

Taupō District Council

Recommendations of the Independent Hearings Panel

Recommendation Report 3

Plan Change 40: Taupō Town Centre Environment

8 May 2024

This report is one of a suite of reports in relation to 'Bundle One' Plan Changes to the Operative Taupō District Plan. It addresses submissions to Plan Change 40: Taupō Town Centre Environment (PC40).

This report should be read in conjunction with the **Index Report** and **Recommendation Report 2**.

The **Index Report** contains an explanation of how the recommendations in all subsequent reports have been developed and presented, along with a glossary of terms used throughout the reports and a record of all Panel Minutes. It does not contain any recommendations *per se*.

Recommendation Report 2 contains the Panel's recommendations on Plan Change 38 (PC38) dealing with Strategic Direction Objectives.

This Recommendation Report contains the following appendices:

Appendix 1: Schedule of attendances

Appendix 2: 42a Report Summary table of recommendations on each submission point

Appendix 3: Recommended amendments to PC40 - Tracked from notified version (provisions not consequentially renumbered)

Appendix 4: Recommended amendments to PC40 - Accepted version

The Hearings Panel for the purposes of hearing submissions and further submissions on all the Proposed Plan Changes including PC40 comprised Commissioner David McMahon (Chair), Commissioner Elizabeth Burge and Councillor Yvonne Westerman.

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Recommendation Report 3

Plan Change 40: Taupō Town Centre Environment

1 Introduction

Report purpose

- 1.1 This report considers the provisions, and records our recommendations on the submissions, relating to Plan Change 40: Taupō Town Centre Environment (PC40) which, as notified, proposes amendments to the Taupō Town Centre Environment provisions, in three parts, being to:
- Provide increased building heights for that part of the Taupō Town Centre – Pedestrian Precinct bound by Roberts, Tongariro, Te Heuheu and Ruapehu Streets and otherwise fronting Ruapehu Street between Roberts and Te Heuheu Streets, and insert urban design performance standards to manage outcomes associated with higher buildings.
 - Provide certainty that 'service lanes' in the Taupō Town Centre Precincts are not subject to requirements for verandah provision where adjoining sites are developed.
 - Increase the permitted number of operational days and non-operational days associated with temporary activities in the Taupō Town Centre (where the latter are used to set up and take down facilities).
- 1.2 This report is the third report in relation to Plan Change 'Bundle One' to the Operative Taupō District Plan (TDP), which consists of six separate Plan Changes, in relation to the following:
- Plan Change 38: Strategic Directions (the subject of **Recommendation Report 2**)
 - Plan Change 39: Residential Building Coverage (**Recommendation Report 1**)
 - Plan Change 40: Taupō Town Centre Environment (**Recommendation Report 3**)
 - Plan Change 41: Removal of Fault Lines (**Recommendation Report 4**)
 - Plan Change 42: General Rural and Rural Lifestyle Environments (**Recommendation Report 5**)
 - Plan Change 43: Taupō Industrial Land (**Recommendation Report 6**)
- 1.3 We were appointed as Hearings Panel members by Council on 27 April 2023¹. Our delegation included all necessary powers under the RMA² to hear the submissions made on the 'Bundle One' Plan Changes and to make recommendations to the Council on the provisions contained within each of the six Plan Changes on all matters raised in those submissions to each relevant Plan Change.
- 1.4 The full background to the Bundle One Plan Changes is provided in an overarching **Index Report**. The purpose of this report on PC40 and the reports relating to each of the other five Plan Changes included in 'Bundle One' is to satisfy the Council's various decision-making obligations and associated reporting requirements under the RMA.
- 1.5 We will canvass the Plan Change background in due course. It has been the subject of a s32² report³, consultation with stakeholders, and, of course, the public notification and

¹ Delegated authority under s34A of the RMA, Council resolution dated 27 April 2023.

² Section 32 of the RMA sets out the requirements for preparing reports that evaluate the appropriateness of a plan change.

³ Section 32 Evaluation Report – Taupō Town Centre Environment – Plan Change 40, undated

culminating in our recommendation.

- 1.6 Before setting out the details of the Plan Change, the submissions to it and our substantive evaluation, there are some procedural matters that we will address, beginning with our role as a Hearing Panel.

Role and report outline

- 1.7 Our role is to make a recommendation about the outcome of the Plan Change on the Council's behalf. The authority delegated to us by the Council includes all necessary powers under the RMA to hear and recommend on the submissions received on the Plan Change.

- 1.8 As mentioned, the purpose of this report is to satisfy the Council's various decision-making obligations and associated reporting requirements under the RMA.

- 1.9 Having familiarised ourselves with the Plan Change and its associated background material, and read all submissions, we hereby record our recommendation.

- 1.10 In this respect, our report is broadly organised into the following two parts:

a. Factual context for the Plan Change:

This non-evaluative section (comprising **Section 2** in this report) is largely factual and contains an overview of the land subject to the Plan Change and an outline of the background to the Plan Change and the relevant sequence of events. It also outlines the main components of the Plan Change as notified. This background section provides the relevant context for considering the issues raised in submissions to the Plan Change. Here, we also briefly describe the submissions received to the Plan Change and provide a summary account of the post notification process itself and our subsequent deliberations. We also address here procedural matters associated with the submissions received.

b. Evaluation of key issues:

The second part of our report (comprising **Sections 3 to 5**) contains an assessment of the main issues raised in submissions to the Plan Change and, where relevant, amplification of the evidence/statements presented (in **Section 3**). We conclude with our recommended decisions (in **Section 5**), having had regard to the necessary statutory considerations that underpin our evaluation of the submissions (in **Section 4**). All these parts of the report are evaluative, and collectively record the substantive results of our deliberations.

- 1.11 This Recommendation Report contains the following appendices:

- a. **Appendix 1: Schedule of attendances** at the hearing on this topic. We refer to the parties concerned and the evidence they presented throughout this Recommendation Report, where relevant.

- b. **Appendix 2: s42A Report Summary table of recommendations on each submission point.** This is the Council's s42A Report table containing recommendations on each submission, commonly referred to as the accept/reject table. The Council, upon receipt of the Panel's recommendations, has decided not to update the s42A table to reflect the Panel's recommendation/Council's decisions.

Instead, the Council records that the Panel has accepted all those recommendations in the s42A Report table except as otherwise identified in this

decision and as noted in Appendix 3 (recommended provisions) to this decision. It should be noted that there were also changes in recommendations following the s42A Report and through the hearing process. These recommendations and the associated changes are outlined within the s42A Reply Statement and ultimately culminated in Appendix 3 in the recommended provisions.

- c. **Appendix 3: Recommended amendments to PC40 – Tracked from notified version.** This sets out the final amendments we recommend be made to PC40 provisions. The amendments show the specific wording of the amendments we have recommended and are shown in an amended text format showing changes from the notified version of PC40 for ease of reference. Additions to the notified provisions are shown as underlined and deleted provisions are shown as ~~struck-out~~.

Where whole provisions have been deleted or added, we have used the original numbering of provisions in the notified version, to maintain the integrity of how the submitters and s42A Report authors have referred to specific provisions.

- d. **Appendix 4: Recommended amendments to PC40 – Accepted version.** This is a 'clean copy' of the recommended amendments to provisions. It accepts all the changes we have recommended to the provision wording from the notified version of the PC40 as shown in **Appendix 3** and includes consequential renumbering of provisions to take account of those provisions that have been deleted and new provisions we have recommended.

1.12 The requirements in clause 10 of the First Schedule of the Act and section 32AA are relevant to our considerations of the submissions to PC40 provisions. These are outlined in full in the **Index Report**. In summary, these provisions require among other things:

- a. our evaluation to be focused on changes to the proposed provisions arising since the notification of PC40 and its s32 reports;
- b. the provisions to be examined as to whether they are the most appropriate way to achieve the objectives;
- c. as part of that examination, that:
 - i. reasonable alternatives within the scope afforded by submissions on the provisions and corresponding evidence are considered;
 - ii. the efficiency and effectiveness of the provisions is assessed;
 - iii. the reasons for our recommendations are summarised; and
 - iv. our report contains a level of detail commensurate with the scale and significance of the changes recommended.

1.13 We have not produced a separate evaluation report under s32AA. Where we have adopted the recommendations of Council's s42A Report authors, we have adopted their reasoning, unless expressly stated otherwise. This includes the s32AA assessments attached to the relevant s42A Reports and/or Council Reply Reports. Those reports are part of the public record and are available on the Council website.

1.14 A fuller discussion of our approach in this respect is set out in paragraphs 4.12 to 4.21 of the **Index Report**.

Comments on the parties' assistance to us

- 1.1 In advance of setting out the Plan Change context, we would like to record our appreciation at the manner in which the proceedings were conducted by all the parties taking part.
- 1.2 The further information provided to us through Panel minutes assisted us in assessing and determining the issues, and in delivering our recommended decision.
- 1.3 These initial thoughts recorded, we set out the factual background to the Plan Change.

2 Summary of Plan Change, submissions and procedural matters

Outline of matters addressed in this section

2.1 In this section we provide relevant context around which our evaluation is based, including:

- a. summary of relevant provisions;
- b. purpose of the Plan Change;
- c. themes raised in submissions;
- d. Panel directions and procedures;
- e. procedural matters we were obliged to make a determination on; and
- f. summary of key legislative changes since notification of PC40.

Summary of relevant provisions

2.2 As indicated in paragraph 1.1 of this Recommendation Report, the relevant provisions we address relate to PC40: Taupō Town Centre Environment. Also as noted in that paragraph, PC40, as notified, comprises amendments to the Taupō Town Centre Environment provisions in three parts, being to:

- a. Provide increased building heights for those parts of the Taupō Town Centre – Pedestrian Precinct and Taupō Town Centre – Retail Expansion Precinct bound by Roberts, Tongariro, Te Heuheu and Ruapehu Streets and otherwise fronting Ruapehu Street between Roberts and Te Heuheu Streets, and insert urban design performance standards to manage outcomes associated with higher buildings.
- b. Provide certainty that 'service lanes' in the Taupō Town Centre Precincts are not subject to requirements for verandah provision where adjoining sites are developed.
- c. Increase the permitted number of operational days and non-operational days associated with temporary activities in the Taupō Town Centre (where the latter are used to set up and take down facilities).

The areas referred to in a. above are illustrated in **Figure 1** on page 9, noting that either a 12m or 18m Height Overlay would apply depending on location. The service lanes to which the exception referred to in b. above would apply are illustrated in **Figure 2** on page 10.

2.3 As notified, PC40 involves the following proposed changes to the TDP:

- a. amending Policy 3s.1.iii. to expand the recognition of the importance of the Tongariro Domain and its existing infrastructure and services as resources that support the wider Town Centre Environment and contribute to the economic and social wellbeing of the district by enabling a diverse range of temporary activities given the nature and frequency of these activities and taking into account the amenity of the surrounding environment;
- b. inserting an exception to the performance standard 4g.1.9 relating to maximum building height (of three floors above ground level) for buildings located in the Taupō Town Centre Environment Height Overlays shown on the TDP Planning Maps;

- c. inserting a new performance standard 4g.1.10 relating to the Taupō Town Centre Environment Height Overlay applying to any building, or part of any building located within the Overlays that exceeds three floors above ground level, inclusive of a notification statement;
- d. renumbering the remaining performance standards accordingly;
- e. amending performance standards 4g.1.12 and 4g.1.16 (as renumbered) relating to the provision of verandahs to include an exception with respect to building fronting service lanes as shown on the Planning Maps;
- f. amending land use rule 4g.2.2 that provides for temporary activities as a permitted activity to increase the allowable duration of such an activity from three operational days over a calendar year to four operational days over a six-month period, and from five to 14 non-operational days over a six-month period, together with the deletion of a clause allowing 'reasonably necessary' breaches of that part of the standard relating to non-operational days;
- g. inserting a new assessment criteria 4g.4.13 relating to urban design considerations inclusive of 'active engagement' with adjacent streets, lanes, public spaces and the foreshore and 'taking account' of nearby buildings, and noting that these matters are applicable to a breach of performance standard 4g.1.10 above;
- h. inserting the Taupō Town Centre Environment Height Overlay into the Planning Maps (as reproduced in **Figure 1** below); and
- i. inserting the Taupō Town Centre Environment Service Lanes into the Planning Maps (as reproduced in **Figure 2** on page 10).

