

TAUPŌ DISTRICT COUNCIL

PROPOSED DISTRICT PLAN CHANGES:

PLAN CHANGE 38: STRATEGIC DIRECTIONS

MINUTE 20 OF THE INDEPENDENT HEARING PANEL

Introduction

1. This Minute is being sent to you because you are either a submitter or a Council reporting officer to **PC38: Strategic Directions to the District Plan (PC38)**.

Minute Purpose

2. The hearing was adjourned on Friday 18 August 2023 and Minute 12, 14 and 16 (dated 19, 22 and 28 August 2023 respectively) refers.
3. The Panel has received all material requested by the above Minutes (notably Minutes 12 and 14) and this material has been published on the Council's website. We have also conducted preliminary deliberations for PC38 on 27 September and 3 October 2023.
4. The purpose of this Minute is to seek further clarification from the Council's Reporting Officer to assist in the Panel's continued deliberations on **PC38**.
5. There are three issues that the Panel seek further clarification on:
 - i. **Hierarchy of the Strategic Directions in general**
 - ii. **Role of Taupō District 2050 – District Growth Management Strategy 2018**
 - iii. **Strategic Direction 5: Nationally and Regionally Significant Infrastructure – use of terms and definitions**
6. We set out the matters for clarification on the above three issues in more detail below.

Hierarchy of the Strategic Directions in general

7. The Panel understands from Mr Sapsford's s42A Report and Reply Statement that there is no hierarchy intended of the six Strategic Direction topics (or between the specific Objectives and Policies that sit within each Strategic Objective topic) and that the most specific Strategic Directive would apply on a case-by-case basis as appropriate. During the hearing some submitters also queried the role of the Strategic Directions.¹
8. The Panel seeks clarification from the Reporting Officer to further understand firstly the inter-relationship between the objectives and the policies in each Strategic Directive topic and secondly the relationship between the Strategic objective/policies in each topic and the provisions that sit beneath them within the other chapters of the Plan. In particular:

¹ For example Pukawa D2 Trust and Pukawa D3 Trust Submitters 58 and 95

- a) Are the strategic policies intended to implement the strategic objectives?
- b) Are the objectives and policies of the individual plan chapters (for example the General Rural and Rural Lifestyle Environment Chapter) required to implement *both* the strategic objectives and the strategic policies?

Role of Taupō District 2050 – District Growth Management Statement 2018

9. We understand that the Taupō District 2050 – District Growth Management Strategy 2018 (**TD2050 2018**) is developed under the Local Government Act and that the District Plan, alongside other Council plans and instruments (such as the Long Term Plan, Infrastructure Strategy and Financial Strategy) all have a role to play as a method of implementing the TD2050 2018. We are also aware that TD2050 2018 will be reviewed over the life of the District Plan.
10. We also acknowledge that TD2050 2018 has a role to play at a Section 32 evaluation level in the development of the plan changes and this has been reflected and referenced in the Introduction to PC38 Strategic Direction 3: Urban Form and Development.
11. For further context and background, the Panel seeks to understand what role the TD2050 (2006) has played in the Operative District Plan (**ODP**) in order to ascertain what role (2018 and its successor) might/should play in the future and the rolling reviews of the ODP, and whether referring to TD2050 2018 is the most efficient and effective way to give effect and implement TD2050 2018.
12. Therefore, we require a statement from the Reporting Officer setting out further clarification on the following questions:
 - a. Was the TD2050 2006 listed as an externally referenced document when the ODP was notified?
 - b. What are the principal changes in direction between the previous TD2050 2006 and TD2050 2018 version?
 - c. Given the current TD2050 version was prepared in 2018, is it still fit for purpose going forward (or alternatively which provision/s in it are no longer current/ relevant or no longer form the policy direction of Council)?
13. The Panel also notes that in Strategic Direction 3: Urban Form and Development, Objective 2 and Policy 3 both reference TD2050 2018. However, we have concerns in relation to the direct referencing of TD2050 2018 in these provisions for the following reasons:
 - a. Parts of the Strategy, which originated in 2006, are no longer relevant (as discussed in the hearing with Ms Samuel);
 - b. The Strategy is currently going through a further 'refresh' being over 5 years old and it is not clear what changes in direction are proposed; and
 - c. TD2050 2018 contains its own seven Strategic Directions which essentially mirror the Strategic Directions topics introduced by PC38 (Section 2.2, page 8 of the Strategy). It is not clear whether the content and directions of these TD2050 objectives align with or contrast with the various Strategic Directions topics in PC38 which share the same topic descriptors.
14. There are potential contradictions and uncertainties when Strategic Direction 3: Urban Form

and Development Objective 2 and Policy 3 both require *consistency* with TD2050 2018. For example, is consistency required with the strategic directions in the TD2050 even if they conflict with the Strategic Directions in PC38? Also how does the consistency test apply to provisions in TD2050 that are no longer relevant?

15. On the above basis, the Panel wishes to understand whether:

- a. Urban Form and Development Objective 2 and Policy 3 can be appropriately recast without specific reference to TD2050 2018; and/or
- b. Are there spatial or specific matters within TD2050 2018 that could be referred to in Objective 2 and Policy 3 (within the scope of the Plan Change and submissions) that better deliver the outcomes sought by TD2050 2018; rather than referring to TD2050 2018 in its totality? A (non-exclusive) example might be the reference to the East Taupō Arterial in its role in the spatial aspect of Urban Form and Development.

Strategic Direction 5: Nationally and Regionally Significant Infrastructure – use of terms and definitions

16. There are a variety of ‘infrastructure’ terms referenced within Strategic Direction 5 of PC38, such as ‘National’, ‘Regional’, ‘Local’, ‘Development’, ‘Additional’, and ‘Transport’ infrastructure, and also ‘infrastructure’ in its own right.

17. The Panel understands and accepts the need for inclusion of the definition of ‘Regionally Significant Infrastructure’ as set out in the s42A Report.²

18. However, the Panel seeks to understand the variety of qualifying prefix terms of the word ‘infrastructure’ referred to in the objectives and policies in terms of hierarchy, and the relationship between the objectives and policies that use different infrastructure terms.

19. For example, Objectives 1 and 3 and Policies 1 and 2 of Strategic Direction 5 include the terms ‘Nationally and Regionally Significant Infrastructure’. That is consistent with the title of Strategic Direction 5. However, Objective 4 refers to ‘Local and national transport infrastructure’, and Policies 3, 4 and 5 only refers to ‘infrastructure’. Are those objectives and policies therefore relevant to ‘Nationally and Regionally Significant Infrastructure’?

20. In addition to the above query, the Panel seeks the following:

- i. Clarification of the hierarchy of the infrastructure terms and definitions
- ii. Is there a hierarchy of objectives and policies where differing ‘infrastructure’ terms are used?
- iii. A wiring diagram between the objectives and policies within Strategic Direction 5 to determine alignment and implementation of the objectives and policies.

Directions

21. In light of the purpose of this Minute detailed above, we direct that the Council’s Reporting Officer provides a statement addressing the Panel’s questions above to be filed with the Hearing Administrator no later than 1pm 16 October 2023. If further time is required leave can be sought.

² S42a Report, Section 4.7 page 40 3 July 2023

Next Steps

22. The timeframe for the clarification matters is set out above. Any questions of further clarification should be made to the Hearings Administrator as soon as possible. The Panel will provide subsequent Minutes on any further updates in relation to the Panel's deliberations proceedings in due course.
23. Any submitter enquiries relating to the proposed plan changes and the hearing should be directed to the Hearing Administrators Hilary Samuel or Haydee Wood and can be contacted at districtplan@taupo.govt.nz.

DATED Thursday 5 October 2023



David McMahon
Chair - Independent Hearings Panel

For and on behalf of:

Commissioner Elizabeth Burge

Councillor Kevin Taylor