

Submitted On: 11/01/2024 01:53 a.m.

NOTES TO SUBMITTER:

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- it is frivolous or vexatious;
- it discloses no reasonable or relevant case;
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further;
- it contains offensive language;

- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

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Resource Consent Applicant Details

Taupō District Council reference number(s): Applicant name Application for:

RM Mark Keith Jacka Comber Resource consent

Submitter Details

Full name of submitter: Contact name: Designation: Contact phone number: Email address: Mark Keith Jacka Comber Mark Comber

027652004035 markkjcomber@gmail.com Postal address::

Are you a trade competitor for the purposes of section 308B of the Resource Management Act 1991?

Do you wish to receive any further correspondence prior Yes to the decision being issued?

Privacy Statement:

Submitters are advised that the information supplied in written submissions may contain personal information within the meaning of the Privacy Act 1993. By taking part in this public submission process, submitters have agreed to any personal information (including names and contact details) which is contained in their submission being made available to the public as part of the consultation and decision making process. All information collected will be held by Taupō District Council. Submitters have the right to access and correct personal information. Following the submission period, copies of all submissions will be available on our website.

Submission

The specific parts of the application that my submission relates to are:	Non compliance with Kinloch District Plan and ethos that is keeping with the original spirit and nature of the Kinloch Village.
My submission is:	In opposition of the application or specific parts of it
Please detail the reasons for making your submission:	The submitter has already turned the top of Locheagles into a private gated community via an electronic gate and now he desires to build a huge monstrosity atop all that against the established rules and desires of the Kinloch Community as established in the Kinloch District Plan going forward. I suggest if the person in question wants to live in a mansion then one should move to a town or preferably country that better accommodates those desires.

Alternatively, please upload document detailing the reasons for making your submission:

I seek the following decision from the Taupō District Council:	Do not grant another noncompliance activity to a local property developer because he has deep pockets.
Do you wish to attend the hearing?	Yes
Do you wish to be heard in support of your submission?	No
If others make a similar submission, will you consider presenting a joint case with them at the hearing?	Νο

Delegation of functions, powers and duties:

I request*, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and

decide the application to 1 or more hearings commissioners who are not members of the local authority (please refer to the Notes to Submitter on Step 1).



Submitted On: 13/01/2024 04:28 p.m.

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Resource Consent Applicant Details

Taupō District Council reference number(s): Applicant name Application for: RM230066, RM 230067 bruce bartley family trust Resource consent

Submitter Details

Full name of submitter: Contact name: Designation: Contact phone number: Email address: Brigid anna Eady

Kinloch resident 0211810100 brigideady@gmail.com Postal address::

Are you a trade competitor for the purposes of section 308B of the Resource Management Act 1991?

5 Harrier Lane, RD 1, Taupo 3377 No, I am not

Do you wish to receive any further correspondence prior No to the decision being issued?

Privacy Statement:

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Submission

The specific parts of the application that my submission relates to are:	project size and height
My submission is:	In support of the application or specific parts of it
Please detail the reasons for making your submission:	As a long time resident of Kinloch and property owner there since 2010, I wish to submit in support of this application made by Bruce Bartley family Trust. I am very familiar with their site and its location which is just up the Loch Eagles hill from my own home. Bruce Bartley is known for creating projects in Kinloch which pay attention to environmental and community enhancement. This project for his private home I would expect to be no different and will be a worthwhile addition to the Kinloch landscape. It should be noted that the site is at the crest of the Loch Eagles development and as such the depth and scale of the proposed building will be out of sight to all but one of the closest neighbours. The proposed plan looks to be designed to fit handsomely on the broad platform against the steep bush backdrop using the natural contours to advantage without impacting on the wider community view of the hillside. I consider that a project of this size and quality can only be a positive addition to the Kinloch community and I cannot see any negative effects arising from this project. I urge the council to consider this application for consent favourably.

Alternatively, please upload document detailing the reasons for making your submission:

Do you wish to attend the hearing?	Yes
Do you wish to be heard in support of your submission?	No
If others make a similar submission, will you consider presenting a joint case with them at the hearing?	Yes

Delegation of functions, powers and duties:

I do not request, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority.



Submitted On: 15/01/2024 01:05 p.m.

