enhancing biodiversity will be primary matters for future resource consent processes (concerned with minimising the extent of and impacts of vegetation removal in the SNA for the road access). An “environmental net gain” will need to be achieved for such consents to be secured.

7.5.2 Further, (and as explained in Section 10 below) through consultation with Ngati Parekaawa as hapu and also the Tuwharetoa Maori Trust Board the preparation of this Plan Change has involved recognition of both the kaitiaki role of tangata whenua and also the rights of legal ownership (in the case of the bridge crossing over the Whareroa Stream, the bed of which is held in title by the Trust Board). This supports the exercise of kaitiakitanga and tinorangatiratanga, the importance of which is signalled in the Environmental Iwi Management Plan.

8 EFFECTS ON THE ENVIRONMENT

8.1 General

8.1.1 In the case of the Whareroa North proposal it is considered that the principal environmental effects resulting from implementation of the Plan Change relate to:

- growth management effects;
- visual and landscape effects;
- ecological effects;
- servicing and infrastructure effects.

8.1.2 These are considered below.

8.2 Growth Management Effects

8.2.1 Taupo District Council has purposefully put in place growth management strategies and processes in order to manage urban growth so as achieve the sustainable management of the District's natural and physical resources.

8.2.2 As described in detail in Section 5 of this application document, that has resulted in an over-arching district growth management strategy (TD2050), leading to District Plan Changes to lock in the elements of the strategy (now Section 3e of the District Plan and including identified urban growth areas) and specifically requiring that the urban growth areas be unfolded through a structure plan and plan change process.

8.2.3 Whareroa North is one of the future urban growth areas identified in TD2050, and is included in the (reduced number) of urban growth areas reflected in the District Plan. In 2013, following a public policy making process set down in the Local Government Act 2002, TDC approved the "Southern Settlements Structure Plan" which included provision for the implementation of some of the TD2050 identified urban growth areas located in the south-western part of the Taupo District.

8.2.4 In particular the SSSP identifies and supports the Whareroa North and Omori/Kuratau TD2050 urban growth areas, but does not support others (Grace Road, Hirangi Road, Mangamawhitiwhiti, Motuopa East, and Upper Omori Road).

8.2.5 The SSSP sets out the framework for progressing the preferred urban growth areas (including at Whareroa North) and is concerned with aligning urban growth with infrastructure planning.

8.2.6 One of several "essential elements and assumptions" of the SSSP is that "*the future onus will be on landowners/developers to undertake private plan changes to rezone land for residential development. These rezoning in the past have mainly been undertaken by Council, but taking into account the existing oversupply of residentially zoned land, it is not considered that Council should be committing funds to rezone land when the benefits are largely (if not entirely) private.*" (p37).

8.2.7 The Whareroa North Plan Change proposal (including the Whareroa North Residential Concept Plan which provides for an improved outcome compared to that in the SSSP plan, which showed residential areas within land identified as SNA and OLA) follows from the framework set down by

Council as reflected in the TD2050 / District Plan / SSSP. Further, the matters addressed in this Plan Change application are in accordance with the "General Matters to be Considered" listed on pages 39-40 of the SSSP.

8.2.8 In terms of managing the effects of urban growth, therefore, it is considered that the proposed Plan Change provides for the positive long term effects (in terms of sustainable management of the districts natural and physical resources) that TDCs multi-layered policy approach seeks to achieve. Further, and for the reasons set out in Section 2.2, The Incorporation considers the long-term staged development of Whareroa North to be a sustainable project to deliver these growth management outcomes.

8.2.9 The Plan Change is consistent with the identified Whareroa North Urban Growth Area described in Section 3e.6 of the District Plan and the current Plan Change process is the appropriate next step to give effect to urban development within the identified Whareroa North Urban Growth Area. In these ways the Plan Change proposal results in positive effects in terms of future growth management.

8.3 Visual and Landscape Effects

8.3.1 The Landscape and Visual Assessment at Appendix 4 considers the potential visual and landscape effects of implementation of the Whareroa North Urban Growth Area as advanced through the proposed Plan Change (including the Whareroa North Residential Concept Plan). The assessment considers whether there are potential landscape and visual issues that are of such significance, in terms of the concept plan, that the land should not be rezoned, or whether addressing the range of potential landscape and visual issues can be left to the resource consent stage.

8.3.2 In terms of the Whareroa North Residential Concept Plan the assessment identifies (at Section 8) that potential landscape and visual effects may arise as a result of the following elements of development at Whareroa North:

- Construction and earthworks: *"The potential landscape and visual effects that may arise because of construction are anticipated to be temporary, as long as earthworks are managed to control dust and sediment and areas disturbed are stabilised (such as through establishment of grass or suitable shrubs and trees) immediately following construction. The potential landscape and visual effects that may arise as a result of earthworks will depend on how well they are integrated into the existing landform and stabilised through appropriate planting following construction";*
- Bridge: *"The potential landscape and visual effects that may arise as a result of the bridge include landscape effects created through earthworks and visual effects of the bridge structure. The design of the bridge and the reflectivity of the surfaces of the bridge and mitigation planting can help to avoid, remedy or mitigate potential adverse landscape and visual effects arising from the bridge";*
- Road up the escarpment and through indigenous vegetation to the area proposed to be developed for residential use: *" The potential landscape and visual effects that may arise as a result of roading to the proposed residential area would result mainly from vegetation clearance. Limiting the width of the road (and thus vegetation clearance) and mitigation planting following construction of the road can help to avoid, remedy or mitigate potential adverse landscape and visual effects arising from the road";*

- Residential use (including building, roading and related development): *"The potential landscape and visual effects that may arise as a result of proposed residential development would be similar to those created by the existing Whareroa Village when viewed from the surrounding landscape. Limits on the reflectivity of exterior surfaces of buildings and fences would help to avoid, remedy or mitigate potential adverse landscape and visual effects arising from buildings and fences"*.