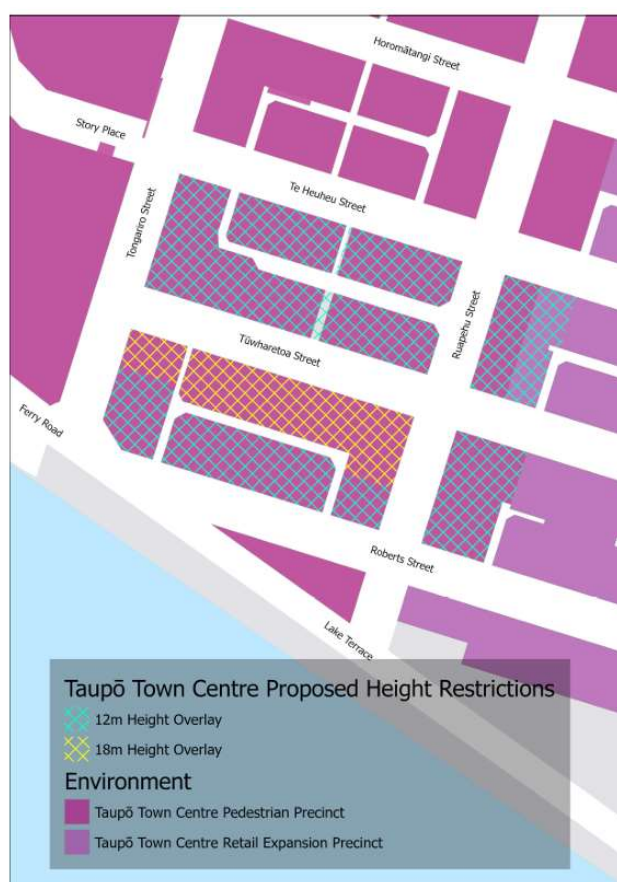


Figure 1: Taupō Town Centre Environment Height Overlay as notified (Source: PC40)

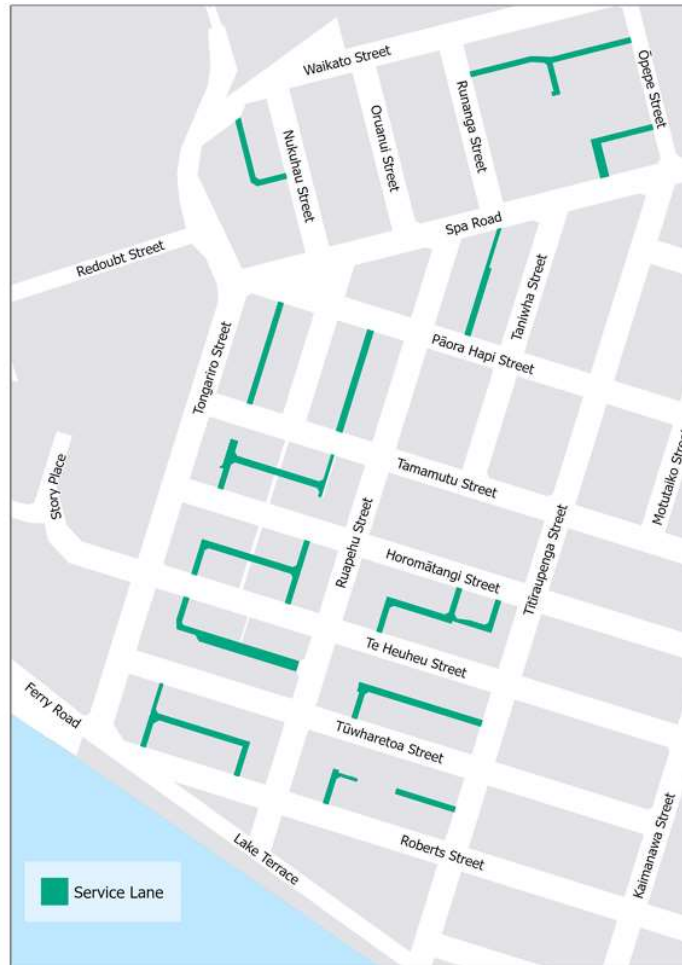


Figure 2: Taupō Town Centre Environment Service Lanes as notified (Source: PC40)

Purpose of the Plan Change

- 2.4 The purpose of the three elements associated with PC40 as stated in the Plan Change materials is:

*"In terms of **building height limits**, the change is to provide greater opportunities for redevelopment and to facilitate a compact town centre within a confined part of the Pedestrian Precinct, as well as acknowledge recent demand (and resource consents) seeking higher buildings in this part of the Taupō Town Centre. The provisions are associated with targeted urban design requirements to ensure that the resultant built form is appropriate in terms of the town centre wider context and materiality.*

*For **verandas**, the change is to ensure clarity that it is pedestrian frontages and the pedestrian laneway system that are the subject of the veranda requirements, and not those frontages to services lanes.*

*Lastly, in terms of **Temporary Activities**, Taupō provides a wealth of functions and events that bring people to the district, including the annual IRONMAN New Zealand, Lake Taupō Cycle Challenge, Great Lake Relay and Across the Lake Swim. Hosting these events provides substantial economic and social benefits to Taupō and the district. The supporting facilities and infrastructure (such as marquees, toilet blocks, and temporary public access restrictions*

within the Tongariro Domain) are considered temporary activities necessary to host such events. The District Plan requires fine tuning to ensure that there is a balance in terms of enabling a reasonable frequency of these events (and their economic benefits) and any associated disruption to the community.⁴

Notification and submissions

- 2.5 The 'Bundle One' group of plan changes was publicly notified on 14 October 2022. The closing date for submissions was 9 December 2022.
- 2.6 A total of 17 submissions on PC40 were received by the Council representing a total of 51 submission points.
- 2.7 A summary of submissions was prepared and subsequently notified for further submissions on 17 March 2023 with the closing date for receiving further submissions being 7 April 2023. Twelve further submissions were received from one further submitter⁵.
- 2.8 **Table 1** below provides a list of submitters to the proposed Plan Change, together with their broad positions.

Table 1: List of submitters to PC40

Submission point	Submitter	Position
OS9.3, .4	New Zealand Defence Force (NZDF)	Oppose and seek amendments to temporary activity provisions
OS12.1, .2	Laurel Burdett	Oppose building height provisions
OS17	Jennifer Molloy-Hargreaves	Support provisions as a whole
OS20.1	Byrne Family Investments Ltd	Seek amendments to building height provisions
OS29.23, .29	Waikato Regional Council	Oppose and seek amendments to provisions as a whole
OS38.3	Terry Palmer	Seek amendments to temporary activity provisions
OS40.8, .9, .6, .7, .3, .4, .5, .10, .11	Tūwharetoa Settlement Trust	Support and seek amendments to building height provisions Support service lane provisions
OS46.4	Tukairangi Trust	Oppose and seek amendments to building height provisions
OS55.2, .3	Enterprise Great Lake Taupō (trading as Amplify)	Support building height provisions Support service lane provisions
OS61.7, .4, .1, .8, .5, .6	McKenzie and Co	Support temporary activity provisions Support and seek amendments to building height provisions Support service lane provisions
OS63.6	Debs Morrison	Oppose building height provisions
OS65.5	Richard Thompson	Oppose building height provisions
OS79.5, .2, .6, .3, .4	Cheal Consultants	Support temporary activity provisions Seek amendments to building height provisions Support service lane provisions

⁴ Section 32 Evaluation Report – Taupō Town Centre Environment – Plan Change 40, undated, page 3

⁵ Town Centre Taupō Board (FS202)

OS86.1, .2, .3, .4, .7, .8, .6, .5	Town Centre Taupō Board	Support temporary activity provisions Support and seek amendments to building height provisions Support service lane provisions
OS101.5	Jane Penton - Lakes and Waterways Action Group Trust (LWAG)	Oppose and seek amendments to building height provisions
OS104.11, .12	Kainga Ora	Seek amendments to building height provisions
OS115.29, 23, .17	Te Kotahitanga o Ngati Tuwharetoa	Seek amendments to the provisions as a whole

Matters raised in submissions

- 2.9 In our observation, and without taking away from the finer detail provided in the submissions, the matters raised in those submissions to the Plan Change fall into one of more of the following categories:
- support for the PC40 provisions as a whole, support for the service lane provisions (without exception), or support for other specific provisions;
 - opposition to the building height provisions, seeking the retention of current limitations on building height and/or a further reduction in allowable building heights;
 - amendments sought to reduce the spatial extent of the Town Centre area in which increased building heights are provided for;
 - amendments sought to reduce the level of control and/or narrow the consideration of potential effects associated with increased building heights;
 - amendments sought to further increase the allowable building heights and/or increase the spatial extent of the Town Centre area in which increased building heights are provided for;
 - other matters relating to the building height provisions;
 - amendments to the temporary activity provisions to enable temporary military training activities or for other purposes; and
 - miscellaneous matters, including aspects relating to Te Tiriti and alignment with national and regional direction.
- 2.10 As indicated in a. above, the PC40 provisions, in whole or in part, attracted a reasonable degree of support in submissions. These supportive submissions are addressed in Sections 4.3.2, 4.4.8 and 4.7 of the s42A Report, where they relate to temporary activities, building heights and the Plan Change as a whole, respectively. We adopt Mr Bonis's recommendations, there, that the submissions be accepted in part (to the extent that they can be subject to further amendments that Mr Bonis otherwise recommended).
- 2.11 It is notable that submissions on the service lane provisions were all supportive, as reported in the s42A Report (Section 4.5), wherein Mr Bonis recommends (and we endorse) their acceptance. No changes to the service lane provisions as notified are consequentially recommended, and we need not consider these any further in our report. The provisions are accordingly incorporated, as they were notified, into **Appendices 3 and 4**.
- 2.12 We discuss the matters referred to in b. through h. above raised in submissions in greater detail under our key issue evaluation in **Section 3** of this report. Our identification (and

subsequent evaluation) of the key issues arising in submissions is largely based on those that remained 'live' in the sense that the Council officer did not recommend in favour of the requested relief and/or the issues concerned may have been specifically addressed in evidence from the relevant parties. In that respect, we heard from submitters Ben Westerman and Julie McLeod (Taupō Town Centre Board), Chris Marshall (Tukairangi Trust), Debs Morrison, Terry Palmer (represented by Cheal Consultants) and Jane Penton and Laurie Burdett from LWAG, as well as witnesses representing submitters NZDF and Kāinga Ora, during the course of the hearing. For ease of reference, a list of key matters is repeated at the start of **Section 3**. Accordingly, some of the matters raised in submissions feature more prominently than others in our evaluation section, but we record that all submissions on the PC40 provisions have been taken into account in our deliberations. In general, submissions in support of PC40 are not discussed but are accepted or accepted in part in that section.

- 2.13 More detailed descriptions of the submissions and key issues can be found in the relevant s42A Report and written Reply Statements, which are available on the Council's website.

Panel directions and hearing procedures

- 2.14 The Panel issued a minute (**Minute 1**) to the parties to address various administrative and substantive matters in relation procedural matters for all six plan changes⁶. This minute, and the others we issued through the course of the hearing and deliberations processes are available on Council's plan change website⁷.
- 2.15 Some minutes were in relation to all six plan changes associated with 'Bundle One' and others related specifically to PC40.
- 2.16 The website contains a list and copies of all of the Panel's minutes on the six plan changes. The following minutes are of general and/or specific relevance to PC40:

a. Minute 1 (15.06.2023) – this covered:

- i. Introduction of the hearings panel;
- ii. Procedural matters;
- iii. Date and venue of hearings;
- iv. Circulation dates for evidence before the hearing;
- v. Brief summary of the hearing process;
- vi. Panels approach to site visits;
- vii. Process for further communication and questions.

b. Minute 2 (04.07.2023) – this covered:

- i. Clarification on expert evidence and legal submissions;
- ii. Process for next steps.

c. Minute 5 (26.07.2023) – this covered:

- i. Confirmation of date by which submitters had to confirm attendance arrangements.

⁶ Minute 1 issued 15 June 2023

⁷ <https://www.taupodc.govt.nz/council/consultation/taupo-district-plan-changes-38-43>

- d. Minute 8** (08.08.2023) – this covered:
 - i. Release of a draft hearing schedule for PC40.
- e. Minute 11** (16.08.2023) – this covered:
 - i. Potential implications for the PC40 hearing schedule.
- f. Minute 13** (20.08.2023) – this covered:
 - i. General update on proceedings.
- g. Minute 16** (28.08.2023) – this covered:
 - i. Confirmation of hearing date for PC40.
- h. Minute 18** (18.09.2023) – this covered:
 - i. Confirmation of the date for the Council’s written reply for PC40.
- 2.17 The hearing of submissions on PC40 (and also PC43) took place on 11 – 12 September 2023 at the Suncourt Hotel in Taupō. We subsequently adjourned the hearing.
- 2.18 We undertook our deliberations on PC40 on 12 March 2024. In the lead up to our deliberations, the following reports and evidence were available to the Panel:
 - a. Overarching s42A Report for Plan Changes 38-42, prepared by Council Planner, Hilary Samuel, dated 3 July 2023;
 - b. The s42A Report for PC40, prepared by Consultant Planner, Matt Bonis, dated 10 July 2023, and incorporating the evidence of Tim Heath (economics), David-Compton-Moen (urban design) and Damien Ellerton (acoustics);
 - c. Evidence on behalf of NZDF from Rebecca Davies (planning) and Darran Humpheson (acoustics) dated 9 August 2023;
 - d. Evidence on behalf of Kāinga Ora from Brendon Liggett (corporate) dated 8 September 2023;
 - e. Speaking notes of the Lakes and Waterways Action Group Trust; and
 - f. A response to Panel requests and submitters at hearing prepared by the s42A Report author, Mr Bonis, dated 31 October 2023, and recommended amendments to PC40, a reply statement from Mr Compton-Moen (urban design – inclusive of shading diagrams), and a memorandum from Mr Heath (economics).
- 2.19 All of the above material can be found on the Council web page for PC40.
- 2.20 We undertook site familiarisation visits to the Taupō Town Centre prior to the commencement of the hearing and supplemented those visits with specific visits following the adjournment of the hearing.
- 2.21 No pre-hearing conferences, formal clause 8AA meetings or expert witnesses conferencing were directed by us or otherwise held in relation to submissions on PC40.
- 2.22 There were no procedural matters that we were obliged to make a determination on during the course of the PC40 hearing. Having said that, we record that Mr Bonis did address a number of relatively minor matters arising from questions from the Panel in his Reply Statement. In addition to those matters he also further addressed the scope of certain

submissions in his s42A Report and in his Reply Statement, and we accept his conclusions in that regard⁸.

⁸ *Section 42A Report on Submissions and Further Submissions – Taupō Town Centre Environment*, 10 July 2023, Section 3 and *Reply to Panel Questions and Response to Submitters at Hearing – Taupō Town Centre Environment*, 31 October 2023, paras 39 to 47

3. Evaluation of key issues

Preamble

- 3.1 For the purpose of this Section, we have grouped our discussion based on common, key issues raised in submissions that may have been addressed in evidence from the relevant parties, rather than assessing each issue on a submitter-by-submitter basis.
- 3.2 Drawn from the matters summarised in paragraph 2.9 of this report, the following key issues remain 'live' for our evaluation:
- a. requests to **decline the building height provisions** and/or a **further reduce allowable building heights** ('Issue 1');
 - b. amendments sought to **reduce the spatial extent** of the Town Centre area in which increased building heights are provided for ('Issue 2');
 - c. amendments sought to **reduce the level of control and/or narrow the consideration of potential effects** associated with increased building heights ('Issue 3');
 - d. amendments sought to further **increase allowable building heights** and/or **increase the spatial extent** of the Town Centre area in which increased building heights are provided for ('Issue 4');
 - e. **other matters** relating to the building height provisions ('Issue 5');
 - f. amendments to the **temporary activity provisions** to enable temporary military training activities or for other purposes ('Issue 6'); and
 - g. **miscellaneous matters**, including aspects relating to Te Tiriti o Waitangi and alignment with national and regional direction ('Issue 7').
- 3.3 We provide our evaluation in further detail in relation to each of these issues in the following sub-sections.

Issue 1: Decline building height provisions and/or further reduce allowable building heights

Overview

Provision(s)	Panel recommendations
N/A	• No change

Amendments and reasons

- 3.4 As noted in paragraph 2.9 of this report, a number of submitters were opposed to PC40 on the basis that the provisions relating to increased building heights should be declined or delayed and/or that the operative TDP height provisions should be retained. Submitters were mainly concerned that increased height would adversely affect the character of Taupō through the loss of lake and mountain views, shadow casting, traffic congestion and the like.
- 3.5 In his s42A Report Mr Bonis addressed these concerns with reference to the evidence and analyses of Mr Heath and Mr Compton-Moen. He took (and we take) comfort from the opinions of those experts, respectively, that height increases will result in:
- a. increased floorspace capacity, but that this is likely to be taken up by non-retail related uses which place limited demand on the transport network; and
 - b. increases in building mass, that will be appropriately moderated by the proposed urban design controls.
- 3.6 We heard no expert evidence on behalf of submitters to counter the position of these Council witnesses at the hearing. Accordingly, we accept Mr Bonis's recommendation that the submissions concerned should be declined⁹.
- 3.7 We note further that at the hearing representatives of LWAG presented their oral submission and some helpful photos to effectively illustrate their points. They requested the imposition of an 8m height limit on buildings fronting Roberts Street. We did ask Mr Bonis to provide further consideration as to the scope of this request and whether it was 'on' PC40 given that the Plan Change was focused on proposing an increase in height limits above (and not below) the operative TDP provisions. We accept Mr Bonis's conclusion that LWAG's submission provides the necessary scope to consider the request; however, we also agree that the Council officer that the relief sought should not be granted for the reasons outlined above¹⁰.
- 3.8 For LWAG's benefit, nevertheless, we draw its attention to our recommendation to impose a lower (12m) height limit for properties fronting Roberts Street than is provided for elsewhere in the Town Centre Environment, in order to ensure an appropriate balance between access to solar gain and facilitating reinvestment and development (refer paragraphs 3.25 to 3.28 in this report). We also note with favour Mr Bonis's observations regarding the lack of a clear rationale for the addition of explicit urban design controls beyond those considerations otherwise proposed and already embedded in PC40, as notified¹¹.

⁹ Section 42A Report on Submissions and Further Submissions – Taupō Town Centre Environment, 10 July 2023, Section 4.4.3 and Reply to Panel Questions and Response to Submitters at Hearing – Taupō Town Centre Environment, 31 October 2023, paras 51 to 54

¹⁰ Reply to Panel Questions and Response to Submitters at Hearing – Taupō Town Centre Environment, 31 October 2023, paras 19 to 27

¹¹ Ibid, paras 55 to 65

Issue 2: Reduce spatial extent of area in which building height provisions apply

Overview

Provision(s)	Panel recommendations
N/A	No change

Amendments and reasons

- 3.9 Very much related to LWAG's submission seeking a lower 8m height limit (refer 'Issue 1' above), was its request that multi-storey buildings be limited to an area at least two blocks back from the lake frontage, together with the addition of performance standards establishing additional requirements for new builds relating to parking for active modes, planting and rainwater harvesting.
- 3.10 Mr Bonis drew on the evidence of Mr Heath and Mr Compton-Moen in recommending the rejection of this submission on the grounds that restrictions on multi-storey buildings and additional performance standards would inhibit private investment and ignore recent public investments in Town Centre amenity and otherwise lacked specificity¹². We agree, in concluding that no amendments to the building height provisions are warranted in response to this submission.

Issue 3: Reduce level of control and/or narrow consideration of potential effects associated with building height provisions

Overview

Provision(s)	Panel recommendations
N/A	No change

Amendments and reasons

- 3.11 As noted in paragraph 2.9 of this report, a number of submitters challenged the urban design purpose of Rule 4g.1.10 and sought changes to it that would have the effect of enabling buildings up to the height limit specified without a requirement for resource consent and an attendant ability for Council to bring to bear considerations relating to urban design¹³.
- 3.12 Mr Bonis explained the collective purpose of Rules 4g.1.9 and 4g.1.10 as notified as being to create a restricted discretionary activity pathway for building proposals above a three-storey threshold but within the maximum heights otherwise specified. Rule 4g.4.10 goes on to preclude public or limited notification of applications relating to such breaches of the three-storey threshold, so long as the maximum heights applying to the Overlay otherwise specified are complied with. Matters of discretion available to the Council in such circumstances are limited to those set out in Rule 4g.4.13 relating to urban design. On the other hand, where a building proposal looks to exceed the height limited otherwise specified, the notification preclusion does not apply and 'all bets are off' in terms of the outcomes of a notification assessment¹⁴.

¹² Section 42A Report on Submissions and Further Submissions – Taupō Town Centre Environment, 10 July 2023, Section 4.4.6

¹³ *Ibid*, paras 133 to 136

¹⁴ *Ibid*, paras 137 to 139 and 158

- 3.13 It has taken us some time to understand the intended workings of the rules as they are not entirely clear on their face. Our understanding is that the Council appears intent on incentivising height increases by precluding notification so long as the proposals concerned fall within the height range 'band' represented by the three-storey threshold and the specific building height limits specified for the Overlay. It is important to note that this incentivisation is limited; resource consent is still required for any proposal above three stories, and applications will still be assessed as a restricted discretionary activity, so that urban design considerations can be brought to bear.
- 3.14 Moving on from the mechanics of the rules, Mr Bonis indicated he was opposed to the reliefs sought as they would preclude the ability to consider and promote good urban design. He did not consider the consent status or matters of discretion to be especially onerous and he considered that Council needed to retain ability to decline applications for consent, thereby precluding the option of adopting a controlled activity consent status¹⁵. In the absence of any technical evidence to the contrary we are obliged to accept Mr Bonis's conclusions that no amendments in response to these submissions are warranted together with his recommendation that they be rejected on that basis¹⁶.
- 3.15 Before we turn our minds to the next distinct issue, there is a further matter related to the notification clause referred to above that it makes sense for us to deal with here. The clause attracted a couple of submission points in opposition from the same party¹⁷. The submitter was concerned that, in precluding notification, the clause (4g.1.10(ii)) removes the ability of genuinely affected parties to be involved in the consent process, and that notification should not be dispensed with arbitrarily.
- 3.16 Having considered this matter carefully, we find ourselves in agreement with Mr Bonis who concluded that the benefits associated with the notification approach outweighed the costs and squared with relative TDP objectives and policies seeking to 'encourage' the development of the Town Centre. The identified benefits revolve around increased certainty for landowners and prospective developers over the consent process in turn incentivising reinvestment and redevelopment of Town Centre properties. Considerations around urban design and development context are still able to be brought to bear in that process, albeit via inputs from Council experts as opposed to the wider community¹⁸. We agree, therefore, that no further amendments to PC40 are warranted with respect to this matter.

Issue 4: Increase allowable building heights and/or spatial extent of area in which building height provisions apply

Overview

Provision(s)	Panel recommendations
Explanation to Objective 3s.2.2	Amend Explanation to refer to the variable building height limits referred to below.
Planning Maps	Amend Taupō Town Centre Environment Height Overlay to replace 12m Height Overlay with 15m Height Overlay on sites fronting Ruapehu and Te Heuheu Streets where shown below.

¹⁵ *Ibid*, paras 140 to 147

¹⁶ *Ibid*, para 148

¹⁷ Tūwharetoa Settlement Trust (OS40.8 and OS40.9)

¹⁸ Section 42A Report on Submissions and Further Submissions – Taupō Town Centre Environment, 10 July 2023, Section 4.4.5

- Amend Taupō Town Centre Environment Height Overlay to replace 12m Height Overlay with 18m Height Overlay on sites fronting Tūwharetoa and Tongariro Streets where shown below.
- Retain 12m Height Overlay on sites fronting Roberts Street where shown below.



Amendments and reasons

- 3.17 PC40 drew submissions from parties either seeking to increase or ‘upzone’ the allowable height limit to 18m (the equivalent of six stories)¹⁹ or seeking a ‘split’ or graduated approach involving the imposition of 18m and 15m height limits to the west and east of Ruapehu Street, respectively²⁰. In both cases, the requests would involve the blanket application of the increased height limits across the entire Town Centre Environment, an area considerably broader than that represented by the Taupō Town Centre Environment Height Overlay. Essentially, as Mr Bonis observed, the reliefs sought involve adjusting the ‘two levers’ of building height and spatial extent²¹.
- 3.18 In his s42A Report, Mr Bonis considered these requests with reference to the evidence and analysis of Mr Heath and Mr Compton-Moen²². On that basis, Mr Bonis’s common position in relation to the two requests can be summarised as follows:

¹⁹ Bryne Family Investments Ltd (OS20.1) and Town Centre Taupō Board (OS86.3, OS86.4, OS86.7 and OS86.8)

²⁰ Kāinga Ora (OS104.11 and OS104.12)

²¹ Section 42A Report on Submissions and Further Submissions – Taupō Town Centre Environment, 10 July 2023, para 192

²² *Ibid*, Section 4.4.7

- a. would not provide for coordinated and compact approach to redevelopment and reinvestment in the Town Centre Environment;
 - b. could lead to incremental and spatially disparate redevelopment, built form and massing and fail to achieve a sense of enclosure, legibility or intensity;
 - c. could lead to a reduced consolidation of office activities;
 - d. could lead to a mismatch between the location of higher buildings and public investment in higher amenity areas associated with the 'pedestrian core' and adjoining the Domain;
 - e. could incentivise the redevelopment of 'fringe' areas over the core, given the low-density built form associated with the former;
 - f. would not implement TDP Objective 3s.2.2 relating to the Town Centre Pedestrian Precinct and other strategic goals relating to built form and circulation; and
 - g. represented a less efficient and effective approach to achieving relevant TDP objectives and policies²³.
- 3.19 We note that Mr Bonis did not resile from this position having heard evidence from one of the submitters concerned²⁴.
- 3.20 Having reached this position, Mr Bonis then took the opportunity in his s42A Report to consider the benefits of a more 'nuanced' alternative to the requests sought, but remaining within scope of those requests²⁵. Following discussions with Mssrs Heath and Compton-Moen, Mr Bonis lighted on two alternatives for further evaluation.
- 3.21 Both alternatives involved increased height limits, but only within a smaller area bound by Roberts, Tongariro and Te Heuheu Streets and with frontage to Ruapehu Street (i.e. within the same area as notified). On this score, Mr Bonis agreed with the Council experts that some degree of compression or consolidation of denser development was necessary to achieve an active and vibrant Town Centre.
- 3.22 The first option involved a uniform 18m height limit within this block; the second option a series of tiered heights for sites fronting Roberts Street (12m), Tuwharetoa Street (18m) and Te Heuheu Street (12m again). Following his evaluation, Mr Bonis indicated that he favoured the second ('tiered approach') option as the more appropriate alternative based on it:
- a. better accommodating the character and amenity of the receiving environment;
 - b. ensuring a higher degree of sunlight access;
 - c. representing a more modest extent of built form massing towards the lakefront;
 - d. integrating with the extent of massing further to the north of Te Heuheu Street; and
 - e. more efficiently and effectively achieving TDP objectives and policies that seek to maintain and enhance the character and amenity of the Town Centre Environment.
- 3.23 On this basis, Mr Bonis recommended the amendment of the Planning Maps to reflect the tiered approach, as illustrated in **Figure 3** on the following page. He also recommended amendments to the Explanation for Objective 3s.2.2 to account for the change in approach.

²³ *Ibid*, paras 171 to 191

²⁴ *Reply to Panel Questions and Response to Submitters at Hearing – Taupō Town Centre Environment*, 31 October 2023, paras 48 to 50

²⁵ *Section 42A Report on Submissions and Further Submissions – Taupō Town Centre Environment*, 10 July 2023, paras 192 to 201

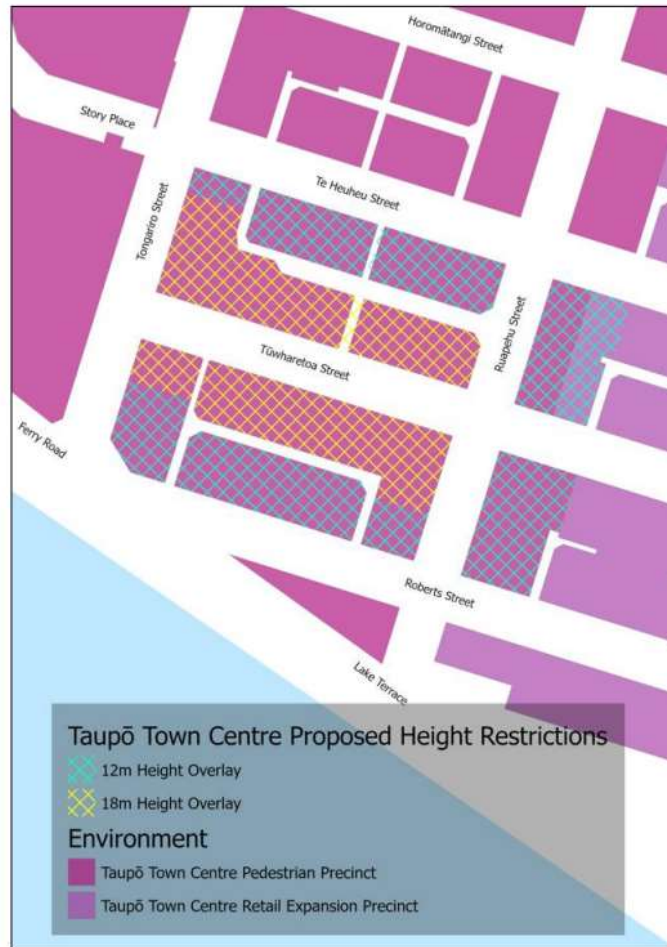


Figure 3: Taupō Town Centre Environment Height Overlay as amended in s42A Report (Source: s42A Report)

- 3.24 In his evidence on behalf of submitter Kāinga Ora, Mr Liggett indicated the agency’s general support for Mr Bonis’s recommendations as to a modified, tiered approach to setting building heights over a more spatially constrained area than originally sought, but requested that the 12m height limit be amended to 15m to accommodate a greater range of developments including those featuring mezzanine floors²⁶.
- 3.25 Prompted by Mr Liggett’s evidence, Mr Bonis returned to a consideration of options in his Reply Statement²⁷. There, he reported on the outcomes of an evaluation of options as follows:
- a. a series of tiered heights for sites fronting Roberts Street (12m), Tuwharetoa Street (18m) and Te Heuheu Street (15m; thereby differentiated from the option previously described in paragraph 3.22 above); and
 - b. a series of tiered heights for sites fronting Roberts Street (15m), Tuwharetoa Street (18m) and Te Heuheu Street (15m) - Kāinga Ora’s preference;
- 3.26 For the record, Council officers had selected the first option based on an acknowledgement that a 15m height limit would offer significant development flexibility albeit retaining reservations as to the extent of shading associated with massing of buildings along Roberts Street.

²⁶ Statement of Primary Evidence of Brendon Scott Liggett on behalf of Kāinga Ora – Homes and Communities (Corporate), 8 September 2023, Section 6

²⁷ Reply to Panel Questions and Response to Submitters at Hearing – Taupō Town Centre Environment, 31 October 2023, paras 72 to 76

- 3.27 Mr Bonis concluded, and we agree, that on balance the option described in a. above was most efficient and effective and best achieved the relevant TDP objectives and policies, accounting for results of further shading analysis pertaining to Roberts Street²⁸.
- 3.28 We accept and adopt the recommendations of Council officers and the accompanying s32AA evaluation in the above respects. We find that the final, nuanced tiered approach represents the best balance that can be achieved between an uplift in building heights and an incentivization to redevelopment while maintain the character and amenity of the Town Centre Environment. The height limits as represented in **Figure 4** below are those we recommend the adoption of as set out in **Appendices 3 and 4**.



Figure 4: Taupō Town Centre Environment Height Overlay as amended in Reply Statement and as recommended for adoption by the Panel (Source: Reply Statement)

²⁸ *Ibid*, paras 17 to 18

Issue 5: Other matters relating to building height provisions

Overview

Provision(s)	Panel recommendations
New provisions	• Insert a new performance standard (4g.1.11) relating to a minimum ground floor stud height of 3.5m, inclusive of a notification statement.
New provisions	• Insert new assessment criteria (4g.4.14) relating to situations where the minimum ground floor stud height standard above is exceeded.

Amendments and reasons

- 3.29 In his evidence on behalf of Kāinga Ora, Mr Liggett drew our attention to what he considered to be a weakness in the building height provisions as notified, in that they define maximums in terms of building stories (three) and also building height (12m or 18m or otherwise). He considered the former to be ambiguous and uncertain given that it remains undefined in the TDP.
- 3.30 Mr Liggett suggested that the metrics employed needed to account for evaluated floor-to-floor heights associated with commercial buildings, particularly on the ground floor, and also inter-floor service requirements (such as wiring and plumbing) and roof modulation. While he acknowledged that a 'storey' based control provided developers with greater flexibility, when the above considerations were accounted for, it effectively brought building heights too close to the proposed 12m maximum and therefore raised the question as to how much more development could be achieved within such a narrow or (non-existent) range. Mr Liggett requested that the 'three-storey' standard be amended to specify a 11m height limit plus 1m allowance for pitched roofs to support the practical establishment of three-storey buildings in the Town Centre²⁹.
- 3.31 In response, Mr Bonis considered that the 'split' approach to specifying maximum storeys across the entire Town Centre Environment and building heights within the Town Centre Environment Overlay reflected a grounding of the former during the original hearings on those provisions and the focus of PC40 on admittedly more measurable and certain metrics.
- 3.32 Prompted by Mr Liggett's evidence, we nevertheless asked Council officers to consider options for specifying height levels further. Specifically, we asked them to consider the following options:
- a. Option 1 - Maximum height in metres in conjunction with explicit requirements for a floor to ceiling at grade minimum level, and explicit requirements for minimum loft level heights for floors above grade.
 - b. Option 2 - Maximum height in metres in conjunction with explicit requirements for a floor to ceiling at grade minimum level.
 - c. Option 3 - Maximum height in metres in conjunction with an explicit limit as to the number of floors to ensure that there is an appropriate floor to ceiling ratio between levels.
- 3.33 Mr Bonis reported on the outcomes of this evaluation in his Reply Statement³⁰. He concluded that while additional controls on loft levels above grade were not required as the benefits of

²⁹ Statement of Primary Evidence of Brendon Scott Liggett on behalf of Kāinga Ora – Homes and Communities (Corporate), 8 September 2023, Section 5

³⁰ Reply to Panel Questions and Response to Submitters at Hearing – Taupō Town Centre Environment, 31 October 2023, paras 32 to 37

regulation did not outweigh the costs, an explicit requirement relating to minimum ground floor stud height had material economic, social and design benefits that outweighed the costs associated with regulation. He favoured Option 2 above accordingly.

- 3.34 We accept his findings with reference to the accompanying s32AA evaluation, and adopt his recommendation that a new performance standard relating to minimum ground floor stud height (4g.1.11) together with associated assessment criteria (4g.4.14) be incorporated in PC40, as set out in **Appendices 3 and 4**.
- 3.35 In his Reply Statement, Mr Bonis also responded to a request from us during the course of the hearing as to whether there was sufficient 'wiring' within the TDP between Objective 3s.2.2 which seeks to maintain and enhance the character and amenity of the Taupō Town Centre Environment, and the amended height provisions as recommended by him³¹.
- 3.36 Mr Bonis provided a helpful 'wiring' diagram in response linking the objective and associated policies to the relevant rules, and on that basis, concluded that sufficient policy 'hooks' were in place. He did suggest that were we of the view that greater specificity was nonetheless required, there was scope afforded by both PC40 and submissions, to amend Policy 3s.2.2(ii)(a) to reference the 'tiered approach' that by then he had landed on.
- 3.37 We appreciate Mr Bonis's suggestion in this regard, but we take his point that such a level of specificity would be unusual in the TDP and we find that his suggested wording would introduce elements of a 'method' into a policy which, when considered alongside the resulting provisions and adopted amendments to the Explanation for Objective 3s.2.2³², is sufficiently clear on its face. We therefore decline to accept his suggestion.

Issue 6: Amend temporary activity provisions

Overview

Provision(s)	Panel recommendations
Rule 4g.2.2	- Amend the chapeau to the rule relating to temporary activities to provide for eight operational days in any one calendar year as a permitted activity. - Amend clause iii. to the rule to provide for 28 non-operational days in any one calendar year as a permitted activity. - Add a new clause iv. to the rule that provides a definition for 'temporary activities'. - Add a new clause v. to the rule that specifies that the noise level arising from any temporary activity (excluding non-operational days) measured within the boundary of any property in the Residential Environment shall not exceed the frequency of occurrence or noise limits set out in Table 4g.2.2 as below. - Add a new clause vi. to the rule that indicates that noise shall be measured in accordance with the

³¹ *Ibid*, paras 8 to 14 and 38

³² Refer paragraph 3.23 in this report.

Provision(s)	Panel recommendations
	relevant New Zealand Standard subject to specific exceptions. • Add a new Table 4g.2.2. setting out noise, duration and frequency criteria for temporary activities.

Amendments and reasons

3.38 As noted in paragraph 2.9 of this report, submitters sought amendments to the temporary activity provisions to either:

- a. enable temporary military training activities of up to 31 days duration excluding set-up or pack down³³; or
- b. for other purposes, namely:
 - i. to limit the increased provision for temporary activities to the Town Centre Environment and further limit provision for same in other environments, below that provided for in the operative TDP³⁴; and
 - ii. following consideration of linkages between the provisions and those in the TDP relating to noise, odour and loading / parking³⁵.

3.39 Mr Bonis addressed the request to enable temporary military training activities (TMTA) in his s42A Report³⁶. There, and with reference to the evidence of Mr Ellerton on acoustics, he formed the view that NZDF's submission should be rejected on the grounds that, in summary:

- a. various TMTA inclusive of 'improvised explosive device disposal exercises' would be incongruous and not be appropriately conducted within the Town Centre Environment;
- b. whereas, other more 'benign' TMTA such as classroom training and search and rescue would already be enabled by the TDP;
- c. to amend Policy 3s.2.1(iii) in the manner sought by NZDF would be to create an internal policy inconsistency in that enabling a full range of TMTA not considered 'community focused events' would neither contribute to wider 'economic or social wellbeing' nor account for 'surrounding amenity values' as otherwise provided for in the policy as amended, at notification of the Plan Change;
- d. the requested amendments provided no cumulative limit to TMTA activities;
- e. proffered restraints on weapons firing and helicopter landings were not commensurate with amenity and character expectations relating to the Town Centre Environment;
- f. broadly speaking, constraints on TMTA in comparable district plans were more restrictive than those sought in the NZDF submission; and
- g. overall, the costs ascribed to the TDP provisions as amended by NZDF outweighed the benefits.

3.40 Mr Bonis recommended rejection of the submission on that basis. We understand that it is the expectation of Council officers that matters relating to provision for TMTA would be re-examined on a district-wide basis as part of a programmed District Plan Review.

³³ Submissions OS9.3 and OS9.4

³⁴ Submission OS38.3

³⁵ Submission OS79.5

³⁶ Section 42A Report on Submissions and Further Submissions – Taupō Town Centre Environment, 10 July 2023, paras 71 to 88

- 3.41 We heard from Ms Davies (on planning) and Mr Humpheson (on acoustics) in support of NZDF's submission during the course of the hearing. Ms Davies reiterated NZDF's preference that TMTA provisions should be placed in a district-wide chapter as opposed to being distributed across all relevant Environments, but that amendments to the Town Centre Environment provision were warranted as an interim measure. She acknowledged that various benign TMTA would be able to occur as a permitted activity and gave some examples of TMTA that she considered did include a community element, such as open days and recruitment activities³⁷. In his evidence Mr Humpheson presented revised noise standards relating to weapons firing, the use of explosives, mobile and fixed sources and helicopter landings for our consideration³⁸.
- 3.42 Mr Humpheson's proffered standards were predicated separation distances from 'noise sensitive activities'. Tellingly, Mr Bonis found, on the basis that such activities would include residences and guest accommodation in the Town Centre Environment, that compliance with those standards would preclude the relevant TMTA activities occurring in the extensive areas identified in **Figure 5** below without a consent (with, we would add, no guarantee of grant).



Figure 5: Separation distances to sensitive activities (Source: Reply Statement)

- 3.43 On this basis, we concur with Mr Bonis that the amendments sought by the NZDF are neither effective in achieving the Plan provisions, nor efficient in considering their social and wellbeing costs³⁹. In our view, explicit provision for TMPA properly awaits the forthcoming, full District Plan review.
- 3.44 Turning now to the remaining matters raised in submissions and relating to temporary activities as summarised in paragraph 3.38 a. and b. above, Mr Bonis relied on the evidence of Mr Ellerton who identified that the operative provisions could result in unintended consequences, as follows:

³⁷ Statement of Evidence of Rebecca Davies on behalf of the New Zealand Defence Force – Submitter OS9, 9 August 2023, paras 29 to 32 and 39

³⁸ Statement of Evidence of Darran Humpheson on behalf of the New Zealand Defence Force – Submitter OS9, 9 August 2023

³⁹ Reply to Panel Questions and Response to Submitters at Hearing – Taupō Town Centre Environment, 31 October 2023, paras 66 to 71

- a. as 'temporary activities' are not defined in the TDP it is not clear that Council intends that the provisions do not apply to continued day-to-day trading; for example, to a series of late-night events associated with a permanent activity such as a bar; and
- b. the absence of some constraints around acceptable noise limits could result in adverse effects on nearby Residential Environments⁴⁰.

3.45 To address these issues, Council officers recommended the following:

- a. amendment of the chapeau to the rule relating to temporary activities to provide for eight operational days in any one calendar year as a permitted activity;
- b. amendment of clause iii. to the rule to provide for 28 non-operational days in any one calendar year as a permitted activity.
- c. addition of a new clause iv. to the rule that provides a definition for 'temporary activities'.
- d. addition of a new clause v. to the rule that specifies that the noise level arising from any temporary activity (excluding non-operational days) measured within the boundary of any property in the Residential Environment shall not exceed the frequency of occurrence or noise limits set out in Table 4g.2.2 as below.
- e. addition of a new clause vi. to the rule that indicates that noise shall be measured in accordance with the relevant New Zealand Standard subject to specific exceptions.
- f. addition of a new Table 4g.2.2. setting out noise, duration and frequency criteria for temporary activities⁴¹.

3.46 We accept Mr Bonis's conclusion that, in s32AA terms, the suite of recommended amendments better achieves the TDP objectives relating to the maintenance and enhancement of character and amenity and the role and function of the Town Centre. We further agree with Council officers that the amended provisions also recognise and provide for proximate residential amenity and note with favour that the recommended noise thresholds are based on the outcomes of monitoring a number of successful, consented events.

3.47 Finally, we agree with Mr Bonis that the submission from Mr Palmer provides sufficient scope for the amendments as recommended⁴².

Issue 7: Miscellaneous matters

Overview

Provision(s)	Panel recommendations
N/A	• No change

Amendments and reasons

3.48 As a final note, we record that PC40 attracted a number of broad submissions on 'miscellaneous' topics, comprising requests that:

- a. Plan Change 1 to the Waikato RPS be given regard to;

⁴⁰ Section 42A Report on Submissions and Further Submissions – Taupō Town Centre Environment, 10 July 2023, paras 89 to 96

⁴¹ Ibid, paras 97 to 105 and Attachment B

⁴² Reply to Panel Questions and Response to Submitters at Hearing – Taupō Town Centre Environment, 31 October 2023, paras 39 to 47

- b. PC40 be updated to the plan format dictated by the National Planning Standards 2019;
 - c. PC40 be amended to reflect the wording of the Natural and Built Environment and Spatial Planning Acts 2023;
 - d. A 'second bridge' across the Waikato River not be catered to;
 - e. PC40 be amended to reflect the principles of Te Tiriti o Waitangi; and
 - f. PC40 be amended to recognize and provide for Te Kaupapa Kaitiaki outcomes.
- 3.49 We agree with the conclusions Mr Bonis reached in his s42A Report with respect to these submissions, to the effect that, for the reasons outlined there, no further need for amendments to the Plan Change was identified⁴³.

⁴³ Section 42A Report on Submissions and Further Submissions – Taupō Town Centre Environment, 10 July 2023, Sections 4.6.1 and 4.6.2

4. Statutory considerations

Summary of statutory requirements

- 4.1 The statutory requirements for the preparation and consideration of the contents of a District Plan are set out in s31, 32, and 72-77D of the RMA.
- 4.2 In *Colonial Vineyard Ltd v Marlborough District Council*⁴⁴, the Environment Court updated the framework of matters to be evaluated when preparing a plan, albeit by reference to the version of the RMA that applied prior to 3 December 2013. The RMA has been amended a number of times since that date, the most relevant for our purposes being the substantial rewriting of s32 and the introduction of s32AA and the National Planning Standards 2019. Other minor amendments to words and phrases have also been made.
- 4.3 In these circumstances we prefer to set out the statutory requirements that we consider apply specifically to the preparation and consideration of PC40, drawing on *Colonial Vineyard*, where it is appropriate to do so, but supplementing as necessary where amendments have been made.

Part 2 of the RMA

- 4.4 The Act's purpose and principles are set out in Part 2 of the Act.
- 4.5 Section 5 explains that the Act's purpose is to promote the sustainable management of natural and physical resources.
- 4.6 The Panel accepts and adopts the initial evaluation of Part 2 matters in the s32, and the subsequent changes to PC40 recommended by the s42A Report and Reply Statements reflect the importance of Part 2 of the RMA specifically, sections 5 and 7 (b), (c) and (f).
- 4.7 Furthermore, there was no evidence before us to suggest there are areas of invalidity, incomplete coverage or uncertainty in the relevant plans or intervening statutory documents such that any detailed evaluation of Part 2 is required.

Council's function and purpose of PC40

- 4.8 The Council has extensive functions under s31 of the RMA for the purpose of giving effect to the Act's sustainable management purpose, as follows:

(1) Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:

(a) The establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district (s31(1)(a)).

(aa) The establishment, implementation, and review of objectives, policies and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district (s31(1)(aa)).

(b) The control of any actual or potential effects of the use, development, or protection of

⁴⁴ ENV-2012-CHC-108, [2014] NZEnvC 55

land, including for the purpose of –

- (i) the avoidance or mitigation of natural hazards; and*
- (ii) [repealed]*
- (iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:*
- (iii) the maintenance of indigenous biodiversity (s31(1)(b)):*

(c) [repealed]

(d) the control of the emission of noise and mitigation of the effects of noise (s31(1)(d)):

(e) the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes (s31(1)(e)):

(f) any other functions specified in this Act (s31(1)(f)).

(g) The methods used to carry out any functions under subsection (1) may include the control of subdivision (s31(2)).

- 4.9 As noted in paragraph 2.4 of this report, the primary purpose of PC40 is to improve the workability of the Town Centre Environment provisions with respect to building heights, verandah provision and temporary activities. In part, the first purpose (relating to building heights) will assist the Council in meeting its obligations under the NPS-UD and requirements under the RMA in providing sufficient industrial (business) land supply over the long term; thereby going to the Council's functions with respect to the provision of business land covered under s31(1)(aa).
- 4.10 It should be clear from our consideration of the key issues in **Section 3** of our report that the final, recommended form of PC40 also addresses the functions of the Council in relation to preventing or mitigating adverse effects (s31(1)(b)(iia)) and the control of the emission of noise and mitigation of the effects of noise (s31(1)(d)).

Relevant District Plan policy considerations

- 4.11 We have also given consideration to PC40 consistency with s75(1) of the RMA, which requires a District Plan to state the objectives for the District, any policies to implement the objectives, and the rules (if any) to implement the policies.
- 4.12 The Panel has been mindful throughout the hearings process that there was consistency between the provisions of PC40 and the Strategic Direction objectives and policies proposed for inclusion in the District Plan by way of Plan Change 38. We accept and adopt Mr Bonis's finding that the amendments incorporated into PC40 align with the achievement of the relevant Strategic Direction objectives and policies⁴⁵.
- 4.13 PC40 seeks to amend one operative TDP policy; being Policy 3s.2.1.iii.. The s42A Report contains a detailed assessment of PC40 against the relevant TDP objectives and policies⁴⁶. This assessment finds that PC40 will assist in achieving TDP objectives and related policies with respect to the Taupō Town Centre. We accept and adopt these findings.

⁴⁵ Section 42A Report on Submissions and Further Submissions – Taupō Town Centre Environment, 10 July 2023, Section 2.7

⁴⁶ *Ibid*, Section 2.6

National Policy Statements

- 4.14 When Bundle One Plan Changes were notified on 14 October 2022, the following National Policy Statements (NPSs) were in force:
- NPS for Renewable Electricity Generation 2011 (NPS-REG);
 - New Zealand Coastal Policy Statement 2010 (NZCPS);
 - NPS on Electricity Transmission 2008 (NPS-ET);
 - NPS for Freshwater Management 2020 (NPS-FM); and
 - NPS on Urban Development 2020 (NPS-UD).
- 4.15 By virtue of s75(3) of the RMA, PC40 is required to give effect to the provisions of these documents, where relevant. We accept that the NZCPS has no relevance to the Taupō District. It is also reasonable to conclude that PC40 has no particular relevance where the NPS-REG, NPS-ET and NPS-FM are concerned.
- 4.16 On the evidence of Mr Bonis and Mr Heath, it is evident that PC40 would contribute to a 'well-functioning urban environment' as defined in NPS-UD Policy 1 and, while not required to satisfy the requirements of Policies 2 and 5, would align with their intent (particularly where increased building heights are concerned).
- 4.17 For completeness, we note that while the National Policy Statement on Highly Productive Land 2022 (NPS-HPL) and National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB) came into force after the notification of the Plan Change Bundle they are not relevant with respect to PC40.

The Regional Policy Statements

- 4.18 As with the NPS, the Regional Policy Statements (RPS) must be given effect to by PC40. Four relevant RPS apply in relation to the Taupō District; however, the Town Centre Environment that is the focus of PC40 is located in the Waikato Region and therefore only the Waikato RPS (inclusive of Plan Change 1) is relevant where PC40 is concerned.
- 4.19 In this regard, we accept Mr Bonis's finding that PC40 gives effect to the Waikato RPS and is consistent with the amendments to the RPS introduced by Plan Change 1⁴⁷.

National Environmental Standards

- 4.20 There are nine National Environmental Standards (NES) currently in force:
- NES for Storing Tyres Outdoors 2021;
 - NES for Freshwater 2020;
 - NES for Marine Aquaculture 2020;
 - NES for Plantation Forestry 2017;
 - NES for Telecommunication Facilities 2016;

⁴⁷ *Ibid*, Sections 2.4 and 2.5

- NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011;
 - NES for Electricity Transmission Activities 2009;
 - NES for Sources of Human Drinking Water 2007; and
 - NES for Air Quality 2004.
- 4.21 Each of these documents provides for nationally consistent management of the respective topics to which the standards relate and include technical standards and other methods. These standards will usually override provisions in a district or regional plan; however, the Act enables provisions in a plan or a resource consent to prevail in relation to certain uses and where expressly enabled by a particular NES.
- 4.22 We accept that none of the NES are relevant with respect to PC40.
- Other statutory considerations**
- 4.23 The requirement under s74 of the RMA to give regard to matters when preparing a plan extends beyond those documents referred to above to include:
- a. National Planning Standards;
 - b. management plans and strategies prepared under other Acts;
 - c. relevant entries on the New Zealand Heritage List / Rārangī Kōrero;
 - d. the plans or proposed plans of adjacent territorial authorities; and
 - e. iwi management plans.
- 4.24 The purpose of the first set of National Planning Standards that came into force in 2019 is to improve the efficiency and effectiveness of New Zealand's planning system by providing a nationally consistent structure, format, definitions, noise and vibration metrics and electronic functionality and accessibility for district and other RMA plans. The s32 Report and s42A Report relating to PC40 conclude that there is no mandatory requirement to amend the provisions to accord with the 2019 Standards and that alignment is best achieved via the forthcoming District Plan review⁴⁸. We accept that position.
- 4.25 The s32 Report includes assessments of PC40 against the *TD2050 – Growth Management Strategy* (2018) and *Taupō Long Term Plan*⁴⁹. We accept the conclusion of Council officers that PC40 broadly aligns with the intent of these management plans, to the extent that they are relevant.
- 4.26 We understand that there are no known heritage values that would be affected as a result of TDP amendments associated with PC40. The plans or proposed plans of adjacent territorial authorities are not relevant where PC40 is concerned.
- 4.27 Within the Taupō District there are the following iwi management plans:
- Central North Island Forests Iwi Collective He Mahere Pūtahitanga (2018)

⁴⁸ Section 32 Evaluation Report – Taupō Town Centre Environment – Plan Change 40, Section 2.1.2 and Section 42A Report on Submissions and Further Submissions – Taupō Town Centre Environment, 10 July 2023, paras 217 to 219

⁴⁹ Section 32 Evaluation Report – Taupō Town Centre Environment – Plan Change 40, Section 2.1.5

- Te Arawa River Iwi Trust Environmental Management Plan (2021)
- Ngāti Tūwharetoa Environmental Iwi Management Plan (2003)
- Ngati Tahu - Ngati Whaoa Iwi Environmental Management Plan: Rising above the mist - Te aranga ake i te taimahatanga (2019)
- Raukawa Environmental Management Plan: Te Rautaki Taiao a Raukawa (2015)

4.28 The s32 Report for PC40 provides an analysis of how each of the above plans have been taken into account and we accept the conclusions that report reaches that the relevant principles of the iwi management plans are appropriately accounted for⁵⁰.

4.29 Overall, the Council has demonstrated its regard to the relevant s74 matters in preparing PC40 and the Panel has also had regard to the relevant matters to the extent relevant to our role.

⁵⁰ *Ibid*, Section 2.1.4

5. Conclusions and recommended decisions

- 5.1 For the reasons summarised at appropriate points in **Section 3** above, we recommend the adoption of a set of changes to the PC40 provisions. Our recommended amendments are shown in **Appendix 3** (tracked version) and **Appendix 4** (accepted version).
- 5.2 Overall, we find that these changes will ensure that PC40 better achieves the statutory requirements and national and district level policy directions and will improve its useability.
- 5.3 Our recommended decisions, except as outlined in this report where they vary from the 42a recommendations, in terms of the acceptance or rejection of submissions are shown in **Appendix 2**.

DATED THIS EIGHTH DAY OF MAY 2024



DJ McMahon
Chair



EA Burge
Independent Commissioner



Y Westerman
Councillor

Appendix 1: Schedule of attendances

Present for the entire hearing were:

- Commissioners: David McMahon (chair), Liz Burge, Councillor Kevin Taylor.
- Taupō District Council Staff: Hilary Samuel and Haydee Wood
- Section 42a team: Matt Bonis (Planz Consulting), Tim Heath (Property Economics, Damian Ellerton (Marshall Day), David Compton-Moen (online, Urban design).

Name	Organisation	In person/online
Erin OCallaghan	Taupō District Council	In person
Nick Carroll	Taupō District Council	In person
Tanya Wood	Taupō District Council	In person
Heather Williams	Taupō District Council	Online
Kirsteen McDonald	McKenzie & Co	Online
Ben Westerman	Town Centre Taupō	In person (Submitter & speaker)
Julie McLeod	Town Centre Taupō	In person (Submitter & speaker)
David Compton-Moen	DCM Urban Design	Online
Hannah Lightfoot	Taupō District Council	Online
Jane Penton	Lakes and Waterways Action Group (LWAG)	In person (Submitter & speaker)
Chris Marshall	Tukairangi Trust	In person (Submitter & speaker)
Debs Morrison	Submitter & Speaker from the public	In person (Submitter & speaker)
Laurie Burdett	LWAG	In person
Alannah Delich	Climate Change Association	In person
Michael Richardson	Climate Change	In person
Anthea Johnson	LWAG	In person
Fiona Bramwell	Taupō District Council	Online
Deb Burton	(LWAG)	In person
Rebecca Davies	NZDF	Online (Submitter & speaker)
Darran Humpheson	NZDF Noise expert	Online (Submitter & speaker)

Appendix 2: 42A Summary table of recommendations on each submission point

Original Sub No	Submitter Name	Provision	Position	Submission Summary	Decision Sought	Recommendation	Section of s42A Report
OS9.3	New Zealand Defence Force	Plan Change 40 - Taupō Town Centre Environment > Policies	Seek amendment	The policy framework should enable TMTA and support the requested permitted activity rule	The policy framework should enable TMTA and support the requested permitted activity rule. Submitter seeks the following amendment to Town Centre Environment Policy iii: a. enabling a diverse range of temporary activities, <u>including Temporary Military Training Activities</u>, given the nature and frequency of these activities and taking into account the amenity of the surrounding environment;...	Reject	4.3.1
OS9.4	New Zealand Defence Force	Plan Change 40 - Taupō Town Centre Environment > 4g.2 Land Use Rules	Oppose	TMTA are uniquely military in nature and therefore it is appropriate for District Plans to include specific TMTA provisions to address their effects.	Submitter seeks the following amendment to 4g.3.2: 4g.2.3 <u>Any Temporary Military Training Activities are a permitted activity, provided that:</u> 1. <u>The duration is limited to a period of 31 days, excluding set-up or pack-down activities, which can occur up to one week prior to commencement and up to one week following completion of the temporary military training activity.</u> 2. <u>Compliance with the following noise standards [refer to Attachment B of this letter for complete noise standards] a. Weapons firing and/or the use of explosives</u>	Reject	4.3.1

Original Sub No	Submitter Name	Provision	Position	Submission Summary	Decision Sought	Recommendation	Section of s42A Report
					[...] b. Mobile noise sources [...] c. Fixed (stationary noise sources [...] d. Helicopter landing areas [...] Alternatively, the following wording could be incorporated into the existing rule 4g.2.2: Any temporary activity, being an activity of up to a total of three four operational days in any one calendar year six-month period, or a temporary military training activity up to 31 consecutive days, which exceeds any performance standard(s), is a permitted activity, provided that:...		
FS202.1 Sub# 9.4	Town Centre Taupō		Oppose	Oppose	Military training activities are inappropriate in the Taupō CBD environment.	Accept	4.3.1
OS38.3	Terry Palmer	Plan Change 40 - Taupō Town Centre Environment > Policies	Seek amendment	I feel it is inappropriate to increase the temporary activity rule over the district as a whole. I agree with changing the rule for town/public areas but not or private areas where people live, ie, residential, rural, rural lifestyle.	Amend this rule so that the increase only applies to the town centre environment [and perhaps industrial] and not residential, general rural, or rural lifestyle. For these private areas [residential, rural, or rural lifestyle] where people live, the current rule of 3 temporary activity days be reduced to two, one, or no temporary activity days.	Accept	4.3.1
OS79.5	Cheal Consultants	Plan Change 40 - Taupō Town Centre Environment > 4g.2 Land Use Rules	Support	This change provides more flexibility for temporary activities, although this does provide for a temporary activity to exceed any performance standard (including noise and odour, loading and access) for a period of 2.5 weeks.	Consider the linkage to noise, odour and loading/parking for the extended period now proposed.	Accept	4.3.1

Original Sub No	Submitter Name	Provision	Position	Submission Summary	Decision Sought	Recommendation	Section of s42A Report
OS55.4	Enterprise Great Lake Taupō trading as Amplify	Plan Change 40 - Taupō Town Centre Environment > 4g.2 Land Use Rules	Support	Support the increase in temporary activity rule to help support the development and operation of events and functions which bring economic benefits to the Taupō district	Retain	Accept in part	4.3.2
OS61.7	McKenzie & Co	Plan Change 40 - Taupō Town Centre Environment > 4g.2 Land Use Rules	Support	Submitter supports this provision.	Retain.	Accept in part	4.3.2
OS86.1	Towncentre Taupō Board	Plan Change 40 - Taupō Town Centre Environment > Policies	Support	Towncentre Taupō (TCT) agrees that is important to allow temporary activities on the Tongariro Domain as these increase vibrancy in the Taupō town centre. TCT would not like to see activities that compete directly with shops, restaurants, cafes and services in the Taupō town centre. TCT would not like to see activations that require road closures, which are hugely disruptive to movement around town and negatively impact trade at town centre businesses.	Retain.	Accept in part	4.3.2
OS86.2	Towncentre Taupō Board	Plan Change 40 - Taupō Town Centre Environment > 4g.2 Land Use Rules	Support	TCT believes the changes will support activation of TDC managed spaces.	Retain.	Accept in part	4.3.2
OS12.1	Laurel Burdett	Plan Change 40 - Taupō Town Centre Environment > Planning Maps	Oppose	Submitter does not support the location of the increased building heights.	Submitter seeks the transport issues be resolved before any increases in building height.	Decline	4.4.3
OS12.2	Laurel Burdett	Plan Change 40 - Taupō Town Centre Environment >	Oppose	Submitter opposes proposed building heights due to parking issues, shading and building scale.	Delay changes in building heights until transport options have been sorted then allow increased height in the town centre in	Reject	4.4.3

Original Sub No	Submitter Name	Provision	Position	Submission Summary	Decision Sought	Recommendation	Section of s42A Report
		Planning Maps			selected places, but this should be further back from the lake front and have adequate underground parking.		
FS202.2 Sub# 12.2	Town Centre Taupō		Oppose	Oppose	As per the Towncentre Taupō original submission, we support the increase in building heights and would like to see more opportunity for higher buildings across the town centre.	Accept	4.4.3
OS46.4	Tukairangi Trust	Plan Change 40 - Taupō Town Centre Environment > 4g.1.9 Maximum Building Height	Seek amendment	There needs to be stricter adherence to green building principles (construction) in any future building development in the towncentre. Reductions in concrete and steel use (unless certified as produced via 'green' processes), with a greater emphasis on new timber technology. This area should be showcasing the use of renewably grown construction timber.	There should be no increase in building heights. Increasing building heights will impact negatively on the character of Taupō. However because this will probably go ahead regardless, mitigation should be planting of tall trees to reduce the scale and harshness of taller buildings.	Reject	4.4.3
FS202.6 Sub# 46.4	Town Centre Taupō		Oppose	Oppose	As per the Towncentre Taupō original submission, we support the increase in building heights and would like to see more opportunity for higher buildings across the town centre.	Accept	4.4.3
OS63.6	Debs Morrison	Plan Change 40 - Taupō Town Centre Environment > 4g.1.9 Maximum Building Height	Oppose	Submitter has concerns around loss of unique lake and mountain vistas, shadow casting and loss of aesthetics of our rural town environment.	Amend current proposal to "Maintain 3 storey maximum limit".	Reject	4.4.3
FS202.9 Sub# 63.6	Town Centre Taupō		Oppose	Oppose	As per the Towncentre Taupō original submission, we support the increase in building heights and would like to see more opportunity for higher buildings across the town centre.	Reject	4.4.3
OS65.5	Richard Thompson	Plan Change 40 - Taupō Town	Oppose	Submitter has concerns around loss of unique lake and mountain	Amend current proposal to "Maintain 3 storey maximum	Reject	4.4.3

Original Sub No	Submitter Name	Provision	Position	Submission Summary	Decision Sought	Recommendation	Section of s42A Report
		Centre Environment > 4g.1.9 Maximum Building Height		vistas, shadow casting and loss of aesthetics of our rural town environment.	limit".		
FS202.10 Sub# 65.5	Town Centre Taupō		Oppose	Oppose	As per the Towncentre Taupō original submission, we support the increase in building heights and would like to see more opportunity for higher buildings across the town centre.	Reject	4.4.3
OS40.8	Tūwharetoa Settlement Trust	Plan Change 40 - Taupō Town Centre Environment > 4g.1.10 Taupō Town Centre Environment Height Overlay	Seek amendment	Submitter seeks deletion 4g.1.10 (i) and (ii), as it is unclear and removes ability of genuinely affected parties from being part of the consent process.	Delete 4g.1.10 (i) and (ii). 4g.1.10 Taupō Town Centre Environment Height Overlay i. Any building, or part of any building, located within the Taupō Town Centre Environment Height Overlay in the planning maps that exceeds a total height of (3) floors above ground level. ii. Any application arising from this rule shall not be limited or publicly notified.	Reject	4.4.5
FS202.4 Sub 40.8	Town Centre Taupō		Oppose	Oppose	As per the Towncentre Taupō original submission, we support the increase in building heights and would like to see more opportunity for higher buildings across the town centre. As such applications will be assessed against urban design principles and the merits of the surrounding environment, we do not believe public notification is required.	Accept	4.4.5
OS40.9	Tūwharetoa Settlement Trust	Plan Change 40 - Taupō Town Centre Environment > 4g.1.10 Taupō Town Centre Environment	Seek amendment	Submitter seeks amendment of the proposed the non-notification clause for height increase in accordance with the Taupō Town Centre Environment Height Overlays under 4g.1.10(ii) as it is not appropriate to allow	Amend the proposed the non-notification clause for height increase in accordance with the Taupō Town Centre Environment Height Overlays under 4g.1.10(ii).	Reject	4.4.5

Original Sub No	Submitter Name	Provision	Position	Submission Summary	Decision Sought	Recommendation	Section of s42A Report
		Height Overlay		genuinely affected parties to not be party to the consent process.			
FS202.5 Sub 40.9	Town Centre Taupō		Oppose	Oppose	As per the Towncentre Taupō original submission, we support the increase in building heights and would like to see more opportunity for higher buildings across the town centre. As such applications will be assessed against urban design principles and the merits of the surrounding environment, we do not believe public notification is required.	Accept	4.4.5
OS61.4	McKenzie & Co	Plan Change 40 - Taupō Town Centre Environment > 4g.1.10 Taupō Town Centre Environment Height Overlay	Seek amendment	Amend wording to simplify.	Any building within the Taupō Town Centre Environment Height Overlays should be able to develop up to the maximum height specified by the overlay, regardless of the number of floors. Having more than 3 floors but not exceeding the height limit specified by the overlay should not trigger need for resource consent.	Reject	4.4.4
FS202.8 Sub 61.4	Town Centre Taupō		Oppose	Oppose	As per the Towncentre Taupō original submission, we support the increase in building heights and would like to see more opportunity for higher buildings across the town centre. As such applications will be assessed against urban design principles and the merits of the surrounding environment, we do not believe a resource consent is required.	Accept (Although reference 4.4.7)	4.4.4
OS101.5	Jane Penton LWAG	Plan Change 40 - Taupō Town Centre Environment > 3s Taupō Town Centre	Seek amendment	Taupō is traditionally a low-rise urban landscape which is valued, we believe, by both residents and visitors. We are concerned with the adverse amenity effects of 4-story buildings on the	LWAG ask that any multi-story buildings be limited to a zone at least two blocks back from the road/lakefront in the Taupō Town Centre. LWAG also seeks inclusion performance standard	Reject	4.4.6

Original Sub No	Submitter Name	Provision	Position	Submission Summary	Decision Sought	Recommendation	Section of s42A Report
		Environment		lakeshore and their visual impact in the newly upgraded lakefront area (Robert St/Lake Tce). Also, the visual amenity from the Lake itself will be adversely affected by this development	for the provision for secure multi-use active transport parking (Ebikes, bikes, scooters etc), provisions for tree planting/vegetation, and the encouragement of incorporating vertical gardens/rooftop gardens and provision for all new builds to incorporate rainwater harvesting systems designs.		
OS79.2	Cheal Consultants	Plan Change 40 - Taupō Town Centre Environment > 4g.1.10 Taupō Town Centre Environment Height Overlay	Seek amendment	Part i of this rule doesn't say anything. In conjunction with Rule 4g.1.9 is this saying that the height limit is now 3 storeys up to 16m. Why does it matter how many storeys if there is a 16m or 12m height limit.	Combine Rules 4g.1.9 and 4g.1.10 as follows 4g.1.9 Maximum Building Height The maximum height of any building shall be as follows: i. Total Maximum height of three (3) floors above ground level. except where provided by (ii) below: ii. The maximum height of any building shall be in accordance with the Taupō Town Centre Environment Height Overlays in the planning maps. 4g.1.10 Taupō Town Centre Environment Height Overlay i. Any building, or part of any building, located within the Taupō Town Centre Environment Height Overlays in the planning maps that exceeds a total height of (3) floors above ground level. iii. Any application arising from this rule shall not be limited or publicly notified	Reject	4.4.44.4.6
OS79.6	Cheal Consultants	Plan Change 40 - Taupō Town Centre Environment > 4g.4 Assessment Criteria	Seek amendment	The assessment criteria are suitable. in light of submission point on Rules 4g.1.9 & 4g.1.10 a slight amendment is proposed	Amend: NOTE: These matters are applicable to a breach of Rule 4g.1.10 4g.1.9	Reject	4.4.4
OS20.1	Byrne Family	Plan Change 40 -	Seek	All building owners within the	Submitter seeks an amendment	Accept in part	4.4.7