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Resource Consent Applicant Details

Taupō District Council reference number(s): Applicant name Application for: RM230066 RM230067 Bruce Bartley Family Trust Resource consent

Submitter Details

Full name of submitter: Contact name: Designation: Contact phone number: Email address: Rachel Gibson Rachel Gibson

021974473 rachelmary.g@gmail.com Postal address:: Are you a trade competitor for the purposes of section 308B of the Resource Management Act 1991?

Do you wish to receive any further correspondence prior No to the decision being issued?

Privacy Statement:

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Submission

The specific parts of the application that my submission relates to are:	Size and design of private dwelling 36 Locheagles Rise Kinloch.
My submission is:	In support of the application or specific parts of it
Please detail the reasons for making your submission:	Clearly considerable time, thought, and planning have gone into the planning and development of this property. I live in Kinloch in a home I built, 3 properties removed from 36 Locheagles Rise and wish to support this application. Whilst it is significant home it lies within the building envelope approved when the subdivision was developed and approved. I feel it will have a positive visual impact due to the thought, attention to detail, expertise, skill and quality that the Bartleys bring to all their projects. The design follows the contours, and the higher portions mirror the landscape. I think it will blend into the bush backdrop well, and see no reason why this project should not proceed as proposed.

Alternatively, please upload document detailing the reasons for making your submission:

Delegation of functions, powers and duties:

I seek the following decision from the Taupō District Council:	That the proposed plans be approved.
Do you wish to attend the hearing?	Νο

I do not request, pursuant to section 100A of the Act, that

you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority.



08/12/2023

File ref: LA054

Julie Gardyne **Chief Executive Officer** Taupo District Council, Private Bag 2005, Taupo Mail Centre, Taupo, 3352.

Tēnā koe Julie,

SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA TO A NOTIFIED RESOURCE CONSENT AT 36 LOCHEAGLES RISE, KINLOCH, TAUPO

TO: TAUPO DISTRICT COUNCIL

FROM: HERITAGE NEW ZEALAND POUHERE TAONGA

This is a submission on the following notified Resource Consent: 1.

The notified discretionary resource consent application by the Bruce Bartley Family Trust is for;

- for a variation of consent notice in order to construct a large new dwelling exceeding the • consent notice requirements of maximum building coverage of 5%; maximum building height of 7.5m, and reduced Level of Upper Limit of Building Envelope of 528.5m, and with a gatehouse structure encroaching into the minimum building setback; and
- for a land use consent to carry out earthworks associated with the development of a large • dwelling exceeding maximum cut and fill within and outside the building setbacks.

2. Heritage New Zealand could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that Heritage New Zealand's submission relates to are: 3.

The proposal includes earthworks, which in the event of unrecorded archaeology being present has the potential to damage the finite archaeological resource.

Heritage New Zealand's submission is: 4.

There is a remote possibility that the proposed activity could have potential to cause adverse effects to historic heritage, in particular archaeology in the event that there was unrecorded archaeology present on the site. Heritage New Zealand Pouhere Taonga (HNZPT) is not opposed to the proposed activities subject to the appropriate ongoing management of historic heritage, in particular archaeology.

5. The reasons for HNZPT's position are as follows:

Heritage New Zealand is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage. Heritage New Zealand is New Zealand's lead historic heritage agency. The Heritage New Zealand Pouhere Taonga Act 2014 protects both recorded and unrecorded archaeology.

The Resource Management Act requires that the protection of historic heritage should be *recognised and provided for* as a Matter of National Importance (Section 6(f). As the earthworks have the potential to destroy historic heritage, it is important that any earthworks follow an accidental discovery protocol, to limit adverse effects on this finite resource.

6. Heritage New Zealand seeks the following decision from the local authority:

Heritage New Zealand has reviewed the Resource Consent Application and considers archaeological matters can be addressed, in the event that the application is approved, with the inclusion of an advice note relating to an Accidental Discovery Protocol (ADP) as part of the conditions and advice notes. Any earthworks should commence under an ADP. An ADP should outline the procedure to be followed if archaeological deposits are identified. Please note if archaeological deposits are found during the course of excavation, excavation work must cease on site until an archaeological authority has been sought from Heritage New Zealand Pouhere Taonga, as per the provisions set out in the Heritage New Zealand Pouhere Taonga Act 2014".

Heritage New Zealand seeks that the potential to destroy historic heritage is avoided by the inclusion of an Accidental Discovery Protocol, as part of the conditions and advice notes related to this notified resource consent application in the event that the application is approved.

7. Heritage New Zealand <u>does not wish</u> to be heard in support of our submission.

Nāku noa, nā

R

Ben Pick Area Manager Lower Northern

Address for Service:

Heritage New Zealand Pouhere Taonga Lower Northern Area Office P O Box 13339 Tauranga 3141 Telephone: 07 577 4530 Email: cmcalley@heritage.org.nz

Contact person: Carolyn McAlley

CC Bruce Bartley Family Trust C/- Cheal Consultants Ltd, PO Box 165, Taupō 3351, Attention: Sarah Hunt, <u>sarahh@cheal.co.nz</u>



Submitted On: 14/01/2024 11:35 a.m.

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Resource Consent Applicant Details

Taupō District Council reference number(s): Applicant name Application for: RM 230066 RM 230067 Bruce Bartley family trust Resource consent

Submitter Details

Full name of submitter: Contact name: Designation: Contact phone number: Email address:

Jack Graeme Jenkins 021617753 Kinloch resident 021617753 jack.jenkins.nz@gmail.com Postal address:: Are you a trade competitor for the purposes of section No, I am not 308B of the Resource Management Act 1991?

Do you wish to receive any further correspondence prior Yes to the decision being issued?

Privacy Statement:

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Submission The specific parts of the application that my submission Total application. relates to are: My submission is: In support of the application or specific parts of it Please detail the reasons for making your submission: This family have been and will continue to be leaders and contributors to life Kinloch for the benefit of everyone. Alternatively, please upload document detailing the reasons for making your submission: I seek the following decision from the Taupō District That this application be approved. Council: Do you wish to attend the hearing? No Delegation of functions, powers and duties: I do not request, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority.



Submitted On: 08/01/2024 10:28 p.m.

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Resource Consent Applicant Details

Taupō District Council reference number(s): Applicant name Application for: RM230066 RM230067 Bruce Bartley Family Trust Resource consent

Submitter Details

Full name of submitter: Contact name: Designation: Contact phone number: Email address: Julie Jennings Julie Jennings

02102234968 Ja_worthington@hotmail.com Postal address::

Are you a trade competitor for the purposes of section 308B of the Resource Management Act 1991?

Do you wish to receive any further correspondence prior Yes to the decision being issued?

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Submission

The specific parts of the application that my submission relates to are:	The proposed dwelling is very large 1456m2, and not consistent with a typical residential dwelling in the village. It will hold a very prominent position being at the top of LochEagles Rise and its size will seem more like a commercial dwelling. It will be seen on the approach to the village from Whangamata Road and from the Lake as it 15.74m in height. and will give off more light pollution at night. In effect the plans are more like two dwellings with the Bothy and the Tower. There are four levels in total which means the building, particularly the Tower exceeds building height. The definition of a second dwelling is avoided because there is access to the second dwelling via an internal lift. However, the plans make and height requirements are similar to those of a three/ four storey building. The scale of the build means that two sections below the specified Lot have had to be leased. If these lots 33,35 were also residential properties the new build in question would encroach on the neighbours. The LochEagles and Sevenoaks subdivision have been planned by Cheals and Bruce Bartley to conform to the Kinloch Community Structure Plan. Yet the principal owner of the subdivision intends to build a property that does not follow the resource consents that they put in place to adhere to the KCSP. Max Building Coverage infringement 13.6% A Gatehouse outside the property boundaries and building envelope The Tower is 2.15m higher than the 7.5 m limit. It's also a huge 5.24 m higher than much of the house. A 50% infringement on earthwork disturbance. The avis is 2.9 m area than a norm it downer.
	huge 5.24 m higher than much of the house.

Please detail the reasons for making your submission:	I purchased my land in 2011 as part of the LochEagles Subdivision and built according to the standards specified for building height, max building size etc. These resource consents were part of purchase agreement for plots bought from LochEagles of which Bruce Bartley was the owner. As one of the earlier builds on the LochEagles site we were expected to keep within the specified limits despite the fact that our position on the site meant there would be no impact to neighbours if we broke our consents. The plot of land that Bruce Bartley is now building on has resource consents that he himself along with Cheals set for the whole subdivision. I feel it is unethical for the developer to set out to build such a large house which requires so many changes to the consents that he put in place for all his other purchasers. The Bruce Bartley Trust is setting a precedent for all future builders and purchasers of land remaining in LochEagles and more importantly on the Sevenoaks development. If the council allows the developer to build such a large house which does not keep to the original consents then this sets a possible trend for other Kinloch residents to build above the specified height and outside the specified zone and to create more earthworks than necessary. It would appear that the Kinloch Community Structure Plan has little value when it comes to development of sections.