8.3.3 The assessment considers the range of District Plan provisions already in place (and the proposed Plan Change provisions). Section 11 of the report concludes that in relation to the range of potential landscape and visual effects identified, *"potential landscape, visual and amenity effects are not of a scale or significance that the proposed Plan Change should be declined"* and *"that the existing and proposed Plan provisions provide an adequate regulatory structure for the management of such effects through the future resource consent process"*.

8.3.4 In these ways it is considered that the proposed Plan Change provisions (including the Whareroa North Residential Concept Plan) provide for the potential landscape and visual effects to be avoided, remedied or mitigated to an appropriate extent through the design and resource consenting stages which will implement the Plan Change proposal.

8.4 Ecological Effects

8.4.1 Various ecological assessments of the land affected by the Plan Change proposal have been undertaken by Council and the Incorporation (as detailed in Section 3.4 above). These are reflected in the SNA status of part of the Incorporation's land (and that of the adjoining Whareroa Station). The assessments identify that the values are associated with the indigenous vegetation on the site and the habitat that particularly provides for indigenous avifauna. Ecological surveys undertaken found that no wildlife (such as bats, lizards, etc) appeared to be present and that may be associated with the presence of pest animals (including pigs). Apart from the intrinsic value of the riparian margins of the adjoining Whareroa Stream, engagement with the Department of Conservation has identified the need to also take into account that Whareroa Stream is a trout spawning stream.

8.4.2 Effects on these ecological values potentially arising from implementation of the Plan Change proposal (and including the Whareroa North Residential Concept Plan) relate to:

- Potential effects of bridge/road and associated works at the margin and in relation to the Whareroa Stream environment;
- Potential effects of vegetation removal required to provide access for road and services through the river escarpment up to the residential development area (through SNA);
- Potential edge effects arising from the future residential area adjoining parts of SNA062.

8.4.3 Existing District and Regional Plan provisions (along with the amended District Plan provisions proposed to be introduced through the Plan Change) provide an appropriate regulatory framework to ensure such effects are managed in accordance with the policy framework of both the WRPS and Taupo District Plan assessed in Section 7 above and as reinforced by the Part II RMA matters discussed in Section 9 below. In relation to managing potential effects identified above:

- In relation to proximity of the bridge/road and associated works to the Whareroa Stream and its margins, consideration to date has identified the likely design approach will provide for a single span structure with abutments clear of the waterway. Resource Consents to authorise

such a stream crossing and associated works will be required from both the WRC and TDC. Consultation and site suitability investigations to date identify that the design process will involve engagement with DOC and the Tuwharetoa Maori Trust Board, as well as consideration of flooding and potential liquefaction hazards in the locality;

- In relation to potential effects of vegetation removal (required to provide access for road and services up the river escarpment and through SNA 062) through the resource consent process required by District Plan Rule 4e.6.2, a “net environmental gain” is required to be secured (this will likely involve an ecological mitigation package including offset indigenous planting and legal and physical protection of the SNA affected). It is significant that the existing District Plan approach is not to prohibit indigenous vegetation clearance from being undertaken within SNAs but instead protecting the values of areas from the effects of inappropriate clearance and utilising the opportunity that the consent process provides to secure overall positive benefits for the on-going enhancement and protection of SNAs;
- In relation to “edge effects” potentially arising from the close proximity of future residential properties on the southern edge of the Whareroa North residential area to the SNA062 boundary, and although existing general District Plan provisions do not include controls to manage this potential effect, an application for subdivision consent at Whareroa North provides an opportunity to consider and impose conditions in terms of “*effects on landscape and natural values areas*” (through Controlled Activity matters under Rule 4a.3.2, and/or subdivision Assessment Criteria 4a.7.17). This will enable inclusion of mitigation measures to address potential edge effects (if these are considered warranted) such as additional building setback, fencing, and/or buffer planting.

8.4.4 Further, the subdivision consent process (through Subdivision Assessment Criteria 4a.7.14f, 4b.4.12j, and 4a.3.2) also provides a further opportunity to consider if consent conditions are appropriate to mitigate adverse effects of subdivision on natural values identified in the District Plan .

8.4.5 In these ways it is considered that the existing and proposed Plan Change provisions (including the Whareroa North Residential Concept Plan) provide for potential ecological effects to be avoided, remedied or mitigated to an appropriate extent through the design and resource consenting stages which will implement the Plan Change proposal.

8.5 Servicing and Infrastructure Effects

8.5.1 The KeySolutions Limited Infrastructure Report at Appendix 3 considers the infrastructure and servicing requirements for implementation of the proposed Plan Change (including the Whareroa North Residential Concept Plan).

8.5.2 The report considers:

- Roading and access (including internal roading, bridge and access up the escarpment to the development area, Kuratau Hydro Road and Whareroa Road, and the intersection with SH32). In particular the report considers in detail the various options for road access to the residential development area including various crossing points of the Whareroa Stream and also includes specialist traffic engineering reports in relation to roading matters;
- Water Supply (including an overview of the current system at Whareroa Village, current resource consent, headworks and network modifications to service Whareroa North, and future treatment upgrade);

- Wastewater (including an overview of the current system at Whareroa Village, resource consent issues, system capacity, and the partnership approach between the Incorporation and Council in regard to wastewater management at Whareroa);
- Stormwater (including an overview of shifting “best practice” approaches, existing systems managing stormwater at Whareroa Village, and river escarpment erosion through absence of stormwater management on the northern side of the Whareroa Stream);
- Utility Services (electricity and telecommunications services having allowed for northern expansion at time of completion of south side subdivision);
- Infrastructure Efficiency (including an overview of the long term infrastructure planning which anticipates development on the north side of Whareroa Stream, and discussion about greater efficiency available as a result of economies of scale available through implementation of the Plan Change proposal).

8.5.3 Section 11 of the Infrastructure Report makes the following conclusions about how infrastructure issues are able to be addressed:

- a) *“Work to date has produced a viable concept for expanding Whareroa by up to 80% as has been envisaged since well before the first lots were created over thirty years ago.*
- b) *This area, Whareroa North, is signalled as a preferred location for future residential growth area in TDC's document TD 2050, the 2013 Southern Settlements Structure Plan and the Taupo District Plan. The Owners and TDC have been working in partnership for a long time to enable this to happen.*
- c) *Roading infrastructure is in place to the boundary of Whareroa North which has the capacity to cater for the extra traffic which the development will generate.*
- d) *Water Supply headworks are largely in place to cater for Whareroa North. The WRC consent for the water supply will accommodate growth at Whareroa North.*
- e) *Due to a collaborative effort between TDC and the Owners, wastewater infrastructure and the necessary WRC consents are in place to service Whareroa North.*
- f) *Stormwater management, utilities provision and geotechnical issues all have potential solutions.*
- g) *Staging is proposed so as to accommodate the needs of both the Developer and TDC*
- h) *Economies of scale, cost effectiveness and general infrastructural efficiency all have the potential to increase as a result of the expansion of Whareroa”.*

8.5.4 In these ways it is considered that the Plan Change proposal is able to be implemented in a way which appropriately avoids, remedies, or mitigates potential adverse effects of infrastructure provision. Further, the staged development of Whareroa North (including between 30 and 34 residential lots in Stage 1) will, as the KeySolutions Report refers to, accommodate both developer and Council’s need for the first stage to be economically viable.

8.6 Conclusions

8.6.1 Based on the assessments above of growth management effects, visual and landscape effects, ecological effects, and servicing and infrastructure effects, it is concluded that the combination of existing Plan provisions and proposed Plan provisions are able to manage the range of potential effects resulting from implementation of the Plan Change proposal.

8.6.2 The various development elements (including vegetation removal, earthworks, roads, bridge, future residential subdivision etc) will require a suite of resource consents from both the WRC and the TDC and the existing and proposed Plan provisions provide an appropriate and efficient regulatory framework to consider the detailed design work (in consultation with various parties) that will follow the Plan Change approval.

9 PART II – RESOURCE MANAGEMENT ACT 1991

9.1 Introduction

9.1.1 Part II of the Resource Management Act consists of the purpose and principles of the Act (specifically Sections 5, 6, 7, and 8) as follows:

<p>Part 2 Purpose and Principles</p>
<p>5 Purpose</p> <p>(1) <i>The purpose of this Act is to promote the sustainable management of natural and physical resources.</i></p> <p>(2) <i>In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—</i></p> <ul style="list-style-type: none"><i>(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and</i><i>(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and</i><i>(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.</i>
<p>6 Matters of national importance</p> <p><i>In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:</i></p> <ul style="list-style-type: none"><i>(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;</i><i>(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;</i><i>(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;</i><i>(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;</i><i>(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;</i><i>(f) the protection of historic heritage from inappropriate subdivision, use, and development;</i><i>(g) the protection of protected customary rights;</i><i>(h) the management of significant risks from natural hazards.</i>
<p>7 Other matters</p> <p><i>In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—</i></p> <ul style="list-style-type: none"><i>(a) kaitiakitanga:</i><i>(aa) the ethic of stewardship;</i><i>(b) the efficient use and development of natural and physical resources:</i><i>(ba) the efficiency of the end use of energy;</i><i>(c) the maintenance and enhancement of amenity values;</i><i>(d) intrinsic values of ecosystems;</i><i>(e) [Repealed]</i><i>(f) maintenance and enhancement of the quality of the environment;</i><i>(g) any finite characteristics of natural and physical resources;</i><i>(h) the protection of the habitat of trout and salmon;</i><i>(i) the effects of climate change;</i><i>(j) the benefits to be derived from the use and development of renewable energy.</i>
<p>8 Treaty of Waitangi</p> <p><i>In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).</i></p>

9.1.2 Section 5 sets out the overall purpose of the Act which is "to promote the sustainable management of natural and physical resources..." (which is considered further below) and this is supported by the Section 6, 7, and 8 matters which are firstly considered.

