



Lewis Consultancy Limited
Planning & Resource Management
P O Box 1563, Taupo 3351

Phone: 07 3782416 / 0274460386

7th June 2019

Chief Executive Officer
Taupo District Council
TAUPO Attention: Hilary Samuel / Matt Bonis

Dear Hilary and Matt,

**THE PROPRIETORS OF HAUHUNGAROA NO 6 - WHAREROA NORTH PRIVATE PLAN CHANGE APPLICATION
ADDITIONAL INFORMATION**

Please find attached and below, additional information in relation to the Whareroa North Private Plan Change application ahead of your Council considering the application (pursuant to Clause 25 of the First Schedule of the Resource Management Act 1991) at its July meeting.

On 27th February this year, Independent Commissioner Lachlan Muldowney issued a written decision on the Plan Change application concluding that *“the information provided by the Applicant in support of the Plan Change, when taken in totality and inclusive of the application documents and further information responses, is sufficient to enable Council to move on to its consideration of the Plan Change under clause 25”* (para 25). Mr Muldowney’s report also included some observations regarding aspects of the application documentation and the applicant’s consultant team has considered these as below.

1 Clarification about residential land supply in the context of the NPS-UDC

The first matter is concerned with clarification about residential land supply in the context of the National Policy Statement on Urban Development Capacity (NPS-UDC). The NPS-UDC, as it applies to the Whareroa North Plan Change application, was addressed in the 3rd October 2018 response to Council’s request for additional information. In summary, Whareroa (and its growth to the north) does not fall within the scope of the NPS-UDC as it is not an “urban environment” (defined in the NPS-UDC as *“an area of land containing, or intended to contain, a concentrated settlement of 10,000 people or more and any associated business land..”*).

Although it is clear that Whareroa is not a settlement that the NPS-UDC applies to, the principles underpinning the NPS-UDC (eg concerning the provision of residential development capacity, choice in terms of housing type and location, and the integrated planning of development and infrastructure) are reflected in the structure planning process that TDC has undertaken in relation to the southern settlements of Lake Taupo, and which resulted in the Taupo District Plan objectives and policies about Land Development which this Plan Change seeks to implement.

In terms of recent activity in the Whareroa residential market, earlier this year Mr Stephen Sanderson (long-time resident and real estate professional at Whareroa) reported to The Proprietors of Hauhungaroa No 6 that in the twelve months to 5/3/19 six sections and four house sales were completed, and that four houses had been built and two major renovations undertaken (copy of letter from Mr Sanderson at Attachment 1). Based on their experience of the residential land development and marketing at Whareroa over the past four decades, the Incorporation is looking forward to completing the long-term plan for their lands by advancing the northside development and in that way continuing to provide a unique holiday home location choice within the southern Lake Taupo property market.

2 Stormwater catchment planning

As part of its 15 February 2018 request for additional information, Council sought “... an assessment on how stormwater will be managed having regard to a total catchment management and any low impact design methods is required” and went on to explain that:

- “Stormwater catchment plans (SCP) for greenfield urban development are required by the Regional Council and TDC is required to provide these as part of its ‘blanket’ or comprehensive stormwater discharge consent”;
- “The purpose of the SCP is to assess the potential adverse effects of the development on surface water resources downstream of the Whareroa North.
- “The SCP will:
 - Provide baseline information within SCP
 - Identify potential environmental effects on riparian and aquatic ecology from urban development within the Whareroa North development.
 - Identify means to address potential adverse environmental effects including addressing disposal down the current escarpment”.

A preliminary catchment-based stormwater management assessment in relation to the proposed development has been prepared by Cheal Consultants (see Attachment 2) and should be read in full. The site is located immediately above the Whareroa Stream and associated escarpment features and separated from Lake Taupo only by an Esplanade Reserve along the Lake escarpment. Accordingly, the approach has incorporated low-impact stormwater management techniques agreed with TDC engineering staff and in accordance with the recent WRC Stormwater Guidance documents, resulting in the following outcomes:

- Reducing runoff from the site (pre-development compared to post-development), both in a 10% AEP (Annual Exceedance Probability) storm, as well as larger rainfall events;
- Substantially reducing current serious erosion occurring on the application site above the Whareroa Stream;
- Stormwater treatment at or close to source in order to control erosion and avoid contaminants entering the Whareroa Stream and the waters of Lake Taupo.

The proposed stormwater management approach outlined in the Cheal Report (and which, significantly, will manage the 10% AEP event on site) enables compliance with Permitted Activity Rule 3.5.11.5 of the Waikato Regional Plan and will not, therefore, require a Discharge Consent to authorise it. In those circumstances the proposal need not rely upon the comprehensive stormwater discharge consent held by Taupo District Council (a condition of which requires Stormwater Catchment Plans).

The preliminary catchment-based stormwater planning undertaken for the Whareroa North development has demonstrated that positive outcomes in terms of potential effects on the surrounding environment (including on water quality and erosion effects) are able to be achieved in this case.

In order to secure the outcomes of the stormwater management work described above, the Whareroa North Residential Concept Plan included in the Plan Change Application (ie Appendix 5 “District Plan Provisions Proposed to be Changed”) has been revised. The revised plan is attached as Attachment 3. The amendments to the Whareroa North Residential Concept Plan are:

- Altered cul de sac design and reserve area to align with the conceptual stormwater design plan in Appendix 3 of the “Whareroa North Preliminary Stormwater Assessment” report;
- Additional wording: “Stormwater management in accordance with the report titled “Whareroa North Preliminary Stormwater Assessment”. Cheal Consultants limited, Ref IBA-1070 Rev 3, 7 June 2019”.

3 Landscape impacts of access to northern area

Mr Muldowney’s report comments on the refusal of the applicant (in the October 2018 response to Council) “to provide Council with the requested specificity around landscape impacts, noting that these issues would be addressed at the resource consenting stage. While this may be acceptable in some circumstances, the Plan Change seeks controlled activity status for subdivision which would mean consent could not be declined if adverse

landscape effects were deemed unacceptable. In these circumstances I would have expected the information to have been provided at the Plan making stage” (para 26). This comment relates to potential landscape effects which may be associated specifically with the proposed access road from the Whareroa Stream up the escarpment to the Whareroa North development area.

With respect, subdivision including the construction of the access road will not be a Controlled Activity (ie which cannot be declined) but rather a Restricted Discretionary Activity or a Discretionary Activity (both of which may be granted or declined). That is because of the following (including rules in the Taupo District Plan which will not be affected by the proposed Plan Change being sought):

- the road construction (being part of the subdivision construction works) will inevitably involve earthworks and vegetation removal, and likely retaining structures. As explained in Sections 4.3.1 and 4.3.2 of the Plan Change application, those activities will require land use consent (with Restricted Discretionary Activity status) pursuant to Rules 4e.6.2, 4b.2.7, and 4b.2.8 of the District Plan. The assessment criteria for each of those Restricted Discretionary Activity rules includes an opportunity to consider landscape effects. Therefore, potential landscape effects can be considered by Council when deciding if consent should be granted or not (and if consent is granted, any conditions imposed);
- the access road land is zoned “Rural Environment” and is within OLA 60), in which case subdivision is a Discretionary Activity pursuant to Rule 4b.3.3 of the District Plan. Therefore, all potential effects on the environment (including landscape effects) can be considered by Council when deciding if consent should be granted or not (and if consent is granted, any conditions imposed).

Because of both of these circumstances (ie Restricted Discretionary Activity status through the land use performance standards and rules, and Discretionary Activity status through the Rural Environment subdivision rules) the prospect which concerned Mr Muldowney, of *“controlled activity status for subdivision which would mean consent could not be declined if adverse landscape effects were deemed unacceptable”* does not arise as a potential outcome of the Plan Change application. Rather there will be ample scope in future land use and subdivision consent processes to consider landscape matters associated with the access road (including declining an application if such effects were deemed unacceptable).

In those circumstances, and for the reasons already set out in the October 2018 response to Council’s request for further information, it considered that the the “Landscape and Visual Report” provided by Landscape Architect Mary Monzingo (at Appendix 4 of the Plan Change application) which considers the range of potential landscape and visual effects that may arise (including from access) and discusses methods to avoid/remedy/mitigate them, is the appropriate level of assessment at the Plan Change stage.

Conclusion

In terms of the application which has been lodged, as well as the further information provided on 18th October 2018 and above, the Proprietors of Hauhungaroa No 6 consider that Council now has sufficient information to satisfy itself that the Plan Change proposal (which does not seek to amend objectives or policies, but rather to introduce Plan provisions which give effect to them) is in accordance with sound resource management practice. Accordingly, they look forward to the Plan Change application being progressed through the statutory process in accordance with Clause 25 of the First Schedule of the Resource Management Act 1991.

Yours faithfully

LEWIS CONSULTANCY LIMITED



Joanne Lewis

Attachment 1: Letter dated 3/4/19 from Stephen Sanderson, Bayleys, Turangi

Attachment 2: “Whareroa North Preliminary Stormwater Assessment”, Cheal Consultants Ltd, 7 June 2019

Attachment 3: Revised Whareroa North Residential Concept Plan (Version I dated 7th June 2019)