Original Sub No	Submitter Name	Provision	Position	Submission Summary	Decision Sought	Recommendation	Section of s42A Report
	Investments Ltd	Taupō Town Centre Environment > 4g.1.10 Taupō Town Centre Environment Height Overlay	amendment	Taupō town centre should have the opportunity to build higher.	to allow the higher building height for the whole of the Taupō town centre.		
FS202.3 Sub 20.1	Town Centre Taupō		Support	Support	As per the Towncentre Taupō original submission, we support the increase in building heights and would like to see more opportunity for higher buildings across the town centre.	Accept in part	4.4.7
OS86.3	Towncentre Taupō Board	Plan Change 40 - Taupō Town Centre Environment > Planning Maps	Seek amendment	Towncentre Taupō does not agree with the Height Overlays in the planning map	More opportunity for higher buildings across the whole of the CBD, not just the areas indicated on the map. This would allow for a staggered approach across town rather than a row of high buildings just on Tūwharetoa Street. This would also encourage investment in areas that would be disadvantaged by the current height overlay restriction.	Accept in part	4.4.7
OS86.4	Towncentre Taupō Board	Plan Change 40 - Taupō Town Centre Environment > 4g.1.10 Taupō Town Centre Environment Height Overlay	Seek amendment	Towncentre Taupō does not agree with the Height Overlays in the planning map	More opportunity for higher buildings across the whole of the CBD, not just the areas indicated on the map. This would allow for a staggered approach across town rather than a row of high buildings just on Tūwharetoa Street. This would also encourage investment in areas that would be disadvantaged by the current height overlay restriction.	Accept in part	4.4.7
OS86.7	Towncentre Taupō Board	Plan Change 40 - Taupō Town Centre Environment > Planning Maps	Seek amendment	TCT seeks an expansion of the height overlay to encourage investment in areas that would be disadvantaged by the current height overlay restrictions. Also seeks some amendments to	Towncentre Taupō would like to see the following amendments made to Height Overlay on the planning map. 1. More opportunity for higher buildings across the whole of	Accept in part	4.4.7

Original Sub No	Submitter Name	Provision	Position	Submission Summary	Decision Sought	Recommendation	Section of s42A Report
				encourage a range of building heights.	the CBD, not just the areas indicated on the map. This would allow for a staggered approach across town rather than a row of high buildings just on Tūwharetoa Street. 2. Maximum height of 6 stories, rather than a height measurement, across the entire CBD. This would allow for buildings of different heights in the same street. 3. Buildings over 4 stories high should be subject to urban design assessment criteria to make sure there is a variation in the design of the buildings and rooflines, avoiding a flat boxy roofline.		
OS86.8	Towncentre Taupō Board	Plan Change 40 - Taupō Town Centre Environment > Section 32	Seek amendment	TCT seeks the height overlay cover the entire CBD to encourage investment in areas that would be disadvantaged by the current height overlay restrictions. Also seeks some changes to promote buildings of different heights.	Towncentre Taupō would like to see the following amendments made to Height Overlay on the planning map. 1. More opportunity for higher buildings across the whole of the CBD, not just the areas indicated on the map. This would allow for a staggered approach across town rather than a row of high buildings just on Tūwharetoa Street. 2. Maximum height of 6 stories, rather than a height measurement, across the entire CBD. This would allow for buildings of different heights in the same street. 3. Buildings over 4 stories high should be subject to urban design assessment criteria to make sure there is a variation in the design of the buildings and rooflines, avoiding a flat boxy	Accept in part	4.4.7

Original Sub No	Submitter Name	Provision	Position	Submission Summary	Decision Sought	Recommendation	Section of s42A Report
					roofline.		
OS104.11	Kainga Ora	Plan Change 40 - Taupō Town Centre Environment > Planning Maps	Seek amendment	The submitter opposes a height limit of three floors within some parts of the Taupō Town Centre Environment. This limits the intensification potential that will be required within the town centre to provide greater housing choices and typology and additional commercial space to address the growing population of Taupō. The sites bordering the Waikato River should also be excluded from the proposed height limit increase due to the nature of the site being a public outdoor living space. Also sought that height is stipulated in metres rather than storeys to remove ambiguity from the rule.	Amend the planning maps as follows: 18m height overlay –covering the 6 blocks between Tongariro Street, Paora Hapi Street, Roberts Street and Ruapehu Street, but excluding the lakeside half of the southern most block (fronting onto Roberts Street). 15m overlay – Covers all remaining Taupō Town Centre Environments but excludes Riverside Park, Tongariro Domain and the Marina area. Please view full submission bundle for map.	Accept in part	4.4.7
FS202.11 Sub 104.11	Town Centre Taupō		Support	Support	As per the Towncentre Taupō original submission, we support the increase in building heights and would like to see more opportunity for higher buildings across the town centre.	Accept in part	4.4.7
OS104.12	Kainga Ora	Plan Change 40 - Taupō Town Centre Environment > 4g.1.10 Taupō Town Centre Environment Height Overlay	Seek amendment	The submitter opposes a height limit of three floors within some parts of the Taupō Town Centre Environment. This limits the intensification potential that will be required within the town centre to provide greater housing choices and typology and additional commercial space to address the growing population of Taupō. The sites bordering the Waikato River should be excluded from the proposed height limit increase due to the site being a public outdoor living space. The height	The submitters seeks the following amendments: 1. Amend the planning maps as shown within Appendix 2. 2. Accept the spatial height change sought in the submission into the Plan. 3. Undertake any consequential changes necessary across the District Plan to address and give effect to this submission.	Accept in part	4.4.7

Original Sub No	Submitter Name	Provision	Position	Submission Summary	Decision Sought	Recommendation	Section of s42A Report
				should be stipulated in metres rather than storeys to remove ambiguity from the rule.			
FS202.12 Sub 104.12	Town Centre Taupō		Support	Support	As per the Towncentre Taupō original submission, we support the increase in building heights and would like to see more opportunity for higher buildings across the town centre.	Accept in part	4.4.7
OS40.6	Tūwharetoa Settlement Trust	Plan Change 40 - Taupō Town Centre Environment > Planning Maps	Support	The submitter supports the Pedestrian Precinct Height Overlay of 18m as it applies to 11 Tūwharetoa Street.	Support the Pedestrian Precinct Height Overlay of 18m as it applies to 11 Tūwharetoa Street, Taupō	Accept in part	4.4.7
OS40.7	Tūwharetoa Settlement Trust	Plan Change 40 - Taupō Town Centre Environment > 4g.1.9 Maximum Building Height	Support	Submitter supports the provision for additional height in accordance with the Taupō Town Centre Environment Height Overlays, particularly as it relates to 11 Tūwharetoa Street, Taupō.	Support the provision for additional height in accordance with the Taupō Town Centre Environment Height Overlays, particularly as it relates to 11 Tūwharetoa Street, Taupō.	Accept in part	4.4.7
OS55.2	Enterprise Great Lake Taupō trading as Amplify	Plan Change 40 - Taupō Town Centre Environment > 4g.1.9 Maximum Building Height	Support	Support the proposal to increase the maximum height permitted in the Taupō district to 12-18 meters in some parts of the town centre.	Retain	Accept in part	4.4.7
FS202.7 Sub 55.2	Town Centre Taupō		Support	Support	As per the Towncentre Taupō original submission, we support the increase in building heights and would like to see more opportunity for higher buildings across the town centre.	Accept in part	4.4.7
OS61.1	McKenzie & Co	Plan Change 40 - Taupō Town Centre Environment > Planning Maps	Support	Submitter supports the provision.	Retain	Accept in part	4.4.7
OS61.3	McKenzie & Co	Plan Change 40 - Taupō Town Centre Environment >	Support	The increase in building height will encourage intensification and diversification of landuse within the Town Centre.	Retain	Accept in part	4.4.7

Original Sub No	Submitter Name	Provision	Position	Submission Summary	Decision Sought	Recommendation	Section of s42A Report
		4g.1.9 Maximum Building Height					
OS61.8	McKenzie & Co	Plan Change 40 - Taupō Town Centre Environment > Planning Maps	Support	Submitter supports the provision.	Retain.	Accept in part	4.4.7
OS86.6	Towncentre Taupō Board	Plan Change 40 - Taupō Town Centre Environment > 4g.4 Assessment Criteria	Support	Towncentre Taupō supports the change with the understanding that urban design principals are applied in these situations and not brushed over.	Retain.	Accept in part	4.4.7
OS40.3	Tūwharetoa Settlement Trust	Plan Change 40 - Taupō Town Centre Environment > Planning Maps	Support	The submitter supports the identification of the service lanes, located to the south and west of 11 Tūwharetoa Street and recognises that verandas should not be required on these building frontages.	Support the identification of the laneway/service lane, located to the South and West of 11 Tūwharetoa Street, Taupō on the Taupō District Council Planning Maps	Accept	4.5
OS40.4	Tūwharetoa Settlement Trust	Plan Change 40 - Taupō Town Centre Environment > Planning Maps	Support	The submitter supports the identification of the service lanes, located to the south and east of 85 Tūwharetoa Street and recognises that verandas should not be required on these building frontages.	Support the identification of the laneway/service lane, located to the South and East of 85 Tūwharetoa Street, Taupō on the Taupō District Council Planning Maps	Accept	4.5
OS40.5	Tūwharetoa Settlement Trust	Plan Change 40 - Taupō Town Centre Environment > Planning Maps	Support	The submitter supports the identification of the service lanes, located to the south and west of 81 Tūwharetoa Street and recognises that verandas should not be required on these building frontages.	Support the identification of the laneway/service lane, located to the South and West of 81 Tūwharetoa Street, Taupō on the Taupō District Council Planning Maps.	Accept	4.5
OS40.10	Tūwharetoa Settlement	Plan Change 40 - Taupō Town	Support	The submitter supports the intent of the change to focus	Support the requirement to not require veranda's to be	Accept	4.5

Original Sub No	Submitter Name	Provision	Position	Submission Summary	Decision Sought	Recommendation	Section of s42A Report
	Trust	Centre Environment > 4g.1.12 Verandas		pedestrian frontages and shop fronts along roads and not the working areas of buildings such as service lanes which has the potential to obstruct access	added on the frontage of buildings adjacent to service lanes.		
OS40.11	Tūwharetoa Settlement Trust	Plan Change 40 - Taupō Town Centre Environment > 4g.1.16 Verandas	Support	Tūwharetoa Settlement Trust supports the intent of the change to focus pedestrian frontages and shop fronts along roads and not the working areas of buildings such as service lanes which has the potential to obstruct access through these service lanes and presents additional cost to building owners.	Retain.	Accept	4.5
OS55.3	Enterprise Great Lake Taupō trading as Amplify	Plan Change 40 - Taupō Town Centre Environment > 4g.1.12 Verandas	Support	Support the clarification that 'service lanes' are not subject to requirements for veranda provisioning but the pedestrian frontages and pedestrian laneways system are subject to the veranda requirements.	Retain	Accept	4.5
OS61.5	McKenzie & Co	Plan Change 40 - Taupō Town Centre Environment > 4g.1.12 Verandas	Support	Submitter supports provision	Retain	Accept	4.5
OS61.6	McKenzie & Co	Plan Change 40 - Taupō Town Centre Environment > 4g.1.16 Verandas	Support	Submitter supports this provision.	Retain.	Accept	4.5
OS79.3	Cheal	Plan Change 40	Support	Removing rules for	Retain.	Accept	4.5

Original Sub No	Submitter Name	Provision	Position	Submission Summary	Decision Sought	Recommendation	Section of s42A Report
	Consultants	- Taupō Town Centre Environment > 4g.1.12 Verandas		verandahs on service lanes makes sense.			
OS79.4	Cheal Consultants	Plan Change 40 - Taupō Town Centre Environment > 4g.1.16 Verandas	Support	Removing rules for verandahs on service lanes makes sense.	Retain.	Accept	4.5
OS86.5	Towncentre Taupō Board	Plan Change 40 - Taupō Town Centre Environment > 4g.1.16 Verandas	Support	TCT supports the removal of the verandah requirement.	Retain.	Accept	4.5
OS29.23	Waikato Regional Council	Plan Change 40 - Taupō Town Centre Environment	Seek amendment	Change 1 to the WRPS has been notified and so is a 'proposed policy statement'. District Councils are required, when preparing a change to the district plan, to have regard to the WRPS under section 74(2)(a)(i) of the RMA	General - Give regard to Change 1 to the WRPS as a 'proposed policy statement' in the proposed plan changes.	Reject	4.6.1
OS29.29	Waikato Regional Council	Plan Change 40 - Taupō Town Centre Environment	Seek amendment	WRC considers that PPPC38-43 should follow the new plan format provided with the National Planning Standards.	Update PPPC40 to the new plan format provided with the National Planning Standards 2019	Reject	4.6.1
OS115.29	Te Kotahitanga o Ngati Tūwharetoa	Plan Change 40 - Taupō Town Centre Environment	Seek amendment	That TDC ensure that the content and interpretation of the objectives and policies of Plan Change 38-43 reflect the new wording of the NBE and SP Acts once these are ratified by the appropriate regional authorities.	Amend Plan Change 40 to reflect the new wording of the NBE and SP Acts once these are ratified by the appropriate regional authorities.	Reject	4.6.1
OS12.3	Laurel Burdett	Plan Change 40 - Taupō Town Centre	Seek amendment	Submitter opposes the second bridge. We need pleasant, safe, environmentally friendly,	Submitter seeks pleasant walking and cycling connections to the town centre, not a second	Reject	0

Original Sub No	Submitter Name	Provision	Position	Submission Summary	Decision Sought	Recommendation	Section of s42A Report
		Environment		alternative walking or cycling routes to the town centre and schools.	bridge.		
OS115.23	Te Kotahitanga o Ngati Tūwharetoa	Plan Change 40 - Taupō Town Centre Environment	Seek amendment	That the content and interpretation of the objectives, policies, rules and performance standards of Plan Changes 38-43 respect and reflect a genuine understanding and commitment to the principles of Te Tiriti/The Treaty of Waitangi.	Amend Plan Changes 40 to respect and reflect a genuine understanding and commitment to the principles of Te Tiriti/The Treaty of Waitangi.	Reject	0
OS115.17	Te Kotahitanga o Ngati Tūwharetoa	Plan Change 40 - Taupō Town Centre Environment	Seek amendment	That the objectives and policies of the strategic directions and Plan Changes 38 to 43 recognise and provide for the vision, objectives, values, and desired outcomes in Te Kaupapa Kaitiaki as set out within Section 181 of the Settlement Act.	Amend PC40 to recognise and provide for the vision, objectives, values, and desired outcomes in Te Kaupapa Kaitiaki.	Reject	0

Appendix 3: Recommended amendments to PC40 - Tracked from notified version (provisions not consequentially renumbered)

Additions to the notified provisions are shown as underlined and deleted provisions are shown as ~~struck out~~.

3s TAUPŌ TOWN CENTRE ENVIRONMENT

3s.1 Introduction

....

OBJECTIVE

3s.2.1

The Taupō Town Centre Environment will continue to reinforce and strengthen its role and function as the primary commercial, retail, recreational, cultural and entertainment centre for Taupō District.

POLICIES

- i. To consolidate retail and office activity within the Taupō Town Centre Environment to:
 - a. ensure efficiencies in infrastructure use and transportation;
 - b. support the walkability of the town centre;
 - c. encourage redevelopment of town centre properties;
 - d. support the overall integrity of the Taupō Town Centre Environment boundary, and avoid the cumulative effects stemming from the dispersal of retail and office activity.
- ii. To encourage a range of residential and accommodation activities within the Taupō Town Centre Environment in order to create a vibrant and interesting place while ensuring that reverse sensitivity issues are adequately managed.
- iii. To recognise the important role of the Tongariro Domain and its existing infrastructure and services (including those provided by commercial operators) as resources that support the wider town centre environment and contribute to the economic and social wellbeing of the district by:
 - a. enabling a diverse range of temporary activities given the nature and frequency of these activities and taking into account the amenity of the surrounding environment; and
 - b. providing recreation and commercial opportunities.

....

OBJECTIVE

3s.2.2

.....

EXPLANATION

The Taupō town centre has established over time in compliance ...

Threats to the Town Centre Environment include structures of an inappropriate scale. Building envelopes will ensure that the intensity of activity within these Environments can increase while retaining the existing visual character of the area. Part of the character is the relatively low rise development that prevails, consisting mainly of one or two story buildings. At the time of preparing the TUCISP, general feedback from the community supported the retention of this scale of development. There is a three floor maximum height limit for buildings, except for that area in the Town Centre Environment – Pedestrian Precinct closer to the lakefront, which provides for a considerable increase in floor space, while maintaining a scale of development consistent with the existing character.

....

While the permitted height limit for buildings within the Town Centre Environment is three storeys, except for that block between Tongariro Street, Te Heuheu Street, Roberts Street and fronting Ruapehu Street where heights of 12m, 15m and 18m are anticipated to reinforce and connect the town centre with the lakefront, there may be circumstances where a particular development such as a hotel, seeks resource consent to exceed this height. On an appropriate site, this may create the opportunity for a land mark building, without necessarily detracting from the scale and character of the remaining town centre. As part of the consideration of such a development through the resource consent process, assessment of desired urban design outcomes would be expected.

...

4g.1 Performance Standards

PERFORMANCE STANDARDS FOR TAUPŌ TOWN CENTRE PRECINCTS

ADDITIONAL PERFORMANCE STANDARDS FOR THE PEDESTRIAN PRECINCT

4g.1.8 Building Setback

...

4g.1.9	Maximum Building Height	The maximum height of any building shall be as follows: i. Maximum height of three (3) floors above ground level. except where provided by (ii) below: ii. The maximum height shall be in accordance with the Taupō Town Centre Environment Height Overlays in the planning maps.
4g.1.10	<u>Taupo Town Centre Environment Height Overlay</u>	i. Any building within the Taupō Town Centre Environment Height Overlays in the planning maps that exceed a total height of (3) floors above ground level.

		ii. Any application arising from this rule shall not be limited or publicly notified.
<u>4g.1.11</u>	<u>Minimum ground floor stud height</u>	i. <u>Any new building within the Taupō Town Centre Environment Height Overlays in the planning maps shall provide a minimum ground floor stud height of 3.5m as measured from the ground floor surface to the bottom of the floor slab above.</u> ii. <u>Any application arising from this rule shall not be limited or publicly notified.</u>
4g.1.121 <i>[Renumber accordingly]</i>	Shop Frontage	...
4g.1.131 <i>[Renumber accordingly]</i>	Verandas	All buildings must provide a veranda that extends the full length of the site frontage along any road (except frontage to service lanes as shown on the planning maps; and i. Is no less than 3m in width or to the centreline of identified laneways, and ii. Is equipped with under veranda lighting sufficient to produce a minimum of 14 lux at any point along the footpath for the full length of the veranda, and iii. Is maintained in working order.
4g.1.153 <i>[Renumber accordingly]</i>	Building Setbacks	...
....		
4g.1.175 <i>[Renumber accordingly]</i>	Verandas	All buildings must provide a veranda that extends the full length of the site frontage along any road (except frontage to service lanes as shown on the planning maps); and i. Is no less than 3m in width or to the centreline of identified laneways, and ii. Is equipped with under veranda lighting sufficient to produce a minimum of 14 lux at any point along the footpath for the full length of the veranda, and iii. Is maintained in working order.

....

4g.2 Land Use Rules

...

- 4g.2.2 Any temporary activity, being an activity of up to a total of ~~three~~ eight operational days in any one calendar year, which exceeds any performance standard(s), is a permitted activity, provided that:
- There are no new permanent structures constructed; and
 - Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is retained or re-instated to its condition prior to the activity commencing; and
 - An allowance of ~~five~~ 28 non-operational days in any one calendar year associated with the activity is not exceeded, ~~during which time any breach of any performance standard(s) shall only be to the extent reasonably necessary to undertake any relevant aspect of the activity.~~
 - For the purposes of this Rule, Temporary Activities means activities (and ancillary buildings and structures) that are intended to have a limited duration and incidence (one-off, infrequent, transitional or with a defined end date, as opposed to regular and ongoing), and are not a part of a permanent activity that occurs on a site.
 - The noise level arising from any Temporary Activity (excluding non- operational days) measured within the boundary of any property in the Residential Environment, shall not exceed the frequency of occurrence or noise limits shown in Table 4g.2.2.
 - Noise shall be measured in accordance with NZS6801:2008 assessed in accordance with NZS6802:2008. The provisions in NZS6802:2008 sections 6.3 and 6.4 shall not apply when assessing sound from Temporary Activities against the noise limits in Table 4g.2.2.

Table 4g.2.2: Temporary Activities - Noise, Duration and Frequency criteria

<u>Maximum number of events</u>	<u>Time Limit</u>	<u>Noise Limits</u>		<u>Notes</u>
<u>1</u>	<u>Seven hours between 10am and 10:30pm</u>	<u>80dB LAeq(5 minutes); and 95dB LAeq(5 minutes) at 63Hz; and 85dB LAeq(5 minutes) at 125Hz</u>	<u>85dB LAfmax</u>	<u>Excludes fireworks. Excludes sound system testing providing it occurs for no more than 2 hours and between the hours of 10am and 6pm</u>
<u>3</u>	<u>4.5 hours between 10am and 10:30pm</u>	<u>80dB LAeq(5 minutes); and 95dB LAeq(5 minutes) at 63Hz; and 85dB LAeq(5 minutes) at 125Hz</u>	<u>85dB LAfmax</u>	
<u>1 – New Years Eve</u>	<u>Seven hours between 10am and 12:30am</u>	<u>65dB LAeq</u>	<u>85dB LAfmax</u>	
<u>Remainder</u>		<u>60dB LAeq</u>	<u>85dB LAfmax</u>	

...

4g.4.13

Taupō Town Centre Environment Height Overlay - Urban Design

a. The extent to which the proposed building will:

- i. promote active engagement with, and contribute to the vibrancy and attractiveness of, any adjacent streets, lanes, public spaces including Tongariro Domain, and the foreshore with Lake Taupō and Lake Terrace;
- ii. take account of nearby buildings in respect of the exterior design, architectural form, scale and detailing of the building.

NOTE: These matters are applicable to a breach of Rule 4g.1.10.

4g.4.14

Minimum ground floor stud height

- i. The extent to which the building design at ground floor remains capable of being able to cater for a range of alternative activities in a Town Centre context.
- ii. Whether there are particular aspects of the proposed activity that require a difference ground floor stud height having regard to the functional needs of that activity.

[Planning Maps](#) [Insert Taupō Town Centre Environment Height Overlay into the Planning Maps:]



Appendix 4: Recommended amendments to PC40 - Accepted version

3s TAUPŌ TOWN CENTRE ENVIRONMENT

3s.1 Introduction

....

OBJECTIVE

3s.2.1

The Taupō Town Centre Environment will continue to reinforce and strengthen its role and function as the primary commercial, retail, recreational, cultural and entertainment centre for Taupō District.

POLICIES

- i. To consolidate retail and office activity within the Taupō Town Centre Environment to:
 - a. ensure efficiencies in infrastructure use and transportation;
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 - c. encourage redevelopment of town centre properties;
 - d. support the overall integrity of the Taupō Town Centre Environment boundary, and avoid the cumulative effects stemming from the dispersal of retail and office activity.
- ii. To encourage a range of residential and accommodation activities within the Taupō Town Centre Environment in order to create a vibrant and interesting place while ensuring that reverse sensitivity issues are adequately managed.
- iii. To recognise the important role of the Tongariro Domain and its existing infrastructure and services (including those provided by commercial operators) as resources that support the wider town centre environment and contribute to the economic and social wellbeing of the district by:
 - c. enabling a diverse range of temporary activities given the nature and frequency of these activities and taking into account the amenity of the surrounding environment; and
 - d. providing recreation and commercial opportunities.

....

OBJECTIVE
3s.2.2

.....

EXPLANATION

The Taupō town centre has established over time in compliance ...

Threats to the Town Centre Environment include structures of an inappropriate scale. Building envelopes will ensure that the intensity of activity within these Environments can increase while retaining the existing visual character of the area. Part of the character is the relatively low rise development that prevails, consisting mainly of one or two story buildings. At the time of preparing the TUCISP, general feedback from the community supported the retention of this scale of development. There is a three floor maximum height limit for buildings, except for that area in the Town Centre Environment – Pedestrian Precinct closer to the lakefront, which provides for a considerable increase in floor space, while maintaining a scale of development consistent with the existing character.

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...

4g.1 Performance Standards

PERFORMANCE STANDARDS FOR TAUPŌ TOWN CENTRE PRECINCTS

ADDITIONAL PERFORMANCE STANDARDS FOR THE PEDESTRIAN PRECINCT

4g.1.8 Building Setback

...

4g.1.9	Maximum Building Height	The maximum height of any building shall be as follows: i. Maximum height of three (3) floors above ground level. except where provided by (ii) below: ii. The maximum height shall be in accordance with the Taupō Town Centre Environment Height Overlays in the planning maps.
4g.1.10	Taupō Town Centre Environment Height Overlay	i. Any building within the Taupō Town Centre Environment Height Overlays in the planning maps that exceed a total height of (3) floors above ground level.

		ii. Any application arising from this rule shall not be limited or publicly notified.
4g.1.11	Minimum ground floor stud height	i. Any new building within the Taupō Town Centre Environment Height Overlays in the planning maps shall provide a minimum ground floor stud height of 3.5m as measured from the ground floor surface to the bottom of the floor slab above. ii. Any application arising from this rule shall not be limited or publicly notified.
4g.1.12	Shop Frontage	...
4g.1.13	Verandas	All buildings must provide a veranda that extends the full length of the site frontage along any road (except frontage to service lanes as shown on the planning maps; and i. Is no less than 3m in width or to the centreline of identified laneways, and ii. Is equipped with under veranda lighting sufficient to produce a minimum of 14 lux at any point along the footpath for the full length of the veranda, and iii. Is maintained in working order.
4g.1.15	Building Setbacks	...
....		
4g.1.1X	Verandas	All buildings must provide a veranda that extends the full length of the site frontage along any road (except frontage to service lanes as shown on the planning maps); and i. Is no less than 3m in width or to the centreline of identified laneways, and ii. Is equipped with under veranda lighting sufficient to produce a minimum of 14 lux at any point along the footpath for the full length of the veranda, and iii. Is maintained in working order.
....		
4g.2 Land Use Rules		
...		

- 4g.2.2 Any temporary activity, being an activity of up to a total of ~~three~~ eight operational days in any one calendar year, which exceeds any performance standard(s), is a permitted activity, provided that:
- There are no new permanent structures constructed; and
 - Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is retained or re-instated to its condition prior to the activity commencing; and
 - An allowance of 28 non-operational days in any one calendar year associated with the activity is not exceeded.
 - For the purposes of this Rule, Temporary Activities means activities (and ancillary buildings and structures) that are intended to have a limited duration and incidence (one-off, infrequent, transitional or with a defined end date, as opposed to regular and ongoing), and are not a part of a permanent activity that occurs on a site.
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3	4.5 hours between 10am and 10:30pm	80dB $L_{Aeq}(5 \text{ minutes})$; and 95dB $L_{eq}(5 \text{ minutes})$ at 63Hz; and 85dB $L_{eq}(5 \text{ minutes})$ at 125Hz	85dB L_{AFmax}	
1 – New Years Eve	Seven hours between 10am and 12:30am	65dB L_{Aeq}	85dB L_{AFmax}	
Remainder		60dB L_{Aeq}	85dB L_{AFmax}	

...

4g.4.13

Taupō Town Centre Environment Height Overlay – Urban Design

a. The extent to which the proposed building will:

- promote active engagement with, and contribute to the vibrancy and attractiveness of, any adjacent streets, lanes, public spaces including Tongariro Domain, and the foreshore with Lake Taupō and Lake Terrace;
- take account of nearby buildings in respect of the exterior design, architectural form, scale and detailing of the building.

4g.4.14

Minimum ground floor stud height

- i. The extent to which the building design at ground floor remains capable of being able to cater for a range of alternative activities in a Town Centre context.
- ii. Whether there are particular aspects of the proposed activity that require a difference ground floor stud height having regard to the functional needs of that activity.

NOTE: These matters are applicable to a breach of Rule 4g.1.10

Insert Taupō Town Centre Environment Height Overlay into the Planning Maps: