DABB PROPERTY RENTALS LIMITED

29 Charles Crescent, Taupō

Application for Resource Consent for Land Use Consent

240407_AP2
25 September 2025

cheal

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29 Charles Crescent, Taupō

Application for Resource Consent under Section 88 of Resource Management Act 1991 for Land Use Consent

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APPLICATION DETAILS

Consent Authority:	Taupō District Council
The Applicant:	DABB Property Rentals Limited
Address for Service:	Cheal Consultants Limited, PO Box 165, Taupō 3351
Address for Invoice:	PO Box 1267, Taupō 3351

Site Details:

Street Address	29 Charles Crescent, Taupō
Legal Description	Lot 2 DPS 12549 & Lots 70, 71 & 72 DPS 6123
Record of Title	SA9C/1073
Area	3316m^2
Zoning	General Residential Zone

Activity for which Consent is sought:

Resource consent is sought for a non-complying land use consent for 16 medium density 2-3 storey residential units being semi-detached and standalone units. The units will be serviced via an extension of the water and wastewater network with stormwater disposal occurring onsite with access to Charles Crescent and Rainbow Drive.

Rule GRZ-R4 of the Taupō District Plan states that any activity which does not comply with four or more standards for PER activities including (where a standard contains more than one control) four or more parts thereof, is a **Non-Complying Activity**.

Rule GRZ-R3.1 of the Taupō District Plan states any activity which does not comply with two or three standards for PER activities including (where a standard contains more than one control) two or three parts thereof, or is not a PER, CON, or RDIS activity, is a **Discretionary Activity**.

Rule INF-R2 of the Taupō District Plan states that any activity which results in new water, stormwater or wastewater utility services is a **Restricted Discretionary Activity.**

Rule EW-R2 of the Taupō District Plan states any earthworks within GRZ, MRZ, LRZ that does not comply with any one part of the standards for PER activities is a **Restricted Discretionary Activity.**

When bundled the proposal is considered a **Non-Complying Land Use Consent** under the Taupō District Plan.

1. INTRODUCTION

Resource consent is sought for a non-complying land use consent for 16 medium density 2-3 storey residential units being semi-detached and standalone units. The proposal:

- Complies with the Council requirements for building coverage over the whole site,
- Largely complies with setback requirements to external boundaries, except Units 1 & 4,
- The two storey units all comply with height and most comply with height to boundary planes with respect to external boundaries except Units 1 & 4,
- The three storey units will not comply fully with height to boundary plane with respect to the Lake Terrace boundary and Rainbow Drive boundary, specifically Units 7 – 12, 13 – 16
- The three storey units will not comply fully with height, specifically Units 7 – 12, 13 – 16
- Does not comply with the plot ratio/gross floor area performance standard,
- Involves earthworks including up to 1.1m cut on the southern and eastern boundaries, and over more than 50% of the site at one time,
- Unit 14 access is closer to an intersection than permitted with Units 5, 6, 14, 15 & 16 reversing on to the street, and
- Will be fully serviced with water and wastewater and connections to stormwater within their own boundaries.

When bundled the proposal is considered a **Non-Complying Land Use Consent** under the Taupō District Plan. Consultation has occurred with adjoining neighbours, and written approval has been provided by some affected parties. Consultation has also been undertaken with Council's Roading and Parks Departments. Subdivision consent will be sought at a later date.

In accordance with Section 88 of the Resource Management Act 1991 (RMA) the following report provides a site description, description of the proposal, consideration of the relevant rules and standards, Assessment of Environmental Effects and consideration of the relevant objectives and policies of the relevant statutory documents. Conditions of consent are discussed and lastly the proposal is assessed against Part 2 of the RMA.

Appended to this report are:

- The Record of Title
- Development Plans (site, elevations, servicing, landscaping and earthworks)
- District Plan Assessment
- Urban Design Assessment from Blewett Studios
- Consultation Summary
- Written Approvals
- Permitted Activity Scenarios
- Information from Waikato Regional Council (WRC) regarding Hazardous Activities and Industries List (HAIL) activities, and Taupō District Council (TDC)
- Te Kaupapa Kaitiaki Assessment.

2. SITE DESCRIPTION

2.1. Site Description

The site subject to the proposal is 29 Charles Crescent, Taupō, formerly known as the Rainbow Point Motel. The site is within the area of Taupō known as Rainbow Point and comprises of 4 parcels being Lot 2 DPS 12549 & Lots 70, 71 & 72 DPS 6123 in Record of Title SA9C/1073. The site is identified in Image 1 below.

Image 1: Site Location (Source: Mapi)

The site is 3316m^2 in area and rectangular in shape. The site is located on the corner of Rainbow Drive and Charles Crescent. The north boundary of the site has a footpath along it and Rainbow Point Dairy and Takeaway Shop sits across Rainbow Drive at 1 Rainbow Drive. The western boundary of the site has a footpath along one-third of the Charles Crescent frontage. The southern boundary of the site adjoins 27 Charles Crescent. The eastern boundary adjoins a wide berm of Lake Terrace.

Between the Lake Terrace carriageway and the site are two parcels being Closed Road SO 45640 (for the functioning indirectly of a road New Zealand Gazette 2009), and Part Section 39 Block VI Tauhara (Use, Convenience or Enjoyment of a Road New Zealand Gazette 1978). Through these road designations, the wide berm is legally road however the area is also used for recreational purposes. A footpath runs north-south through this area from Rainbow Drive to the Kokomea Village roundabout as shown in Image 1 and 2.

Image 2: Site Location in wider location (Source: Mapi)

The site appears flat however it has a 1.5m fall from eastern boundary to western boundary. The site currently has thirteen motel units, a manager unit, and associated reception and service areas. The three sets of buildings are largely single storey with one two storey building. The site currently has one vehicle access from Rainbow Drive and three vehicle access crossings on Charles Crescent however only one is currently actively used. There are 7-8 large trees on the property – 5 along the eastern boundary, and 2-3 along the northern boundary.

Image 3: View from Charles Crescent (Source: Cheal)

A 150mm wastewater main with connection to the site is located in Charles Crescent, in the southwestern corner of the site. A 100mm water main is located along the full length of the Charles Crescent frontage.

Charles Crescent is 15m wide with a 7m formed carriageway with a footpath on the north side. Mobile Road data states ADT of 150 (data from 2000).

Rainbow Drive is 20m wide with a 9m formed carriageway. Where Rainbow Drive adjoins the site, it has a footpath on the northern and southern sides of the road. Mobile Road data states this end of Rainbow Drive has ADT of 1400, dropping to 1000 west of Charles Crescent (data from 2000). Adjoining the site is a flagged bus stop for drop offs, on the opposite side of the road, beside the dairy is a scheduled bus stop with a bus shelter (Image 4).

The site is within the Wairakei Tauhara Geothermal Field Statutory Acknowledgement Area for Ngāti Tūwharetoa.

Image 4: Rainbow Drive (Source: Cheal)

2.2. Planning History

Retrolens research shows buildings in this location since 1961 (Image 5 to 7). Construction may have occurred in the years prior as no Retrolens photos exist between 1947 and 1961.

The Taupō Borough Plan map from 1989 shows the site in the Residential A zone and is noted in Section 2.2.4 as a Scheduled Site for travellers accommodation (Image 8). Further reference to the scheduled sites is found in Section 2.2.17. Various building alterations were undertaken during the site's use as tourist accommodation including resource consent granted in October 1996 for minor encroachment into the front yard.

Image 5: Rainbow Point 1961 (Source: Retrolens)

Image 6: Rainbow Point Motel 1965 (Source: Retrolens)

Image 7: Rainbow Point Motel 1972 (Source: Retrolens)

2.2.4 Scheduled Sites

Map	Location	Status	Purpose
4	63 Mere Rd Lot 80DP 849	Conditional Use	Travellers Accommodation (Motel)
5	74 State Highway 1 Lot 3 DP 29213	Conditional Use	Travellers Accommodation (Motel)
5	2 Rainbow Drive Lots 70-72 DPS 6123 Lot 2 DPS 12549	Conditional Use	Travellers Accommodation (Motel)
4	15 Tui Street Lot 7 DPS 23479	Conditional Use	Travellers Accommodation (Motel)
4	66-68 Terence St Lots 29 & 30 DPS 2461	Conditional Use	Travellers Accommodation (Apartments)
4	77 Gillies Ave Lot 121 DPS 743	Conditional Use	Travellers Accommodation (Hotel)
5	5 Tremain Ave Lot 33 DPS 8988	Conditional Use	Travellers Accommodation (Hostel)
5	50 Wharewaka Rd Sec 66,91,169 BLK 6 Tauhara SD	Conditional Use	Travellers Accommodation (Motel)
4	39 Puriri St Lot 2 DPS 4256	Conditional Use	Camping Ground and Caravan Park

Image 8: Extract from Taupō Borough Plan 1989

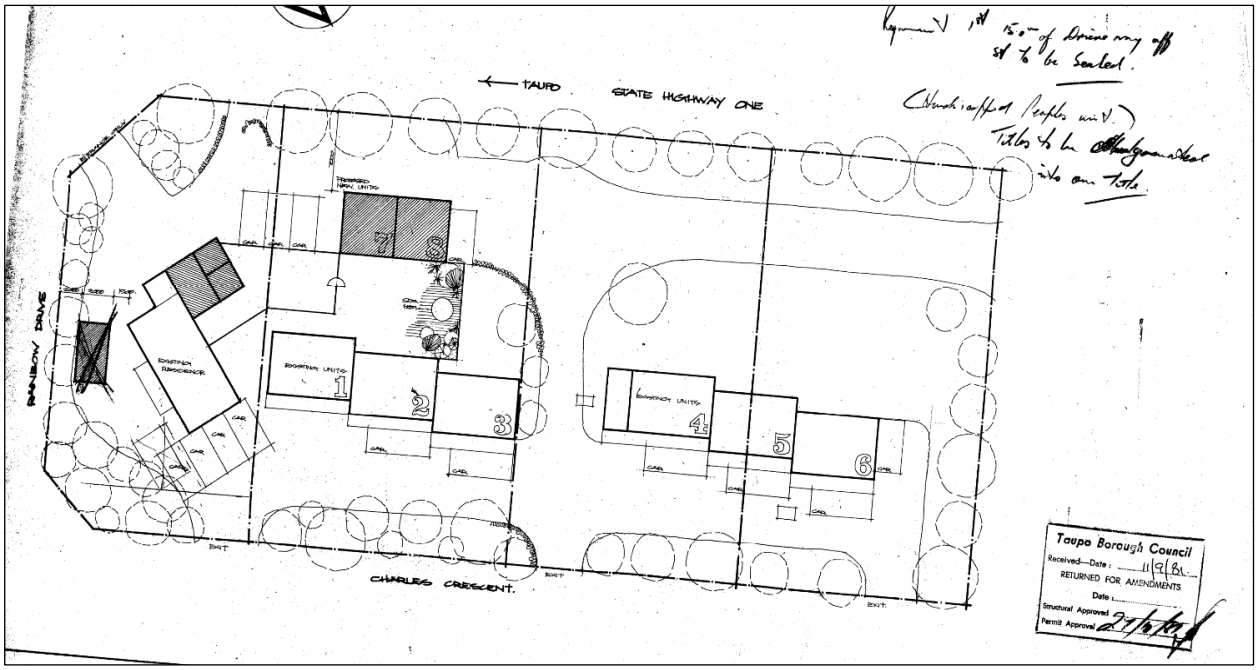

Image 9: 1981 Building Consent Plans (Source: Property File)

2.3. Record of Title Interests

There are no interests on the title that affect the project. Of note is that 27 Charles Crescent was originally part of the motel as shown in Image 6 above. 27 Charles Crescent and the southern parcel of Rainbow Drive were originally Lot 68 & 69 DPS 6123 and were subdivided in 1968, it appears to separate these interests from each other.

2.4. Description of Surrounding Area

The site sits on the edge of Rainbow Point – a residential area with a mixture of single storey and two storey dwellings and a mixture of full-time residences and holiday homes. The adjoining properties are as follows:

- 27 Charles Crescent – Two Storey dwelling
- 25 Charles Crescent – Two Storey dwelling
- 23A & 23B Charles Crescent – Single Storey dwelling
- 17 Charles Crescent – Single Storey dwelling
- 19 Charles Crescent – Two Storey dwelling
- 18 Charles Crescent – Single Storey dwelling
- 1/24 & 2/24 Charles Crescent – Two Storey duplex dwelling
- 3/24 Charles Crescent – Two Storey dwelling
- 6 Rainbow Drive – Two Storey dwelling
- 8 Rainbow Drive – Single Storey dwelling
- 9 & 11 Rainbow Drive – Single Storey duplex dwelling
- 1 Rainbow Drive – Single Storey Dairy and Takeaway commercial building.

Research has been undertaken on the immediate and wider area around Rainbow Drive, Aubrey Crescent, Chad Street and Oregon Drive (start of). Table 1 summarises this data:

Table 1: Statistics of Area

Total Dwellings[1]	**Smaller Dwellings**	**Two Storey Dwellings[2]**
186	23%	45%
Total Dwellings with Consents (Height or Coverage)		
16%		
Total Dwellings by Suburb[3]	**Permanent Houses**	**Holiday Houses**
1300	992	210 (16%)
Projected Dwellings by 2063[4]	**Permanent Houses**	**Holiday Houses**
1800	1500	239 (13%)

The Taupō Council Demographic data for this area is for Richmond Heights. The wider area of Richmond Heights is known to have a higher permanent population than Rainbow Drive area. A subset of the data specific to the Rainbow Point area has not been researched however it is highly likely that the percentage of holiday homes in this specific area is higher than 16%.

The Rainbow Point Dairy and Takeaway Shop are single storey built up to the front boundary. The Ploughmans Bar and Restaurant is a two-storey building with a garden between the building and the front boundary. These buildings adjoin a large carpark between the shops and the Lake Terrace carriageway.