Alternatively, please upload document detailing the reasons for making your submission:

I seek the following decision from the Taupō District Council:

To reject the application to change resource consents. To ask the developer to modify his building plans to keep to the resource consents that he and Cheals put in place to prevent large residential properties being built within the community on the subdivisions owned be Bruce Bartley. To recognise that every person who has purchased land in the past has been required to modify their future homes to conform to the resource consents put in place by the developer and approved by the council. . The council needs to treat this application in the same way it would treat any application. The heights are excessive and unnecessary: the infringements cannot reasonably be justified as necessary for a home within a subdivision, and are more suited to a larger acreage site, such as a life style section. They are not in keeping with the type of urban dwellings found within the village.

I believe the council needs to reject:-Max Building Coverage infringement 13.6% A Gatehouse outside the property boundaries and building envelope The Tower is 2.15m higher than the 7.5 m limit. It's also a

huge 5.24 m higher than much of the house. A 50% infringement on earthwork disturbance. The cut is 3.8 m more than permitted. The type of building is inconsistent being so much larger than all the neighbouring properties

Do you wish to attend the hearing?

No

Delegation of functions, powers and duties:

I request*, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority (please refer to the Notes to Submitter on Step 1).



Submitted On: 15/01/2024 10:59 a.m.

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Resource Consent Applicant Details

Taupō District Council reference number(s): Applicant name Application for: RM230066 & 230067 Bruce Bartley Family Trust Resource consent

Submitter Details

Full name of submitter: Contact name: Designation: Contact phone number: Email address: Patrick James Kane Pat Kane Kinloch resident 8.5 years, bach owner prior for 30+ years 021 434343 pat@infracomfort.co.nz Postal address::

Are you a trade competitor for the purposes of section 308B of the Resource Management Act 1991?

Do you wish to receive any further correspondence prior No to the decision being issued?

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Submission

The specific parts of the application that my submission relates to are:	Environmental impact of the completed project Impact of earthworks in construction phase
My submission is:	In support of the application or specific parts of it
Please detail the reasons for making your submission:	From my home I regularly look up at the Locheagles development, including a clear view of the proposed building site. My confidence comes from having watched with interest the developments in Kinloch undertaken by the applicant, and laterly them and their associates, and I am impressed with their tasteful and comprehensive approach to enhancing the village environment. They have stuck to and exceeded their promises in a number of ways, including significant plantings and public walkways and considered building platform designs. I agree with the following notes from the application which are are consistent with this track record. A. Visual impact From 4.5 The proposed dwelling will maintain and enhance the urban environment, will not affect any ridge lines, and is within an existing consented residential subdivision. Large areas of the site will be landscaped and planted
	From 8 The dwelling will blend in with the broader context due to its fragmented form, natural materials, modulated facades and its integration with the landscape and proposed planting Landscape patterns will remain – it will not disrupt existing rural and ecological landscape patterns. The dwelling is on a large section and can be integrated into the landscape with extensive planting The proposed dwelling is visible from a broader context, yet is below the vegetated background, and below the ridgeline and thus is integrated

into the landscape. I agree with this assessment and conclude that the proposal will not adversely affect the character and visual amenity of the area and the Residential Environment.

Comment: From my perspective I am impressed with the design. The visual impact will be minimal, especially the chosen colours. I believe it will offer a sense of completion to what is an excellent overall development, effectively blending it seamlessly into the surrounding bush areas (currently the existing green belt there doesn't quite fit so this will be an enhancement).