9.2 Section 6 Matters

9.2.1 Section 6 of the Act sets out a list of “matters of national importance” which are required to be recognised and provided for. The Section 6 matters which are considered to be relevant to this proposal are discussed below:

Section 6 Matters	Comment
<p>S6(a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;</p>	<p>The Landscape and Visual Assessment report (Appendix 4) observes that the location of the future residential development and access is in a mixed environment (in terms of “naturalness”) including vegetated lake and river escarpments, farmland, and immediately north of an existing settlement.</p> <p>The proposed residential development is set well back from the lake and river margins and in an area of pasture land and regenerating scrub (whereas the SSSP and previous concept plan included houses set within indigenous vegetation there). The area is, therefore, a modified environment albeit the northern side of the Whareroa Stream is less modified (with a more natural character) than the south side.</p> <p>The proposed access road bridges the Whareroa Stream and traverses the vegetated stream escarpment. The design of these elements will be subject to existing District and Regional Plan provisions (which are unaffected by the proposed Plan Change). Design work already undertaken has focussed on minimising the roading footprint and therefore vegetation required to be removed. The design of the proposed bridge crossing and access road will be subject to resource consent processes which will assess/require visual and landscape effects including that on natural character.</p> <p>It is concluded therefore that the Plan Change proposed is able to ensure that the particular natural character of this part of the Lake Taupo environment is adequately preserved and that the proposal subject of the Plan Change application is not an inappropriate activity from which the natural character of the area warrants protection from.</p> <p>Accordingly the proposal will be consistent with Section 6(a).</p>
<p>S6(b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;</p>	<p>The landscape and visual assessment report (Appendix 4) considers the Plan Change proposal and observes that the area to be rezoned Residential Environment is well back from the lakefront and not within the Waikato Regional Policy Statements’ ONFL 9 nor the Taupo District Plans’ OLA 20 or 60. Further, the design of future access elements (earthworks, retaining structures and vegetation removal) through these areas is able to minimise potential adverse effects. The Whareroa North proposal will, in accordance with the relevant District Plan policy framework (which will not be altered as part of this Plan Change proposal), need to demonstrate an overall “net environmental gain”.</p> <p>It is considered therefore that the proposal is consistent with Section 6(b).</p>
<p>S6(c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;</p>	<p>The residential development area proposed by the Plan Change is not within a protected ecological area (ie the TDC’s SNA062), but access to it is and will require vegetation removal and earthworks involved with road construction. Further, access will also involve bridging the Whareroa Stream. The existing District Plan provisions (and which will not be changed by the proposed Plan Change) do not prohibit indigenous vegetation clearance from being undertaken within SNAs. Instead the focus of the provisions is on protecting the values of areas from the effects of inappropriate clearance. In terms of effects on natural values, implementation of the Plan Change proposal through the proposed provisions (including the subdivision concept plan) provides an opportunity, through the resource consent process required by Rule 4e.6.2, to secure a “net environmental gain” (NEG), and long term legal</p>

	<p>and physical protection of the SNA affected. NEG is defined in the District Plan as <i>"Net Environmental Gain – recognises that a level of adverse effect may be balanced by measures that result in an overall positive environmental outcome"</i>. As well as NEG, the natural values provisions also include reference to the concept of environmental compensation. Formal recognition of the approach of environmental offsetting and/or compensation has been confirmed through a recent amendment introducing s104(1)(ab) of the Act.</p> <p>In these ways it is considered that implementation of the proposal will recognise and provide for the Section 6(c) matter.</p>
S6(d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;	The proposal incorporates enhanced public access in the vicinity of the Whareroa Stream. There is already public reserve land between the Plan Change site and Lake Taupo (this reserve was vested in the then Taumarunui County Council when the land was first subdivided to create Whareroa Village on the south side of the 200 acre block).
S6(e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga	<p>The Plan Change development process has included consultation with the Ngati Parekaawa hapu which supports the Plan Change proposal. Communication with both hapu and iwi authority (Tuwharetoa Maori Trust Board) is open and on-going. Future resource consent processes required to facilitate the Whareroa North development will involve on-going engagement including in relation to the bridging of the Whareroa Stream.</p> <p>The physical development proposed avoids sites of cultural significance.</p> <p>It is considered, therefore, that the proposed Plan Change appropriately responds to the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.</p>
S6(f) the protection of historic heritage from inappropriate subdivision, use, and development;	Based on archaeological information and the avoidance of sites of cultural significance to tangata whenua, it is considered that the proposal will not adversely impact on historic heritage.
S6(h) The management of significant risks from natural hazards.	Land immediately in the vicinity of the Whareroa Stream is subject to potential flood hazard (and liquefaction) risk which can be assessed and addressed in the future bridge and road design and consenting processes.

9.3 Section 7 Matters

9.3.1 Section 7 of the Act lists "other matters" that particular regard is to be had to in achieving the purposes of the Act. The listed matters are not threshold tests or criteria but, where a proposal raises issues of the kind listed, they are to be given particular regard. The Section 7 matters which are considered to be relevant to this proposal are discussed below:

Section 7 Matters	Comment
S7(a) Kaitiakitanga	It is considered that on-going engagement with Ngati Parekaawa and the Tuwharetoa Maori Trust Board through the Plan Change process (and commitment to continued engagement for the subsequent design and resource consenting stages) provides for the exercise of kaitiakitanga in this case. Further, the Incorporation, being a maori land owning entity, similarly exercises on-going kaitiakitanga responsibilities in relation to these lands and associated waterways.
S7(b) The efficient use and development of natural and physical resources	In terms of section 7(b), the proposed Plan Change represents an efficient use and development of natural and physical resources both in terms of the land resource being made available for residential purposes as anticipated by the TD2050, SSSP and the District Plan, and also in that <i>"Economies of scale, cost effectiveness and general infrastructural efficiency all have the potential</i>

