

southern settlements

structure plan

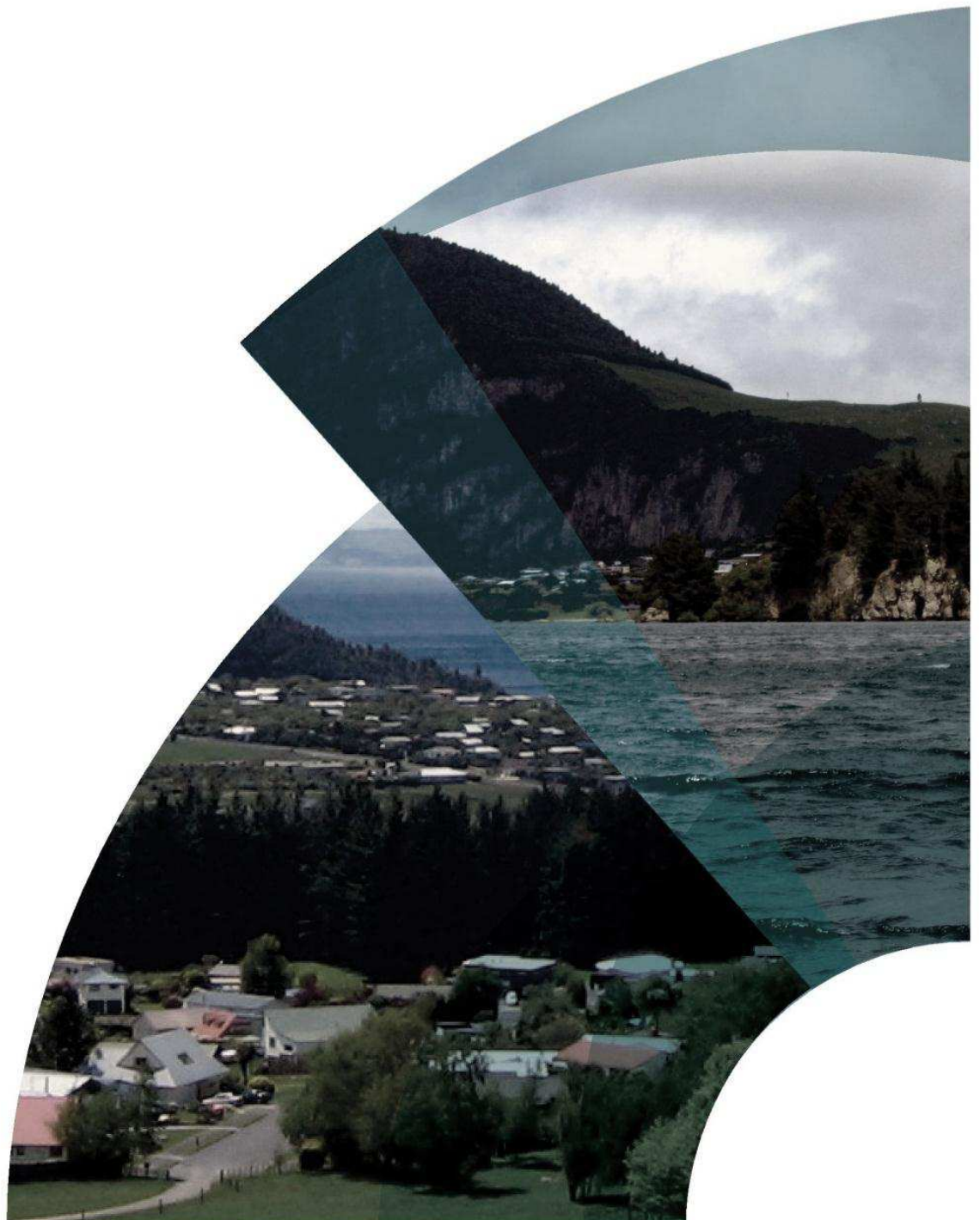
MAY 2013



GREAT LAKE TAUPŌ
Taupō District Council

Hearing Committee Report and Recommendations

2 May 2013



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GENERAL COMMENTS

8 submitters commented;

(47758, 47807, 47824, 47846, 22493, 47872, 42410, 47875)

Summary of submission comments

General comments included proposals to re work the Turangi Town Centre, enable waterway development around Tokaanu tail race, support conservation and improvement of the environment around the lake, consideration of the cumulative effects of development in new growth areas, and desire for the southern settlements not to become too commercialised. There are concerns that planning for a 15 – 20 year time frame is meaningless, the bulk of growth should be centered on Turangi and ensure any new growth does not impact on existing ratepayers. There were also concerns noted around the content of the structure plan, that it does not meet the requirements of section 3e.7 of the District Plan, it does not adequately address adverse effects, there is no catchment management plan, and there are inconsistencies with the Mapara Valley and Taupō Urban structure plans.

Hearing Committee Recommendation:

Turangi Town Centre

Whilst it is recognised that there is a direct linkage between development in the Southern Settlements and that which occurs in Turangi (as the main urban centre), Council has made a separate decision as to how to address issues related to regeneration of the commercial centre of Turangi. Whilst the submitter's suggestions are recognised and have been brought to the attention of the Hearing Committee, it is further suggested that proposals for TDC to purchase unused commercial buildings and demolish them, best be made through submissions to the Annual Plan process, which has the ability to directly influence Council's expenditure. A letter has been sent to the submitter informing them of the Annual Plan process and where to find information on how to submit.

As a result of the submission, no changes are made to the Structure Plan.

Waterway Development

Regarding the opportunity to develop marina/waterways residential housing in and on the edge of Lake Taupō, the submitter chose to forward to staff some further information outlining the potential benefits of such development. This information has been provided to the Committee for their consideration and the matters raised are considered to reinforce and elaborate on the information provided at the hearing.

The locational opportunity for waterways type development within and on the edge of Lake Taupō is recognised. However, such proposals are costly and from a planning perspective complicated (normally requiring both District and Regional Council consents and in the context of Lake Taupō requiring input from Ngāti Tūwharetoa as the owner of the bed of Lake Taupō). Such developments do have the potential to be financially rewarding and also create an opportunity to introduce and/or provide a different and alternative lifestyle and/or tourist/holiday offering.

Whilst the submitter has identified an area of land that is potentially suitable for a waterways type development, it is considered that until such time as a private party is able to approach Council with an agreeable landowner, developer and/or financial backer in partnership, then it is not considered appropriate for Council to promote and potentially take on the risk of facilitating and enabling such a development. Further, if Council were ever to consider promoting a plan change to enable a waterways type development, the public good element associated with such a proposal would need to be of a degree sufficient to warrant expenditure of public money on such a proposal.

In the current economic climate, TDC involvement in such a proposal is considered to be speculative

and therefore not recommended. The RMA specifically provides for a private plan changes and this is considered to be the appropriate vehicle for such a proposal.

As a result of the submission, no changes to the Structure Plan.

Provision for Growth

Various submissions seek that: growth should be centred on Turangi; that there is no need for further growth to be provided for; that the Southern Settlements should not become too commercialised or develop as full urban areas; that the environment of Lake Taupō needs to be considered; and the Structure Plan must support conservation and improvement of the environment.

All these matters are considered to be valid points. The Structure Plan recognises that Turangi should be the centre of any future commercial/industrial development, beyond that necessary or desirable to provide for the immediate day-to-day needs of the smaller settlements, recognising seasonal fluctuations in demand. Beyond the future expansion to the existing commercial activities located in Omori, no other future commercial development is identified, beyond that already enabled through the permitted activity standards of the residential zone of the District Plan.

Whilst it is recognised that current demand for new housing is low, future projections show that there will be a degree of on-going demand into the future, which in some instances will see the existing supply of residential land in some settlements exhausted. In Turangi there is a considerable amount of residential land available, but the level of demand is very low and is not projected to increase significantly in the future. If there was a uniform level of demand across the Southern Settlements, then it would be possible to manage supply in response to a uniform rate of demand. However, historic and future projected rates of demand show that some settlements/areas are more popular than others.

One of the purposes of the Structure Plan is to assist Council in managing the effects of growth. The Resource Management Act is permissive in that it enables a developer/landowner to apply for a plan change and/or resource consent to enable development anywhere. Therefore, by assessing where future demand is likely to exist, enables Council in its future planning (and particularly its infrastructure provision) to assess the needs of such development and if necessary be in a position to provide for future development. Some future development signalled through the Structure Plan may not occur until well into the future and in some instances may not occur at all. However, it is considered prudent to assess and plan for such development, rather than potentially be caught in a reactionary mode if a significant period of growth were to re-occur in the Southern Settlements as was experienced in the period prior to the Global Financial Crisis.

By assessing future needs and infrastructure requirements, enables Council to best assess the quality and cost of services necessary and where appropriate these costs will be borne by developers. There are limitations (as detailed in the Local Government Act) as to the degree of cost that can be passed on to a developer. By undertaking assessments of future growth and associated assessments of infrastructure and services requirements reduces the potential for existing lot owners to be levied for the costs of new and existing services.

As a result of these submissions, no changes to the Structure Plan.