[1] Cheal Consultants Research June 2025
[2] Or two storey component
[3] Taupō District Council Demographic Data Projections – Richmond Heights Area - 2024
[4] Taupō District Council Demographic Data Projections – Richmond Heights Area - 2063

3. DESCRIPTION OF PROPOSAL

3.1. Land Use Proposal Details

The design of the development has been informed by town planning and urban design advice which has considered the adjoining character and built form of the area, the location of the site as one of the entrances to Rainbow Point area, the servicing requirements of the site, the adjoining shops, the need for breaks in built form, the benefits of landscaping on site, and the need for housing in Taupō.

As illustrated in the plans from JT Design Architecture (Appendix 2), the design comprises of:

- 4 x 2-storied houses (2 x 2 semi-detached dwellings, Units 1 – 4) on the southern side adjoining 27 Charles Crecent, accessed via a shared driveway, approx. 7.2m from the south boundary, approx. 5m from the western boundary and largely 1.5m from the eastern boundary,
- 6 x 3-storied houses (3 x 2 semi-detached dwellings, Units 7 – 12) on the eastern boundary adjoining Lake Terrace Road berm, accessed via a centrally located driveway, 1.5m from the eastern boundary,
- 4 x 3-storied houses (in 1 terrace, Units 13 – 16), on northern boundary opposite Rainbow Point Dairy, accessed both internally and from Rainbow Drive, approx. 7.8m from northern boundary,
- 2 x 2-storied houses (2 x standalone dwellings, Units 5 & 6) on western boundary, opposite 18 & 24 Charles Crescent, accessed from Charles Crescent, approx. 5m from the western boundary,
- Landscaping integrated with fencing around the perimeter to break the built form, and
- The construction of a footpath on the eastern side of Charles Crescent to connect Rainbow Drive to the walkway located between 19 & 23 Charles Crescent.

Image 10: Site Plan (Source: JT Design)

The proposal places the 3 storied dwellings/apartments at the rear and Rainbow Drive side of the site to create a strong built form adjoining the wide road berm, and at the entrance of the site, away from existing residential dwellings. These taller dwellings are designed to have views over the existing area and have low angled mirrored mono-pitched roofs to minimise the dominance of the roof form. The 2 storied dwellings are placed on the western boundary to break the higher form and replicate a character of building often seen in Rainbow Drive and Charles Crescent, having gable roof designs. The design includes central area of open space through the central driveway which separates the cluster of units and their built form.

The buildings are designed with variation in materials, having both vertical and horizontal texture. Balconies and stairwell windows provide interest and windows on side elevations are small and high level to avoid privacy issues between groups of dwellings. The orientation of each set of units also considers privacy and amenity for each unit. Each unit has outdoor space via ground floor or balcony space as well as sufficient outdoor service areas for rubbish, laundry etc.

Image 11: Proposal 3D view (Source: JT Design)

Each dwelling comprises of garaging, 3 bedrooms, living room, kitchen and outdoor living area (ground floor and/or deck). Via the future subdivision application, each dwelling will have its own Record of Title, water, sewer and power connections and Right of Way agreements will be in place for common driveway areas. 14 of the 16 dwellings will have common walls with adjoining dwellings.

Image 12: Southern Elevation View (Source: JT Design)

Units 1 to 4 and 7 to 16 are approx. 140m^2 total floor area with Units 5 & 6 being slightly larger at 157m^2 total floor area. All three storey units have lifts and stairs for access.

3.2. Three Waters

As shown in plan RC4 in Appendix 2, water connection will be made to the existing main in Charles Crescent via the driveways, direct connections and extension of the main up Rainbow Drive as required.

Wastewater reticulation is shown as a gravity connection up the southern driveway, between Units 2 & 3 along the central parking area to the rear of Units 13 to 16.

Stormwater for each dwelling will be provided within each boundary as shown in Plan RC4 and within the driveways as required by Taupō Code of Practice.

Easements in gross will be provided as required in the future subdivision consent.

3.3. Access and Vehicle Crossings

For the sixteen units, a total of six accesses are provided - three shared accesses, and three individual accesses. Thirteen of the dwellings will be accessed via Charles Crescent with the remaining three accessed from Rainbow Drive. The three shared accesses are as follows:

- The southern Right of Way will be 3.5m legal and 3m formed for 4 units (Units 1 – 4).
- The middle Right of Way will be 8m legal and 4.5m formed for 7 units (Units 7 – 12 & 13).
- The northern Right of Way will be 6m legal and 6m formed for 2 units. (Units 14 & 15).

Units 5, 6 & 16 have individual accesses. All units have one internal garage and one space for parking in front of each garage. Unit 14 access is located 11.1m from the Charles Crescent intersection with Rainbow Drive, not the required 15m.

The accesses to Units 14 to 16 are located where an existing flagged bus stop is currently located. This bus stop is for drop offs only on the current bus route. It is proposed that the bus stop is moved 5m to 10m east towards Lake Terrace (Image 13), or as agreed with TDC Transportation.

Image 13: Proposed Bus Stop Relocation (Source: Mapi)

3.4. Power and Telephone

The site has existing power and telephone connections. Sufficient power capacity exists in the power network as shown on Unison Capacity mapping (Image 14).

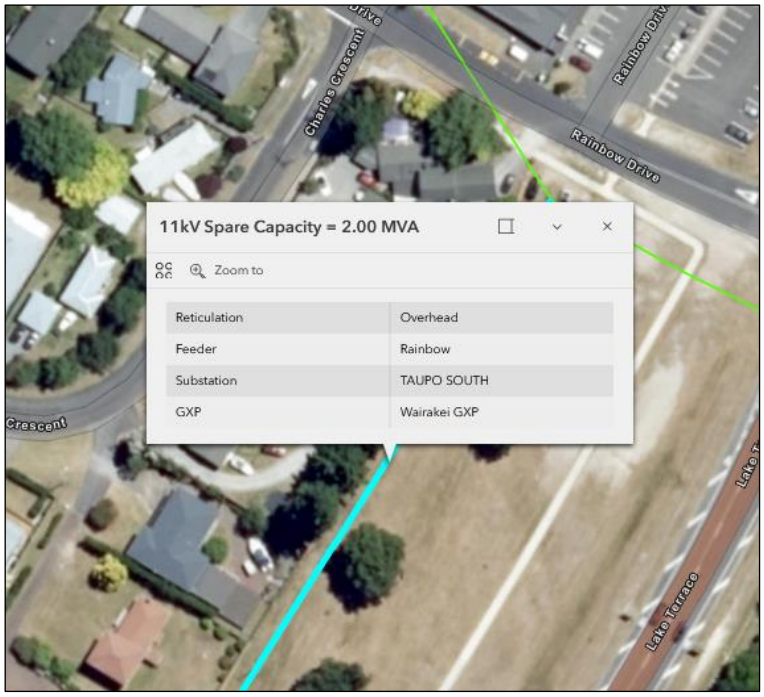

Image 14: Power Capacity (Source: Unison Maps)

3.5. Staging

Due to the scale of the proposal, the proposal may be constructed in stages to enable some dwellings to be completed earlier than others. This staging would stagger construction, potentially enabling the finished dwellings to buffer some of the construction activity from adjoining properties.

Possible staging is:

- Stage 1: Units 1 to 4
- Stage 2: Units 7 to 12
- Stage 3: Units 13 to 16
- Stage 4: Units 5 & 6

A future subdivision application will likely reflect this staging also.

3.6. Earthworks

The maximum earthworks proposed is a 1.1m cut on the eastern (Lake Terrace) boundary shown in Plan RC4 which lowers Units 3, 4, 7 – 12 & 16 accordingly and further reduces daylight encroachments to the adjoining open space and Rainbow Drive. The 1.1m cut also occurs on the boundary with 27 Charles Crescent, reducing to 0m at the Charles Crescent frontage.

The earthworks extend into the site to reduce the site level to 371.9, covering over half of the site. The site is likely to be earth-worked in one phase with the retaining wall to be constructed shortly thereafter. The dwelling at #27 has a similar ground level (between 371.5 – 372m).

Best practice measures of sediment control along the Charles Crescent frontage and dust control will be put in place during earthworks. A Construction Management Plan including Earthworks Management Erosion Sediment Control plan can be provided prior to construction and conditioned accordingly.

3.7. Landscaping

As shown in Plan RC5, specific fencing will be provided along all external boundaries and between units also. On Charles Crescent and Rainbow Drive, external fencing will be open 1.2m fencing. Along Lake Terrace on top of the 1.1m retaining wall, the external fencing will be vertical paling 1.5m fencing. Adjoining 27 Charles Crescent, a 1.8m vertical paling fence is to be constructed at that landowners' request. The open and low fencing on the road frontages will maintain pedestrian safety along these roads with good visibility being maintained at all driveway locations.

Planting will be provided along the boundaries and within the development to provide a green framework and a pleasant internal amenity to the development.

3.8. Lapse Date

The normal lapse period of five years is expected for this proposal.

4. APPLICABLE REQUIREMENTS AND REGULATIONS

4.1. District Plan Considerations

The subject site is contained within the General Residential Zone of the Taupō District Plan (Image 15). The site is not subject to any District Plan notations or overlays such as Outstanding Landscape Areas, Significant Natural Areas or Fault Lines. There are also no features or areas of historic or cultural significance identified on the site. The adjoining Rainbow Point Shops are zoned Residential – Neighbourhood Shops Overlay. The adjoining parcel (Gazetted as Road) is unzoned.

Image 15: District Plan Map (Source: Mapi)

The NZAA website has also been checked which did not identify any historic feature/sites on the site (Image 16).

The proposal is subject to the provisions of the Taupō District Plan contained in Section 13.1 (General Residential Zone), Section 12 (General District Wide Matters) and Section 7.3 (Transport).

As identified in Appendix 3 in detail, and summarised below in Tables 2 and 3, when considered over the whole site, the proposal infringes multiple bulk and locations standards – some buildings have few infringements to external boundaries however, with the proposed design complying with building coverage.

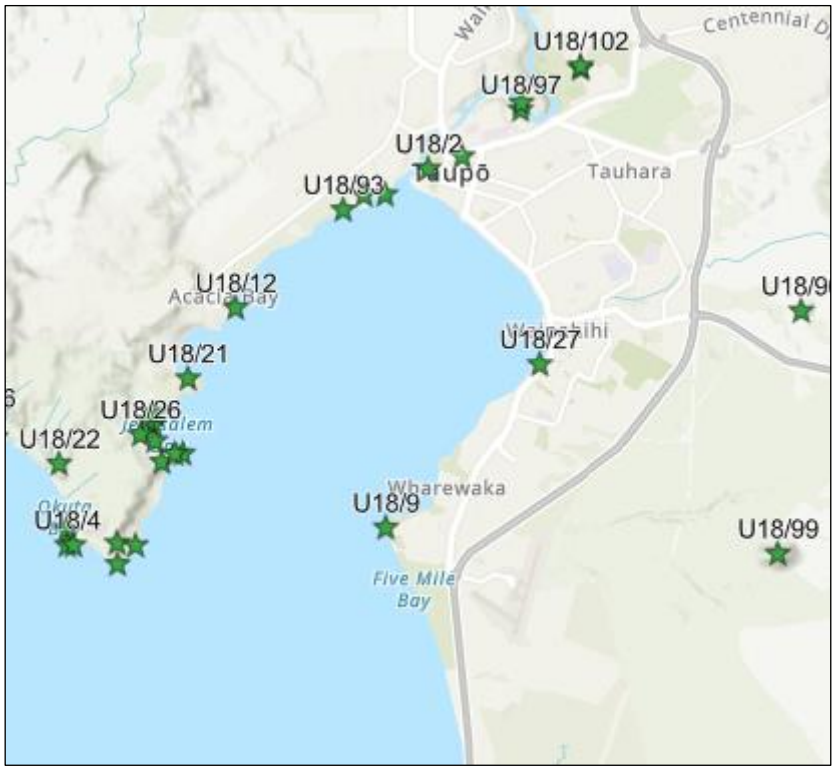

Image 16: Known Archaeological Sites (Source: NZAA)

Table 2 – Summary of Infringements

Performance Standard	Parent Allotment/External Boundaries
Maximum Combined Coverage	Complies
Maximum Plot Ratio	Does not comply
Maximum Total Coverage	Does not comply
Front Boundary Setback	Complies except for Unit 1
Side/Rear Boundary Setback	Complies except for Unit 4
Height	Complies except Units 7 – 12, 13 – 16
Height to Boundary	Complies except Units 1, 4, 7 – 12, 13 – 16
Access	Complies except for Unit 14 access
Earthworks	More than 50% of the site will be earth-worked at one time, during construction. With up to 1.1m cut occurring on the length of south and eastern boundaries.

Additionally, an extension of the water and wastewater mains is required to service the development. Subdivision consent is not being sought at this time. Therefore, the following rules apply:

- Rule GRZ-R4 of the Taupō District Plan states that any activity which does not comply with four or more standards for PER activities including (where a standard contains more than one control) four or more parts thereof, is a **Non-Complying Activity**.

- Rule GRZ-R3.1 of the Taupō District Plan states any activity which does not comply with two or three standards for PER activities including (where a standard contains more than one control) two or three parts thereof, or is not a PER, CON, or RDIS activity, is a **Discretionary Activity**.
- Rule INF-R2 of the Taupō District Plan states that any activity which results in new water, stormwater or utility services is a **Restricted Discretionary Activity.**
- Rule EW-R2 of the Taupō District Plan states any earthworks within GRZ, MRZ, LRZ that does not comply with any one part of the standards for PER activities is a **Restricted Discretionary Activity.**

Table 3 – Infringements of Bulk and Location by Unit

Unit	GRZ-R5.1	GRZ-R5.1	GRZ-R5.1	GRZ-R5.1
	5m front bdy	1.5m bdy	Height	H2B
1	X	☑	☑	X
2	NA	☑	☑	☑
3	NA	☑	☑	☑
4	NA	X	☑	X
5	☑	NA	☑	☑
6	☑	NA	☑	☑
7	NA	☑	X	X
8	NA	☑	X	X
9	NA	☑	X	X
10	NA	☑	X	X
11	NA	☑	X	X
12	NA	☑	X	X
13	☑	NA	X	X
14	☑	NA	X	X
15	☑	NA	X	X
16	☑	NA	X	X

4.2. Section 104 - National Environmental Standards (S104(1)(b)(i))

There are currently the following National Environmental Standards:

- National Environmental Standards for Air Quality
- National Environmental Standards for Sources of Human Drinking Water
- National Environmental Standards for Telecommunication Facilities
- National Environmental Standards Electricity Transmission Activities
- National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health
- National Environmental Standards for Commercial Forestry
- National Environmental Standards for Freshwater
- National Environmental Standard for Marine Aquaculture
- National Environmental Standard for Storing Tyres Outdoors
- National Environmental Standard for Greenhouse Gases from Industrial Process Heat

4.2.1. National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect the Human Health (NESCS)

Only the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect the Human Health (NESCS) is considered relevant to this proposal. The NESCS controls the following activities:

1. Removing or replacing all or part of, a fuel storage system
2. Sampling the soil
3. Disturbing the soil
4. Subdividing the land
5. Changing the land use

This NESCS addresses the assessment and management of the actual and potential adverse effects of contaminants in soil on human health from particular activities. This proposal seeks to undertake earthworks and eventually subdivide the subject site, both of which are activities under the NESCS, when it takes place on a piece of land described under Regulation 5(7) which reads:

(7) The piece of land is a piece of land that is described by 1 of the following:

- *(a) An activity or industry described in the HAIL is being undertaken on it*
- *(b) An activity or industry described in the HAIL has been undertaken on it*
- *(c) It is more likely than not that an activity or industry described in the HAIL is being or has been undertaken on it*

The subject site is contained within the General Residential Zone, and has been used as a motel for decades, having been built in approx. late 1950s/1960. In determining whether the subject site is a 'piece of land' under the NESCS, we have undertaken a search of the property file in accordance with Section 6(2) of the NESCS and sought comment from both Taupō District Council and Waikato Regional Council. Both Councils have advised there is no record of any NESCS activities having been undertaken on the site. Comments are provided in Appendix 8. A review of the property file shows no HAIL activities having been recorded. As shown in Section 2.2 above Retrolens research shows the site having been tourist accommodation since it was first built in approx. 1960. The site is not identified by the Taupō District Plan as being 'contaminated'.

However, a recent inspection of the building has identified asbestos building materials in the buildings. The removal of this material will be undertaken in accordance with Building Act and Worksafe requirements, by qualified contractors and assessed to meet the required standard, prior to the demolition of the buildings.

Given the above, it is considered that the site or any specific area is not considered a 'piece of land' under the NESCS and therefore the NESCS does not apply and further assessment or consent under the NESCS is not required. Furthermore, it is considered highly unlikely that there will be a risk to human health as a result of the proposed redevelopment.

5. CONSULTATION

In accordance with the RMA, an application for resource consent should:

1. Identify the persons affected by the proposal
2. Comment on the consultation undertaken, and
3. Identify any response to the views of any person consulted

To avoid doubt, while the applicant is not obliged to undertake consultation, nor is there any grounds for expecting the applicant to consult with any person, the applicant is obliged to report on who may be affected by the proposal.

Taupō Council Roading and Reserves teams have been consulted regarding the adjoining Lake Terrace berm due to its road status and recreation reserve use. Reserves have no concerns regarding the proposal. Roading outlined no concerns regarding the access configurations and sight distances. The matter of the flagged bus stop on the southern side of Rainbow Drive was raised and discussions commenced regarding alternative locations for this bus stop.

Consultation has been undertaken with neighbours as detailed in Appendix 6. In summary:

- Four property owners have provided their written approval to the proposal (purple triangle),
- Two property owners have not responded to any correspondence undertaken with them (red circle),
- Discussions are being undertaken with two property owners with a view to obtaining written approval (orange square), and
- Two property owners currently have concerns regarding the proposal (white cross).
- Owners of 9 & 11 Rainbow Drive initially responded that they have no comments and have not responded since.

Image 17: Identification of Consulted Parties (Base Source: Mapi)

The two property owners who have not responded (3/24 & 19 Charles Crescent) have been emailed and written to via post at their rating address several times; 8 times for #3/24 and 3 times for #19. No responses have been received as detailed in Appendix 5. White pages and social media have been searched to find contact details however none have been found.

Cheal Consultants Limited (Cheal) and JT Design Architecture have met with the two property owners who have concerns. Their concerns are largely related to the density and scale of the proposal, considering it out of keeping with the character of the Rainbow Point area. They note a large number of older houses with which the modern style of the proposal will not be in keeping with. The buildings being over height and encroaching on daylight allowance was also a concern when they viewed the first set of plans which did not include the now proposed 1.1m cut on the eastern boundary.

The number of units proposed is of concern to them largely due to the increased level of traffic and vehicle movements which will occur to Charles Crescent with a concern to pedestrians safety and a lack of visibility on the corner by #18 Charles Crescent – noting it as 'a narrow street with a blind right angle corner will cause congestion and be hazardous for current property owners accessing their properties'. A lack of parking on site, and a concern of boats and cars being parked on Charles Crescent, thereby congesting the road, was noted by these owners. Their preference is for Charles Crescent to remain a quieter street from a traffic and noise perspective.

6. ASSESSMENT OF ENVIRONMENTAL EFFECTS

6.1. General Assessment

The proposal involves 16 medium density 2-3 storey residential units being semi-detached and standalone units with extensions to water and wastewater networks and the formation of several driveways off Charles Crescent and Rainbow Drive.

The proposal places the 3 storied dwellings/apartments at the rear and Rainbow Drive side of the site to create a strong built form adjoining the wide road berm, and at the entrance of the site, away from existing residential dwellings. These taller dwellings are designed to have views over the existing area, and have low angled, mirrored, mono-pitched roofs to minimise the dominance of the roof form. The 2 storied dwellings are placed on the western boundary to break the higher form and replicate a character of building often seen in Rainbow Drive and Charles Crescent, having gable roof designs. The design includes central area of open space via the central driveway which separates the built form of units, which would not occur via a traditional infill design.

Under Section 104(3) the Council must not have regard to any effect on a person who has given written approval to the application. Written approval has been provided by the owners of 6 & 8 Rainbow Drive, and 1/24 & 2/24 Charles Crescent. Written approval may be provided from the owners of 27 Charles Crescent and 1 Rainbow Drive post lodgement.

This application is supported by an urban design assessment by Blewett Studios which is discussed in more detail below.

The proposed design proposes modern, small, quality, infill apartments on the edge of an existing suburb. The placement of taller apartments on the outer area of the site, together with the lowering of the ground level, seeks to minimise the effects of the proposed height whilst providing a strong built form to the adjoining open space and roads. The design respects the external bulk and location requirements where there is potential to impact on adjoining properties and provides internal amenity for occupants via outdoor space at ground floor and balconies.

Further to that each unit has been carefully designed to provide private indoor and outdoor living space, with regard being given to the orientation of ground, first and second floor windows, screening between units deck space, relationship of bedrooms to living spaces between the units, and adequate fencing between ground floor outdoor space. Separate footpaths from the street to the front doors of each unit are provided in addition to footpaths within proposed driveways. Parking is provided to a larger degree than required.

This assessment covers an assessment of the effects on Urban Design, Residential Character and Amenity, Open Space, Traffic and Road Safety and Construction effects. Additionally, an assessment on alternate designs is provided.

6.2. Baseline Assessment

6.2.1. Permitted Baseline Assessment

Under Section 104(2) the Council can choose to disregard the effects of the permitted baseline.

For this site, the vehicle movements rule presents a limitation of 24 evms for this property in one Record of Title, being 3 dwellings or 6 motel units, despite building coverage and plot ratio allowing approx 1320m^2 of building. Therefore 3 x 440m^2 single storey dwellings or three two storey dwellings of the same GFA could be constructed on this site. Alternatively, a motel building of 1320m^2 GFA (single storey or two storey) comprising of 6 motel units could be constructed, compliant with all bulk and location provisions, with 4 crossings permitted (1 per allotment).

Additionally, Councils level of service for footpaths is a footpath on one side of the road. Therefore, in addition, the traffic safety effects of up to 4 access crossings on Charles Crescent where there is no footpath can also be disregarded.

6.2.2. Controlled Activity

The scenarios provided in Appendix 7 are best described as Controlled Activity scenarios which are commonly occurring in the General Residential zone with approx. 900m^2 – 1000m^2 being subdivided into three lots. Alternatively these scenarios can be achieved via the application for a Section 226 certificate (after the provision of wastewater and water connections).

In these scenarios, the built form provides for up to 12 dwellings – three within each parcel as demonstrated in Appendix 7. The level of vehicle movements from the four parcels or 12 dwellings is 96evms/day. Similarly, controlled activity scenario for 12 dwellings access crossing is the location of 4 or 7 access crossings to Charles Crescent (depending on configuration), and no provision of a footpath on the east side of Charles Crescent.

6.3. Urban Design Assessment

An urban design assessment has been undertaken by Heather Blewett of Blewett Studios, following initial advice from Blewett Studios on concept designs. This assessment is provided in Appendix 4 and is accompanied by a Contextual Analysis. This assessment assesses the development against the principles of the New Zealand Urban Design Protocol and against the relevant assessment criteria for Comprehensive Residential Developments included in proposed Plan Change 44. Although PC44 is yet to be notified and the provisions are still in draft form, the latter assessment is provided in lieu of specific assessment criteria within the current General Residential zone for Comprehensive Residential Developments.

The assessment (supported by a Contextual Analysis) concludes:

> *The development demonstrates a considered response to its context, balancing increased residential density with sensitivity to the surrounding character, topography, and built environment.*
>
> *The design provides a high-quality living environment with well-articulated buildings, legible access, and passive surveillance to public spaces. It enhances the street interface along Lake Terrace, Rainbow Drive and Charles Crescent through varied roof forms, well-considered landscaping, and active frontages. While the proposal includes some height and daylight breaches, the overall bulk and scale are effectively moderated by topography, building orientation, and architectural treatment. Importantly, the breaches to the height in relation to boundary standards primarily affect the boundary with Lake Terrace and the Rural zoning which have no effect on neighbouring homes. Similarly, breaches to the maximum height are located well away from neighbours.*
>
> *The proposal contributes to housing choice in a well-connected, walkable neighbourhood, supporting broader strategic objectives for intensification within established urban areas. It represents a creative and sustainable redevelopment of a brownfield site, utilising best-practice urban design and CPTED principles. Furthermore, it aligns with the objectives of the Taupō Housing and Transport Strategies and demonstrates a collaborative design process.*
>
> *For these reasons, I am supportive of the proposal from an urban design perspective and consider that it will contribute positively to the quality, vibrancy, and amenity of the Rainbow Point neighbourhood.*

I concur with this assessment.

6.4. Effects on Residential Character & Amenity

On first assessment the area of Rainbow Point is a holiday house community, originally with single storey smaller baches. In more recent years, redevelopment of housing has occurred within the area, with approx. 45% of buildings now have some form of two storey component, and dwellings from every decade and building style. A low-level infill subdivision has occurred in 1970s, 1980s and 1990s. Therefore, the character of this residential area is best described as one of mixed residential built form with permanent and holiday house owners.

The site sits on the edge of the area, with the eastern boundary visible from Lake Terrace. The wider character of the area is marked by Lake Terrace as an arterial road where taller and higher density housing and tourist accommodation occurs along its length from Rifle Range Road through to Richmond Avenue. More recently, the development of Kokomea Village and Nga Roto Estate have continued elements of taller buildings along Lake Terrace also.

With the strong vertical element of the proposal illustrated by the plot ratio non-compliance, it is acknowledged that the proposal has an appearance of residential scale and multi-unit apartment typology, not often found within the General Residential zone currently. There are a growing number of developments of a similar scale and style nearby, see Appendix 4 – Contextual Analysis.
Consideration has been given to the layout of the units, actively placing those taller and semi-detached units in the locations able to accommodate the scale and effects of them i.e adjoining open space and roads. This location on the site connects these units with the character of Lake Terrace and Kokomea Village, whilst the smaller, lower units are placed on Charles Crescent to connect with that character. Of note, on Charles Crescent frontage four dwellings are proposed to front Charles Crescent, the same as controlled scenario. The taller units on Rainbow Drive, together with the shops, create a gateway-like effect to the area, which does not affect the wider amenity of the area. The lower single unit and semi-detached units which are a more familiar typology in General Residential zone, are located adjoining the existing residential properties. Overall whilst the character of the development is not the same as that of Rainbow Point, the effects of this more vertical and apartment character on Rainbow Point Area are mitigated by the layout of the proposal, and association of like with like.

On the eastern side of Lake Terrace is the Grace Crescent suburb with 1-2 storey dwellings which have views west and north-west towards Rainbow Point. These dwellings have a ground contour of approx. 375 – 376m being approx. 3.5m higher than the proposed ground level of the proposal. For dwellings in this location which are two storey, the additional 3.5m ground level places these dwellings at a similar height. These sites on Grace Crescent are approximately 85m – 90m from the site, a significant separation from the site. Whilst the proposal will be a visual change, there will be no effect on the amenity of these Grace Crescent sites, nor an effect on the character of this area, particularly given the physical separation caused by the busy nature of the arterial Lake Terrace.