		<i>to increase as a result of the expansion of Whareroa”</i> (as concluded in the KeySolutions Report at Appendix 3. Accordingly it is considered that the proposal is consistent with Section 7(b).
S7(c)	The maintenance and enhancement of amenity values	Amenity values are the qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes. The Whareroa locality is a modified (by farming, urban development) environment. Amenity values are associated its’ setting adjacent to Lake Taupo, the Whareroa Stream, Rangitukua Scenic Reserve, lakeside reserves, and indigenous vegetation. These all provide high visual amenity values and associated recreational opportunities. Aspects of the Plan Change proposal will add to those values through the setting back of houses from the lake and escarpment areas, the opportunity to secure protection (legal and physical) of SNA areas, and provision of additional walkway linkages. It is considered that in these ways the overall amenity values of the area will not be diminished but will be maintained and enhanced.
S7(d)	Intrinsic values of ecosystems	The intrinsic values of ecosystems (in this case associated with indigenous vegetation and the adjoining riparian environment) are accorded appropriate regard in this case for the reasons noted in comments on the Sections 6(a), 6(c), responses above.
S7(f)	Maintenance and enhancement of the quality of the environment	The Plan Change proposal includes mitigation measures to ensure the maintenance of environmental quality. This includes, the locating the future residential development area well back from the lake, river, and associated indigenous vegetation areas, also through existing and proposed District Plan rules and assessment criteria that will guide the resource consent process in the implementation phase (by encouraging/requiring design responses including those recommended in Section 8 of the Landscape and Visual Assessment to address potential adverse visual and landscape effects).
S7(g)	any finite characteristics of natural and physical resources:	Section 7(g) refers to finite resources. The finite resource of greatest significance to this application is the land that is affected by the Plan Change (including that part of the land covered in indigenous vegetation). Re-zoning the site in accordance with the TD2050, SSSP and District Plan growth management objectives (but minimising intrusion into SNA areas by minimising the roading footprint and securing a subdivision concept plan with no house sites located there) are appropriate ways of having particular regard to the Section 7(g) matter.
S7(h)	The protection of the habitat of trout and salmon	Access to the Whareroa North residential development area will involve bridging the Whareroa Stream (which is a trout spawning stream). Consultation with DOC has confirmed that potential effects are able to be appropriately managed through further engagement with the Department in the resource consenting phase subsequent to the Plan Change process. In these ways it is considered that the Plan Change proposal responds appropriately to this Section 7(h) matter.

9.4 Section 8

9.4.1 Section 8 of the Act obliges decision-makers to take into account the Treaty of Waitangi.

9.4.2 In terms of this Plan Change proposal, the particularly relevant principles of section 8 are considered to be those of the active protection of rangatiratanga and the principle of partnership and mutual benefit.

9.4.3 The consultation which has taken place acknowledges the cultural authority of local hapu (Ngati Parekaawa) and the Tuwharetoa Maori Trust Board as iwi authority) and the continuing role that they play in traditional, cultural and heritage terms in the sustainable management of natural and physical resources of the Taupo District generally and the Whareroa North area specifically.

- 9.4.4 The principle of partnership is one that is considered by the Ngati Tuwharetoa Environmental Iwi Management Plan (discussed in Section 7.4 above) as being of particular importance in terms of approach to consultation as part of RMA Plan preparation and resource consent processes. In the case of the Whareroa North project the landowners (on behalf of whom the Proprietors of Hauhungaroa No 6 as the applicant is progressing towards the long-term vision for Whareroa since the land was set aside in the 1960's) are tangata whenua affiliated to Ngati Parekaawa and Ngati Tuwharetoa. The consultation undertaken with hapu and iwi regarding the project reflects that relationship.
- 9.4.5 Further, as referred to in Section 7.4 above, through consultation with Ngati Parekaawa as hapu and also the Tuwharetoa Maori Trust Board, the preparation of this Plan Change has involved recognition of both the kaitiaki role of tangata whenua and also the rights of legal ownership over that part of the bed of the Whareroa Stream where the proposed bridge crossing is planned. This supports the exercise of kaitiakitanga and tinorangatiranga, the importance of which is signalled in the Environmental Iwi Management Plan.
- 9.4.6 In these ways, and acknowledging that the obligation arising from Section 8 is not one for the applicant but for those persons exercising powers and functions under the Act (in this case the Taupo District Council), it is evident that, insofar as practical, the process of preparing the Plan Change has taken into account the principles of Te Tiriti o Waitangi.

9.5 Section 5

- 9.5.1 Application of Section 5 of the Act involves a broad overall judgement as to whether a proposal would promote the sustainable management of natural and physical resources.
- 9.5.2 As discussed earlier the Plan Change requested will give effect to Section 3e of the District Plan (being the "Land Development" objectives and policies which secure the outcomes of Council's earlier growth management strategy work). That section of the District Plan specifically anticipates urban development at Whareroa North in accordance with a structure plan process and Plan Change. The SSSP subsequently undertaken by Council provided the next level of detail about the Whareroa North growth area and clarified that the landowner, at a time they determined, was expected to seek a private Plan Change to secure the appropriate zoning and District Plan provisions.
- 9.5.3 In this case it is considered that the proposed Plan Change will enable both the landowners and the Taupo District community to provide for their social and economic well-being by providing for future residential development (as referred to in Section 5 of the Act):
- on a site which is physically suitable;
 - in a manner whereby potential adverse effects on the environment (particularly ecological and landscape effects) can be avoided by design and/or mitigated in accordance with existing and proposed Plan provisions - eg a specific concept plan and District Plan rules which provide the appropriate regulatory framework to secure the desired outcomes;
 - which is able to be serviced in an efficient manner;
 - which is consistent with the District Plan's urban growth strategy and the Southern Settlement Structure Plan.

9.5.4 The District Plan is the Taupo District Council's primary tool for achieving the purpose of the Resource Management Act. Accordingly, given that the Plan Change is specifically envisaged by the District Plan and that it sits comfortably with the principles of the Act set down in Sections 6, 7, and 8 of the Act (as discussed in Sections 9.2 to 9.4 above), it is considered that approving the Plan Change is consistent with section 5 of the Act.

10 CONSULTATION

- 10.1 Preparation work for the Whareroa North project has been on-going for over ten years. During that time, and as outlined in the project milestones report at Appendix 1, there has been on-going communication with the wider Whareroa community (including Whareroa village land owners and residents, local hapu Ngati Parekaawa, and the Tuwharetoa Maori Trust Board), and extensive collaborative engagement with Taupo District Council.
- 10.2 During the recent application preparation phase, and in addition to on-going engagement with Council staff (planning, engineering, reserves management), further consultation has been undertaken with the following parties:
- Ngati Parekaawa of Poukura Marae;
 - The Tuwharetoa Maori Trust Board (NTMTB);
 - The Department of Conservation (DOC);
 - The Waikato Regional Council (WRC);
 - The Whareroa Village Residents Association;
 - The owners of Hauhungaroa 1A1B (adjoining landowners to the north);
 - The Proprietors of Whareroa Station (adjoining landowners to the west).

10.1 Ngati Parekaawa of Poukura Marae

- 10.1.1 An initial hui a hapu was held at Poukura Marae in 2006. A further hui a hapu was held in early November 2017 following on-going communications with hapu representative (Kia Paranihi). The recent meeting raised no new issues. The previous hui raised concerns that pedestrian access along the beachfront towards Poukura Marae not be encouraged or facilitated by the development. The applicants, themselves Ngati Parekaawa, acknowledge that the place which is Poukura Marae has a sense of cultural spirituality about it and that privacy intrusion could adversely impact upon that. Accordingly the Whareroa North concept plan does not involve or facilitate pedestrian access to the lower lakefront area (which would, in any event, be a topographically challenging route).
- 10.1.2 Appendix 9 contains confirmation of the adequacy of consultation, the on-going and positive nature of communications with hapu, and that that the Plan Change is supported.

10.2 The Tuwharetoa Maori Trust Board (TMTB)

- 10.2.1 Dialogue with the TMTB has been on-going and includes agreement in principle provided by the Board in 2009 for the bridge crossing of the Whareroa Stream (the bed of which is held by the Board on behalf of hapu).
- 10.2.2 More recently engagement with the Board has been through its environmental planning staff, who have reiterated on-going interest in the various aspects of the proposal for Whareroa North (including the bridging of the Whareroa Stream and ensuring that stormwater and wastewater design delivers the best water quality outcomes). These matters will be progressed in discussion with the Board as future detailed design work (ahead of consenting processes) for these elements of the project are advanced.
- 10.2.3 Appendix 9 contains confirmation of the adequacy of consultation, and the matters of on-going interest to the Board.

10.3 The Department of Conservation (DOC)

10.3.1 Communication with DOC (included in Appendix 9) confirms that:

- DOC has an interest on account of ecological matters (eg kiwi are present in the area, and Whareroa Stream is a trout spawning stream);
- DOC is satisfied that relevant matters (such as bridge location, design, and construction as well as associated stormwater and sediment management) can be appropriately addressed at resource consent stage.

10.4 The Waikato Regional Council (WRC)

10.4.1 A meeting was held in Hamilton with WRC staff in May 2017, and follow-up communications resulting in feedback which is included in Appendix 9.

10.4.2 The WRC feedback confirms the relevant Regional Policy Statement provisions which apply and provides guidance on the range of infrastructure and planning matters expected to be covered in the application. Section 7 of this application document, and the KeySolutions Limited report at Appendix 3 traverse the matters raised by the WRC planning policy staff.

10.5 Whareroa Residents Association

10.5.1 During the development of plans for Whareroa North there have been several meetings with the Whareroa Village community. Earlier events were in the form of "open days" with information displayed and project consultants on hand to speak with attendees.

10.5.2 During preparation of the Plan Change application project consultants attended a meeting of the Whareroa Residents Association in late October 2017. The meeting was attended by about 40 people, information about the proposal had been pre-circulated, and discussion followed on a range of matters. A confirmed set of notes from that meeting is included in Appendix 9. Matters raised included:

- Discussion about the rezoning only being the first step only - detailed design work would follow and then various resource consents would be required;
- Discussion about the ecological sensitivity about the stream and surrounding area;
- Discussion about alternatives considered for the bridge location;
- Discussion about the provision of walking routes on the northern side;
- Discussion about boating facilities;
- Discussion about the scour caused by stormwater draining from the Whareroa North basin area and the proposal to create a stormwater management local purpose reserve within the subdivision to better manage stormwater generated from the area;
- The question of timing was discussed - timing of subdivision construction will be driven by market demand.

10.6 The owners of Hauhungaroa 1A1B (adjoining landowner to the north)

10.6.1 Discussions about the proposed Plan Change and development at Whareroa North have been held with Kia Paranihi, representative of the owners of the adjoining land to the north (being Hauhungaroa 1A1B). Appendix 9 contains confirmation of the adequacy of consultation, the on-going and positive nature of communications with the landowners and that that the Plan Change is supported.

10.7 The Proprietors of Whareroa Station Inc (adjoining landowner to the west)

10.7.1 The owners of the adjoining Whareroa Station (to the west) have provided confirmation (included at Appendix 9) that:

- The Plan Change is supported;
- That once the Plan Change is approved, the Proprietors of Whareroa Station will work with the Proprietors of Hauhungaroa No 6 to give effect to the proposal;
- That the part of Whareroa Station included in the Plan Change proposal does not include any places of historical significance so far as the owners are aware.

10.8 Key Outcomes

10.8.1 Key outcomes of the Plan Change consultation process include the following:

- Support for the Plan Change from adjoining property owners to the west and north;
- Support for the Plan Change from Ngati Parekaawa hapu;
- Confirmation from TMTB (iwi authority) of the matters of interest (and which will be advanced as part of the future design and consenting processes);
- Confirmation from DOC that no significant issues re the Plan Change and that matters of interest to the Department (particularly around the bridge crossing design and construction) are able to be addressed through future resource consent processes;
- WRC neutral and identifying relevant RPS policy framework and that various infrastructure matters (including transportation) need to be appropriately addressed in the Plan Change application;
- Interest from the Whareroa village community about a range of matters in relation to the future development.

11 SECTION 32 ANALYSIS

11.1 Clause 22 of the First Schedule of the RMA (which is concerned with the form of an application for a request to a District Plan) requires that such an application be made in writing, explain the purpose and reasons for the proposed plan change, and contain an evaluation report for the proposed plan change in accordance with Section 32 (below).

32 Requirements for preparing and publishing evaluation reports

- (1) An evaluation report required under this Act must—
 - (a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and
 - (b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—
 - (i) identifying other reasonably practicable options for achieving the objectives; and
 - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and
 - (iii) summarising the reasons for deciding on the provisions; and
 - (c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.
- (2) An assessment under subsection (1)(b)(ii) must—
 - (a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—
 - (i) economic growth that are anticipated to be provided or reduced; and
 - (ii) employment that are anticipated to be provided or reduced; and
 - (b) if practicable, quantify the benefits and costs referred to in paragraph (a); and
 - (c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
- (3) If the proposal (an **amending proposal**) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an **existing proposal**), the examination under subsection (1)(b) must relate to—
 - (a) the provisions and objectives of the amending proposal; and
 - (b) the objectives of the existing proposal to the extent that those objectives—
 - (i) are relevant to the objectives of the amending proposal; and
 - (ii) would remain if the amending proposal were to take effect.
- (4) If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.
- (4A) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in [Schedule 1](#), the evaluation report must—
 - (a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of [Schedule 1](#); and
 - (b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.
- (5) The person who must have particular regard to the evaluation report must make the report available for public inspection—
 - (a) as soon as practicable after the proposal is made (in the case of a standard or regulation); or
 - (b) at the same time as the proposal is notified.
- (6) In this section,—

objectives means,—

 - (a) for a proposal that contains or states objectives, those objectives;
 - (b) for all other proposals, the purpose of the proposal

proposal means a proposed standard, statement, national planning standard, regulation, plan, or change for which an evaluation report must be prepared under this Act

provisions means,—

 - (a) for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change;
 - (b) for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.

11.2 In relation to s32 and this particular Plan Change proposal (which does not amend any District Plan objectives or policies) s32(6) of the Act explains that:

- the word "*objectives*" means "*the purpose of the proposal*";
- the word "*proposal*" means a plan change for which the evaluation report must be prepared;
- the word "*provisions*" means rules or other methods that implement, or give effect to the purpose of the plan change proposal.

11.3 Accordingly s32 requires in this case an evaluation which:

- examines the extent to which the purpose of the plan change is the most appropriate way to achieve the purpose of the Act - s32(1)(a);
- examines whether the provisions proposed to be changed are the most appropriate way to achieve the purpose of the plan change - s32(1)(b) - by:
 - identifying other reasonably practicable options;
 - assessing the efficiency and effectiveness of the provisions in achieving the purpose of the plan change by, in accordance with s32(2), identifying and assessing benefits and costs of anticipated effects (including economic growth and employment), if practicable quantify those benefits and costs, and assessing the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions;
 - summarising the reasons for deciding on the provisions.

11.4 That evaluation report is contained in Appendix 8. In summary the evaluation determines that:

- The purpose of the Plan Change is the most appropriate way to achieve the purpose of the RMA:

In the case of the purpose of this Plan Change proposal (ie to rezone land at Whareroa North from "Rural" to "Residential" and to secure a District Plan framework enabling residential subdivision there which is in accordance with a specific concept plan) the Taupo District Plan and Southern Settlement Structure Plan specifically directs that a Plan Change process be advanced (by the landowners rather than Council) to provide for residential development in the Whareroa North urban growth area. This is explained in detail in Sections 5 and 7 of the application document. In that context, and given that the District Plan is the Taupo District Council's primary tool for carrying out its resource management functions in order to achieve the purpose of the Act, the purpose of the Plan Change is considered to be the most appropriate way to achieve the purpose of the Act. An alternative approach would be inconsistent with the very clear process set down in Section 3e of the Taupo District Plan and therefore would be inappropriate.

As well as being appropriate in terms of that high level growth management and land development policy framework, it is also considered (based on assessment of the proposal in Section 7 of the application document), that the proposal is appropriate in terms of other relevant District Plan and Regional Policy Statement objectives and policies.

Further, it is considered that the purpose of the Plan Change is "appropriate" in terms of the following matters:

- Relevance: *the Plan Change addresses a resource management issue (around growth management and land development) identified and addressed in the Taupo District Plan and the Waikato Regional Policy Statement, and as concluded from the assessment in Section 9 of the application document, it will advance one or more aspects of the purpose and principles of the RMA;*
- Usefulness: *the Plan Change will be useful as it determines the appropriate location, form, density, and nature of residential development in the Whareroa North urban growth area. It will therefore provide a high degree of certainty for the community and guide future decision-making;*
- Reasonableness: *the Plan Change is considered to be reasonable as it has been planned for by the community and the landowner over several decades, it provides for a high degree of certainty of outcome, it results in long planned for infrastructure efficiency, and it is proposed by the landowner which is the entity (rather than the community/Council) which will bear the development costs and risks;*
- Achievability: *The outcome sought by the Plan Change is able to be achieved by the single landowning interest which has developed Whareroa Village over the past 40 years (in accordance with a long-term and long-planned proposal for development of its lands which comprised both the south and north sides of the Whareroa Stream).*

- In comparison to other reasonably practicable options evaluated, the proposed Plan Change provisions are the most appropriate way to achieve the purpose of the Plan Change:

Based on the comparative efficiency and effectiveness assessments provided (and including assessments of benefits and costs), the most appropriate provisions to give effect to the purpose of the Proposed Plan Change is through the proposed Plan Change provisions. In summary, and based on those assessments, the reasons for deciding on these provisions are:

- *the proposed Plan provisions are consistent with the District and Regional Council approach to the resource management processes for delivering sustainable growth management (ie through structure plan and plan change processes set down in the Taupo District Plan);*
- *the provisions bring a comparatively high degree of certainty (primarily through inclusion of the Whareroa North Subdivision Concept and Staging Plan) compared to other options considered;*
- *the potential adverse effects (particularly effects on landscape and natural values) are able to appropriately managed in accordance with the District and Regional resource management policy frameworks, and in terms of the purpose and principles of the Act;*
- *the proposed Plan provisions represent a reasonable level of certainty and efficiency in terms of process and costs;*
- *the proposed Plan provisions are, in comparison to other reasonably practicable options, the most efficient (the assessment above concludes a 10.4:1 benefit to cost for the proposed Plan provisions, compared to 2.3:1 for Option B and 3.75:1 for Option C);*
- *the proposed Plan provisions are, in comparison to other reasonably practicable options, the most effective (the assessment above concludes an effectiveness score of 51 for the proposed Plan provisions, compared to 38 for Option B and almost 46 for Option C) ;*
- *for all of these reasons, and based on the application (including s32 Evaluation) overall the proposed Plan provisions are the most appropriate to achieve the purpose of the Plan Change (which is to secure a District Plan framework enabling residential subdivision at Whareroa North which is in accordance with a specific concept plan).*

11.5 Section 32(4A) applies also to this proposed Plan Change and requires that the evaluation report summarises all advice concerning the proposal which is received from an iwi authority and summarise the response to that advice. Those matters are, in this case, included in Section 10 (“Consultation”) of this application.

12 CONCLUSION

- 12.1 The applicant, The Proprietors of Hauhungaroa No 6, proposes to amend provisions in the Taupo District Plan. The purpose of the Plan Change is to rezone land at Whareroa North from “Rural” to “Residential” and to secure a District Plan framework enabling residential subdivision there which is in accordance with a specific concept plan.
- 12.2 The Plan Change application document (including incorporation of the Whareroa North Residential Concept Plan in the Plan Change provisions) and supporting reports conclude that:
- The site is physically suitable;
 - Servicing and infrastructure is able to be provided and will result in efficiencies;
 - The proposal gives effect to Taupo District Council’s various urban growth management policies (including TD2050, Taupo District Plan, and the SSSP) which specifically direct that a private Plan Change process be initiated by the landowners to deliver the Whareroa North urban growth area outcome;
 - The proposal is consistent with the relevant objectives and policies of the Waikato Regional Policy Statement and the Taupo District Plan;
 - The proposal advances Section 6, 7, and 8 matters and overall promotes the sustainable management of natural and physical resources.
- 12.3 Having considered the actual and potential effects associated with implementation of the Plan Change proposal it is considered that potential adverse effects of the proposal on the environment (including ecological and landscape effects) can be satisfactorily avoided, remedied or mitigated and that the existing and proposed Plan provisions provide an appropriate framework to achieve that.
- 12.4 Furthermore, having undertaken an evaluation of the proposal and considered other reasonably practicable alternative options, it is considered that the proposal set out in this Plan Change report is the most appropriate and effective means of achieving Taupo District Council’s intention of providing for urban growth at Whareroa North.
- 12.5 In this way the Plan Change proposal gives effect to the Taupo District Plan. Further, as the District Plan is a District Council’s primary mechanism for achieving the purpose of the Act, it is concluded that the Plan Change will promote the sustainable management of natural and physical resources and will accordingly be consistent with the purpose and principles of the Resource Management Act 1991.