

months) and there is no expectation for the market to slow. It is in that context that the Incorporation is looking forward to completing the long-term plan for their lands by advancing the northside development.

In those circumstances The Proprietors of Hauhungaroa No 6 cannot agree to the commissioning of an Urban Capacity Report – in their view the existing policy framework provides a settled base in that respect and on which they should be able to rely (that being a fundamental purpose of developing community plans and policies).

On the related issue, however, of efficient delivery of services and costs to the community associated new infrastructure assets (resulting from development of the plan change area), the KeySolutions Limited report at Attachment 1 considers these matters and concludes:

“... any subdivision of land involves the creation of extra infrastructure to service that development. There will be extra operation and maintenance costs associated with this additional infrastructure to serve Whareroa North, but this development will also provide another 160 “customers” to pay for this.

Hauhungaroa #6 Trust has built infrastructure in the existing Whareroa Village which will also cater for extension of Whareroa to the north. This proposal therefore is for an efficient expansion of those existing services, utilising the capacity that has been created for this purpose during previous stages of the development. Even the legal road reserve is in place to extend roading to enable access to Whareroa North.

There will be insignificant impact on the individual ratepayer as a result of this development proceeding.”

Part 2 – Further Information

The table below provides response to the additional information matters requested.

REQUEST FROM TDC FOR FURTHER INFORMATION		RESPONSE
Issue / Information Required	Reason	
<p><u>1 Landscape Assessment</u></p> <p>Provide a landscape and visual assessment identifying the effects of the proposed access road on landscape values. The assessment should contain:</p> <ul style="list-style-type: none"> • A detailed assessment of the physical changes to the landscape that will result from the proposal; • A description and analysis of the impact that physical changes will have on identified landscape values, visual impacts from key locations and cumulative effect of the proposed activity; • A detailed assessment of the extent to which the changes will affect the existing landscape character and the way in which affected parties’ perception and experience of the 	<p><i>The Infrastructure Report by Key Solutions identifies that bridging the Whareroa Stream and access to the development area have been considered in depth and that there is only one practical access to the plateau area to contain the Whareroa North zoning being a ‘sidling construction’.</i></p> <p><i>Given the access corridor is generally known, as identified in Appendix 1 to Appendix D of the Infrastructure Assessment, a more detailed assessment, includes an assessment of the cumulative effects of the development enabled by the PC combined with existing developments, to inform Council in the decision-making process.</i></p> <p><i>The provision of a landscape assessment will also provide certainty that the zoning can be realised if it the plan change is accepted or adopted.</i></p>	<p>Landscape Architect Mary Monzingo has been asked to consider the request for a detailed Landscape Assessment of the proposed access road. Ms Monzingo’s advice (at Attachment 2) in summary is that:</p> <ul style="list-style-type: none"> • It appears that there is an expectation that a detailed assessment of the proposed access road can be undertaken because “the access corridor is generally known”. However, the Concept Plan notes that “Final alignment to be determined at resource consent phase” – ie the route is not finalised. In any event the route is only one of a range of elements that together constitute the proposed access road; • Sufficient information about all of the physical elements (such as road, earthworks, retaining systems, planting etc) is needed to inform a detailed assessment and that detailed design work is not reasonably available at Plan Change stage but rather at the subsequent resource consents stage;

<p><i>landscape including visual amenity values is likely to be affected;</i></p> <ul style="list-style-type: none"> <i>An evaluation of the significance of natural character, landscape, visual and amenity effects in relation to statutory requirements; and</i> <i>Identification of landscape mitigation measures, including enhancement or rehabilitation and assessment of the effectiveness of such measures.</i> 		<ul style="list-style-type: none"> • At the detailed design stage there is a range of design and mitigation measures available, which address potential visual and landscape effects; • The Landscape and Visual Report already provided (Appendix 4 of the Plan Change application) considers the range of potential landscape and visual effects that may arise (including from access) and discusses methods to avoid, remedy, or mitigate them. It confirms that potential landscape, visual and amenity effects are not of a scale or significance that the proposed Plan Change should be declined. Further, in the case of the access road the existing District Plan provisions provide an appropriate framework for the management of visual and landscape effects (and these provisions are not affected by the Plan Change application).
<p><u>2 Servicing Capabilities</u></p> <p><i>Provide a revised assessment for demand on Council's infrastructure assets for water and wastewater based on the permitted dwelling density proposed under a Taupo "residential environment"</i></p>	<p><i>For the purpose of infrastructure design, the assessment has relied on a figure of 160 additional dwelling equivalents on the north side has been as a maximum. This is anticipated to be made up of section size between 500 m2 and 1,100 m2 (and the majority between 600 m2 and 750 m2);</i></p> <p><i>The request seeks to adopt the current residential environment provisions of the District Plan, which, as of right (permitted activity) allows for up to 3 residential dwellings to be establish on one allotment.</i></p> <p><i>Such an increase in density may have significant impacts on Council's ability to serve Whareroa under current consent limits for water and wastewater from the Waikato Regional Council and require additional infrastructure to be considered (e.g. reservoir(s), pipelines (for water) and additional storage and oxidation pond area (for wastewater)).</i></p>	<p>For the purpose of clarity, the Private Plan Change application is proposed to enable a maximum of 160 residential lots (and subsequently a <u>maximum of 160 dwellings</u>). Attachment 3 is a revised Whareroa North Residential Concept Plan (version "G" to replace version "F" of the plan in Appendix 5 of the Plan Change Application). At the bottom left-hand side of the revised plan is an additional note: "Maximum 1 dwelling per lot – to be secured by Consent Notice".</p> <p>Accordingly, the requested revised servicing assessment (based on 3 dwellings per allotment) is unnecessary.</p>
<p><u>3 Stormwater Management – Geotech assessment</u></p> <p><i>Provide a geotechnical assessment / investigation on the stormwater detention pond area (proposed Local Purpose Reserve) and any potential instability on this area as a result escarpment face positioned directly below (south) stormwater detention pond area. The investigation shall identify</i></p>	<p><i>This area has been subject to extensive scouring and erosion. The Geotechnical Assessment appended to the Infrastructure Report highlights that this feature "will require remedial action to be taken as soon as possible as it appears that this erosion failure-feature is increasing in size". Given the assessment/statement was made over 11 years ago, and that it appears that no remedial works have been undertaken, a revised assessment on this part of the site is required.</i></p>	<p>A geotechnical investigation has been undertaken as outlined in the memorandum from Cheal Consultants (Attachment 4).</p>

<p>any risk to Council of inheriting this site for stormwater purposes.</p> <p>The investigation shall also provide an assessment of the ability to discharge stormwater down the escarpment face following development of Whareroa North.</p>	<p>The proposal This area is proposed to retain a stormwater retention pond given with the structural formation of the land, which is to be inherited by Council, potentially comprised.</p>	
<p><u>4 Stormwater management – Catchment Plan</u></p> <p>Provide a stormwater catchment plan for the development area</p>	<p>Notwithstanding the acceptability of the land for stormwater retention purposes (point 3 above), which may require an alternative solution to stormwater detention and or disposal, an assessment on how stormwater will be managed having regard to a total catchment management and any low impact design methods is required.</p> <p>Stormwater catchment plans (SCP) for greenfield urban development are required by the Regional Council and TDC is required to provide these as part of its ‘blanket’ or comprehensive stormwater discharge consent.</p> <p>The purpose of the SCP is to assess the potential adverse effects of the development on surface water resources downstream of the Whareroa North. The SCP will:</p> <ul style="list-style-type: none"> • Provide baseline information within SCP • Identify potential environmental effects on riparian and aquatic ecology from urban development within the Whareroa North development. • Identify means to address potential adverse environmental effects including addressing disposal down the current escarpment. <p>It is highlighted that the Cultural Impact Assessment (CIA) also recommends providing a “baseline data be recorded on key fisheries indicators on the Whareroa Stream and then monitored over the consent period, with particular emphasis during the period of construction of the Whareroa Stream Bridge to manage any potential risks to fish habitat”.</p>	<p>The matter of the requested stormwater catchment plan is addressed in the memorandum from Cheal Consultants (Attachment 4). For the reasons expressed the advice (which should be read in full) is that:</p> <p>“At this point in time, we suggest that the processing of the plan change can proceed without a stormwater catchment plan (SCP) and that this requirement should be deferred until later in the process. It is accepted that this work needs to be done but we believe that it is better completed once the Plan Change is in place.</p> <p>Until then Council should be assured that through the design phase there is every ability to design and construct infrastructure that has low impact and will in fact improve the environment immediately adjacent to this scour area. There is every ability to design a system of stormwater controls to either divert stormwater away from this area or to attenuate (slow the flow), detain and soak via various surface or sub-surface design techniques. The consultant team and particularly Cheal has successfully achieved these sort of solutions and achieved great outcomes on other developments in the District where natural environmental risks have existed.”</p>
<p><u>5 Land Improvement Area</u></p> <p>Provide title plan showing the extent of Land Improvement Agreement (with the Waikato Regional Council) as contained within Interest H282790</p>	<p>To establish the extend of this area and any bearing it may have on the request sought.</p>	<p>Attachment 5 comprises the LIA document H282790 registered on the title of Part Hauhungaroa 6B Block (Whareroa Station), and an additional (coloured) version of the plan included in that document. The parts of the land required to be fenced out, retired from grazing, and maintained in trees and shrubs are coloured green on that plan. The part of Hauhungaroa No 6B Block subject to the private plan change application is outside of the LIA area (it</p>

		<p>is immediately north of the area shaded green and to the immediate west of the area identified in red as “6A”).</p> <p>The title of Part Hauhungaroa 6A Block (being the eastern part of the land subject to the Plan Change application) is not subject to a LIA.</p>
<p><u>6 Legal Position on Bridge Crossing</u></p> <p>Provide additional assessment on the legal requirements for the bridge to access Whareroa North to cross Whareroa Stream</p>	<p><i>It is identified in the Plan Change that physical and legal access to Whareroa North will be via a proposed bridge across the Whareroa Stream.</i></p> <p><i>Generally, once land has been developed which connects to existing Council services (i.e. water, wastewater and roading) those assets are vested in the Council at the time of subdivision. This is supported in Key Solutions assessment which identifies that “it is logical for all the new roading to ultimately transfer to public ownership and be operated and maintained along with the rest of the District roading network by the Taupō District Council”.</i></p> <p><i>As identified at Section 7.5.2 of the Plan Change, the bed of Whareroa Stream, over which the proposed bridge must cross, is held in ownership by the Tuwharetoa Maori Trust Board.</i></p> <p><i>The Council has concerns about securing the ‘right’ legal tenure for the bridge. The Council is opposed gaining a right to occupy that has an ongoing cost attached to it. Given the bridge appears to be the only feasible option into Whareroa North, the tenure options for the bridge need to be investigated further so sufficient provision has been made for long-term legal and physical access to the allotments to be created by the rezoning.</i></p>	<p>Further discussions about future tenure options for ownership and use of the Whareroa Stream bridge have been held with Maria Nepia (Natural Resources Manager and Board member, Tuwharetoa Maori Trust Board) and Cher Mohi (Natural Resources Department of the Tuwharetoa Maori Trust Board).</p> <p>The title of the bed of the Whareroa Stream is held by the Trust Board on behalf of hapu (including The Proprietors of Hauhungaroa No 6). While the bridge structure would be physically clear of the waterway the Taupo District Council (which would own the bridge) will require appropriate legal rights in terms of owning and maintaining the bridge structure and for the public to be able to use it.</p> <p>The Trust Board representatives expressed:</p> <ul style="list-style-type: none"> • That as a matter of principle the Board is unlikely to support a legal mechanism which involves foregoing ownership rights; • That in the Board’s experience there are various mechanisms available (including lease, licence to occupy, easement, etc); • That the final mechanism would need to be one that the Board, Council and the landowners were comfortable with; • They had confidence that an appropriate legal mechanism could be settled upon and there was a willingness to engage with Council and the landowners in due course towards that. <p>Attachment 6 reflects that discussion.</p>
<p><u>7 National Policy Statements</u></p> <p>Provide an assessment of the proposal against the provisions of:</p> <p>a) National Policy Statement for Freshwater Management 2014 (NPS-FW); and</p>	<p><i>The request is silent on the applicability of the provisions of the NPS-FW and NPS-UDC on the plan change sought.</i></p> <p><i>NPS-FW sets out the objectives and policies for freshwater management under the Resource Management Act 1991. It came into effect on 1 August 2014 and amendments</i></p>	<p>Attachment 7 provides an assessment of the proposed plan change against the relevant provisions of the five operative National Policy Statements. In summary, the proposed Plan Change does not raise issues in relation to any of the NPS’s. Further, in terms of Section 75(3)(a) of the Act it is not</p>

<p>b) <i>National Policy Statement on Urban Development Capacity 2016 (NPD-UDC).</i></p>	<p><i>made in August 2017 took effect on 7 September 2017. Although the NPS-FM does not directly require territorial authorities to include specific provisions in the district plans which relate to fresh water, territorial authorities are required to 'have regard' to the NPS-FM. It is also identified that the proposal, which will require drinking water, wastewater, and stormwater services, relates to the wider management of fresh water.</i></p> <p><i>The NPS-UDC sets out the objectives and policies for providing development capacity under the Resource Management Act 1991. The NPS-UDC came into effect on 1 December 2016.</i></p> <p><i>Council is to 'have regard' to these policy documents in determining the request. Accordingly, an assessment on the applicability of these policy statements and their relevancy to the request is required.</i></p>	<p>considered that the proposed Plan Change requires any amendment to give effect to the NPS's.</p>
------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------

In terms of the application which has been lodged and the additional advice now provided, the Proprietors of Hauhungaroa No 6 believe that Council has sufficient information to enable it to consider the request for a private Plan Change and look forward to having their proposal progressed through the statutory process in accordance with Clause 25(2) of the First Schedule of the Resource Management Act 1991.

Yours faithfully

LEWIS CONSULTANCY LIMITED



Joanne Lewis

- Attachment 1: Report from KeySolutions Limited on Infrastructure Efficiency
- Attachment 2: Memorandum from Landscape Architect Mary Monzingo
- Attachment 3: Revised Whareroa North Residential Concept Plan (Version G dated 1 March 2018)
- Attachment 4: Memorandum from Cheal Consultants on stormwater matters-
- Attachment 5: LIA Documents
- Attachment 6: Communication with Tuwharetoa Maori Trust Board regarding Whareroa Stream crossing
- Attachment 7: Report on National Policy Statements