The urban design assessment reflects this matter as follows:

> *As noted above, the character of the area is evolving, with ongoing greenfield development and intensification. The introduction of the commercial core at Kokomea Village builds upon existing facilities at Rainbow Point and Richmond, contributing to a well-serviced, walkable neighbourhood centre. This evolving context supports further intensification to improve housing quality and choice.*
>
> *In response to this, the proposal presents a sustainable solution to housing on a brownfield site within an established and walkable community. Nearby zoning enables higher density housing, including three-storey apartments opposite Kokomea Village Centre. Furthermore, the Lake Crest Village Care Centre and serviced apartments will add to the urban scale visible along Lake Terrace. For these reasons, the proposal is considered to respond well to local character and contributes positively to the 'dynamic and evolving' nature of the built environment (page 8).*

6.5. Effects on Open Space

The property adjoins the Lake Terrace corridor where the carriageway is located approximately 60m east of the site. The wide berm between the carriageway and the site is used largely for recreation, specifically walking, biking and dog walking along the concrete footpath. This footpath connects Rainbow Point and 2 Mile recreation area with the Kokomea Village as well as the informal path to Kōwhai Road (Image 18).

The redevelopment of the site will improve amenity of this open space as well as the use of Charles Crescent and Rainbow Drive for recreational uses. In particular Units 7 to 12 have kitchen windows at the third floor overlooking this space, providing casual surveillance for this area. The recent use of the site for social and emergency housing resulted in anti-social behaviour in this area decreasing amenity and perceived safety in the area. Prior to that use, while a motel, the motel was regularly used for accommodation by travellers, tourists and truck drivers. The latter use resulted in trucks parking on the wide berm eroding the grass resulting in dust and restricting the area's use.

Image 18: Recreation Pathways

The urban design assessment considers this matter stating:

> *While the site presents limited opportunity for new connections through the block, the proposal enhances the interface with surrounding streets. A stronger presence is created along Lake Terrace, Rainbow Drive and Charles Crescent. Due to restricted access from Lake Terrace, upper-level windows provide overlooking and passive surveillance, with existing trees helping to scale the development sensitively. The orientation of homes towards Rainbow Drive and Charles Crescent establishes a welcoming and active frontage with improved planting buffers (page 9.)*

6.6. Traffic Effects and Effects on Road Network

The development will result in sixteen units on the four-parcel site. Effects to be considered are those on traffic and pedestrian safety, capacity of the road, amenity and noise. Concern from neighbours are the safety of the pedestrians, the parking of boats/vehicles on Charles Crescent, the number of crossings occurring to Charles Crescent impacting on safety and noise.

Both Rainbow Drive and Charles Crescent are generally low volume, low speed roads with Charles Crescent having an ADT of 150 and Rainbow Drive an ADT of 1400. This data is from January 2000 however the area has only had house redevelopment with very little subdivision in the last 25 years therefore the level of traffic is likely to be similar. Both intersections likely to be used by owners/occupants of these units - Charles Crescent/Rainbow Drive intersection, and Rainbow Drive/Lake Terrace – are in good condition with controls and excellent visibility. These intersections are not in need of upgrade as a result of this proposal, being designed to accommodate the resulting level of traffic.

The permitted baseline vehicle movements from the site are 24evm/day allowable all onto Charles Crescent from 4 crossings. The historical vehicle movements from the motel are noted as 60evm/day. The proposed vehicle movements from the site are 128evm/day with 24evm (Units 14, 15 & 16) occurring only to Rainbow Drive. Therefore, for the section of Charles Crescent between 24 and 27 Charles Crescent, 104evm/day is proposed on to Charles Crescent being only 8evm or one household..

	ADT	Proposed EVM	EVM to ADT	Increase
Charles Crescent	150	104	80% = 73	49% increase
Rainbow Drive	1400	24 + 104	80% = 17 + 73	1.2% - 6.4% increase

Note: EVMs are a peak calculation, and ADTs is an average calculation.

Rainbow Drive is a well formed 9m carriageway road with good visibility, well able to absorb the increase in traffic proposed by this development. Charles Crescent is also a well-formed road, albeit narrower in formation. Whilst, when fully occupied, there may be a marked increase in traffic, the majority of this traffic is likely to travel towards Rainbow Drive and Lake Terrace, resulting in a short length of Charles Crescent affected by this increase. This length has good visibility from the proposed accesses with the proposed level of traffic not dissimilar to a permitted development level.

The proposal has four accesses on Charles Cresent and two on Rainbow Drive, similar to a controlled activity subdivision of the site however specifically places the accesses in locations with good visibility, and groups the units on to these accesses to ensure safe access for the greatest number of vehicle movements. A compliant design would not achieve this. From the proposed access crossings, sight distances are good and compliant with the District Plan and Code of Practice. The access to Units 1 to 4 is located on the outside of the corner where visibility in both directions is excellent. The access to Unit 14 is only 11m from the intersection of Charles Crescent with Rainbow Drive however the road has excellent visibility at this intersection. Additionally, vehicles exiting Charles Crescent turning right, are at a controlled intersection allowing drivers time and visibility to manage any conflicts occurring. The combination of a new footpath on the eastern side of Charles Crescent and the proposed 1.2m post and rail fence provides excellent

pedestrian safety on Charles Crescent and Rainbow Drive, better than required by the District Plan.

The proposal provides one garage park and one park outside each garage for each unit. This level of parking provision exceeds that required by the District Plan. The concern raised by neighbours regarding vehicle and boat parking on the road is understood however two carparks are being provided per unit and as long as these vehicles are parking legally, this effect is a permitted and accepted one. It is understood that high levels of parking on roads does narrow roads, this narrowing of driveable space requires vehicles to slow down thereby increasing safety. For the majority of the year this area has low levels of on street parking, except for the summer holiday periods. The redevelopment of the site may increase on street parking however this effect is a permitted effect which is acceptable. Additionally, the peak effect is for a short period of time each summer.

Noise associated with increased vehicle movements can be an effect on residential amenity. For Charles Crescent the additional effect over a permitted level of vehicle associated noise is that of one household. Whilst Charles Crescent is generally a quieter suburb largely due to its higher holiday house occupancy, a normal level of residential noise and vehicle related noise is considered acceptable in this location. One additional household worth of vehicle noise on a low speed road is considered within the acceptable level of noise in a residential zone.

The effects from the proposed traffic associated with this proposal is considered to be less than minor in light of the permitted level of effects, the good condition of the intersections, and adequate provision of parking.

6.7. Effects of Non-Compliances

The proposal incurs a number of bulk and location standards infringements of the District Plan. This assessment specifically assesses those relating to plot ratio, total coverage, front boundary setback, other boundary setbacks, height and height to boundary.

6.7.1. Plot Ratio – All Units

Due to the strong vertical component in the design, the proposal infringes this rule significantly at 74.78%. The effect of this infringement is visually understood in the height and scale of the buildings. This higher level of gross floor area provides for units which have a smaller building footprint however achieve a 3-bedroom, single garage, residential units of 140m^2 to 157m^2 floor area. The units however are not wide, being approximately 5.7m to 6.9m wide.

For Units 7 to 16, the bulk of the buildings are broken by the modulation in the façade design, the semi-detached duplex and staggered terrace design and the use of decks. The scale of Units 7 to 12 is mitigated by the lower ground level, the narrowness of and spacing between the duplexes, the mono-pitched roofline, and the placement of these units away from street frontages.

Image 19: Elevation View from Charles Cres/Rainbow Dr Intersection (Source: JT Design)

The scale of Units 13 to 16 is mitigated by the staggered offset of the terrace, the narrowness of each unit, the compliance with the front setback, the monopitch roofline, and the use of varied window design/placement. The role of landscaping in mitigation is acknowledged through the provision of a landscape and fencing plan providing a vegetated edge to the site. The central driveway creates open space between the various sets of units, separating the built form, thus mitigating the potential visual effect of units vertical scale.

6.7.2. Total Coverage

Total coverage is a measure of the percentage of a site permitted to be covered by a surface material. Therefore, the provided total coverage figure excluding the southern and central driveways is 42.55% (relevant for future subdivision), the provided total coverage figure including the three driveways is 56.73%. In principle there is non-permanently surfaced area of the site sufficient for open space, gardens and stormwater control. Additionally, these areas create separation between the units to maintain occupant amenity.

6.7.3. Front Boundary Setback – Unit 1

Compliance with this rule is achieved on the external boundaries except for Unit 1 which is located in the front setback (Charles Crescent) by 0.5m - 0.9m for length of 11.7m. This area of non-compliance is small being the front elevation at 0.5m into the setback and the gable feature of the front elevation being located up to 0.9m into the front setback. It is also noted (as shown in Image 21 below) that this portion of Unit 1 also infringes the Height to Boundary requirement by a minor area of 0.3m high, 1.2m wide at the gable end.

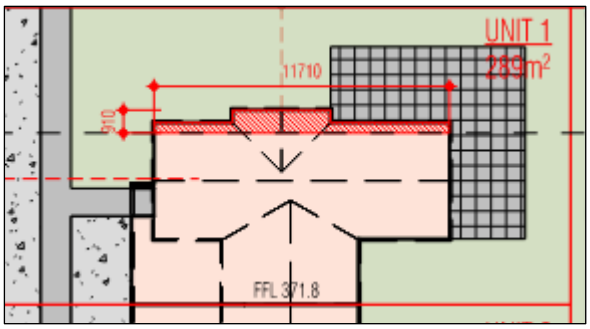

Image 20: Unit 1 Site Plan

Image 21: Unit 1 Western Elevation

The front boundary elevation of Unit 1 has variation in materials, and the gable feature creates interest. This area of the unit includes the kitchen at ground floor and a bedroom at first floor. The location of the building slightly into the front boundary does not impact on the adjoining access sight lines, nor onerously intrudes into the streetscape. The placement of the kitchen in this forward location allows for street engagement and surveillance. The height to boundary infringement will have no effect as Charles Crescent is on the northern side of the building allowing sufficient daylight to the road.

6.7.4. Other Boundary Setbacks – Unit 4

Compliance with this rule is achieved on the parent property except for Unit 4 which is located in the rear setback (Lake Terrace) by 0.4m for length of 3.89m. Similarly to Unit 1's front boundary setback, this infringement occurs to the gable feature of this side elevation. This area of the unit includes the kitchen at ground floor and a bedroom at first floor.

The location of the building slightly into the side boundary does not impact on the amenity of the adjoining open space which is wide allowing recreational users many pathways through it. At this location, the unit will be approx. 1.1m lower than the adjoining open space, further reducing the intrusion into the open space. Moreover, the fencing plan places a 1.5m paling fence along this boundary overall reducing the visible scale of the building in this location.

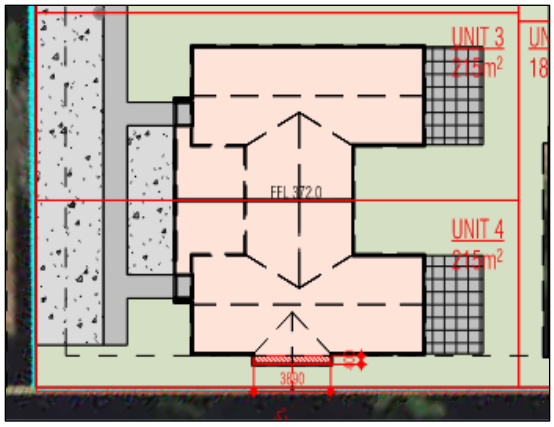

Image 22: Unit 4 Site Plan

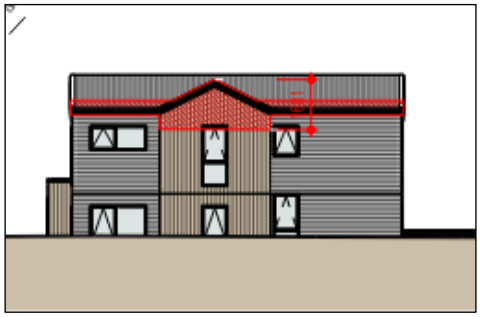

Image 23: Unit 4 Eastern Elevation

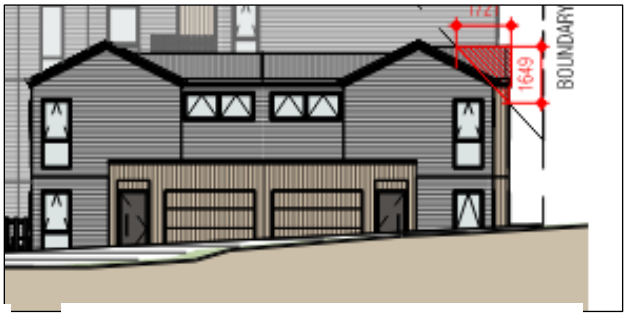

Image 24: Unit 4 Southern Elevation

It is noted (as shown in Images 23 & 24) that this portion of Unit 4 also infringes the Height to Boundary requirement also. Although the unit sits north of the open space, this open space is wide and the immediate area adjoining the site is unlikely to be utilised by recreational uses as it is not on a main connecting pathway and has overhead power lines located within it. Discussions with Taupō Council Reserves staff did not raise any concerns regarding the development for recreational users.

6.7.5. Height and Height to Boundary – Units 7 to 16

Compliance with the 8m height performance standard is achieved on all proposed units except for:

- Units 7 – 12, which have top portions of roofs infringing into the 8m height plane by 0.25m to 0.55m, and
- Units 13 – 16, which have roofs and front facades infringing to the height plane (Unit 13 – 1.4m, Unit 14 - 1.15m, Unit 15 – 1m, Unit 16 – 0.8m). This matter is illustrated in RC9 and RC10.

Compliance with the height to boundary performance standard is achieved on external boundaries for all proposed units except for:

- Unit 1 front boundary gable (0.3m high, 1.2m width)
- Unit 4 Lake Terrace boundary (0.5m – 1.6m high, 12m width)
- Units 7 – 12 (4.3m – 4.6m high, 4.7m width (each building)),
- Unit 13 roof and stairwell (0.2m – 1.9m high, 4.8m width)
- Unit 14 roof (0.2m – 1.3m high, 2.6m width)
- Unit 16 (up to 2.4m, 7.4m width).

Units 7 to 12

Whilst Units 7 to 16 are three storeys, the floor to roof height of the buildings is 9.1m providing a condensed three storey building. The proposed 1.1m cut on the eastern (Lake Terrace) boundary lowers Units 4, 7 – 12, accordingly Units 7 – 12 are now just over the 8m height limit by 0.25m – 0.55m. The use of this lower finished ground level and mirrored monopitched roofs with space between the roofs minimises the visual impact of these units, with the height and scale not dissimilar to a two-storey residential dwelling with a standard gable style roof. The height to boundary infringement is significant at 4.3m to 4.6m as a result of their close location to the boundary and their height.

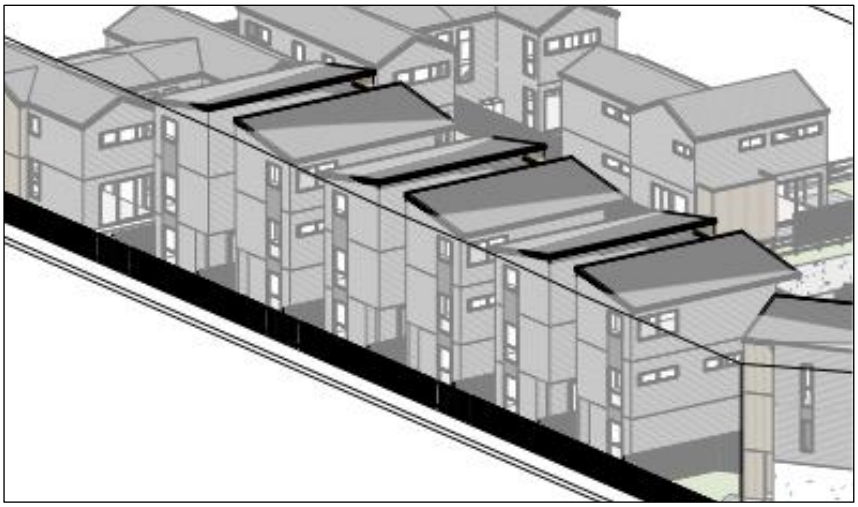

Image 25: Units 7 to 12 Height Compliance (Source: RC10 JT Design)

Due to the staggered nature of the rooflines, the separation between roofs and units, the narrowness of the duplexes at 11.4m, and the placement of these units against the Lake Terrace wide berm, the buildings do not intrude into the outlook or privacy of any adjoining residential properties nor create oversize dwellings out of scale with the residential area. Similarly, the effect of the height to boundary infringement (i.e shading on the Lake Terrace berm) will be less than minor due to the berm width and the resulting distance to the Lake Terrace carriageway (approx. 60m). Users of the reserve are intermittent recreational users with the immediate area adjoining the site not being the main pathway for users in light of the overhead power lines. Discussions with Taupō Council Reserves staff did not raise any concerns regarding the development for recreational users.

Units 13 to 16

Units 13 to 16 have the same floor to roof height at 9.1m, providing a condensed three storey building, however, are designed as a staggered terrace across the 1.25m fall of Rainbow Drive. The proposed 0.8m cut on the eastern (Lake Terrace) boundary lowers Unit 16 so that it is just over the 8m height limit by 0.8m. Due to the fall across the Rainbow Drive frontage, Units 13 to 15 have increased height infringement increasing up to 1.4m whereby the monopitch roofs and a small portion of the front façade protrude through the height plane.

However, in conjunction with the 5m+ setback from the front boundary, these units have small areas of non-compliance with height to boundary plane (Plan RC10), including height to

boundary infringement of a small portion of Unit 13 stairwell to Charles Crescent. The road separation of 20m (and building to building separation of at least 26m) to the neighbourhood shops which sit north/northeast of these units, minimises the effect of potential shading to the road and the neighbourhood shops. The road corridor separation across Charles Crescent and the orientation of these dwellings on Charles Crescent on its western side, avoids shading or overbearing impacts of the building to these private properties. The taller height of Unit 13 is not considered inappropriate as its location on the corner creates a strong streetscape, yet this height is well offset by the unit's 5m setback from the front boundary providing good visibility around the corner, supported by the proposed 1.2m high fencing.

Image 26: Units 13 to 16 Height Compliance (Source: RC10 JT Design)

6.7.6. Earthworks Cut and Coverage

The proposed 1.1m cut will occur within the 1.5m Lake Terrace boundary and within the 1.5m side boundary with #27. This cut reduces to 0m at the Charles Crescent frontage and Rainbow Drive frontages. This cut results in a finished ground level of approx. 371.9m. This cut will have a negligible effect as the dwelling at #27 has a similar ground level (between 371.5 – 372m). Additionally, no buildings are located on #27 within 1.5m of this common boundary where the cut may impact on stability. The matter of interface (fencing/retaining wall) is being discussed with this landowner.

There will be no effect on the adjoining reserve with the cut being retained shortly after earthworks and no building ever likely to be located within the reserve in this location, particularly in light of the overhead power lines. Due to the medium scale of the site, all earthworks are likely to be undertaken in one phase. An earthworks management plan demonstrating best practice sediment erosion and dust management practices will be incorporated into a construction management plan provided through conditions of consent.

6.8. Effects on Infrastructure

The proposal involves the connection of 16 units to the reticulated water and wastewater network as detailed in RC4. It is understood that there are no development constraints on water or wastewater capacity in this area and connection is possible. Both the water and wastewater networks will be extended as needed with easements in gross proposed at the time of subdivision. Adequate area for onsite stormwater disposal is provided as shown in plan RC4. Payment of development contributions will be made as required. The effects on infrastructure is considered to be manageable in this location.

6.9. Construction Effects

The construction of the units is likely to occur in stages as outlined in Section 3.5. Construction effects are noise, dust, parking of contractors' vehicles, traffic effects of unloading of materials and construction vehicles, sediment control and vibration. These matters are all standard concerns for residential construction. The effects of these activities can be managed through hours of operation, noise conditions, traffic management plan and earthworks management plans incorporated into a construction management plan provided through conditions of consent. The timing of construction can consider holiday weekends. With permission of Council, the wide Lake Terrace berm may be utilised also, or parking in the Rainbow Point carpark. Due to the location of overhead power line near the eastern boundary, construction will be undertaken in line with the NZECP 34:2001 Electrical Code of Practice. With these measures in place via a Construction Management Plan effects of construction are able to be managed and mitigated.

6.10. Effects of Alternative Design

Through consultation, alternative design for the proposal has been queried, namely the consideration of the access orientation. Consideration has been given to a range of alternative designs in the design process which has been guided by urban design principles based on the 7 Cs of the Urban Design Protocol. Many of the options assessed early in the site design process including a larger number of units, differing layouts or a larger number of three storey units. Key considerations were strong street frontages, articulation to reduce bulk, minimal recession plane intrusions to existing residential properties, matching adjoining properties and bulk, internal amenity spaces, ease of access etc.

Following feedback from consultation, consideration has been given to increasing the number of units accessing from Rainbow Drive, rather than Charles Crescent. This concept, similar to that shown in Image 27, would involve:

- The separation of the Unit 13 – 16 terrace
- The movement of Units 15 & 16 slightly east
- The reconfiguration of Units 13 and 6 (possibly)
- An additional unit between Units 5 & 6 or duplex with Unit 5 (possibly)
- All units but Units 1 – 4, 15 & 16 would have internal Right of Way access
- Possible walkway access through to Charles Crescent.

Image 27: Alternative Layout Options (Source: Blewett Studio)

This concept is commented on by Blewett Studios as follows:

Rainbow Drive is the primary road frontage and therefore justifies a more continuous building frontage. By moving the entry off this shorter frontage creates two, smaller blocks which will be tall and narrow.

A narrow standalone, three-storey home presents different proportions that would be less appropriate to the street, particularly the corner.

Removing the main shared driveway to Charles Crescent in favour of an additional house, results in a more enclosed street frontage, with additional private outdoor space against the street. This makes the house less visible, with less activation across the street.

Whilst the additional double driveway to Charles Crescent (in place of the shared drive) may reduce vehicle movements - the users will reverse over the footpath, rather than drive out in a forward motion with better visibility.

Relocating the driveway off Rainbow Drive makes the entries to Units 7-12 less visible from the street – the view into the site will be a long driveway terminating in a fence, rather than a slightly shorter driveway with a view to homes (which is more inviting as you enter the site).

Internalising the vehicular accesses to the units fronting Rainbow Drive is a positive outcome in principle, however, it reduces the quality of the shared driveway for pedestrians within the site. Obviously, this needs to be balanced across all frontages and accesses.

Overall, it is considered that placing the access to the majority of the units off Rainbow Drive would be a design with less positive streetscape engagement, greater confusion as to location and access, less activation on Charles Crescent, and overall, a lesser quality outcome for the area.

6.11. Summary

The effects considered in this assessment from the proposal are those relating to urban design outcomes, residential character and amenity, effects on open space, traffic effects, effects on infrastructure and construction effects.

The proposal infringes a number of Residential zone standards, being a different style and scale to the Rainbow Point area character. However, the careful placement of taller buildings in conjunction with the lowered ground level and mirrored monopitched roof lines, minimises the potential visual, shading and bulk effects of taller units, and further reduces daylight encroachments to the adjoining open space and Rainbow Drive. The placement of taller units on Rainbow Drive adjoining the commercial centre creates a gateway effect to the area whilst the height and scale of the Charles Crescent units is similar to a two-storey residential dwelling with a standard gable style roof. The location of two storey dwellings adjoining existing residential properties which largely comply with setbacks and height to boundary, are similar to other dwellings within the area and the character to the area. Overall, the effects of non-compliances largely do not impact on private property, rather to roads or open space. Further analysis of affected parties is provided in section 7.3.

The clustering of accesses, proposed footpath and lowered fence heights enables good sightlines on the associated roads providing a safe pedestrian environment. The additional traffic on these low volume, low speed roads is considered to have a marginal effect on traffic volumes and noise, particularly when considered throughout the year, outside of peak summer periods. Construction effects can be appropriately managed via conditions of consent. The proposal is considered to have a positive benefit to open space providing overlooking and engagement, framing the open space.

Whilst not the same typologies as generally found in the Rainbow Point area, the proposal provides modern infill housing in a gateway location. Balancing the housing typologies with consideration to the varied surrounding uses, the proposal is considered to have less than minor effects on the wider area and to have minor effects to the immediate adjoining area, largely associated with the difference in typology the development proposes.

7. NOTIFICATION ASSESSMENT

7.1. 95A Public Notification of Consent Applications

STEP 1	**95A(3) Mandatory public notification in certain circumstances.**	
	a) The applicant has requested the application be public notified?	**NO**
	b) Public Notification has been determined to be required under section 95C?	**NO**
	c) The application is an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977?	**NO**
Process	**The answer is no, go to STEP 2**	**If NO, please go to STEP 2**

STEP 2	**95A(5) Public notification precluded in certain circumstances.**	
	The application is for an activity that is subject to a rule or National Environmental Standard that precludes notification?	**NO**
	a) The application is a controlled activity?	**NO**
	b) The application is a boundary activity?	**NO**
Process	**95A(4)(a) if the answer is yes, go to STEP 4 (STEP 3 does not apply) OR 95A(4)(b) if the answer is no, go to STEP 3**	**If NO, go to STEP 3**

STEP 3	**95A(8) If not precluded by Step 2, public notification required in certain circumstances.**	
	a) The application is for a resource consent for 1 or more activities and any of those activities is subject to a rule or national environmental standard that requires public notification.	**NO**
	b) The consent authority decides in accordance with section 95D that the activity will have or is likely to have adverse effects on the environment that are more than minor.	**NO**
Process	**95A(7)(a) if the answer is yes, Publicly Notify OR 95A(7)(b) if the answer is no, go to STEP 4**	**If NO, go to STEP 4**

STEP 4	**95A(9) Public notification in special circumstances.**	
	Do special circumstances exist in relation to the application that warrant public notification? Special circumstances are those that are: • Exceptional, abnormal or unusual, but something less than extraordinary or unique; • Outside of the common run of applications of this nature; or	**NO**

	• Circumstances which make notification desirable, notwithstanding the conclusion that the adverse effects will be no more than minor.	
Process	**If the answer is no, public notification is not required.**	**If NO, Public Notify not req'd**

7.2. 95B Limited Notification of Consent Applications

STEP 1	**95B(2) & (3) Certain affected groups and affected persons must be notified.**	
	a) Are there any affected protected customary rights groups? b) Are there any affected customary marine title groups?	**NO**
	c) Is the proposed activity on or adjacent to or may affect land that is subject to a statutory acknowledgement (Schedule 11)?	**YES** The site is within Ngāti Tūwharetoa Statutory Acknowledgement Area for Wairakei-Tauhara Geothermal Area
	d) Is the person to whom a statutory acknowledgement made, an affected person under section 95E?	**NO**
Process	**There are no affected groups or persons under section 95B(2) & (3).**	**NO**

STEP 2	**95B(6) Limited notification precluded in certain circumstances**	
	a) The application is for a resource consent for one or more activities and each activity is subject to a rule or national environmental standard that precludes limited notification?	**NO**
	b) The application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land)	**NO**
Process	**If the answer is yes, go to Step 4 (step 3 does not apply) ; and if the answer is no, go to STEP 3**	**If NO, go to STEP 3**

STEP 3	**95B(7), (8) & (9) Certain other affected persons must be notified.**	
	7) There is an affected person under section 95E for a boundary activity?	**NO**
	8) There is an affected person under section 95E?	**YES**
Process	**Notify each affected person identified under subsection 7 of the application.**	**There are affected persons**

STEP 4	**95B(10) Further notification in special circumstances.**	
	Do special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification (excluding persons assessed under section 95E as not being affected persons)?	**NO**
Process	**If the answer is yes, notify those persons; and if the answer is no, do not notify anyone else.**	

7.3. Assessment of Affected Parties

7.3.1. Statutory Acknowledgement Parties

The relevant Statutory Acknowledgement is that of the Wairakei-Tauhara Geothermal Field. Although the site is within the Wairakei-Tauhara Geothermal Field, the proposal does not involve the use of geothermal resources, consequently Te Kotahitanga o Ngāti Tūwharetoa are not considered affected by the proposal. Similarly, although in close proximity to Lake Taupō, the proposal is not located adjoining the lake, nor seeks to use lake water, therefore Tūwharetoa Māori Trust Board are also not considered affected by the proposal.

7.3.2. Council Road/Reserve

Consultation has occurred with Taupō Council Reserves and Roading staff. Taupō Council Reserves staff did not raise any concerns regarding the development for recreational users. Despite the close proximity of the proposed units to the reserve boundary and the proposed 1.1m cut, it is considered that there will be no effect on the adjoining reserve with the cut being retained shortly after earthworks and no building ever likely to be located within the reserve in this location, particularly in light of the overhead power lines.

There is no formal recreational use of this reserve. The amenity of this open space will not be adversely affected as it is wide allowing recreational users many pathways through it, the immediate adjoining area is also affected by the overhead power lines. Rather the placement of multi-storey dwellings adjoining the open space is likely to increase casual surveillance, improving amenity, particularly with kitchens in Units 7 to 12 overlooking this area.

The road function of this area is unaffected due to the location of the road carriageway approx. 60m to the east. There is no future roading use currently proposed for these road parcels, rather they are residual parcels from the previous Waka Kotahi/NZTA ownership of Lake Terrace when previously State Highway 1. Any future roading function of these parcels will be unaffected by this proposal, particularly with their modern acoustic construction and the likely separation that the existing overhead power lines provides.

7.3.3. Grace Crescent Properties

As detailed in Section 6.4, there is significant horizontal and some vertical separation between these properties and the site. Therefore, whilst the proposal will be a visual change, there will be no effect on the amenity of these Grace Crescent sites, nor an effect on the character of this area, particularly given the physical separation caused by the busy nature of the arterial Lake Terrace. These properties are therefore not considered adversely affected by the proposal.

7.3.4. Adjoining Properties

Image 28 illustrates those properties considered to be affected parties (green) and those properties deemed interested parties (red).

Image 28: Recreation Pathways

As detailed in Section 5, consultation has been undertaken with the majority of these parties.

1 Rainbow Drive

This single storey property across Rainbow Drive is considered affected by the bulk of the proposal, and the overall density of the proposal. The matter of reverse sensitivity effects should be considered for these neighbourhood shops however the site has an existing relationship between the commercial and residential uses. The road corridor provides a 20m separation distance between the sites to assist with the interface between the two uses. Finally, the proposed units will be constructed to modern building standards assisting with internal acoustics. Due to orientation of this property in relation to the site, and its commercial use, the proposal is not considered to affect this property via shading, overlooking or privacy effects, noise, reverse sensitivity, earthworks, traffic or noise.

Affected Party	Yes	Written Approval provided	Being sought

9 & 11 Rainbow Drive

This single storey property is located north across the Charles Crescent/Rainbow Drive intersection with approximately 45m separation between the site and #9. These units are not affected by shading, overlooking or privacy effects, noise, reverse sensitivity, earthworks, traffic or noise. This party responded to consultation outlining they had no questions about the proposal no further response has been provided.

Affected Party No Written Approval provided N/A

6 Rainbow Drive

This single storey property northwest across Charles Crescent (accessed from Rainbow Drive) is considered potentially affected by the overall density of the proposal, overlooking and privacy effects. The proposal does not affect this property by infringements into the front setback, shading, earthworks, traffic or noise.

Affected Party Yes Written Approval provided Yes

8 Rainbow Drive

This two-storey property northwest across Charles Crescent (accessed from Rainbow Drive) is considered potentially affected by the overall increase in density of the site, overlooking and privacy effects. The proposal does not affect this property by infringements into the setback, shading, earthworks, traffic or noise.

Affected Party Yes Written Approval provided Yes

1/24 Charles Crescent

This two-storey property west across Charles Crescent (accessed from Charles Crescent) is in a duplex with 2/24 Charles Crescent and is considered potentially affected by the overall density of proposal, overlooking and privacy effects. The increase in traffic which may occur in peak period is considered to have a minor effects on this property due to its proximity to the road. The proposal does not affect this property by scale of the building in front setback, shading, earthworks, or noise.

Affected Party Yes Written Approval provided Yes

2/24 Charles Crescent

This two-storey property west across Charles Crescent (accessed from Charles Crescent) is in a duplex with 1/24 Charles Crescent and is considered potentially affected by the overall density of the proposal, overlooking and privacy effects. The increase in traffic which may occur in peak period is considered to have a minor effects on this property due to its proximity to the road. The proposal does not affect this property by scale of the building in front setback, shading, earthworks or noise.

Affected Party Yes Written Approval provided Yes

3/24 Charles Crescent

This single storey property west across Charles Crescent (accessed from Charles Crescent) is at the rear of the site with 1/24 & 2/24 Charles Crescent, located in the north of the site. Due to its location internal to and north within this site and its orientation north, this property is not considered adversely affected by scale of the building in front setback, shading, traffic, noise, earthworks, overlooking or privacy effects. This party has not responded to any correspondence sent, either via email or post.

Affected Party No Written Approval provided No

18 Charles Crescent

This single storey property west across Charles Crescent (accessed from Charles Crescent) has a strongly planted front boundary and a north oriented outdoor living area. The property is considered potentially affected by the overall density of the proposal. The increase in traffic which may occur in peak period is considered to have a minor effects on this property due to its proximity to the road. Due to the largely compliant position of the two storey units directly opposite this site, the proposal does not affect this property by scale of the building in front setback, shading, overlooking or privacy effects, earthworks or noise.

Affected Party Yes Written Approval provided No

17 Charles Crescent

This single storey property west across Charles Crescent (accessed from Charles Crescent) has a strongly planted front and side boundary and a southwest oriented outdoor living area. Due to this property's location not directly adjoining the property and having minimal views of the site, it is not considered adversely affected by the bulk of the buildings, overall density, shading, traffic, overlooking or loss of privacy, earthworks or noise.

Affected Party No Written Approval provided NA

19 Charles Crescent

This two-storey property southwest across and accessed from Charles Crescent has a north facing deck orientated to the site and has a strongly planted hedge on the front boundary. This property is considered potentially affected by the overall bulk of the proposal, overlooking and privacy effects. The increase in traffic which may occur in peak period is considered to have a minor effects on this property due to its proximity to the road. The proposal does not affect this property by infringements into the setback, shading, earthworks, or noise. This party has not responded to any correspondence sent via post. No phone number or email has been found for them

Affected Party Yes Written Approval provided No

23A & 23B Charles Crescent

This property has two units in single ownership. Both units are single storey buildings located south of the site down a shared driveway accessed from Charles Crescent. This property has outdoor living areas in its south and western yards. Due to this property's location not directly adjoining the property and having minimal views of the site, it is not considered adversely affected by the bulk of the buildings, overall density, shading, traffic, overlooking or loss of privacy, earthworks or noise.

Affected Party No Written Approval provided NA

25 Charles Crescent

This part single, part two storey property is located south of the site down a shared driveway accessed from Charles Crescent. This property has large, grassed front and rear lawns, likely used for outdoor living areas. Due to this property's location not directly adjoining the property and having minimal views of the site, it is not considered adversely affected by the bulk of the buildings, overall density, shading, traffic, overlooking or loss of privacy, earthworks or noise.

Affected Party No Written Approval provided NA

27 Charles Crescent

This two-storey property is the only property to directly adjoin the site on its southern boundary. The proposed southern driveway will adjoin this common boundary where this property's driveway is located. As detailed in Sections 6.7.5 & 6.7.6 above, the units adjoining this property are set back 7.2m from this boundary and comply with the height to boundary plane and height requirements. The proposed earthworks will lower the site adjoining this property to a level similar to that of #27. The common boundary fence will be replaced with a 1.8m paling fence. With four units proposed to use this southern driveway (one more than the controlled scenario), this property is considered affected by traffic internal on the site, however, is not considered affected by the bulk of the buildings, overall density, shading, overlooking or loss of privacy, earthworks or noise.

Affected Party Yes Written Approval provided Being sought

Summary

Parties who have provided written approval	6 & 8 Rainbow Drive 1/24 & 2/24 Charles Crescent
Parties from whom written approval is being sought	1 Rainbow Drive 3/24 & 27 Charles Crescent
Parties unable to be contacted	19 Charles Crescent
Parties considered affected and not providing written approval	18 Charles Crescent
Parties interested but not affected	9 & 11 Rainbow Drive 17, 23 & 25 Charles Crescent

Several written approvals are currently being sought and may be provided in the next weeks. Following Council's s88 and S92 assessment, a discussion regarding Council's S95E preliminary assessment is welcomed prior to a notification report. The applicant may wish to utilise S88E(4) of RMA.

8. STATUTORY CONSIDERATIONS

8.1. Te Kaupapa Kaitiaki

Under Part 4 and specifically S182 & S184 of the Ngāti Tūwharetoa Claims Settlement Act 2018, until such time as Council has given effect to Te Kaupapa Kaitiaki, when considering a consent to use land Council must have particular regard to Te Kaupapa Kaitiaki. All provisions of Te Kaupapa Kaitiaki are assessed in Appendix 9 whereby the proposal is considered to be not out of keeping with these provisions.

8.2. Resource Management Act 1991

Section 88 of the RMA allows any person to make a resource consent application, provided it is in the prescribed form and includes, in accordance with Schedule 4, an Assessment of Environmental Effects in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

Schedule 4 of the RMA lists those matters that should and must be included in an Assessment of Environmental Effects, as well as those matters that should be considered. These matters are referenced throughout the body of this report confirming that the application meets all the requirements of Section 88.

8.2.1. Section 104

In accordance with Section 104(1) and when considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2 of the RMA, have regard to:

a) Any actual and potential effects on the environment of allowing the activity; and

(ab) Any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and

b) Any relevant provisions of:

i) A national environmental standard
ii) Other regulations
iii) A national policy statement
iv) A New Zealand coastal policy statement
v) A regional policy statement or proposed regional policy statement
vi) A plan or proposed plan; and

c) Any other matter the consent authority considers relevant and reasonably necessary to determine the application.

In terms of addressing the requirements of the RMA:
- An Assessment of Environmental Effects is provided in Section 6 of this report,
- National Environmental Statements are discussed in Section 4.2 of this report,
- National Policy Statements are assessed in Section 8.4,
- The Waikato Regional Policy Statement is assessed in Section 8.6,
- Taupō District Plan's objectives and policies are discussed in Section 8.7 of this report, and
- A Section 104D and Section 104 overall assessment is undertaken in Section 8.

8.3. Section 104D Considerations

As identified, the proposal is considered a non-complying activity and therefore Section 104D is relevant. In accordance with Section 104D of the RMA, a consent authority may only grant an application for a non-complying activity if either:

1. It is satisfied that the effects on the environment will be minor.
2. The activity will not be contrary to the objectives and policies of any plan or proposed plan in respect of that activity.

Only one of these pathways need apply for the application to be considered under Section 104 and to be granted under Section 104B.

8.3.1. Adverse Effects no more than Minor (S104(1)(a))

The preceding Assessment of Environmental Effects concludes that the proposed development will have minor adverse effects on the surrounding environment.

8.3.2. Activity not Contrary to Policy Framework (S104(1)(b))

The relevant objectives and policies of the Waikato Regional Policy Statement (RPS) and the Taupō District Plan (TDP) are considered holistically. For the reasons outlined in Section 8.10, it is acknowledged that as a non-complying activity the proposal does not find direct support from all objectives and policies. Yet as residential housing in a residential zone, while the proposal is not consistent with the Residential objectives and policies of the Taupō District Plan, the provision of modern, infill housing in a residential zone where the scale of the housing is mitigated through design features and site layout is not considered contrary to that policy framework, nor that of the Waikato Regional Policy Statement.

8.3.3. Summary

Based on the assessments in Sections 6 and 8 of this report, it is submitted that both the above aspects of the Section 104D gateway test are satisfied. Therefore, the proposal can be considered for granting. Apart from the objectives and policies relating to character and scale, the proposal is largely consistent with balance of objectives and policies such as strategic directions, land development, traffic and transport, Tangata Whenua Cultural Values, and network utilities.

8.4. Section 104 – National Policy Statements (S104(1)(b)(iii))

There are currently eight National Policy Statements being:

- National Policy Statement on Electricity Transmission
- National Policy Statement for Renewable Electricity Generation
- New Zealand Coastal Policy Statement
- National Policy Statement for Freshwater Management 2020
- National Policy Statement on Urban Development
- National Policy Statement for Highly Productive Land
- National Policy Statement for Indigenous Biodiversity
- National Policy Statement for Greenhouse Gas emissions from industrial process heat.

The following assessment of the proposal against the National Policy Statement for Urban Development (NPS-UD) has been undertaken in regard to this proposal. It is noted that under S55 RMA, Councils must make amendments to District and Regional Plans and policy statements as soon as practicable. These amendments must be made so that District and Regional Plans and policy statements give effect to the National Policy Statement. It is well established that until such documents are amended to give effect to the National Policy Statement, application assessment must consider the requirements and direction of National Policy Statements under S104 being that new NPS demand greater weight because they are later documents, is higher in the statutory hierarchy, and has better regard to Part 2. The Taupō District Plan has yet to be amended in line with the NPS-UD.

8.4.1. National Policy Statement - Urban Development

The National Policy Statement Urban Development (NPS UD) applies to this proposal. It is noted also that amendments to RPS to align with the NPSUD are underway, with Council adopting the recommendations of the Hearing Panel on 26 October 2023 as Council's decision on Proposed Waikato Regional Policy Statement Change 1 (National Policy Statement on Urban Development and Future Proof Strategy Update) (WRPS Change 1). Decisions were publicly notified on 15 November 2023. Three separate appeals were lodged. One has been resolved, and the other two appeal processes are underway.

The Taupō District Plan has not yet been reviewed to align with the NPS-UD or Waikato RPS requirements accordingly the policy framework within NPSUD demands greater weight because they are later documents, is higher in the statutory hierarchy and has better regard to Part 2.

The National Policy Statement on Urban Development recognises the national significance of having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future, and to provide sufficient development capacity to meet the different needs of people and communities. This NPS is considered relevant to this proposal.

The proposal is considered to be consistent with this policy statement as it is providing sixteen residential units on a site previously not used for housing and that ordinarily would have between eight to twelve dwellings. The proposal includes duplex and terraced housing units which are a housing typology that is an efficient use of space and that provides variation to the typical stand-alone dwellings. The location of the site is within a well-serviced area, with close access to Taupō town, Kokomea Village Centre and Lake Taupō. The design and landscaping of the development provide for the diverse and changing needs of people and future generations, being a low maintenance and compact development.

Objective 4 of the NPS-UD is key to the Proposal. The objective recognises that in order to respond and provide for people's economic, social and cultural well-being into the future and to increase the supply and affordability of housing, community expectations and values as to the traditional form of residential density and development will need to change over time.

> *"Objective 4 : New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations".*

This will include an increase in medium density developments with a range of typologies e.g. multi-level, terrace, duplex, apartments and shared community green spaces and increase in the number of smaller homes. The development is therefore consistent with objective 4.

While it is early days in terms of the implementation of the NPS-UD, it is clear that the new policy direction will affect planning provisions regarding density and built form within urban environments. It is common for District Plans to place a heavy emphasis on the maintenance of amenity values. This is true for the Taupō District Plan which provides a policy direction to maintain character and enhance amenity values.

However, Policy 1 of NPS-UD states:

Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:

a. *Have or enable a variety of homes that:*
   (i) Meet the needs, in terms of type, price, and location, of different households; and
   (ii) Enable Māori to express their cultural traditions and norms; and
b. *Have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
c. *Have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
d. *Support and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
e. *Support reductions in greenhouse gas emissions; and*
f. *Are resilient to the likely current and future effects of climate change.*

This proposal provides modern, smaller, infill housing to add to the Taupō market, in a location close to shops, community services, open space, the lake and near arterial transport routes including being on the bus route. This proposal is entirely consistent with this policy.

Policy 2 states:

Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.

Taupō Council has developed the Taupō Future Development Strategy to this end. This strategy is further assessed in Section 8.8.

Policy 6 states:

Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:

a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement
b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:
   (i) may detract from amenity values appreciated by some people but improve

amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and
(ii) are not, of themselves, an adverse effect

c) *the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)*
d) *any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity*
e) *the likely current and future effects of climate change.*

As noted above, Taupō District Plan has not yet given effect to this NPS, however of note in this policy is that in implementing NPS-UD significant change may occur to area however change itself is not an adverse effect. Amenity values are and will continue to be part of the planning assessment for activities within an urban environment, however the NPS-UD directs the issues of development capacity and housing supply to have far more prominence, and this will affect the type, scale and nature of residential development that may be developed within our residential areas.

In my opinion, this application for sixteen units with four different housing typologies as infill housing on a site serviced by existing infrastructure gives effect to the policy framework with the NPS-UD.

8.5. Section 104 – Iwi Management Plans (S104(1)(c))

8.5.1. Ngāti Tūwharetoa Iwi Management Plan

The Ngāti Tūwharetoa Environmental Iwi Management Plan provides a background to and identifies key resource based issues for Ngāti Tūwharetoa. The vision of the management plan is for Ngāti Tūwharetoa to 'assert their custodial and customary right of tino rangatiratanga over their respective taonga, and Tūwharetoa collectively, will sustain and protect the life force of all tribal and inherited taonga.'

As the site is within an existing residential area, with no identified waahi tapu, waahi taonga sites, in terms of the relevant chapters *Papatuānuku,* and *Ngā Wāhi Tapu*, it is considered that the proposal is not inconsistent with the policies.

8.6. Section 104 – Waikato Regional Policy Statement (S104(1)(b)(v))

The Waikato Regional Policy Statement (RPS) is a high-level, broad-based document containing objectives and policies the purpose of which is to provide an overview of the resource management issues of the region and to achieve integrated management of the natural and physical resources of the Region. Proposed Waikato Regional Policy Statement Change 1 (National Policy Statement on Urban Development and Future Proof Strategy Update) (WRPS Change 1) has been adopted in 2023. This assessment reflects that change.

8.6.1. Issues

Key issues that relate to this proposal are the state of resources (SRMR-I1), managing the built environment (SRMR-I4), relationship of tangata whenua within the environment (SRMR-I5), and the health and wellbeing of the Waikato River Catchment (SRMR-I6).

8.6.2. Objectives

There are a number of overlapping objectives under each of these relevant to this proposal. These are:

- Integrated management of natural and physical resources (IM-O1)
- Health and wellbeing of the Waikato River (IM-O4)
- Relationship of tangata whenua with the environment (IM-O7)
- Amenity (IM-O9)
- Air quality (AIR-O1)
- Mauri and values of freshwater bodies (LF-O1)
- Built Environment (UFD-O1).

This proposal is specifically consistent with the relevant Objective UFD-O1.12 as it assists to create responsive and well-functioning urban environments, by redeveloping a site both under developed and of low amenity value, that improves housing choice, quality, and affordability where supported by infrastructure provision in a location connected to active transport and public transport.

8.6.3. Policies

Relevant policies include integrated management (IM-P1), maintain and enhance amenity value (IM-P5), planned and co-ordinated subdivision, use and development (UFD-P1), co-ordinating growth and infrastructure (UFD-P2), and Tier 3 local authority areas outside the Future Proof Strategy (UFD-P18).

Specifically, the proposal is consistent with UFD-P18, as an infill development of an existing residential site it is:

- Consistent with the infill component of Taupō's FDS
- Focuses new urban development in and around existing settlements;
- Meets UFD-P18.4 & P18.5 as an efficient use of resources and infrastructure
- Has particular regard to the principles in APP11;
- Is not located on high value soils
- Is located near an arterial route, near public transport and commercial activities, and community services
- Provides for high-quality urban design which responds positively to local context, and
- Enables a diverse range of dwelling types and sizes.

8.7. Section 104 – Operative Taupō District Plan (S104(1)(b)(vi))

The Taupō District Plan Objectives and Policies contained in:

- Section 6 Strategic Directions,
- Section 13.1 General Residential Zone (GRZ),
- Section 7.1 Infrastructure (INF),
- Section 7.2 Transport (TRAN), and
- Section 12.3 Earthworks (EW)

are considered relevant to the proposal. An assessment of these Objectives and Policies is provided below.

8.7.1. Strategic Directions

Strategic Directions are relevant to this proposal. The strategic directions are objectives and policies that set the direction for the District Plan and help to implement the Council's Community Outcomes. Relevant Strategic Directions are Land Development, Tangata Whenua and Urban Form.

Climate Change (CC) for environmental management and planning purposes identifies two separate aspects – effects on climate change, and effects of climate change. Subdivision, use and development of land in the Taupō District will result in positive climate change outcomes.

The proposal is consistent with this strategic direction. The location of the proposal is resilient to the effects of climate change such as natural hazards. Reducing greenhouse gas emissions and decarbonisation is supported and encouraged by the development's location in close proximity to local shopping centres, encouraging walking and cycling.

Freshwater Quality/Te Mana o te Wai (FWQ), requires the Taupō District Plan to manage the adverse effects on waterways resulting from subdivision and land use.

It is considered adverse effects on water quality are avoided and mitigated in this proposal.

Land Development (LD) Provide for and manage urban growth so as to achieve the sustainable management of the District's natural and physical resources. Ensure the maintenance of an appropriate and sufficient level of community infrastructure within existing serviced areas. Ensure land development does not detract from the amenity value or qualities of the local environment.

The proposal is consistent with this strategic direction being an infill redevelopment of an existing serviced site. TD2050 is now superseded by the Taupō Future Development Strategy which is assessed below. Currently no change to the Residential zoning of this site is proposed. The subject site is located in the Residential Environment and therefore clearly further development of the site was envisaged. The site is located within the DC catchment for water and wastewater and therefore it is assumed that serviced development can take place on the site. The proposed subdivision has been designed to ensure the development does not detract from the amenity of the immediate area. The subdivision has been designed in consideration of the surrounding character and the landform and existing land use.

Nationally and Regionally Significant Infrastructure (SI) The wider benefits and strategic importance of Nationally and Regionally Significant Infrastructure to the District and wider are recognised in decision making and land use planning. Provides that the strategic importance of significant infrastructure is recognised and provided for, land development will not affect that infrastructure and transport infrastructure operates safely.

The proposal demonstrates the capacity and safe and effective functioning of local infrastructure will not be adversely affected, nor will it affect nationally or regionally significant infrastructure.

Natural Environment Values (NEV) Recognise the importance of the District's natural values and landscapes and their significance to the Taupō District's communities and identity. The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna from the adverse effects of inappropriate development.

No areas of National Values are impacted by this proposal

Tangata Whenua (TW) requires values, rights and interests of Taupō District mana whenua to be recognised and protected, and to take into account the Principles of the Te Tiriti o Waitangi throughout all aspects of planning and decision making within Taupō District.

This site does not have sites of significance/Waahi tapu.

Taupō Business Distribution (TBD) seeks to promote sustainable and on-going economic development to occur through encouraging business activities in appropriate locations throughout the district.

This proposal does not involve any commercial businesses.

Urban Form and Development (UFD) seeks to ensure that the district develops in a cohesive, compact and structured way that:

a. contributes to well-functioning and compact urban zones that provide for connected liveable communities;
b. enables greater social and cultural vitality and wellbeing, including through recognising the relationship of tangata whenua with their culture, traditions, and taonga;
c. ensures infrastructure is efficiently and effectively integrated with land use;
d. supports emissions reduction through well planned urban form, design and location;
e. meets the community's short, medium and long-term housing and business needs; and
f. protects the productive capacity of rural land.

The proposal is entirely consistent with this Strategic Direction being infill development in a serviced area with capacity, meeting housing need not on rural land, thus contributing to compact urban form.

8.7.2. General Residential Environment (GRZ)

The overview of GRZ states:
Elements of the character of the GRZ which the majority of residents value include: an attractive streetscape; a reasonable ratio of private to public open space; a degree of consistency in the size, scale, density, and style of buildings; a need for privacy; shared access to outlook, sunlight or views; low levels of environmental effects such as traffic movements to and from sites, noise, vibration, odour, and dust; and a safe and functionally effective environment for traffic and pedestrians.

GRZ-O1 The maintenance and enhancement of the character and amenity of the GRZ.
GRZ-P1 Maintain and enhance the character and amenity of the GRZ by controlling the bulk, location, and nature of activities to ensure activities are consistent with a residential scale of development, including an appropriate density and level of environmental effects.

The Rainbow Point area is similar to many Taupō areas, with approx. 45% of buildings now have some form of two storey component, and dwellings from every decade and building style. A low-level infill subdivision has occurred in 1970s, 1980s and 1990s. Therefore, the character of this residential area is best described as one of mixed residential built form with permanent and holiday house owners.

The site sits on the edge of the area, with the eastern boundary visible from Lake Terrace. The eastern boundary visually associates with Lake Terrace and Kokomea Village which have elements of taller buildings which are often not single dwellings, being terraces or apartments.

The proposal is for residential housing in a residential area, removing the long use of the site for tourist accommodation. With the strong vertical element, it is acknowledged that the proposal has an appearance of both residential scale and multi-unit apartment typology, the latter not often found within the General Residential zone and not in Rainbow Point area except for the development at 18 Chad Street. However, there are a growing number of developments of a similar scale and style nearby and more broadly within the General Residential Zone.

Consideration has been given to the layout of the units, actively placing those taller and semi-detached units in the locations able to accommodate the scale and effects of them i.e adjoining open space and roads, whilst the smaller, lower units are placed on Charles Crescent to connect with that character. These lower units have minimal bulk and location effects to the adjoining properties due to the use of the front yard setback and separation by road corridors.

Overall, the two characteristics of the adjoining areas are being considered with the taller units on Rainbow Drive, together with the shops, create a gateway like effect to the area. The lower single unit and semi-detached units which are a more familiar typology in General Residential zone, are located adjoining the existing residential properties. The placement of the taller units on the outer edges of the site allows these building to not affect the wider amenity of the Rainbow Point area.

Therefore, whilst the character of the development is not the same as that of Rainbow Point, the effects of this more vertical and apartment character on Rainbow Point Area are mitigated by

the layout of the proposal, and association of like with like. If the objective is to maintain a two storey single dwelling character, this proposal is not consistent with that goal.

Image 29: Aerial photo showing different scale of dwellings (Source: Mapi)

However, it is noted that the Residential Zone of the District Plan has not been reviewed in line with the NPS-UD where a focus is now on the planned character whereby intensification and a greater use of the existing infrastructure resource is expected.

GRZ-O2 To ensure that development in the GRZ takes into account the capacity of the supporting infrastructure.

This location has existing water, wastewater and transport infrastructure which has capacity to support this development.

GRZ-O3 To enable PREC1-NEWRZ to be developed in a manner which reflects the characteristics of the land and minimises offsite effects.

Not Applicable

GRZ-O4 To maintain and enhance the existing amenity and character of the Kinloch Development Area

Not Applicable

GRZ-O5 Enabling the Lake Ohakuri Development Area as a holiday resort.

Not Applicable

GRZ-O6 A range of housing types and densities is available in the Nukuhau Development Plan Area to meet the needs of all communities and the growth of Taupō.

Not Applicable

GRZ-O7 Nukuhau

Not Applicable

GRZ-P2 Enable a range of small-scale home-based employment opportunities, and local community facilities and services to establish in the GRZ……

Not Applicable

GRZ-P3 Any relevant Development Area Plans, strategies or guidelines should be taken into account in the design of any development within the GRZ.

Taupō's Future Development, Housing and Transport Strategy have been considered in the confirming this site as a location able to absorb additional housing.

GRZ-P4 Encourage a wide range of appropriate activities and development within the GRZ while ensuring any adverse effects are avoided, remedied, or mitigated.

As outlined in Section 6, adverse effects are avoided or mitigated through the design of the units, and the development layout in considered adjoining properties.

GRZ-P5 Maintain Specific Requirement Areas through protecting the established character of these areas in locations where the resulting amenity is valued.

Not Applicable

GRZ-P6 Recognise the important role of reserves and their existing infrastructure and services (including those provided by commercial operators) in providing recreational opportunities for the community.

There will be no adverse effect on the adjoining road/reserve from this proposal, conversely the proposal is likely to improve amenity and safety of this reserve.

GRZ-P7 Development in the Unserviced GRZ should be able to be effectively serviced without creating adverse effects on the supporting infrastructure.

Not Applicable

GRZ-P8 Development in PREC1-NEWRZ should be in a form and layout that includes a range of built densities that are appropriately suited to the physical, landscape and amenity characteristics, natural values and constraints of the land.

Not Applicable

GRZ-P9 Development in PREC1-NEWRZ should not adversely affect the amenity of the wider Residential Environment.

Not Applicable

GRZ-P10 Encourage development within the Kinloch Residential Area to be carried out in a manner consistent with the amenity and character of the existing settlement and reflect the intent of the Kinloch Community Development Plan Area.

Not Applicable

GRZ-P11 Lake Ohakuri Development Plan Area

Not Applicable

GRZ-P12 Open spaces Lake Ohakuri.

Not Applicable

GRZ-P13 Nukuhau

Not Applicable

8.7.3. Infrastructure (INF)

Growth pressure increases the pressure on existing infrastructure, requiring the construction of new for roads, water, wastewater, stormwater and reserves networks that collectively create a sustainable urban form. The proposal does increase demand on infrastructure in this location however there is known to be sufficient capacity in all services in this location. Extension to the reticulated network will be undertaken as required for the proposed units, with Development Contributions payable as required.

8.7.4. Transport (TRAN)

Objective TRAN-O1 relates to the safe and efficient operation of the roading network, and movement of traffic, including cyclists and pedestrians within the District. Policy TRAN-P1 & P2 seeks to ensure activities avoid, remedy or mitigate any adverse effects on the operation and function of the roading network, including the movement of traffic cyclists and pedestrians, in accordance with the Roading Hierarchy, and encourage the design and location of new vehicle crossings, to provide for the safe and efficient movement of traffic, including cyclists and pedestrians. Policy P8 seeks to encourage the use of alternative modes of transport such as cycling and public transport.

The proposed development does not involve adverse effects on the operation and function of the roading network, including the movement of traffic. We note that increased vehicle movements will occur, but we also note that the road geometry and formation and associated intersections are designed to cater for this number of vehicle movements. The proposed vehicle crossings have been carefully considered to ensure that safe and efficient movement of traffic can continue, whilst enabling safe pedestrian access also.

The continuation of the footpath along Charles Crescent to the walkway will assist with encouraging the use of alternative modes of transport such as walking and cycling. From the proposed development there is access to shops and Kokomea Village as well as public transport.

8.7.5. Earthworks (EW)

The focus of Earthworks policy is to protect Outstanding Features and Landscape from inappropriate development. This site is not in an Outstanding Features and Landscape. The earthworks proposed are general redevelopment earthworks expected in a residential redevelopment project, able to be managed via best practice and conditions of consent, consistent with land development policies.

8.7.6. Summary of Taupō District Plan Policy Assessment

Due to the taller scale and bulk of the units, the proposal is not considered to maintain the character of the General Residential Zone. Through its design however the characteristics of the two adjoining areas are reflected and considered. The proposal is considered inconsistent with the Residential Environment Objectives and Policies but not contrary to them and is consistent with the Strategic Directions, Infrastructure and Traffic Objectives and Policies.

8.8. Section 104 – Other Matters (S104(1)(c))

8.8.1. Taupō District Council Vision and Community Outcomes

Taupō District Council's Vision is: *We will be a district of connected communities who thrive and embrace opportunities.*

Community Outcomes to achieve this vision are stated as:

- Tangata whenua are acknowledged and respected
- Vibrant places and connected communities
- Resilient communities working in partnership
- Innovative, thriving economy
- Flourishing environment.

8.8.2. Taupō Future Development Strategy

Taupō's Future Development Strategy has been developed in accordance with National Policy Statement for Urban Development and replaces the former growth management strategy TD2050. Taupō's FDS identifies the district's residential, retail, commercial and industrial growth needs and the constraints it faces to meet anticipated growth. It provides guidance on where development and growth are anticipated to occur.

The seven outcomes of the FDS relate to the ongoing management of growth.

1. Plan for a district characterised by contained communities, bordered by a productive, functioning rural environment.
2. A strong, innovative and productive economy that provides opportunities for our people to thrive.
3. Vibrant, diverse places and spaces where people thrive and love to live, work and play.

4. Compact walking and cycling friendly urban areas where communities are connected.
5. Urban form in the Taupō District is closely aligned with Tāngata whenua values and aspirations.
6. Infrastructure provision is efficient and effective helping to minimise costs for our communities.
7. Development is managed to protect and enhance the natural environment.
8. Urban areas will be resilient to the impacts of natural hazards and the effects of climate change.

The FDS is not embedded into the District Plan yet. Rather the FDS Implementation Plan outlines that on review of growth data on a three yearly cycle via a Housing and Business Assessment (HBA) may then result in additional residential growth areas being proposed for rezoning via a District Plan Change. It may result in the intensification provisions of the District Plan being reviewed.

The FDS clearly outlines that infill housing is a significant component for the provision of residential housing in the next 35 years. This proposal meets that requirement in a location which does not have an infrastructure capacity issue.

8.8.3. Taupō Council Housing Strategy

Taupō District Council have developed a housing strategy which identifies the key housing issues and opportunities in the Taupō District, provides a framework to address them, and sets out what Council's role should be.

The housing strategy contains 4 goals:
1) More availability and choice of housing.
2) Homes are warm, healthy, sustainable, and resilient.
3) Our homes meet the diverse needs of our communities.
4) Housing connects and integrates communities.

This proposal contributes to achieving these goals in a number of ways. The proposal enables more availability of housing by creating more lots, and varying lot sizes provides for a choice of housing. New homes are warm, healthy, sustainable and resilient. Future homes on varying lot sizes can meet the diverse needs of communities. The proposal is in a location connected to and near open space, the lake pathway, public transport, commercial and community space.

Accordingly, the proposal is considered to be consistent with the Housing Strategy.

8.8.4. Taupō Council Transport Strategy

Taupō District Council have developed a transport strategy which identifies the key transport issues and opportunities in the Taupō District. The strategy's priorities are to maintain and enhance the transport networks so they are:

1. Safe
2. Inclusive
3. Walking and cycling friendly to support sustainable choices
4. Support the vibrance of town centres

5. Well connected
6. Resilient and reliable
7. Maintaining predictable travel times.

Image 30: Extract from Transport Strategy Figure 4

Through the utilisation of an existing underdeveloped, serviced site near existing arterial and public transport routes, this proposal contributes to achieving these priorities.

8.8.5. Integrity of the District Plan and Precedent

This development does infringe a number of bulk and location standards which are designed to maintain the character of the General Residential Zone as predominantly two storey single dwelling typology. However, the Taupō District Plan has yet to be updated in line with both the NPS-UD and Waikato RPS, with which this proposal considered to be consistent due to its increased use of an existing serviced site within a location near public transport, minimally affecting adjoining properties and open space and providing a range of housing types.

Within the General Residential Zone, there are a small number of similar developments all considered appropriate in each of their locations. The vertical nature of the design, albeit that the units are close to compliance with height, may be considered precedent setting and potentially undermine consistency of decision making under the District Plan. However, the current General Residential zone policy and standards are out of date with the higher order policy and will be updated in the near future, (N.B Plan Change 44 due for notification late 2025). At this time, this well designed, modern, infill housing proposal, with minimal effects on neighbours, may set a precedent, one which the District Plan may soon come into line with.

8.9. Section 106 Assessment

Although not a subdivision, it is noted that the subject site is not identified in the District Plan to be located within an Erosion Hazard Area, Flood Hazard Area, Hot Ground Hazard Area or Landslide Hazard Area, is not characterised by a fault line, nor in an overland flow path. Therefore, it can be considered unlikely to be subject to a significant risk from natural hazards.

8.10. Conclusion on Statutory Considerations

The proposal is considered to be inconsistent with the Residential Environment Objectives and Policies, however consistent with the Land Development, Infrastructure, and Traffic Objectives and Policies. However, in light of the national direction required by NPS-UD, and supported by Waikato Regional Policy Statement, Taupō Council's Housing, Transport and Future Development Strategies, the proposal is considered consistent with these documents and NPS-UD.

In the case of such conflicts, it is necessary to recognise that more recent higher order documents have prevalence. Therefore, as the NPS-UD is a more recent national policy direction, is higher in the statutory hierarchy, and has better regard to section 7(b) of the RMA, the proposal is considered consistent with the applicable policy framework.

9. RMA PART II

Part 2 of the RMA contains Sections 5, 6, 7 and 8. The assessments contained in Sections 7 and 8 of this report are subject to the matters contained in Part 2 of the RMA.

Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources and is supported by sections 6, 7 and 8. Sections 6 and 7 contain the "matters of national importance" and "other matters" respectively and Section 8 provides for the principles of the Treaty of Waitangi. These sections are hierarchical and provide for a different level of consideration to be given to each.

In this location, there are no matters of national importance, as identified by Section 6, that are relevant to the application.

Sections 7(b), 7(c) and 7(f); being the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values, and the quality of the environment, have been given particular regard in terms of the activity's effects.

The proposal will not affect the ability to achieve the principles of the Treaty of Waitangi.

The Court of Appeal Decision (the Davidson decision) has established the appropriate framework in which to assess resource consent applications. This was necessary given that S.104 makes the assessment of all applications subject to Part 2. However, other High Court decisions had brought into question the relevance of Part 2 when national planning instruments, regional policy statements and plans, as well as district plans, are all required to give effect to Part 2. The Davidson decision now establishes that Part 2 can be considered. However, this is more appropriate when there are deficiencies in the planning instruments and their alignment to Part 2. As the Taupō District Plan has yet to be reviewed in line with NPS-UD, there is an absence of consideration of its direction in the Taupō District Plan. Therefore, the direction provided in Section 5 and Section 7(b) must be considered.

Overall, as an infill housing development in a serviced location, on a transport route, which achieves the redevelopment of an underdevelopment and low amenity site, with a proposal well designed to address effects to adjoining properties, the activity can be considered suitable for the site and in applying a broad judgement over the matters contained in Part 2 of the RMA the proposal is consistent with the principles and purpose of the RMA.

10. SECTION 104 SUMMARY

As a non-complying activity that has satisfied the gateway test and thus can be considered for granting, the proposal must be considered in accordance with Section 104(1) having regard to:

d) Any actual and potential effects on the environment of allowing the activity; and

(ab) Any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and

e) Any relevant provisions of:

vii) A national environmental standard
viii) Other regulations
ix) A national policy statement
x) A New Zealand coastal policy statement
xi) A regional policy statement or proposed regional policy statement
xii) A plan or proposed plan; and

f) Any other matter the consent authority considers relevant and reasonably necessary to determine the application.

Whilst not the same typologies as generally found in the Rainbow Point area, the proposal provides modern infill housing in a gateway location. Balancing the housing typologies with consideration to the varied surrounding uses, the proposal is considered to have less than minor effects on the wider area and to have minor effects to the immediate adjoining area, largely associated with the difference in typology the development proposes.

The proposal is considered to be inconsistent with the Residential Environment Objectives and Policies, however consistent with the Land Development, Infrastructure, and Traffic Objectives and Policies. However in light of the national direction required by NPS-UD, and supported by Waikato Regional Policy Statement, Taupō Council's Housing, Transport and Future Development Strategies, the proposal is considered consistent with these documents and the higher order NPS-UD. On balance it is considered that this proposal can be granted consent.

11. CONDITIONS OF CONSENT

Conditions of consent regarding the following matters are expected:
- In accordance with plans
- Detailed landscape plan
- Detailed Engineering plans
- Construction management plan and earthwork management plan
- Connection to services, and
- Other relevant conditions of consent for servicing.

12. CONCLUSION

Resource consent is sought for a non-complying land use consent for 16 medium density 2-3 storey residential units being semi-detached and standalone units.

The proposal:
- Complies with the Council requirements for building coverage over the whole site,
- Largely complies with setback requirements to external boundaries, except Units 1 & 4,
- The two storey units all comply with height and most comply with height to boundary planes with respect to external boundaries except Units 1 & 4,
- The three storey units will not comply fully with height to boundary plane with respect to the Lake Terrace boundary and Rainbow Drive boundary, specifically Units 7 – 12, 13 – 16.
- The three storey units will not comply fully with height, specifically Units 7 – 12, 13 – 16
- Does not comply with the plot ratio/gross floor area performance standard.
- Involves earthworks including up to 1.1m cut on the southern and eastern boundaries, and over more than 50% of the site at one time,
- Unit 14 access is closer to an intersection than permitted with Units 5, 6, 14, 15 & 16 reversing on to the street, and
- Will be fully serviced with water and wastewater and connections to stormwater within their own boundaries.

When bundled the proposal is considered a Non-Complying Land Use Consent under the Taupō District Plan. Consultation has occurred with adjoining neighbours, and written approval has been provided by some affected parties. Consultation has also been undertaken with Council's Roading and Parks Departments. Subdivision consent will be sought at a later date.

As outlined in Section 10 above, overall, it is considered that the proposal is a suitable use of a physical resource where adverse effects are able to be mitigated. The proposal is not contrary to the relevant objectives and policies of the District Plan and is consistent with the Waikato RPD & NSPUD.

We certify that the information contained herein is in accordance with the requirements of the Resource Management Act 1991 and that the applicant has a legal obligation to comply with any Conditions imposed should the application be approved.

CHEAL CONSULTANTS LIMITED
25 September 2025