Inconsistencies with other structure plans

With respect to there being perceived inconsistencies between this Structure Plan and other council structure plans, such as the Mapara Valley and Taupō Urban Plans, each structure planning exercise is undertaken under different parameters, at different times. The brief for the Southern Settlement Structure Plan has altered over time, particularly with respect to its inclusion, or not, of planning and growth issues associated with the existing commercial and industrial development located within Turangi. It is not proposed that the Southern Settlements Structure Plan be a repeat of other structure planning exercises.

As a result of the submission, no changes are to the Structure Plan.

Reticulation of settlements

Waikato Regional Council (WRC) considers there is potential that reticulation of settlements (particularly Hatepe, Waitetoko, Oruatua, Te Rangiita, and Waihi) in the near shore zone may need to be considered in the future. Whilst this may be the case, none of the listed areas are shown in TD 2050 or the District Plan as 'Urban Growth Areas', and Taupō District Council does not have any money set aside in its Long-Term Plan to provide reticulated wastewater services in these areas. The Waikato Regional Plan contains specific rules on wastewater disposal within the Lake Taupō catchment (rules 3.10.6.1 - 6) and the application of these rules in the interim is considered sufficient to manage any potential effects associated with wastewater disposal.

As a result of the submission, no changes to the Structure Plan.

Accordance with Section 5 Resource Management Act

There is a submission that the Structure Plan should reflect the phrase 'to avoid, remedy or mitigate'. The submitter considers that "protection" of the environment is achieved: first by avoiding inappropriate use and development, secondly, if this is not possible, then by remedying that which cannot be avoided, and thirdly, as a last resort, by mitigation of adverse effects. The structure plan should reflect such comment and aim to avoid potential conflict and effects.

The submitter has referred to section 5 purpose of the Resource Management Act, detailed below:

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) 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 wellbeing and for their health and safety while -*
 - (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The submitter is of the opinion that protection of the environment is achieved by, firstly avoiding 'inappropriate use and development'. This interpretation of section 5 RMA is considered to be very narrow and there is considerable case law related to section 5 RMA.

In general the "enabling" and "management" functions of section 5(2) are considered to be of equal importance and the circumstances of each case determines the level of management required to promote the sustainable management of natural and physical resources¹.

Due to of the balanced judgement required and because the Structure Plan does not provide detailed options with respect to development within the growth areas it is not possible to apply section 5 as proposed by the submitter. The Structure Plan is not developed via an RMA process and does not provide a level of detail necessary to determine whether any proposal will "promote the sustainable management of natural and physical resources".

Further to the above and to provide a more detailed overview of the application of section 5 the following are excerpts from related Environment Court cases:

- i. The application of section 5 involves an overall broad judgement of whether a proposal will promote the sustainable management of natural and physical resources. That approach recognises that the RMA has a single purpose and such a judgement allows for comparison of conflicting considerations and the scale or degree of them and the relative significance or proportion in the final outcome
- ii. When considering methods of implementation the purpose of the Resource Management Act

¹ Kiwi Property Management Ltd vs. Hamilton City Council (2003) 9 ELRNZ 249 (EnvC)

as defined in section 5 is not the starting point; it is the finishing point, to be considered in the overall exercise of the territorial authority's judgement under Part 2 of the Act.

- iii. When considering the environment it is necessary to include not only its present but also its future state
- iv. The true interpretation of section 5 does not allow the definition of sustainable management to be broken up into a number of separate principles. The definition of sustainable management must be taken as a whole with the constraints found in sections 5(2)(a) – (c) refined and given further meaning by sections 6, 7 and 8, recognising that the commencing words of each of those sections differ
- v. The definition of sustainable management differentiates between people and communities, where people's interests are not to be submerged in the interests of the community without good reason
- vi. The various competing considerations to be taken into account in Part 2 RMA are to be integrated into a broad overall judgement of what will promote the sustainable management of natural and physical resources

Notwithstanding the above, the assessment of future growth areas has taken into account existing hazard areas, areas of heritage and cultural significance and areas of landscape and amenity value. It is recognised that some growth areas include areas noted for their landscape and amenity value and that the relative values of these areas will be further assessed with respect to any particular development proposal through the plan change process.

The Resource Management Act enables development to occur, whereby adverse effects are avoided, remedied and/or mitigated. It is too early in the planning process to determine what is 'inappropriate development', particularly when the potentially positive effects of any development proposal have not been assessed in detail.

The level of detail necessary to determine whether any particular proposal accords with section 5 RMA can only occur through a plan change or resource consent process.

As a result of the submission, no changes to the Structure Plan.

Effects of Growth Areas including Cumulative Effects

A group of submissions propose that: consideration of the cumulative effects of the development of the New Growth Areas is required; that development of the structure plan does not adequately meet the requirements of section 3e.7 of the District Plan, as it fails to get into the depth required and glosses over important matters and implies that RMA section-32 documentation should have been provided for in the structure plan.

As detailed within the Structure Plan document, structure plans are not statutory documents. Notwithstanding that, when they are adopted they become Council policy. Therefore, structure plans are not subject to the specific considerations contained within Part 5 RMA which details the requirement to have, and the contents of, Standards, Policy Statements and Plans. However, structure plans are a recognised planning tool that can assist a Council in fulfilling its obligations under the Local Government Act, acting as a precursor to public and/or private plan changes under the RMA.

It is not possible at this stage of the planning process (a structure plan) to determine with any degree of specificity, the potential 'cumulative effects' of any particular or combined proposal. Relying on the RMA definition of effects, demonstrates that effects can potentially be a number of different things:

Under the RMA (section 3) the meaning of effect includes –

- a) *Any positive or adverse effect; and*
- b) *Any temporary or permanent effect; and*
- c) *Any past, present, or future effect; and*
- d) *Any cumulative effect which arises over time or in combination with other effects— regardless of the scale, intensity, duration, or frequency of the effect, and also includes—*
- e) *Any potential effect of high probability; and*

f) *Any potential effect of low probability which has a high potential impact.*

The Structure Plan concentrates on the provision of land for future residential development. In determining areas for future growth, generally areas subject to landscape, hazard and infrastructure restrictions/limitations have been avoided. However, this process also recognises the ability for a particular proposal, promoted by way of plan change, to demonstrate that the potential adverse effects of any proposal can be successfully avoided, remedied and/or mitigated. It is considered premature at this stage in the planning process to discount or limit any proposal without more detailed information being available and further, the statutory process detailed within the Resource Management Act with respect to the assessment of any particular plan change application will ensure that the cumulative effects, along with all other effects are adequately assessed.

Section 3e.7 of the District Plan details those matters to be considered in a structure plan area assessment. These matters have been considered in Part Two of the Structure Plan. In this instance a broad level assessment has occurred, because a previous decision of Council was made not to progress plan changes as a result of this Structure Plan process.

Because plan changes are not being developed, detailed 'options' have not been developed, which limits the ability to undertake detailed assessment, because the particular outcomes/effects of any particular 'option' are unknown². At this stage of the planning process, to make assessments of all potential outcomes is not considered a prudent use of resources and the RMA based planning process recognises that whilst options (and associated benefits and costs (section 32 RMA)) must be considered, the chosen option will most likely be justified in-part once defined.

The Structure Plan assessment undertaken relies on current information contained within the District Plan and other information available to Council. The Structure Plan identifies issues that require further investigation and it is recognised that more detailed assessment will be undertaken as part of any plan change application, accompanied by the appropriate section 32 (RMA) assessment.

As a result of the submission, no changes to the Structure Plan.

Stormwater Catchment Management Plans

With regard to stormwater management plans, the 'Matters to be considered in structure plan area assessment' (section 3e.7 of the District Plan) lists that stormwater catchment management plans are required. This is a level of detail considered to be beyond this process. The areas identified for future growth through the Structure Plan process have specifically been chosen because they are free of any known hazard areas (as listed in the District Plan), and as assessed in the accompanying infrastructure report and constraints mapping. The only exception is the proposed access to the Whareroa North growth area which will require a bridge to cross the Whareroa Stream, the design of which would be the subject of any future consenting process. Detailed assessment such as catchment management plans will be the responsibility of the party that promotes any particular plan change application, as the catchment management plan needs to reflect the particular proposal being promoted through the plan change.

As a result of the submission, to highlight the responsibility to provide catchment management plans in the future and to highlight consideration of a wide range of other matters, a new set of general matters to be considered as part of any future plan change is recommended as follows:

[Page 39] *General Matters to be Considered*

In addition to the statutory obligations outlined in section 75 of the Resource Management Act, particularly (that a District Plan and therefore a Plan Change should):

Give effect to:

² RMA Schedule 1 Clause 22(2) – "Where environmental effects are anticipated, the [plan change] request shall describe those effects, taking into account the provisions of Schedule 4, in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change, policy statement, or plan.

- i. any National Policy Statement;*
- ii. any Regional Policy Statement.*

and not be inconsistent with:

- i. a water conservation order; or*
- ii. a Regional Plan*

Any Plan Change and the proposed land use shall have particular regard to any³:

Existing Features -

- i. Natural Hazards, including flood risk, necessary setback from any water body or river to mitigate any risk from erosion or erosion stemming from the District's waterways and Lakes;*
- ii. Geotechnical and topographical considerations, (including potential liquefaction effects);*
- iii. The identification of any contaminated sites and how these may affect the proposed land use;*
- iv. Any features of cultural or historic value;*

Infrastructure -

- v. The impact of the resulting development on the ability of the wastewater, stormwater and drinking water (including water for firefighting purposes) infrastructure to service new and existing development;*
- vi. The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads and the impact of the resulting development on the ability of the roading network to safely and sustainably operate and service new and existing development;*
- vii. The ability of the future development to provide suitable, stable building platforms to accommodate future complying buildings;*
- viii. The requirements of any relevant stormwater catchment management plan and/or the need to prepare new catchment management plans;*

Landscape and Natural Values -

- ix. Consider any relevant landscape issues (particularly as they relate to any Landscape Areas);*
- x. Consider any relevant Natural Values;*
- xi. The need for, or purpose of, any indigenous vegetation clearance and the extent to which earthworks and vegetation removal is required to create vehicle access/roads and building platforms;*
- xii. Have regard to measures proposed for protection and/or avoiding or mitigating effects, including the cumulative effects of proposed vegetation clearance on:*
 - a. the values associated with natural character, biodiversity, significant habitat of indigenous flora and fauna and the ecological values of any Significant Natural Area;*
 - b. any indigenous vegetation that is to be retained, including having regard to the rate of the recovery of that vegetation;*
 - c. the composition of significant indigenous flora and fauna and the naturalness, diversity, and the life supporting capacity and long term ecological sustainability of any Significant Natural Area;*
 - d. areas which experience occasional stress events (such as seasonal wetlands and slip faces);*
 - e. ecosystems located across a succession of natural habitats (such as geothermal areas, aquatic areas, waterways, wetlands, riparian areas, foreshores, alpine areas and forest sequence);*
 - f. 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;*
 - g. changes resulting in an increased threat from animal and plant pests;*

³ Refer to the specific provisions of the relevant planning documents.

- h. the extent to which any Significant Natural Area makes up part of an ecological corridor and provides linkages to other habitats;*
- i. ecological effects arising from the changed size and shape of the vegetated areas of any Significant Natural Area before and after clearance, including effects of fragmenting vegetated areas and edge effects.*
- xiii. Any Net Environmental Gain (as defined in section 10 of the District Plan), or environmental compensation, that results from the clearance or other activities associated with, or as a consequence of that clearance;*
- xiv. The effect that any clearance will have on the attributes of any identified Landscape Area;*
- xv. Any further matters arising from the results of a report by a suitably qualified and experienced ecologist as to the effects which any clearance will have on the ecological values of the Significant Natural Area;*
- xvi. Consideration of the scale, intensity, location and design of the area to be cleared so as to avoid, remedy, and/or mitigate potential adverse effects on the ecological values of the Significant Natural Area;*
- xvii. Methods to protect the long term ecological sustainability of any Significant Natural Area, including the clearance, methodology, 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 potential adverse effects on the ecological values of the Significant Natural Area.*

STRUCTURE PLAN OBJECTIVES

1 submitter commented;
(22493)

Summary of Submission Comments

Overall support for the objectives seeking more reference to WRC's policies and methods and other Regional Planning documents. A new objective is sought to ensure development is fully integrated with existing and future infrastructure. Clarification is sought regarding the assumption point that some development will occur outside of growth areas.

Summary of Relief Sought

- Retain objectives 4, 5 and 6. Add a new objective: Development should ensure coordination between land use and infrastructure planning so that development can be appropriately serviced by infrastructure in a cost effective manner, and that land use change does not compromise the function of existing infrastructure.
- Point 8 – Amend to clarify the intent of the statement so that it is consistent with WRC proposed policy statement.
- Implementation guidelines for developers are needed for the New Growth Areas. The bullet pointed principles are very good; however more specific guidelines are required. Having a raft of tangible principles and guidelines in place for each area will provide a comprehensive checklist to ensure each area's structure plan provisions are appropriately implemented - Provide an Implementation section within each of the New Growth Areas sections, with guidelines and tangible Action Points, for developers to adhere to when they prepare private plan changes. These need to link into the Objectives (p 37).
- Investigate and discuss in the Structure Plan potential cumulative effects of each stage of the New Growth Areas on the wider area (all aspects as in RMA S 3 d). Require in form of implementation provisions that the development of the New Growth Areas will have to avoid these cumulative effects.
- Point 3 Either state in Part 3 point 3, that new growth will have to meet all these policies stated; Or make a reference to Appendix 2, Regional Planning Framework which has to contain these in full.
- Point 9 Retain in its present form.

Hearing Committee Recommendation:

New Objective

Accept relief sought to insert new objective to page 37 as follows:

[Page 37, new objective 8] Development should ensure coordination between land use and infrastructure planning so that development can be appropriately serviced by infrastructure in a cost effective manner, and that land use change does not compromise the function of existing infrastructure.

The new objective will strengthen the need to ensure land use and infrastructure planning is coordinated and the suggested wording is considered to be an effective way of achieving the objective.

Anticipated Development outside of Growth Areas

Accept relief sought to amend point 8 on page 38, to clarify the intent of the statement so that it is consistent with WRC's Proposed Policy Statement. The purpose of the point is to acknowledge that the District Plan already anticipates a level of development outside of growth areas as per the provisions of that zoning, but that such growth is not considered to be significant to the implementation of the strategy. Amend as follows:

[Page 38, point 8] *The District Plan enables some development will to occur outside of the areas identified for growth where people undertake subdivisions as enabled by the District Plan consistent with their zoning and/or develop on existing vacant lots.....*

Implementation Guide

Accept in part relief sought to insert implementation guide.

Each new residential area has a section of bullet points that development in those areas should consider. This is similar to the approach used in the District Plan for the New Residential zoning in Kuratau under plan change 20. It is accepted that these matters are important factors to consider and these development considerations should be better highlighted in the document.

[Pages 44, 47, and 51] Provide highlighted boxes to the development considerations for Omori, Kuratau, and Whareroa.

Reference to Regional Policy Statement

Accept in part relief sought to make reference to the relevant sections of the Proposed Regional Policy Statement. The inclusion of reference to the relevant regional policies will strengthen the need to refer to the policies when undertaking a plan change. Inclusion of the general policy references in Appendix 2 is considered to be the most efficient way to achieve this, rather than listing the policies in full as requested by the submitter. This ensures that the structure plan will not become out of date should policy references change. Amend as follows:

[Page 38, point 3] *Taupō District Council will concentrate its efforts and resources on the provision of services (mainly infrastructure) and meeting its obligations contained in the Regional Planning documents including but not limited to those listed in Appendix 2 of the structure plan, and other agreements that the Council has entered into.*

[Page 64, Regional Planning Framework, paragraph 1) *The Proposed Waikato Regional Policy Statement highlights the need for urban development planning and implementation under Part B, 6 Built Environment, and in particular in method 6.1.6 under policy 6.1 "Planned and Coordinated Development".....*

Essential Elements and Assumptions

Accept relief sought to retain page 40, point 9 in its present form.

DEMAND AND SUPPLY AND FUTURE CAPACITY

4 submitters responded;
2 in support in part (22493, 47873)
2 in opposition (47875, 42410)

Summary of submission comments

Overall submitters have raised concerns regarding the growth figures that have been used within the Structure Plan document. Concerns relate to the reduced demand currently forecast and the capacity already available within the Southern Settlements area and the northern part of the District.

Particular concerns have been raised regarding the D2/D3 land at Kuratau and the appropriateness of any estimate with regard to future capacity for this land.

Summary of relief sought:

- Retain.
- The preference is to make no reference to yield figures for the D2/D3 land, but the footnote provides a practical compromise.
- Remove the references to 84 lots in D2/D3 (page 19) and 18 lots in WFG2 (page 54) as to limitations to development in these areas – Council should not be promoting a number of lots in these areas.
- The growth provisions in the Omori/Kuratau area should be drastically reduced.
- The bulk of the future growth in the structure plan should be centred on Turangi where there is considerable growth capacity in land and infrastructure. The emphasis on future growth should be switched from Omori/Kuratau to Turangi.
- Abandon planning for more than 15 to 20 years.
- Page 12, the graph of total Consent Numbers is misleading and reflects inadequate analysis and investigation by the Officers concerned. The graph relates to all building consents, including all minor & major alterations and including commercial activities, i.e. not for new dwelling consents, which if documented would far better reflect the uptake of urban land for extended planning and structure purposes.
- Consider the structure plan market in the context of the greater Taupō District as the holiday home market is situated around the entire Taupō District and already catered for in other plans such as Mapara Valley, Kinloch, Lake Ohakuri.
- Include the following wording:
 - *“Land that has been zoned New Residential at Kuratau is subject to significant constraints including a natural value identification SNA 064 and a landscape identification ALA69.”*
 - *“An Environment Court decision has resulted in insertion of objective 3a.2.4 which states....(insert in full)”*
 - *“Additionally the revised 4e.1.8 rule, i.e. 4a.7.16g states...” (insert in full, not as footnote).*
 - *“Until these matters are considered in the context of a resource consent application Council is unable to determine the extent of or the per hectare density of any development and therefore the lot capacity of this land”.*

Hearing Committee Recommendation:

Consent numbers over time

The graph on page 12 of the Structure Plan does relate to the total number of all building consents processed by TDC and is used as a means of demonstrating in-part the downturn in economic activity in the District. Using the page 12 graph, the number of (all) building consents is 58% (2011) of the 2007 peak. With regard to consents just for new dwellings, across the whole District, these were at 43% (2011) of the 2007 peak.

Future Growth

With regard to the figures used within the Structure Plan projecting future growth within the Southern Settlements, these figures were derived from the Council's Growth Model Review, undertaken to support the 2012 - 2022 Long-Term Plan. The figures related to development and capacity contained within the Structure Plan relate to new lots and new dwellings assessed to be created within the timeframes indicated, plus an assessment of extra development that would occur if the growth areas identified in the Structure Plan were subdivided and developed for residential housing. The Growth Model Review was undertaken independent of the Structure Plan process; however some review of the figures was undertaken to ensure that details of current excess capacity were as accurate as possible.

Because the growth figures taken from the Growth Model Review are district wide, they take into account potential growth that will occur in other parts of the District. Therefore, the Growth Model has already assessed the projected demand for individual settlements and the potential competition between the northern and southern portions of the District. This takes into account the historic desirability of different settlements, which results in some settlements/areas projected to retain significant undeveloped capacity/potential into the future.

D2/D3 land at Kuratau

With particular regard to the D2/D3 land at Kuratau, this has already been rezoned 'New Residential Environment' in the District Plan (the zoning is operative). The reason for identifying a possible number of lots/dwellings on this land, was to assist in calculating extra capacity that may be required in the future for the reticulated services that supply both Omori and Kuratau.

It is recognised that this land will be the subject of a specific, discretionary activity, resource (subdivision) consent process, requiring that particular matters (listed in the District Plan) be taken into account as part of any subdivision consent application, along with any other matters that the Council considers appropriate at the time of application. The footnote contained at the bottom of page 19 of the Structure Plan is considered to be sufficient to detail the limitations related to the estimate of lots that could be developed on the particular site (that this number not to be considered an expectation or a limit). It is noted that the landowner's representative at the hearing regarded the footnote to be a practical compromise.

The District Plan is the statutory document by which any subdivision of the D2/D3 land will be tested, along with the relevant requirements of the Resource Management Act. As such it is not considered appropriate to repeat the detail of the District Plan within the Structure Plan document.

As a result of the submissions, no changes to the Structure Plan.

HAZARDS

4 submitters commented;
(41557, 47871, 22493, 47875)

Summary of submission comments

Support for acknowledging hazards and considering them when defining growth areas, and acknowledgement that the location of built structures can contribute to erosion. Concerns are noted about inconsistency with Regional planning documents, as well as the origin of risks relating to electricity generation. Submissions seek to ensure that measures are included in the structure plan to ensure the effects of natural hazards are not increased, and seek avoidance of known hazard areas.

Summary of relief sought

- Avoid known hazard areas for future growth areas.
- [Page 24] Identify where in the Structure Plan “engineering solutions” are to be applied. That is, if it relates to high hazard areas then this statement gives the impression mitigation is preferred rather than avoidance or another form of sensible risk management.
- The definition of flooding [Page 24, Paragraph 7] be re-worded to include the reference to high inflows: *....lake capacity being exceeded due to high inflows and flooding lake shore properties.*
- [Page 25, Paragraph 3] Amend definition of erosion to: *Lakeshore erosion can occur as a consequence of wind and waves on the shoreline ~~the level of a lake rises and falls~~. In addition, the location of structures in and around the lakeshore edge as well as vegetation changes can contribute to and increase the erosion hazard.*
- [Page 9, part A] The description of Flooding and Erosion hazards should include reference to the Lake Taupō Flood and Erosion Strategy 2009 that “identifies the extent of erosion and flood risks and issues” around Lake Taupō; “decides what level of erosion and flooding risk communities should be planning for”; and “provides a guide to manage that risk”.
- Any rezoning of land around Lake Taupō to implement the Southern Structure Plan should only occur following Lake Taupō flood hazard mapping.
- Link land use planning with effective hazard management (by the planning tools mentioned)
- [Page 24] amend to: *In terms of defining areas where future growth could occur, it is appropriate to avoid known hazard areas. ~~Notwithstanding that, there are readily available engineering solutions to a number of hazards which make development possible.~~*
- [Page 24] add text; *However, activities need to recognise that there is still a hazard when the capacity of the stop banks is exceeded (this is known as ‘residual risk’).*
- Request that the definition of erosion [Page 25, Paragraph 3] be amended because in its current form it implies that erosion only occurs as a consequence of lake level fluctuations, which is incorrect. Wave action as a result of the wind causes erosion irrespective of lake level.
- Add a statement on ephemeral water courses and their potential flooding and erosion risks, particularly due to high erodible soils.
- Connect land use planning to effective hazard management (via zoning and development setbacks), to reduce the impact of hazard events on people but also to provide for greater amenity value while also potentially reducing the effects of urban runoff into waterways.

- State that any areas marked for development that are known low lying, flood prone areas (already identified through LIDAR and technical reports) needs to be assessed first for, including liquefaction potential.
- [Page 22] Erosion – Support. The provision complements the District Plan 20m erosion control line around the lakeshore - retain current wording. An additional statement that references the District Plan's 20m erosion line around the foreshore of Lake Taupō would be useful.
- [Page 25] Earthquakes – Support. Lessons learnt from Christchurch need to be applied here and development avoided in areas of high liquefaction risk. Development should also be located away from known active fault lines (as per the MFE Guidance Note on “Building Near Active Fault Lines”) - Retain.
- [Page 26] Volcanic Hazards - Support in part. Reference should be made to the GNS Science report on tectonic deformation as some parts of the lakeshore are subsiding whereas other parts are being uplifted. Make reference to the instability of the area caused by tectonic processes. An excerpt from the Lake Taupō Erosion and Flood Strategy on this aspect would be sufficient.

Hearing Committee Recommendation:

General

In response to identifying where in the Structure Plan “engineering solutions” are to be applied, it is recommended that the statement be amended to a broader discussion about ensuring risks from natural hazards are managed to an acceptable level, so that it is consistent with the intent of the proposed Waikato Regional Policy Statement. Amend as follows:

[Page 24, paragraph 3] *In terms of defining areas where future growth could occur, it is appropriate to avoid known hazard areas. ~~Notwithstanding that, there are readily available engineering solutions to a number of hazards which make development possible.~~ When preparing a plan change for future growth areas, the development must be managed to reduce risks from natural hazards, in accordance with the relevant provisions of the Waikato Regional Policy Statement, Regional Plan, and the Taupō District Plan.*

Accept in part relief sought to connect land use planning to effective hazard management. This must be done as part of the plan change process which will require mapping and consideration of hazards, as outlined in section 3e.7 of the District Plan.

Flooding

Accept relief sought to amend definition of flooding as follows:

[Page 24, Paragraph 7] *Inundation can occur as the result of water flowing over the top of riverbanks and flooding adjoining land, lake capacity being exceeded due to high inflows and flooding lake shore properties.....*

Accept in part reference to Flood and Erosion Strategy 2009. This is not considered necessary to introduce to the Introduction, rather more appropriate to reference in the Appendices.

[Page 73, insert after section on TDC Storm Water Strategy] **Lake Taupō Flood and Erosion Strategy 2009**

The Flood and Erosion Strategy identifies the extent of erosion and flood risks and issues around Lake Taupō, decides what level of erosion and flooding risk communities should be planning for; and provides a guide to manage that risk.

In response to requesting rezoning only occur following Lake Taupō flood hazard mapping – those undertaking private plan changes will be required to consider the most up to date information that is available. Taupō District Council and Waikato Regional Council have flood hazard mapping available therefore the relief sought is already provided for.

Accept relief sought to add term “residual risk” for consistency with the proposed Waikato Regional Policy Statement. Amend as follows:

[Page 25]; *However, activities need to recognise that there is still a hazard when the capacity of the stop banks is exceeded (this is known as ‘residual risk’).*

In response to acknowledging risk associated with ephemeral waterways – this is provided for in the Regional and District planning documents when considering overland storm water flow paths. Accept in part through additional statement to section on flooding as follows:

[Page 25, add to first paragraph] *District and Regional Plans also require consideration of overland storm water flow paths, which can include ephemeral water courses.*

Erosion

Accept in part relief sought to amend definition of erosion. Whilst it is accepted that wind and waves have an effect on erosion, it is considered reasonable to acknowledge that rising and falling lake levels can alter the effects of erosion. Notwithstanding this, it is accepted that the lake level rising and falling is not the sole contributing factor to lakeshore erosion, and the definition should be amended to reflect this. For these reasons, amend as follows:

[Page 25,] Amend definition of erosion to: *Lakeshore erosion can occur as a consequence of wind and wave action on the shoreline the level of a lake rises and falls. These erosional forces coupled with the location of structures in and around the lakeshore edge, elevated lake levels and vegetation changes can contribute to and increase the erosion hazard.*

Accept relief sought to refer to the 20m erosion control line in the Taupō District Plan (Foreshore Protection Area). Amend as follows:

[Page 25, Erosion, add at end of paragraph]. *The Foreshore Protection Area (a 20m erosion control line around the lakeshore and identified tributaries) exists to manage erosion and amenity around Lake Taupō.*

Liquefaction

In response to relief sought to assess liquefaction potential – the growth areas where residential growth is provided under this structure plan are not located in low lying flood prone areas. For this reason, do not accept relief sought to add reference to assessing for liquefaction.

Earthquakes

The existing section on earthquakes deals with this consideration.

Volcanic hazards

Accept relief sought to refer to Lake Taupō Flood and Erosion Strategy 2009, now recommended to be referred to in Appendix 3, and to include an excerpt into the section on Volcanic Hazards. Amend as follows:

[Page 26, insert after first paragraph on Volcanic Hazards]; *The Taupō area is geologically young with a number of active earthquake faults. Uplifting of the ground and subsidence (dropping of the ground) can affect erosion and flooding.*

WHAREROA FUTURE GROWTH – WFG2

6 submitters responded;

2 in support or support in part (47807,47874)

4 in opposition (39780, 47846, 22493, 47875).

Summary of submission comments:

WFG2 is the growth area with landscape and natural values overlays. There are comments both in support and opposition to future growth in this area.

Supportive comments include no problem seen with growth in Whareroa, it's provided for in the District Plan, the existing infrastructure can support the growth and there is a low risk of flooding. There is a request to include more detail into the Structure Plan and that the submitter's concept plan should be included into the Structure Plan due to the significant input by the community and Council staff.

Opposing comments include no need for new residentially zoned land, Council is struggling to maintain existing built areas, growth should not occur in areas of identified natural and landscape value as its contrary to district and regional planning provisions, these areas should be avoided as they are in the Kuratau/Omori growth areas, and concerns for the effects of a road cutting through the hill and geotechnical concerns. There is also a concern that the District Plan permitted SNA rule exempts land that is under formal protection.

Summary of relief sought:

- Include the draft development concept plan into the Southern Settlements Structure Plan.
- Put a hold on future growth areas.
- Ensure that development of objectives, policies, rules and assessment criteria give effect to the proposed Regional Policy Statement approach of achieving no net loss.
- Land within WGF2, SNA 062 and OLA 60 should be retained as undeveloped land. Council should seek to protect all SNAs and landscape areas at Kuratau and Whareroa.
- Not to create a road cutting like the road on the southern bank of the Whareroa stream. Include clear rationale for why any residential expansion is necessary to achieve the purpose of the RMA, and why this may be into areas of sensitivity.
- Include implementation guidelines for developers in new growth areas – agree with those already included but more specific guidelines are required to ensure each area is appropriately implemented.
- Enable appropriate development in sensitive areas as a way to incentivise landowners to manage and enhance areas with Natural Values.
- Ensure that development of objectives, policies, rules and assessment criteria give effect to the proposed Regional Policy Statement approach of achieving no net loss.
- Change the road access to the block further to the west.

Hearing Committee Recommendation:

Identified Natural and Landscape Areas

The issue of identifying future growth in areas of ecological and landscape value has highlighted a higher concern for development in this part of the Whareroa Future Growth area.

The Taupō Urban Growth Areas were introduced into the Taupō District Plan in 2007 by a plan change. At the time, studies identifying draft landscape and natural areas were taken into account in that plan change with requirements to consider any landscape or natural values. With that plan change came an expectation that structure planning and subsequent plan changes would consider the value of landscape and natural areas and how best to manage them.

In identifying areas for future growth, there is no requirement to avoid areas of natural or landscape value, or prohibit residential activities in areas. Rather the identification of future growth needs to identify and appropriately manage areas of natural or landscape value, and ensure they are protected from inappropriate activities. This is the same approach used in the District Plan the New Residential zoning at Kuratau which has landscape and significant natural areas, and is an approach that has been accepted by the Environment Court.

The proposed Waikato Regional Policy Statement (sections 11 and 12), and the Taupō District Plan (sections 3h and 3i), seek to ensure appropriate development occurs by requiring any adverse effects to be avoided, remedied or mitigated, and encourage an overall environmental gain to be achieved. Protection from inappropriate development is achieved through a number of means, called implementation methods, and these include rules, incentives, and guidelines for development.

Since the Future Growth area was included in the District Plan a considerable amount of work has been undertaken by the private land owners to work with experts in defining future growth areas, identifying where growth is not appropriate to occur, and assessing locations for road access. These aspects of the growth area are considered appropriate to include in the Structure Plan as they meet the objectives of the Structure Plan, which is to define the extent of the growth area and show the areas that are to be protected.

In the District Plan, effects of non-permitted vegetation clearance on Significant Natural Areas (SNAs) are assessed against the SNA as a whole. In a broader sense the overall SNA 062 is around 620ha in area. The area marked for development at WFG2 is around 4ha (0.6% of the overall SNA). WFG2 is on the edge of the SNA, does not sever the SNA corridor linkage, or break any linkages to the remaining part of the SNA.



At a closer level any detailed development within that part of the SNA will be subject to the specific considerations already provided for in the District Plan - rule 4e.6.2 and section 3i, as well as any relevant objectives and policies of the Regional Policy Statement.

In terms of development in Outstanding Landscape Areas (OLAs), appropriate development within OLAs is an anticipated activity in the District Plan subject to assessment criteria included the rules 4b.2.7 and 4b.2.8, and consideration of design guidelines. An example of development in an OLA on the edge of the lake is Whakamoenga Point. This area has around 50 houses in the OLA. Regardless of which came first – the houses or the OLA identification, this is an example of a development assessed to maintain the values required for an outstanding classification.

For both SNAs and OLAs, there is an expectation within the rules that any application will be assessed and supported by a suitably qualified landscape architect or ecologist. It is therefore considered useful within the Structure Plan to reinforce the references to the relevant planning provisions and in the matters to be considered when developing, and to add a note that the matters of consideration are not limited to those listed.

[Page 51] Amend as follows:

*As a result of this Structure Plan assessment, any Plan Change proposing future development in **Whareroa** future growth area shall consider (but not be limited to) the following:*

- *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 Regional Plan;*
- *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;*
- *Ecological effects of the removal of indigenous vegetation (if any) and potential for new ecological corridors and connections to be made;*
- *Landscape effects of built structures and visible infrastructure including roads, retaining structures and bridges within sensitive landscape areas;*
- *Any need for potential erosion control;*
- *Potential conflict that may arise between the desire for views and new vegetation planting;*
- *The opportunity to create new recreation areas within the site and connections to other recreation corridors and Lake Taupō;*
- *Retaining buffer vegetation between the built environment and remaining farm land; and*
- *The visual effects of new development when viewed from the existing settlement and from Lake Taupō.*

Concept Plan

Whilst it is acknowledged that considerable input into the growth area has already been undertaken by the landowners, the detailed concept plan provided is considered premature to include in the Structure Plan at this stage. This is because the level of detail showing areas of indigenous vegetation to be removed and replanted, along with house sites located and roading and reserve networks, would require a greater level of assessment of effects against the relevant planning provisions, and would need to go through the public submission process. Elements of the concept plan have been incorporated into the Structure Plan, such as the extent of growth, areas to be protected, and the location of the access road through the sensitive area. The means by which a net environmental gain and protection of landscape and natural values can be achieved is numerous, and the detail of this is considered to be best assessed at the plan change stage. For this reason the relief sought to include the submitter's concept plan into the Structure Plan is not accepted.

Effects Associated with the Road

Effects associated with the road, visual, vegetation removal and geotechnical issues, will need to be

investigated by the developers and further assessed as part of the plan change proposal. At this stage it is not considered necessary to show this in an alternate position. If at the plan change stage the effects of establishing the proposed road connection cannot be justified, then an alternative will be required.

As a result of the submissions, no specific changes to the Structure Plan, however the 'matters of consideration' do include the effects of the works required to construct any roading and the road(s).

No Need to Zone

See section on Demand and Supply and Future Capacity Created.

WHAREROA FUTURE GROWTH - WFG1

6 submitters responded:

4 in support or support in part: (47807, 22493, 47874, 47875),

2 in opposition (39780, 47846).

Summary of comments

Growth in the general area is provided for in section 3e.7 of the District Plan, however it is submitted that more detail be included in the Structure Plan such as reserve networks, pattern of development, key infrastructure and that the concept plan provided by the landowners representative should be included into the structure plan. Further implementation guidelines for developers in new growth areas are proposed. Whilst those already included in the Structure Plan are agreed with, more specific guidelines are required to ensure each area is appropriately implemented.

That the road access to the growth area be shortened and located somewhere along the western boundary of the block, direct to Whareroa Road or alternatively a longer access through the farmland to the west which is thought to be in relatively common ownership.

Other parties consider that there is already enough residentially zoned land with sections available now in the area and that TDC is already struggling to maintain the current areas. Further, no SNA buffer is shown for WFG1 as is done in Omori and Kuratau and this approach is inconsistent.

Specifically, the potential number of sections on page 54 of the Structure Plan includes the word "maximum" yield. This word is confusing and should be deleted.

Summary of relief sought

- Provide an implementation section within each New Growth Area section with guidelines and tangible action points when preparing plan changes. This should link to the objectives on page 37.
- Put a hold on future growth areas.
- Include the draft development concept plan provided by submitter 47874 into the Southern Settlements structure plan.
- Maintain a consistent approach to SNAs and OLAs in the structure plan by providing an SNA buffer in area WFG1.
- Remove the word "maximum" on page 54

Hearing Committee Recommendation:

As discussed in the previous section it is recognised that there has been input by the community and Council staff regarding issues relating to the future development at Whareroa.

The WFG1 area is free of any landscape or hazard notations, there is sufficient capacity in the existing wastewater treatment plant for the number of lots proposed and the flood risk assessment for Whareroa catchment shows low risk of flooding.

Buffer areas

One submitter has requested that a buffer area be provided between the WFG 1 area and any land identified as landscape or significant natural area, for consistency with the buffers identified around some of the growth areas identified at Omori/Kuratau. In this instance the land owner is proposing a development concept that includes development within the outstanding landscape and significant natural area. Given this, it is considered appropriate that WFG1 area when being developed provide for some form of mitigation for any adverse effects arising from development within WFG2, and potential to provide for an overall 'net environmental gain'. This is consistent with the provisions of the District Plan. As discussed in the previous section, net environmental gain can be achieved through a range of methods, not just buffer areas, but also through better ecological corridors. The detail of this is best determined at the plan change stage. A specific bullet point is recommended to consider "measures to achieve a net environmental gain" (as shown in the previous section).

Use of the word 'Maximum'

It is agreed that the word 'maximum' should be deleted from the first paragraph on page 56, as it is not intended that the figures be a maximum. Therefore the text be amended to:

In order to assess the potential capacity created in the growth areas identified, those areas have been measured (in hectares) and an assumed density of 8.8 lots/dwellings per ha applied, in order to calculate a future (~~maximum~~) yield.

KURATAU FUTURE GROWTH

8 submitters responded;

6 in support or support in part (39780, 47807, 22493, 47854, 47875, 47871)

2 in opposition (47846, 42410).

Summary of comments

Some submitters are not opposed to the residential development of Kuratau provided the roading is upgraded to cater for the increased traffic on Omori Road. The intent to retain a storm water gully (B) & (D), as a recreational reserve and an extension (C) for storm water treatment/recreation purposes is supported also. Specific concerns are raised regarding the possible impact of future development on the operation of the Kuratau hydroelectric power generation scheme and consent conditions that govern the scheme.

Other submitters question the need, or demand for new sections and consider there are strong infrastructure, environmental, amenity and aesthetic reasons ruling against future Kuratau growth. Submitters in a similar vein suggest that all growth should be concentrated at Turangi and that Kuratau should not be seen as another Taupō.

Specific issues raised are:

- That no environmental impact study has been carried out to ascertain the capacity of the physical environment for further development.
- Identification of future growth areas adjacent to identified SNAs and ONFL is only considered appropriate if opportunities to maintain and enhance indigenous biodiversity, protect SNAs and ONFL and to preserve natural character are included.
- Concern over the possible impact of development on the A1 notation i.e. Kuratau escarpment buffer. In particular that landowners do not support area A1 as this shows public access on their land with concern about health and safety issues. The landowners do not support the area being a vegetated corridor which may potentially obstruct views from areas above and consider that a reserve corridor is something that should be discussed with the land owners.
- Include implementation guidelines for developers in new growth areas
- KFG1, KFG2 areas to clearly precede long term growth areas KLG1 and 2, but still concerns for the capacity being created.
- KFG2, KLG1 and 2 areas should be removed from the plan – the need is not there and would also provide further protection to Pukekaiore.

Summary of relief sought:

- Ensure the environment is looked after.
- Upgrade roading to cater for any increased traffic.
- No development unless a second road access is provided.
- Ensure that development of objectives, policies, rules and assessment criteria gives effect to the PRPS approach of achieving no net loss of indigenous biodiversity.
- Put a hold on future growth areas.
- Planning for 15 to 20 years should be abandoned.
- Long Term growth areas should be removed i.e. KLG 1 and 2
- The emphasis on future growth should be switched from Omori/Kuratau to Turangi.
- Omori/Kuratau is a recreational/holiday destination and environment and should remain so.
- Undertake a comprehensive Environmental Impact Study for the Kuratau/Omori catchment
- Provide appropriate subdivision and development incentives, including regulatory incentives and the use of esplanade reserves and strips to: a) provide for recreation and restoration of habitats and connectivity between habitats; b) support (buffer and/or link) ecosystems, habitats, and areas identified as SNAs; c) provide for provision of ecosystem services; d) provide for natural character and amenity values; and e) manage the density, range and viability of indigenous flora and fauna.
- Remove area A1 from the maps and consider recreation and planting corridor at the time of developing or rezoning. We suggest that land for Reserves/Vegetated corridors should be identified when the land is proposed for development.
- Support the A1 notation and stormwater gully and reserve B, C, and D.

- Provide an implementation section within each New Growth Area section with guidelines and tangible action points when preparing plan changes. This should link to the objectives on page 37.
- That some form of hazard identification should be undertaken to prevent future development impacting on existing infrastructure, even if not physically located nearby.
- Ensure development does not adversely impact upon the Kuratau hydroelectric power generation scheme and consent conditions.
- Acknowledge the importance of considering existing National Policy Statements including the NPS for Renewable Electricity Generation.
- Remove areas KFG2, KLG1 and 2 from the plan.

Hearing Committee Recommendation:

Amount of Growth

It is recognised that the amount of land set aside for future growth in the Kuratau area is considerable. That is the reason that both Future Growth and Long-Term Growth Areas were defined in the Structure Plan. The ability to locate development in an area with connection to existing services, which is free from any existing landscape or hazard notations, is considered desirable.

The Omori/Kuratau area has proven popular in terms of recent growth and without the development of more sections; the current excess capacity (lots) is projected to be consumed before 2035. However, it is recognised that, like all future growth, planning for the provision of infrastructure and services needs to occur, particularly in an area that experiences high holiday demand.

It is not considered possible to concentrate growth in Turangi, as opposed to Kuratau, because currently Turangi is not considered as desirable, with growth projections to 2035 (in terms of new dwellings) being 1/3 of that predicted for Omori/Kuratau.

The provision of infrastructure will have to be considered with any plan change/rezoning. But it is not considered necessary to provide a second road access into the settlement. An assessment of the effects of any future development proposal on the environment, including hazards, will need to be undertaken to a level of detail in keeping with the development proposed and any specific effects in terms of the existing National Policy Statements, including the NPS for Renewable Electricity Generation must accompany any application for rezoning/resource consent.

With respect to providing appropriate subdivision and development incentives, including regulatory incentives; because the Structure Plan is to be implemented through private plan changes, this leaves any landowner/developer to generate outcomes that they consider to be positive and then justify them through the planning process. This approach is recognised through the provisions of the 'New Residential Environment' which does not define a minimum or maximum density to be adhered to with any development, but leaves the density to be determined as a result of assessments undertaken of the existing and future environment.

As a result of the submissions, no changes to the Structure Plan.

Area A1

In terms of the identification of the area A1 on the Structure Plan map, this is specifically designed to act as a geographical boundary to any development and avoid development moving up to the next plateau/level. Development within the Future Growth Areas is not considered to have the potential to generate negative landscape effects on Pukekaikiore, due to the distance between the development boundary and the landscape area associated with the mountain. It is agreed that any detailed proposal for planting and/or public access through this area should be determined at the time a

consent/plan change application is considered. A secondary pedestrian access network through this area is considered desirable, but at this stage it is considered premature to detail that on the Structure Plan maps.

Therefore the following decision is made:

- i. Remove A1 from the Structure Plan map and replace it with a line drawn at the base of the terrace located between the two plateaus, the purpose of the line to show the limit to any future development
- ii. Detail in the Structure Plan that there is a desire to establish a secondary pedestrian network through the Kuratau Future Growth Area, but that this will be determined at the time of any detailed development application

Long term Growth Areas

As recognised above, the Future and Long-Term Growth Areas defined at Kuratau allow for a significant level of growth over time. The Long-Term Growth Areas have been identified because they form a logical extension to the Future Growth Areas. Any future development within the Long-Term Growth Areas will require cooperation between landowners, particularly regarding the provision of road access (because Foxley Avenue is currently a private road).

In order to reduce the risk of ad hoc development the following changes are made:

- i. Detail within the Structure Plan that it is strongly expected that development in the Future Growth Areas will precede development in the Long-Term Growth Areas
- ii. That any development within the Future or Long-Term Growth Areas is to provide for the logical provision of, or extension to services, including walkways and/or reserve networks into adjoining undeveloped land
- iii. That if development in the Long-Term Growth Areas precedes development in the Future Growth Areas it must be demonstrated that allowing such a proposal will not inhibit or hinder development within the Future Growth Area.

Matters to Consider

As a result of submissions raising issues around potential effects of new growth in Omori, additional matters to consider are recommended as follows:

[Page 47] *As a result of this Structure Plan assessment, any Plan Change proposing future development in the **Kuratau** growth area shall consider (but not be limited to) the following:*

- *That development undertaken within the D2/D3 block be sensitive to landscape and natural area overlays with the retention of the integrated network of Significant Natural Areas where possible⁴;*
- *Revegetation of gullies and steeper slopes creating an integrated open space network;*
- *Provide a strong street tree framework to reinforce the types of trees currently growing in the area – such as olive, poplar, and liquidambar;*
- *Ensure where appropriate streetscape treatment minimises the urban character, such as no or minimal use of kerb and channel, sensitive street lighting, covenants on front*

⁴ The assessment criteria (Section 4a.7.16.g) related to subdivision applications within the “New Residential Environment” (which are assessed to be a discretionary activity) require the consideration of: the appropriateness of the design, layout and density of the subdivision, having particular regard to any: i. flood risk (Kuratau New Residential Environment only), ii. setback from any water body or river appropriate to mitigate any risk from erosion (Kuratau New Residential Environment only), iii. relevant stormwater catchment management plan, iv. geotechnical and topographical considerations, (including potential liquefaction effects for subdivision within the Kuratau New Residential Environment), v. landscape issues (particularly as they relate to any Amenity Landscape Area), and vi. natural values and any infrastructural servicing issues.

boundary fences (for low or no fences);

- *Orientate streets and planting to maximise and highlight Lake views;*
- *Create reserve corridor linkages throughout the terraces and revegetation of steep slopes and ephemeral gullies. Where possible enhance ecological corridors between Pukekaikiore and Lake Taupō;*
- *Where there is there potential to view built structures against the skyline, ensure a backdrop of vegetation is maintained and planted;*
- *That development in the Future Growth Areas shall precede development in the Long-Term Growth Areas;*
- *Any development within the Future or Long-Term Growth Areas shall provide for the logical provision of, or extension to services, including walkways and/or reserve networks into adjoining undeveloped land;*
- *That if development in the Long-Term Growth Areas precedes development in the Future Growth Areas it must be demonstrated that allowing such a proposal will not inhibit or hinder development within the Future Growth Area.*

KURUTAU COMMUNITY HUB

2 submitters commented;

(47854, 47875)

Summary of comments:

General concern that the term “Community Hub” is not defined and may lead to inconsistencies with the recreation focus of the Reserve. There is also concern that there is no Reserve Management Plan in place for the Kuratau reserve or for the wider South Western Bay reserves.

Summary of relief sought:

- Define what is a “Community Hub”
- Further consult with the public on what is a community hub in order to appropriately define it.
- Urgently develop a Reserve Management Plan for this reserve.
- Consider adding some public toilets by the play area/tennis courts.

Hearing Committee Recommendation:

Community Hub Definition

Accept relief sought to define what is a “Community Hub”.

The Community Hub comprises five parcels of land, the largest being gazetted as recreation reserve, the other four are TDC freehold land. The intention of the “Community Hub” in the Structure Plan is to acknowledge that a range of community activities are already provided for in that area, including a recreation reserve.



Currently there is no definition of “Community Hub” in the Structure Plan. Concerns raised in the submissions include reference to previous activities that have occurred on the reserve, not consistent with its “recreation reserve” status. For these reasons the definition is as follows:

[p46, Kuratau Future Growth Area, insert new paragraph 10] *The Community Hub provides a continued focus for community activities in the Kuratau and Omori area. It includes five parcels of Council owned land; the largest parcel being a recreation reserve, with the other four being freehold titles. Any activities occurring on the existing recreation reserve should be in keeping with its recreation status and any covenants on the title. The structure plan identifies these five parcels of land as being important to provide space for community activities into the future.*

Further Consultation

Not accept relief sought to further consult with the public on what is a community hub – the purpose of the submission process is to gain public feedback on the structure plan. The submission form for the structure plan sought comments from the community about what activities/services or any other thoughts should be provided for in this area. For this reason it is not considered necessary to further consult on what a Community Hub is for the purposes of this document. Should Council decide through the Annual Plan process that a Reserve Management Plan is required, further consultation will happen through that process.

Recreation Reserve and Reserve Management Plan

With respect to the land identified as a ‘Community Hub’, it is understood from submissions received that some activities periodically occurring on the existing recreation reserve do not meet the general restrictions for such land contained within the Reserves Act. There was also a request to have a public toilet on the reserve.

To better define the activities that can occur on the recreation reserve, submitters have requested that a Reserve Management Plan be prepared by Council for this particular reserve. A Reserve Management Plan is a document that is typically prepared under the requirements of the Reserves Act and follows two phases of public consultation. A Reserve Management Plan will contain objectives and policies for the management, protection and future development of a reserve, and must:

“...provide for and ensure the use, enjoyment, maintenance, protection and preservation....and the development, as appropriate, of the reserve for the purpose for which it was classified....” (Section 41(3) Reserves Act 1977).

While the preparation of a Reserve Management plan and consideration of public toilets is outside of the scope of the structure plan, the Council does have the opportunity to consider these matters through submissions to the Annual Plan process. The draft Annual Plan was notified for submissions on 25 March 2013. Council staff sent a letter to submitters to the Structure Plan on this matter on 22

March, informing them of the Annual Plan process. The letter also noted that a Reserve Management Plan for the Kuratau reserve was not included in the notified draft Annual Plan, and there are significant financial restraints that may restrict the Council's ability to incorporate it into the next financial year. However if the submitter did wish to forward their submission to the Annual Plan, information was provided on how to do so.

OMORI FUTURE GROWTH

7 submitters responded;

5 in support or support in part (39780, 47845, 22493, 42410, 47875)

2 in opposition (47807, 47846).

Summary of comments

Submitters generally support the proposal, with comments requesting the OFG area be extended to Omori Road, support for buffer areas, request for buffer area to be increased, create recreation linkages. Concerns raised include traffic issues on Omori Road via Kaimanawa Road, no need for future growth, and a 50m buffer provides for growth that is too close to the Omori Stream SNA.

Summary of relief sought

- Extend OFG area and A2 up to Omori Road as shown on map provided as part of submission.
- Stormwater retention and filtering pond to be located near to the Omori boat ramp should be included in Council infrastructure improvements for the area as a matter of urgency.
- Retain Page 40, paragraph 4
- Increase SNA 302 buffer to 100 meters.
- The OFG area should be retained but not the OFG/LD area.

Hearing Committee Recommendation:

Extend Omori Future Growth Area to Omori Road

The boundary of the Omori Future Growth Area falls short of the existing water reservoir tanks because it is not possible to provide reticulated water supply in this area at an appropriate pressure. Council's Infrastructure Engineer has reviewed the situation and is of the opinion that if the landowner/developer wants to pay to upgrade the infrastructure, reticulated water can be provided up to Omori Road, but the contour line is shown because that is the limit of the existing infrastructure.

Therefore, the Omori Future Growth Area is extended as requested, but the boundary of the reticulated service area is shown on the Structure Plan Map, with a note that any extension of the reticulation into that area and any costs associated with providing appropriate pressure will be at the landowners/developers cost (refer to the Omori-Kuratau growth area map page 42 of the Structure Plan).

SNA Buffer Width

The width SNA buffer is drawn at 50m as an indicative width. It is noted on page 40 of the Structure Plan that the "buffer area may need to be greater or could be less than what is shown, but until

specific detailed investigations and any plan change/subdivision design is undertaken the buffer is shown at 50m”.

Omori Low Density Area

Like the above, the OFG/LD area is drawn as a low density development area, recognising the proximity of potential new development to the Significant Natural Area and the flexibility that may be necessary in creating a sufficient buffer.

As a result of the submissions, no changes to the Structure Plan.

Matters to Consider

As a result of submissions raising issues around potential effects of new growth in Omori, additional matters to consider are recommended as follows:

[Page 44] *As a result of this Structure Plan assessment, any Plan Change proposing future development in **Omori** future growth area shall consider (but not be limited to) the following:*

- *Focussing future growth within the currently undeveloped residentially zoned areas;*
- *Retaining a physical separation from Kuratau and recognising the separate character of the two areas (even though they are considered together);*
- *Retaining a level of built character consistent with the existing settlement and existing holiday home character, with density appropriate from a landscape and character perspective;*
- *Providing new reserve networks to extend into surrounding areas and link to existing reserves;*
- *The retention of view shafts to the Lake when planning new development;*
- *Linking ecological corridors with revegetation planting of indigenous species and utilising corridors as recreational linkages, integrating new development with the surrounding environment;*
- *Creating a transition in the overall character from Pukawa (nestled within denser bush) to the Kuratau Terrace (open grazed pasture);*
- *The potential entrance effects to the Omori settlement, particularly the effect of creating new urban areas directly adjacent to open pasture and woodlot areas and the effects on views from Omori Road;*
- *Creating a network of internal roads, reserves, walkways and vegetation that connects with the existing settlement and lake edge where appropriate, and provides a secondary walkway network separate from the Omori Road;*
- *Designing new planting where possible to minimise conflict between the desire for views and vegetation planting, particularly on escarpment areas;*
- *Creating, if possible, a new recreation walk that connects Omori Road to the Omori Stream corridor and lake via the boat ramp and lake shore reserve; and*
- *Providing a buffer corridor between any development and the Omori Stream Significant Natural Area.*
-

OMORI COMMERCIAL HUB

2 submitters commented;
(47845, 47875)

Summary of comments

Concern that the term 'commercial hub' is not defined and a request to extend the area and create a mixed use zone.

Summary of relief sought

- No re-creation of suburbia, continue to support Turangi retailers.
- Extend the commercial hub as shown on map provided to submission and provide two-way access to Omori Road.
- Area F to be a mixed use zone.

Hearing Committee Recommendation:

The provision of an extended commercial area in Omori is identified to support a larger future population, both permanent and holiday. The commercial hub proposal recognises the existing commercial activity existing in Omori and identifies that this be the most logical place for any further commercial activities to occur.

In terms of extending the commercial hub area, submissions received to raise concerns that a large area of commercial activity could negatively impact the holiday nature of Omori. Those potential impacts are recognised by other submissions suggesting that any commercial activity should be limited to that which can be appropriately integrated into a residential area.

It is noted that the residential provisions of the Taupō District Plan are already quite permissive with respect to the location of commercial activities within residential zones, particularly commercial residential activities.

[Page 43, paragraph 5] The commercial hub be defined as:

The commercial hub is defined as:

- *An area of commercial activity designed to support the existing permanent and holiday residential activities of Omori and Kuratau.*

[Page 44] Add to matters to be considered::

In assessing any proposal for a commercial hub and/or development within a commercial hub, the following shall be taken into account:

- *That any zoning provisions and/or activities within the commercial hub are of a scale and nature that enables integration into the existing residential environment without causing adverse effects*
- *That the hours of operation, noise, odour, dust and other effects are in keeping with those effects considered appropriate within a residential environment.*
- *Management of any potential adverse effects on the surrounding environment.*

OMORI HEIGHTS – NON GROWTH

3 submitters responded;

1 in support or support in part; (47846)

2 in opposition; (47807, 47872)

Summary of comments

Comments included a submission in support for retaining as a non-growth area, and two submissions opposing this seeking provision of rural-residential style lots.

Summary of relief sought

- Enable lots ranging in size from 0.2499ha to 0.5883ha.
- Use existing current vacant sections first then review the options.

Hearing Committee Recommendation:

Reviewing the cadastral that relates to the Omori Heights area shows that there are a number of lots already developed, which are currently vacant. Principally this existing development is located on the north facing slopes of Omori itself. This development has occurred historically and therefore forms part of the existing environment.

The objective of the Structure Plan is to identify areas for residential growth within the Southern Settlements. The development that has happened in the Omori Heights area has to some degree fragmented the existing pattern of development, by extending the residential development from the southern side of Omori Road, up the slope and onto the upper plateau. The principal concern is that if rezoning occurs in the upper Omori Heights area that this will lead to a further fragmentation of the existing development, notwithstanding that residential subdivision and development has already occurred in the area on rural zoned land.

The submitters have stated that the ability to connect to services and the recent subdivision activity that has occurred in the area is justification for the identification of the Omori Heights area, particularly 2 Rangikatea Road, for further subdivision and development. However, there is a concern that if further development is promoted in this area that it will spread across the upper plateau toward State Highway 41, in the process opening up a significant area for development outside of the existing settlement pattern.

Further, the lots within the Omori Heights area are of a size somewhat larger than standard residential development and as such provide an effective buffer between the residential development of Omori and the surrounding rural environment. It is considered that by leaving the current rural zoning in place is an effective means by which to maintain this buffer.

One submitter has proposed that if the Structure Plan showed their site as being appropriate for rezoning that this would assist in gaining subdivision consent. Any such consideration would be at the discretion of Council in its processing of the particular application, but without a plan change in place formalising that zoning it is normal practice that limited weight be placed on any structure plan on its own. Due to the existing pattern of development and the ability to connect new development to reticulated services there maybe potential for the lot owner to proceed with a consent application for subdivision on that justification, but they would need to seek independent professional advice on this.

Overall, it is not considered that the Omori Heights area should be included within any future growth area and therefore no changes are made to the Structure Plan.

GRACE ROAD, HIRANGI ROAD, MANGAMAWHITIWHITI AND MOTUOAPA EAST - NON GROWTH

2 submitters responded;
1 in support or support in part; (47846)
1 in opposition; (47807)

Summary of comments in support or support in part

Submitters either considered that growth the Grace Road area should be subject to the existing services that are now available for new properties, that TDC do not have funds to manage and then maintain new works and that more evidence of a 'need' is required. For the other areas it was considered no new green field areas should be developed.

Summary of comments in opposition

Other submissions proposed that if there was interest in further growth in a particular area then the submitter considered that it should go ahead; or submitters were not familiar enough with an area to comment.

Hearing Committee Recommendation:

The areas detailed in the Structure Plan where no future rezoning is identified is a result of investigations undertaken showing that either existing servicing constraints, topographical and/or hazard constraints or limitations to the physical layout of the development are such that future development would be problematic.

No submissions received have provided any further information indicating that Council should amend the Structure Plan to enable growth within these areas.

Therefore, it is recommended that no amendments be undertaken to the Structure Plan in response to the above submissions.

PRIVATE PLAN CHANGES

3 submitters responded;
1 in support or support in part; (47846)
2 in opposition; (47845, 47874)

Summary of comments in support or support in part

- Hold all TDC on site costs for now.

Summary of comments in opposition

- The structure plan should be implemented through the RMA process given it has been promoted by Council, and should not be a sole cost to private landowners.
- It is submitted that the majority of long-term benefits from zoning land for future growth accrue to the District of Taupō (its environment and its communities), not individual landowners. That is because securing the outputs of the structure plan through rezoning land (and if necessary

designating land for associated infrastructure) is a critical step in achieving the goal of sustainably managing the effects of urban growth in the District (set out in the founding TD2050 document). Taking the Structure Plan outputs through the statutory RMA processes (i.e. Plan Changes) will lock in the preferred locations of future urban growth, whereas leaving that work in a non-statutory guidance document (i.e. a Structure Plan) will, over time, diminish the value of that work.

Hearing Committee Recommendation:

The recommendation is for council not to undertake (plan) changes to the District Plan. TDC has already committed resources to undertaking plan changes necessary to rezone land to give effect to the first stage of the TD 2050 document.

TDC not committing further resources at this stage to further plan changes recognises that within the Southern Settlements area there is already capacity in terms of developed lots and residentially zoned land (either consented for subdivision or unconsented) to meet reasonably foreseeable needs in terms of the provision of residential land to accommodate future growth. However, TDC is of the opinion that there is a need to prudently plan for further future growth beyond the time that existing capacity will be exhausted.

The aim of the Structure Plan is to identify and signal areas considered appropriate for growth, provide detail as to the matters requiring consideration in the future development of those areas and to act as a reference for any party wishing to undertake a private plan change to rezone defined areas for future residential development.

By signalling where growth should occur and detailing those issues associated with future development in any particular area, TDC will provide private parties with information on which to base any decision to pursue a private plan change.

It is considered most appropriate that private landowners and/or developers take on the risk and cost associated with undertaking private plan changes because they are the parties that will principally benefit from the outcome. This recognises the supply of existing, suitably zoned land available and leaves TDC primarily to concentrate on the provision of appropriate infrastructure, both for existing and new development. Moreover, in the current economic climate, TDC is not in a position to commit funds to private land development.

It is recommended that no changes be made to the Structure Plan document as a result of the above submissions.

STRUCTURE PLAN APPENDICES

1 submitters commented;
(22493)

Summary of Comments

General support particularly for comments made on reduction of nitrogen by municipal wastewater treatment plans in the Lake Taupō Catchment. There is a comment that Appendix 2 regional planning framework is incomplete with reference to the RPS policies and methods in the Built Environment Section.

Summary of relief sought

- [Page 62 Appendix 2, Regional Planning Framework PWRPS] - List these policies as relevant parts of the Proposed Waikato Regional Policy Statement: 6.1 and relevant methods: Planned and coordinated development 6.3 and relevant methods: Coordinating growth and infrastructure

6.4 and relevant methods: Marae and papakainga 6.5 and relevant methods: Energy demand management 6A: Development principles 6.10 Implementing Taupō District 2010.

➤ [Page 63, Paragraph 5] – Retain

Hearing Committee Recommendation:

1. Accept in part relief sought to make reference to the relevant sections of the Proposed Regional Policy Statement. The inclusion of reference to the relevant regional policies will strengthen the need to refer to the policies when undertaking a plan change. Inclusion of the policy reference in Appendix 2 is considered to be the most efficient way to achieve this.

[Page 64, Regional Planning Framework, paragraph 1) *The Proposed Waikato Regional Policy Statement highlights the need for urban development planning and implementation under Part B, 6 Built Environment, and in particular in method 6.1.6 under policy 6.1 “Planned and Coordinated Development”.....*

CORRECTIONS TO THE DOCUMENT

3 submitters responded;
(47871, 47875, 22493)

Summary of relief sought

- The proposed structure plan notes the existence of a small scale electricity generation facility (hydro) near Whareroa. It is our understanding that this comment is in reference to the Kurataau hydroelectric power generation scheme.
- Correct the image on page 43 showing the extent of the Kurataau future growth area.
- Correct any reference to 'Environment Waikato' to 'Waikato Regional Council'.

Hearing Committee Recommendation:

1. Accept relief sought to correct reference to the hydro scheme near Kurataau.

[Page 63, paragraph 3] *It is noted that there is one small scale electricity generation facility (hydro) near ~~Whareroa~~ Kurataau,.....*

2. [Page 43] Accept relief sought to correct the image showing the extent of the Kurataau future growth area (refer to page 45)
3. [Pages 53, 64, 65, 74, 75] Accept relief sought to correct references from '~~Environment Waikato~~' to 'Waikato Regional Council'.