B. Impact of Earth Works in Construction Phase

I am no expert on earthworks but, knowing the area and having seen the impacts from previous works I fell confident with the assessment below from the application. From 7

The scenic reserve is located at a higher elevation than the subject site. The earthworks along the scenic reserve boundary are cut and will have some separation of a few meters from the boundary. The cut will be stabilised by the building wall, therefore the risk of stability effects on Conservation land is considered to be negligible. There is no chance of discharge of sediment into the reserve given the topography, nor will any vegetation within the scenic reserve be harmed. Given the location, topography, lack of access and nature of the scenic reserve (being densely vegetated) the reserve is not frequented by people adjacent to the subject site and therefore unable to perceive any potential adverse effects from the proposed building. Vegetation will not be affected, and as such the natural values of the Significant Natural Area – Whakaipo Bay Scenic Reserve will be maintained. Therefore, there is not considered to be any adverse effect on the DoC estate

Earthworks will be contained on site.

Given the above I have no hesitation in offering my support to the application.

Alternatively, please upload document detailing the reasons for making your submission:

I seek the following decision from the Taupō District Council:	Approval of the application in full
Do you wish to attend the hearing?	Νο
Delegation of functions, powers and duties:	I do not request, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and

decide the application to 1 or more hearings commissioners who are not members of the local authority.



Submitted On: 15/01/2024 04:54 p.m.

NOTES TO SUBMITTER:

The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.

If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.

If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commissioner or commissioners. You may not make a request under section 100A of the Resource Management Act 1991 in relation to an application for a coastal permit to carry out an activity that a regional coastal plan describes as a restricted coastal activity.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious;
- it discloses no reasonable or relevant case;
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further;
- it contains offensive language;

- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

All submissions (including name and contact details) are published and made available to the public from our offices and on our website. Personal information will also be used for the administration of the notified resource consent process. All information collected will be held by Taupō District Council, 46 Horomatangi Street, Taupō, with submitters having the right to access and correct personal information.

Resource Consent Applicant Details

Taupō District Council reference number(s): Applicant name Application for: RM230066 and RM230067 Bruce Bartley Family Trust Resource consent

Submitter Details

Full name of submitter: Contact name: Designation: Contact phone number: Email address: Antony Peter Michell

0226870155 antonyhkg@icloud.com Postal address:: Are you a trade competitor for the purposes of section 308B of the Resource Management Act 1991?

PO Box 80, Taupo 3351 No, I am not

Do you wish to receive any further correspondence prior No to the decision being issued?

Privacy Statement:

Submitters are advised that the information supplied in written submissions may contain personal information within the meaning of the Privacy Act 1993. By taking part in this public submission process, submitters have agreed to any personal information (including names and contact details) which is contained in their submission being made available to the public as part of the consultation and decision making process. All information collected will be held by Taupō District Council. Submitters have the right to access and correct personal information. Following the submission period, copies of all submissions will be available on our website.

Submission

The specific parts of the application that my submission relates to are:	In support of the overall application to build a landmark property at 36 Locheagles Rise Kinloch
My submission is:	Neutral regarding the application or specific parts of it
Please detail the reasons for making your submission:	I believe that the proposed development, although a private house, will be a worthwhile addition to Kinloch and the Taupo district as a whole.
	Taupo has just won the Supreme Towns and Cities Award, creating a lot of interest from visitors and potential investors. I am aware that there is a significant private property being built above the marina in Taupo, which has in some ways put Taupo on the map for high net worth private investors. I believe that the proposed property has the potential to do the same for Kinloch.
	Whilst on a very private site, approximately 300m away from any public area, it will if approved be a property that has the potential to 'put Kinloch on the map' as a potential location for other individuals looking to build a special home in the Taupo area.
	To the extent that any aspects of the build are deemed oversize in any way, looking at the proposed plans, these would appear to be at the back of the main building, out of sight from any public area.
	Locheagles Rose is in any respect dominated by the very large and high bush backdrop. As such, the proposed design with it's many pavilions, rather than a single solid structure, will I believe blend into the surrounding environment well.
	The design appears to have been developed with sympathy to the site and the different land levels around it.

The Bartley's are well known within the district, directly and through their corporate interests, for creating properties with high quality landscaping and significant planting in keeping with the surroundings and the native bush. The same can be expected with this development.

In closing, whilst the property may be seen as larger than the average property in Kinloch, its location, its distance from the Lake and the public spaces nearby, and its thoughtful modular and terraced design, will I believe result in an outstanding property, and one that will create nothing other than a positive impact for Kinloch as a whole.

Thank you.

Alternatively, please upload document detailing the reasons for making your submission:

I seek the following decision from the Taupō District Council:	Approval for the project
Do you wish to attend the hearing?	No
Delegation of functions, powers and duties:	I do not request, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority.