

**PLANNING REPORT
PURSUANT TO SECTION 42A OF THE RESOURCE MANAGEMENT ACT 1991**

FROM: SENIOR RESOURCE CONSENTS PLANNER LOUISE WOOD

TO: COMMISSIONER GINA SWEETMAN

SUBJECT: APPLICATION FOR LAND USE AND SUBDIVISION; AND A CHANGE OF CONDITIONS TO SUBDIVISION CONSENT RM200118B

APPLICANT: SEVEN OAKS KINLOCH LIMITED

LOCATION: KAHIKATEA DRIVE, KINLOCH

HEARING: 27-28 AUGUST 2025

REFERENCE: RM240388, RM240389, RM200118C

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1 EXECUTIVE SUMMARY

- 1.1 Seven Oaks Kinloch Ltd (the applicants) have lodged an application for land use, subdivision and a change of conditions to carry out a development of 83 residential lots, roads, reserves, with extensions of infrastructure to service the lots and for future development on the lots.
- 1.2 The activity status of the proposed land use and subdivision is non complying under Rules LRZ-R4.1 and SUB-R26.1 of the Taupō District Plan. The activity status of the proposed change of conditions is discretionary pursuant to section 127 of the Resource Management Act 1991 (RMA). The application is before the Commissioner for consideration and decision under sections 104, 104B and 104D of the RMA to either grant or refuse the application. If the Commissioner grants the application, conditions may be imposed under sections 108 (land use and subdivision) and 220 (subdivision) of the RMA.
- 1.3 The application was publicly notified at the applicants request. 33 submissions were received in total, 28 in opposition, three in support and two neutral.
- 1.4 Actual and potential effects arising from the proposal relate to:
- **character and amenity**
 - **landscape/visual impacts**
 - **privacy and outlook**
 - **ecology**
 - **transportation**
 - **services/infrastructure**
 - **earthworks / construction**
 - **tangata whenua / cultural values**
 - **change of conditions & cancellation of consent notices**
 - **cumulative effects**
- 1.5 The proposal has been assessed, in light of the submissions and against the relevant matters stipulated under section 104 of the RMA. Overall, it is considered that the adverse effects of the proposal on the environment will be no more than minor.
- 1.6 It is recommended that the application for land use, subdivision and a change of conditions to carry out a development of 83 residential lots, roads, reserves, with extensions of infrastructure to service the lots and for future development on the lots, on the application site be granted.

2 INTRODUCTION

- 2.1 My name is Louise Wood. I am employed as a Senior Resource Consents Planner by the Taupō District Council. I have a Bachelor of Social Sciences (Resources and Environmental Planning) from Waikato University. I have over 20 years experience in the resource management field, mostly within New Zealand and also in London, UK. I am an Associate Member of the New Zealand Planning Institute. For the last 16 years I have worked for the Taupō District Council, where I process both subdivision and land use consent applications. I have assessed many consent applications in Kinloch and around the Taupō District, and am very familiar with the planning environment of the area.
- 2.2 This report will provide a summary of the proposal, a summary of the submissions, an assessment of the environmental effects of the proposal, an assessment of the Taupō District

Plan provisions, and an assessment of the proposal against the relevant statutory considerations.

- 2.3 I can confirm that I have read and that I understand the Code of Conduct for Expert Witnesses contained within the Environment Court Practice Note 2023 and that I agree to comply with it. I can confirm that I have considered the material facts that I am aware of that might alter or detract from the opinions expressed here. I also confirm that the opinions that I have expressed in my evidence are mine, unless I have specifically stated that I have relied on others in forming my opinions.
- 2.4 Other expert reports that I have relied on for my section 42A report assessment are:
Keys Solutions – Development Engineer (advice for Taupō District Council)
Abley – Transportation Assessment (review of CKL Transportation Assessment, for Taupō District Council)
CKL – Transportation Assessment (applicant)
Mansergh Graham – Landscape Visual Assessment (applicant)
- 2.5 I reserve the right to amend my opinion and subsequent recommendation in whole or in part as a result of any evidence, information or other matters that are raised during the course of the hearing.

3 DESCRIPTION OF PROPOSAL

- 3.1 The proposal is for the subdivision and development of the 14ha application site into 83 residential lots along with roads and reserves to be carried out over six Stages, being Stages 16, and 9 to 13. It is noted that this proposal description is based on the further information provided on 4 June 2025, where applicable.
- 3.2 The residential lot sizes range from 800m² to 3763m² in area with the average lot size being 1300m². The area of the application site less the area for roads and reserves is some 10ha for the Low Density zone and 1ha for the General Residential zone areas of the site, resulting in an area of approximately 11ha available for residential lots (excluding areas for roads and reserves). The proposed scheme plan of subdivision is shown in [Figure 1](#) below and included as **Appendix A**.

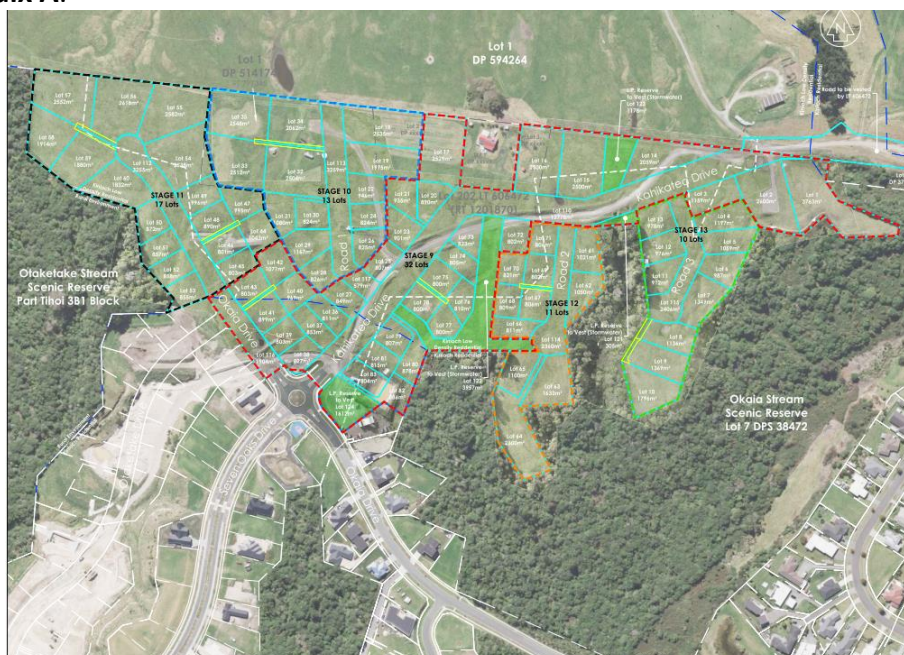


Figure 1: Proposed Scheme Plan

3.3 The proposal is outlined under the following headings.

Staging

3.4 The proposed subdivision will be carried out over Stages as follows:

Stage¹	Lots
16 (first Stage)	Subdivision of Lot 2 DP 514174 into Lots 1, 2 and 3, with Lots 2 and 3 to be amalgamated with Lot 504 DP 595759 (the existing Seven Oaks balance land). Residential Lot 1 of 3245m² [encompassing the existing house] Amalgamation / Balance Lots 2 of 5200m² & 3 of 1555m² with Lot 504 DP 595759
9	Residential (total 32) Lots 1 – 3, 14 – 17, 20, 21, 23, 25, 27, 36 – 43, 73 - 83 [ranging in area from 800m² to 3763m²] Public Road to vest Lot 110 Lot 116 Lot 117 Local Purpose (LP) Reserve Lot 121 (Stormwater) Lot 122 (Stormwater) Lot 123 (Stormwater) Lot 124 (Recreation)
10	Residential (total 13) Lots 18, 19, 22, 24, 26, 28 - 35 [ranging in area from 824m² to 2548²] Public Road to vest Lot 113
11	Residential (total 17) Lots 44 - 60 [ranging in area from 801m² to 2618m²] Public Road to vest Lot 112
12	Residential (total 11) Lots 61 – 71 [ranging in area from 802m² to 2600m²] Public Road to vest

¹ Apart from the first Stage (16), the numbering of the other Stages 9-13 follows on from existing Seven Oaks subdivision Stages 1-8.

	Lot 114
13	Residential (total 10) Lots 4 – 13 [ranging in area from 912m ² to 1796m ²] Public Road to vest Lot 115

Roading / Access

- 3.5 The proposed lots will be served by new public roads that will feed off an extension to Kahikatea Drive to the northeast and Okaia Drive to the south. The Kahikatea Drive extension will connect to the existing round-a-bout with Okaia Drive and Seven Oaks Drive to the southwest. This road has largely completed construction as part of consented Stage 8 of RM200118 in order to comply with Condition 19 of RM200118 which requires its construction prior to application for section 224c approval for either Stages 8 or 9 of RM200118 (whichever is earlier). There are three new proposed public roads that will extend off Okaia and Kahikatea Drives that will require formal Council approval for new road names.
- 3.6 All lots will have compliant access and vehicle crossings from a public road. The road reserve width of Okaia and Kahikatea Drives will be 20m, with an 8.5m carriageway and berms of 5.7m and 5.8m width. A dedicated 1.8m wide cycleway will be constructed on one berm, with a 1.4m wide footpath on the other.
- 3.7 The other cul-de-sacs within Stages 12 and 13 will be 16m road reserve width with 7m pavement width and upright kerb and channel both sides. A 2m wide combined cycleway and footpath will be constructed on one of the 4.5m wide berms with a vegetated stormwater swale on the opposite 4.5m wide berm. The roading layout is shown on the scheme plans at Appendix A.
- 3.8 Street lighting on all public roads will be continued in accordance with the style implemented in the existing Seven Oaks subdivision to the south.

Earthworks

- 3.9 Earthworks are required over the whole site to smooth the hillocks and hollows to form the infrastructure such as the roads, cycleways and stormwater infrastructure, and to minimise earthworks required for future lot owners. However as the general contour of the area is not steep, formation of individual building platforms is not proposed and some level of earthworks may be required for individual lots at the time of future development (should consent be granted). The earthworks design involves minimising earthworks wherever possible, and no retaining walls are envisaged.
- 3.10 As the building setback requirement is 10m in the low density zone there will be earthworks of greater than 0.5m vertical ground alteration within these setbacks in some areas. Earthworks of greater than 1.5m depth within the site will also be necessary in certain locations to contour the land. The maximum earthworks depths will be up to 3.5m cut, and 4m fill. The levels at the boundaries with the adjoining reserves to the east and west will be left unchanged.

- 3.12 The earthworks cut and fill plan is shown at [Figure 2](#) below and included at [Appendix A](#). The red and orange areas represent cut greater than 1.5m and are non compliant. The dark green colours represent fill greater than 1.5m and are non compliant. The lighter colours are cut/fill less than 1.5m and are compliant outside of the setbacks.

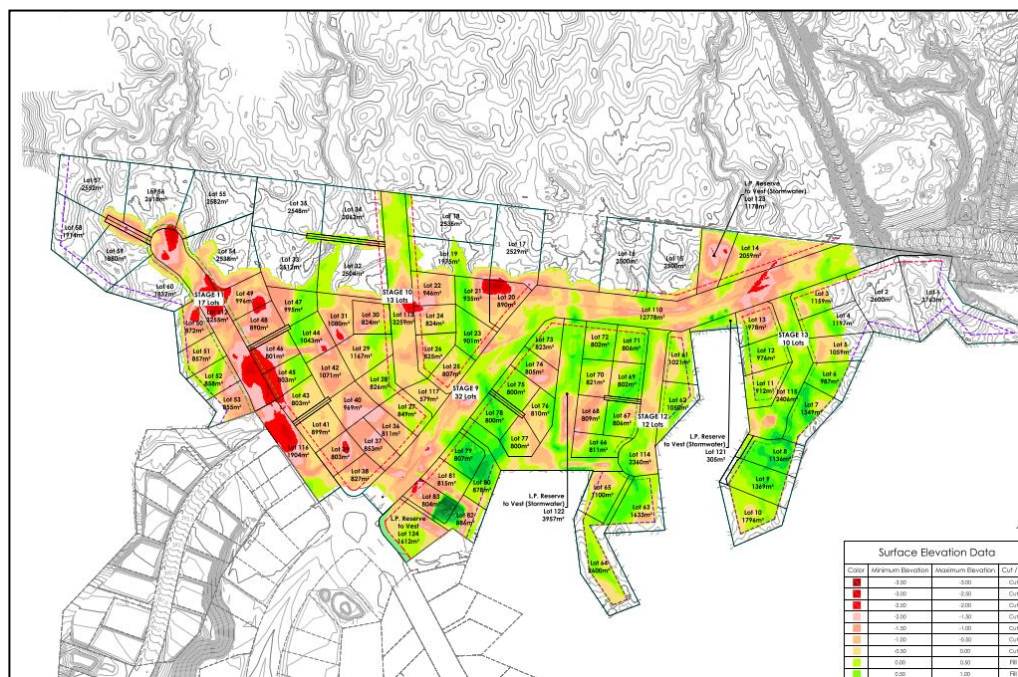


Figure 2: Earthworks Cut & Fill Plan

- 3.13 For future development on the lots, it is also proposed that a greater level of earthworks site disturbance be allowed. The District Plan allows for 10% site disturbance of an allotment while redeveloping in the Low Density zone, and 50% in the General Residential zone. The application proposes to enable up to 40% site disturbance on lots greater than 1200m², and 70% site disturbance on lots less than 1200m². This would be imposed via a consent notice condition as part of the bulk and location controls and would require provision of an Earthworks Management Plan with the building consent (if consent is granted).

Water

- 3.14 The proposed subdivision will be supplied by water from Council's high pressure zone network. This main will extend along the length of Kahikatea Drive connecting to the existing reticulation in Okaia and Seven Oaks Drive, and along proposed Road 1 which provides access to the property to the north of the application site. Lower pressure 100mm mains and 50mm rider mains will be utilised for the serving of the individual lots. Cul-de-sacs will require 100mm mains to extend to the ends of the cul-de-sacs to allow for fire hydrants.

Wastewater

- 3.15 All lots will be connected to Council's reticulated wastewater network. This can be achieved primarily via gravity drainage. However, it is envisaged that 17 lots will require private pump stations, feeding into common rising mains as required and discharging into the gravity reticulation. The private pump stations will be provided and maintained by the eventual lot

owner / developer when they build the dwelling. This approach has been used through previous stages as well.

- 3.16 The Lisland Drive pump station will need a storage upgrade to accommodate the additional flows. The details will be determined as part of the detailed design and upgrades implemented in the initial stage of the site development.

Stormwater

- 3.17 Stormwater runoff and disposal from dwelling and hard standing areas on each lot will be via individual soakage chambers sized to cater for a 10 year, one hour storm, designed and constructed with the dwellings in accordance with the Code of Practice.
- 3.18 All privately owned Right of Ways (ROW) will collect stormwater via catchpits at regular intervals discharging to deep concrete lined soakholes under the ROW pavement for disposal to ground. The soakage chambers will be designed to contain a 10 year, one hour storm volume.
- 3.19 The roads are split into suitable catchment areas, with runoff collected via either swales or catchpits and directed to suitable sized soakage / attenuation ponds. These ponds will be sized for the 10-year, 1 hour storm event as per the Code of Practice and will meet the permitted activity rule standards in the Regional Plan.
- 3.20 In the event that flows to the primary disposal system of swales, pipes and soakage ponds for the public and private pavements exceed the system's capacity through either blockage or extreme event storms, secondary overland flow paths and emergency spillways will be provided to safely allow for passage of these flows. These flow paths will be provided within the road corridors and then through the stormwater reserves towards the existing flow paths below the site. Discharge points have been selected to align with existing flow paths into the adjacent downstream land. The design of the primary disposal system will be conservative to ensure that actual storage of runoff exceeds the 10-year, 1 hour requirement and that only extreme events will discharge flows off site and only once significant treatment has occurred for initial flows through filtration and settlement within the ponds.

Reserves

- 3.21 Four reserves are proposed. Lot 121 of 305m² to the south of Kahikatea Drive and Lot 123 of 1178m² to the north of Kahikatea Drive will be stormwater reserves. Lot 122 of 3957m² is centrally located within the proposed subdivision and is an upside down 'T' shape stormwater reserve linking Kahikatea Drive to the northwest and to a cul-de-sac to the east. This reserve will be landscaped and contain pathways connecting to the roads. Lot 124 of 1612m² will be a recreation reserve on the eastern corner of the roundabout and will likely contain some play equipment. These are shown by the green areas on [Figure 3](#) below and included at [Appendix A](#).

Power / Telephone

- 3.22 Power and telephone connections will be provided to the proposed lots.

Building Bulk & Location

- 3.23 As the site is majority zoned Low Density, apart from nine proposed lots (Lots 36-39, 41, 80-83) which are all or mostly zoned General Residential, particular building controls will be applied via consent notice to future development on the other residential lots. The building controls will mostly align with the General Residential provisions.

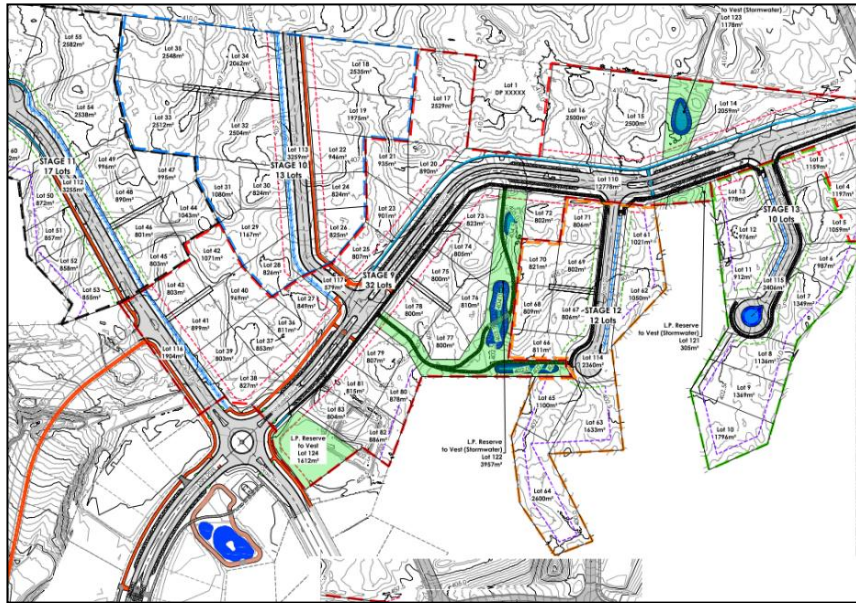


Figure 3: Proposed Reserves

- 3.24 It is proposed to not have any limit on plot ratio (the sum of all floors) which is currently limited to 30% in General Residential and 7.5% in Low Density. Within Stages 12 and 13 front boundary setbacks with access from Roads 2 and 3 will be reduced to allow buildings to be constructed up to 3m from the road boundary, provided that the garage door is not facing the road.
- 3.25 The following lists the proposed building controls for future development on the lots, and the setbacks and lots with 4.5m height limit are shown on a Building Area Plan, included at Appendix A:
- combined coverage – 30% on lots less than 1200m² [Lots 3 - 6, 8, 11 – 13, 20 – 31, 36 – 53, 61, 62, 67 – 72 & 83];
 - combined coverage - 20% on all lots 1200m² or greater [Lots 1, 2, 10, 14 – 19, 32 - 35, 54 - 60, 63 - 65]; except for Lots 7 and 9 which will be 315m²
 - plot ratio – no limit
 - building setback front boundary – 3m setback for dwelling façade, and 5m for garage door façade [Lots 3 – 8, 11 – 13, 61 – 63, 65 – 67, 69, 71 in Stages 9, 12 and 13 with access from Roads 2 and 3]; 5m all other lots
 - building setback, Scenic Reserve boundaries – 10m [Lots 1, 2, 4-10, 57-60, 63]; 7.5m all other lots
 - building setback, north boundary with The Terraces subdivision – 10m [Lots 14-18, 34, 35, 55-57]
 - building setback, all other boundaries – 1.5m on lots less than 1200m² and some irregular shaped lots greater than 1200m² [Lots 7, 9, 10, 63-65]; 5m on other lots greater than 1200m² [Lots 1, 2, 14, 17-19]; and 10m on other boundaries of the largest lots [Lots 15-19, 34-35, 54-60]

- *building height – 4.5m on all lots within 50m of Scenic Reserves and on Lots 68-78 in Stages 9 and 12 (south of Kahikatea Drive); 7.5m on all other lots*

3.26 The building heights and specified setbacks are shown on the Building Area Plan at [Appendix A](#) and all of the building controls are specified in a Table at [Appendix J](#). Should consent be granted, the proposal restrictions noted above would be imposed via consent notice on the titles of the lots. All other Low Density and/or General Residential performance standards as per the District Plan such as height to boundary, vehicle movements, signage etc would apply to future development on the lots relative to the zoning of those lots.

Fencing & Landscaping

3.27 All stormwater reserves will be landscaped in accordance with an approved plan in agreement with Council. Fencing on the boundaries with the scenic reserve will be non-climbable, a maximum height of 1.8m and transparent i.e. pool type fencing, in order to protect the adjoining reserves from unauthorised access. The applicant will install the fencing at the time of subdivision construction along the boundaries of all proposed residential lots with the reserve, as well as the boundaries of the proposed Local Purpose reserves.

Lapse Period

3.28 The applicants request a longer lapse period than the default five year period, to 10 years for both the subdivision and land use proposals.

Other Consents Required

3.29 Land use consent has been obtained from Waikato Regional Council for earthworks and stormwater overland flow diversion [APP147276].

Changes to Subdivision Consent RM200118A

3.30 Some changes to the existing Seven Oaks subdivision consent are required given that consented Stage 9 has been reconfigured and is now to be part of the proposed subdivision. The images below at [Figure 4](#) show RM200118A Stage 9 with eight lots to the left (Lot 161 was shifted to be part of Stage 7 through RM200118A), and the proposed lot layout of part of Stages 9 and 11 of the current proposed subdivision on the right. As such, a change to subdivision consent RM200118A to withdraw Stage 9 from that consent and its related conditions is required.

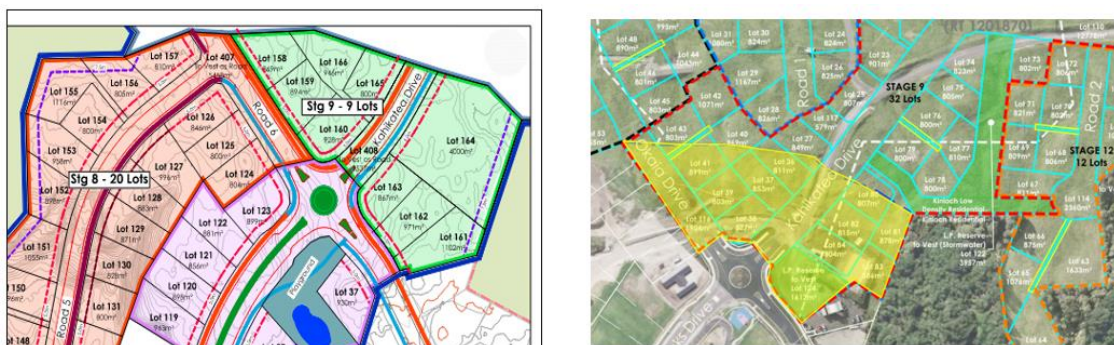


Figure 4: RM200118 Plan vs Proposal

3.31 This will necessitate changes to the following conditions of RM200118A:

- 1 *The activity shall be undertaken in accordance with:*

- a The application prepared by Cheal Consultants Ltd and received by Taupō District Council on 27 May 2020.
 - b The further information provided by Cheal Consultants Ltd and received on 28 July and 11 September 2020.
 - c The plans prepared by Cheal Consultants Ltd referenced:
 - Scheme Plan Stages 2 – 9 – Drawing No 19630-SC001 Rev F
 - Scheme Plan Stages 3, 4, 5, 6 & 7 – Drawing No 19630-SC002 Rev F
 - Scheme Plan Stages 2, 8 & 9 – Drawing No 19630-SC003 Rev F
 - Earthworks Cut to Fill Plan – Drawing No 19630-SK108 Rev Aand stamped 'Approved Plan for RM200117 & RM200118' following the grant of this consent.
 - d The application prepared by Cheal Consultants Ltd and received by Taupō District Council on 14 March 2023.
 - e The application prepared by Cheal Consultants Ltd and received by Taupō District Council on 20 November 2024.
- 2 The subdivision may be carried out over ~~eight~~ seven stages – Stages 2 – ~~9~~ 8 as described in the table below. The Stages may be undertaken in any order and multiple stages may be undertaken at one time, as long as it does not affect the ability to comply with any of the consent conditions that must be implemented at certain Stages.

	Residential (total 8) 158 – 160, 162 – 167 {ranging in area from 800m² to 4000m²} Balance Lot Lot 500 Public Road to vest 408
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- 11 Stage 8 ~~and Stage 9 (or whichever is the earlier)~~ shall be connected to the Taupō District Council high pressure watermain at Kahikatea Drive, with a watermain size approved by council's water modelers as suitable for the required high-pressure zone. A water headworks contribution of \$1,120 + GST shall be paid on stage completion for each lot connected to the high pressure main. This sum shall be escalated at an annually compounding rate of 3.5% per annum from 31 March 2019, until the date paid. **[Advice Note – This is in addition to the general water headworks contribution under consent condition 13. It is an agreed condition between the parties. It is not a formal Development Contribution.]**
- 12 The consent holder shall ensure that Kahikatea Drive is constructed and vested as a public collector road in accordance with the approved road construction plan (Condition 17) through the balance land to the northeast to connect with the existing Kahikatea Drive road formation within Oakdale Downs prior to application for 224c approval for Stage 8, ~~or 9, whichever is the earlier.~~

Cancellation of Consent Notices

- 3.32 This proposed subdivision involves Lots 1 and 2 DP 514174 which were created through Subdivision Consent RM170231. There are consent notices imposed through that earlier subdivision on the titles of these sites noting that there are no wastewater connections, no

power or telecoms, and that no building can occur on Lot 1 until wastewater connection is provided. As these sites are to be subdivided and provided with those services through this proposal, the consent notices can be cancelled as part of this process.

Previous Application RM230338-339 & RM200118B

- 3.33 The key differences between this current application for the Seven Oaks balance land and the 2023 application that was withdrawn are outlined in the following table.

Parameter	2023 Application (withdrawn)	2024 Application (current)
Reference Nos	230338-339 & 200118B	240388-389 & 200118C
Site Details	One site: Okaia Drive, Kinloch – Lot 504 DP 595759	Three sites: Otaketake Drive, Kinloch – Lot 202 DP 606472; 27 Kahikatea Drive, Kinloch – Lot 1 DP 514174; 25 Kahikatea Drive, Kinloch – Lot 2 DP 514174
No of Residential Lots	100	83
Minimum Lot Area	492m ²	800m ²
Maximum Lot Area	2451m ²	2910m ²
Average Lot Area	945m ²	1284m ²
Subdivision Layout	Lot areas and layout were consistent across the balance land with a cluster of centrally located smaller lots of around 500m ² in area	Lot areas and layout consists of smaller lots to south and larger lots to north, northeast and northwest of the balance land, reflecting radial density of the KCSP
Staging	Eight stages [8-15]	Six stages [16, 9-13] with Stage 16 occurring first, as a subdivision of Lot 2 DP 514174

4 FURTHER INFORMATION

- 4.1 Prior to notification of the application, further information on the application was requested pursuant to section 92 of the RMA on 9 December 2024 including queries on:
- recreation reserve space in place of proposed Lots 85 and 86; and
 - transportation effects on wider network including at the Norman Smith Street / Control Gates Bridge in Taupō township (review by Abley Consultants)
- 4.2 A further information response was provided by the applicant on 7 February 2025 in relation to the recreation reserve space being created, along with amended scheme plans reducing the total number of lots from 86 to 84, and associated amendments to the application documents. The Integrated Transport Assessment prepared by CKL Ltd and submitted with the application was reviewed by Abley Consultants is now completed (at the time of writing this report).
- 4.3 This information response was uploaded to the website and is relied upon for the assessment of this report.

5 NOTIFICATION

- 5.1 The applicant requested public notification of the application under section 95A(3)(a) of the RMA. As such, pursuant to section 95A(2)(a) the application was publicly notified on 5 March 2025.
- 5.2 The public notice was also served directly on the following parties: Department of Conservation, Ministry for the Environment, Waikato Regional Council, Kinloch Community Association, Te Kotahitanga o Ngāti Tūwharetoa, Raukawa, Mokai Marae, Heritage New Zealand Pouhere Taonga, New Zealand Archaeological Association.

6 SUBMISSIONS & FURTHER INFORMATION

- 6.1 The submission period closed 3 April 2025 and 33 submissions were received – 28 in opposition, three in support and two neutral. Of the 33 submissions, nine of those wished to be heard. A list of the submissions and a summary of them is attached at Appendix B.
- 6.2 The key points of the submissions in opposition are as follows:
- Concerns about the greater density of development
 - Inconsistency of the proposal with the Kinloch Community Structure Plan
 - Undermining of integrity of District Plan
 - Increased demand on wastewater and water services, roading infrastructure
 - Impact on the reserves from reduced setbacks and greater density
 - Adverse effects of greater density on Kinloch's character and amenity 'village feel'
 - Adverse effects of additional light on the night sky and noise pollution
 - Inadequate stormwater management measures
 - Precedent effects if development approved
 - Cumulative adverse effects
- 6.3 The key points of the submissions in support are as follows:
- There is increased demand for residential properties in Kinloch
 - The subdivision is beneficial for Kinloch
 - Development in Kinloch is inevitable, and proposal practical and necessary use of the land
- 6.4 Following the close of submissions a second further information request was made on 16 April 2025 which included queries / and requests raised through submissions on:
- the density, lot layout and development in close proximity to the reserves;
 - the state of existing vegetation within the reserves;
 - planting proposed within the subdivision;
 - the recommendations of the Ecological Report;
 - night sky effects;
 - stormwater management;
 - a full scheme plan of the subdivision and the Terraces subdivision to the north;
 - updated figures through the Assessment of Environmental Effects (AEE) and engineering reports; and
 - the consultation carried out
- 6.5 A further information response was provided by the applicant on 4 June 2025. The response includes an amended scheme plan reducing the total number of residential lots from 84 to 83, updated planting plans, a set of draft conditions, an updated AEE, updated engineering and stormwater reports, and correspondence with Fire and Emergency NZ. Following this, Fire and Emergency NZ and the Waikato Regional Council have confirmed that their concerns are addressed and withdrawn their wish to be heard at the hearing.

- 6.6 This information response has been uploaded to the website and circulated to the submitters. This application information is relied upon for the assessment in this report.

7 KINLOCH & SEVEN OAKS CONSENT BACKGROUND

- 7.1 Below is a brief summary of Kinloch's development and the Kinloch Community Structure Plan (KCSP). A more detailed statement on these matters is included under [Appendix C](#).

Kinloch Development

- 7.2 The first sections in Kinloch were sold in 1959, with the village being renamed to Kinloch from Whangamata (Station) to differentiate from Whangamata in the Coromandel. In 1962, the Kinloch Marina was developed. Throughout the 1960s and 1970s the village grew with multiple residential lots, reserves and roads being developed around the marina and along the central valley area of Kinloch. The original part of Kinloch is shown by the red outline at [Figure 5](#) below.



Figure 5: Original Kinloch Village

- 7.3 Large scale residential subdivisions were developed over the late 1990s (Lisland, Locheagles and Kinloch Golf) over the central, eastern area of Kinloch when the majority of the area was then zoned Rural Environment.

Kinloch Community Structure Plan

- 7.4 Given the considerable growth experienced during the late 1990s and early 2000s, in 2002, Council initiated the structure plan process with the Kinloch community in order to:
- Have a vision for future growth and development
 - Identify the amenity values / characteristics of Kinloch
 - Work out the infrastructure requirements for that future growth (three waters & roading)
- 7.5 The Kinloch Community Structure Plan² (KCSP) was adopted in September 2004 and was developed through community consultation with the purpose of providing guidance and direction to developers and the community regarding new subdivision development within the Kinloch area and to enable sustainable management of future growth. Based on the estimated infrastructure demands assessed at the time, the KCSP Infrastructure Costs report estimates a total number of 2130 households within the KCSP based on water provision per lot (a higher figure than the wastewater provision per lot). This is discussed in more detail under [Appendix C](#).

² [Kinloch Community Structure Plan - Taupō District Council](#)

- 7.6 The KCSP recommends a radial density pattern of higher density to the south shown by the pink colour, medium density through the central band shown by the orange colour and low density to the north and east shown by the light yellow colour as shown on [Figure 6](#) and included under [Appendix D](#).

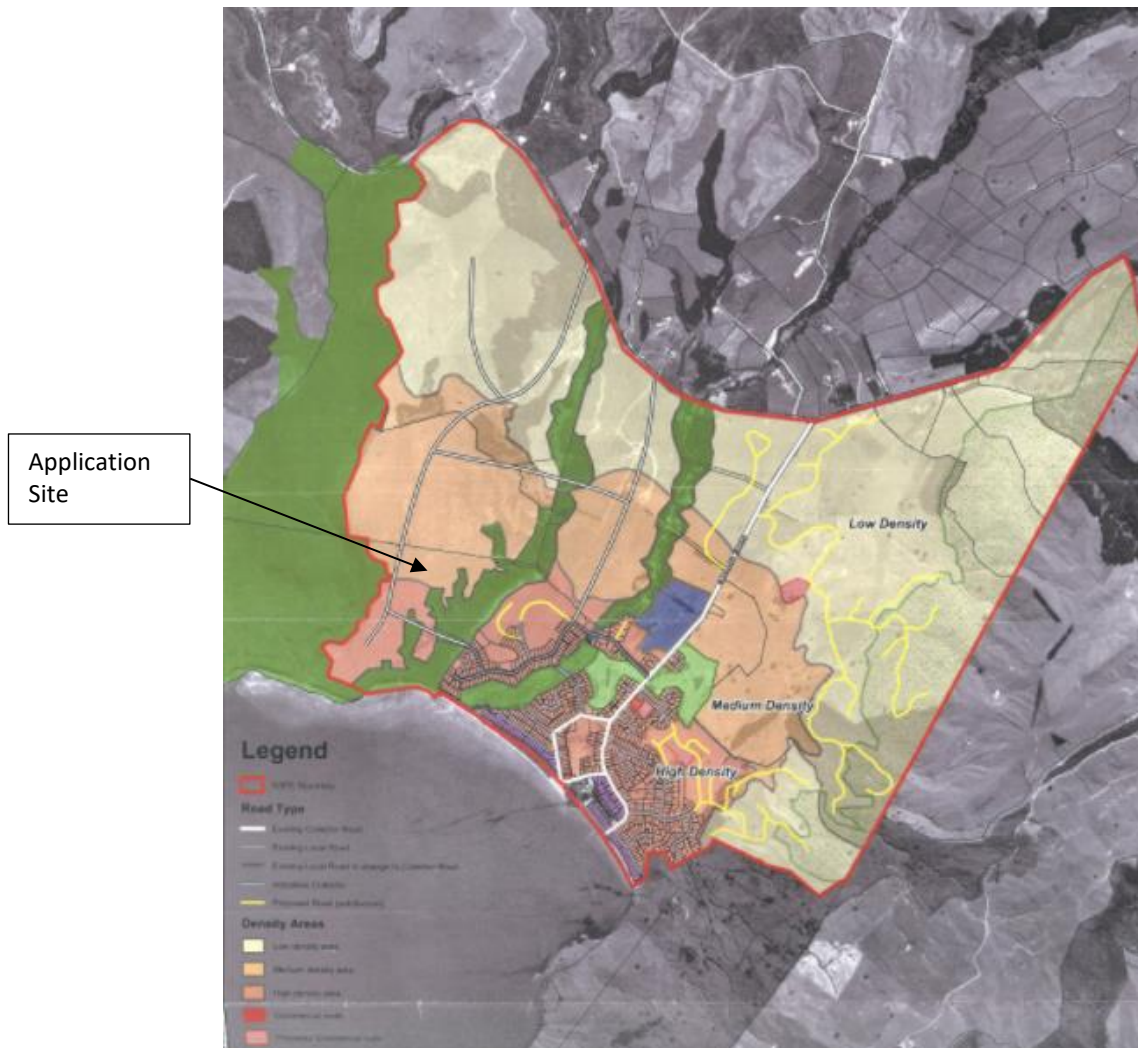


Figure 6: Kinloch Community Structure Plan Map

Kinloch Recent Years

- 7.7 Kinloch has grown significantly since the mid-2000s with a number of developments including the completion of the Locheagles subdivision, development of Oakdale Downs, the Cottage Block, the Larches (southeast of Oakdale), Lochridge, Seven Oaks (to south) and the first stages of Seven Oaks Terraces. The various Kinloch subdivisions are shown on at [Figure 7](#) below and this plan is also included under [Appendix E](#). Kinloch has a population of 1191 (at the 2023 Census). The village still has a large proportion of properties that are holiday homes, rather than permanent residences.
- 7.8 In terms of commercial facilities, there is the Kinloch Store on Mata Place, and a café at the Kinloch Club. Land use consent was recently approved for the establishment of a early childhood education centre at 44 Okaia Drive adjoining recreation reserve Lot 124 of the proposed subdivision. There is also an application for land use consent RM250055 still in progress for a commercial redevelopment of the corner of Kenrigg and Kinloch Roads for a small supermarket, café / restaurant and seven as yet unknown retail tenancies.



Figure 7: Kinloch Subdivision Areas

Seven Oaks Development

RM180118-119

- 7.9 Subdivision and Land Use consent RM180118 and RM180119 was granted 25 August 2019 as Stage 1 of the Seven Oaks development, and authorises:
- subdivision of the subject site into 29 residential lots with public roads, an access lot, and the extension of water and wastewater infrastructure to service the lots; and
 - earthworks cut and fill to construct roads and to shape the proposed lots in excess of the 1.5m and 0.5m vertical ground alteration limits outside and within setbacks;
 - future development on the 29 residential lots to have reduced setbacks to the roads and reserves;
 - future development to exceed the 4.5m height limit within 50m of the adjoining Otaketake and Okaia Stream Scenic reserves;
 - some of the lots to dispose of stormwater to the proposed Local Purpose Reserve rather than onsite; and
 - a sale sign exceeding the maximum dimensions.
- 7.10 Stage 1 of the Seven Oaks development consented under RM180118 and RM180119 (and the variations) was given effect to pursuant to sections 223 (survey plan) and 224c (all consent conditions met) in August 2020. The approved Title Plan is shown at [Figure 8](#).

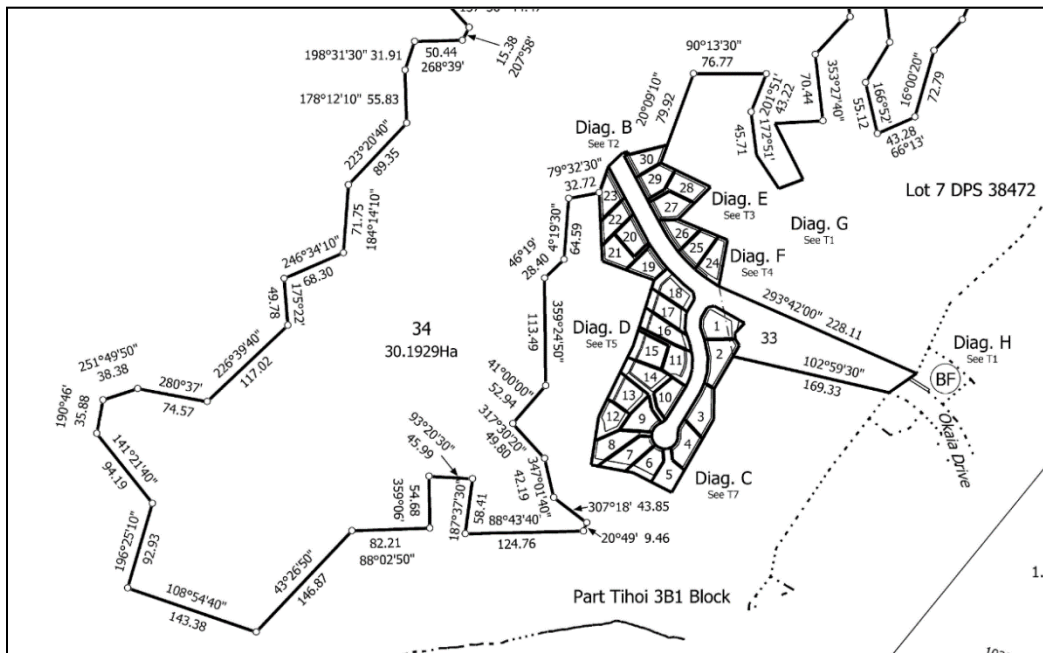


Figure 8: Title Plan for RM180118

RM200117-118

- 7.11 Land Use and Subdivision consent was granted 24 September 2020 for Stages 2 to 9 of the Seven Oaks development and authorises:
- earthworks cut and fill to construct roads and to shape the proposed lots in excess of the 1.5m and 0.5m vertical ground alteration limits outside and within setbacks; for future development on the some of the residential lots to have reduced front setbacks to the roads; and to exceed the 4.5m height limit within 50m of the adjoining Department of Conservation Otaketake and Okaia Stream Scenic reserves; and
 - to subdivide a portion of the subject site into 132 residential lots with reserves and public roads, and to extend water and wastewater infrastructure to service the lots.
- 7.12 The land use component was a discretionary activity and the subdivision component was a restricted discretionary activity under the Kinloch Residential Environment rules. The application was non-notified and there were not considered to be any affected persons.
- 7.13 The approved scheme plan of shown below at [Figure 9](#). Stages 2-7 of the Seven Oaks development consented under RM200118 have been given effect to pursuant to sections 223 (survey plan) and 224c (all consent conditions met).

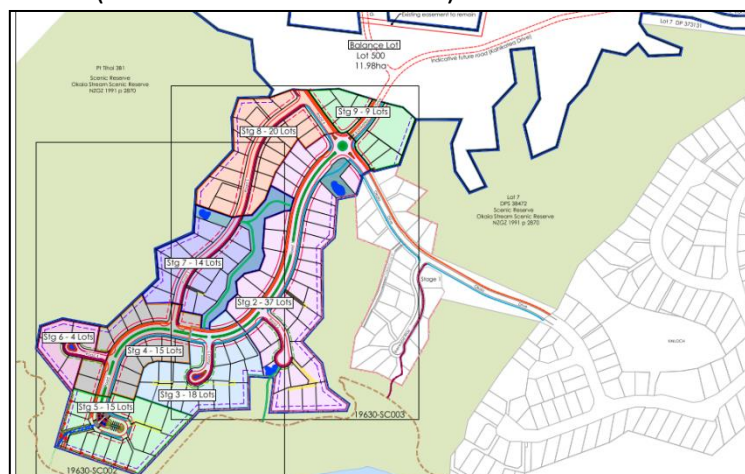


Figure 9: Approved Scheme Plan RM200118

RM230206-207

7.14 Land Use and Subdivision consent was granted 28 August 2023 for The Terraces block development and authorises:

- land use for 15 of the residential lots (on Kinloch Low Density zoning) to have the Residential Environment standards for building coverage (30%), plot ratio (30%) and setbacks (5m and 1.5m) and for greater earthworks site disturbance; and
- subdivision to create 55 lots (40 low density lots and 15 residential lots) over six Stages whereby the 15 residential lots will not meet the minimum and average lot sizes for the Kinloch Low Density zoning; for roads to vest; for earthworks cut and fill to construct roads and to shape the proposed lots in excess of the 1.5m and 0.5m vertical ground alteration limits outside and within setbacks; and to extend water infrastructure to all lots and wastewater to the 15 residential lots; and for the 40 low density lots to not be connected to community wastewater infrastructure.

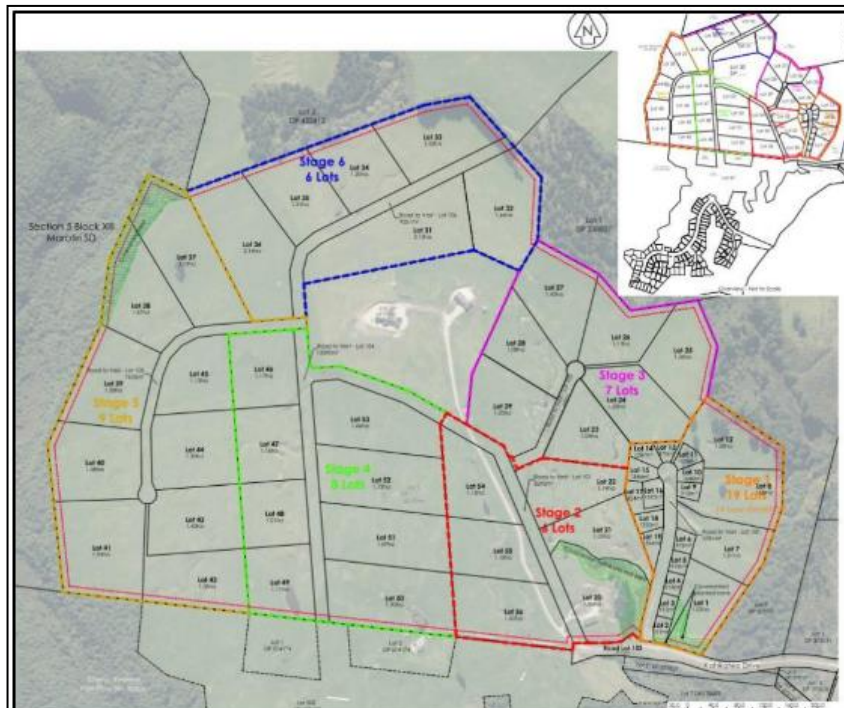


Figure 10: Approved Scheme Plan RM230206

7.15 The approved scheme plan is shown at [Figure 10](#). Stages 1 and 2 of this consent were given effect to pursuant to section 223 and all conditions met pursuant to section 224c of the RMA in November 2024; and May 2025 respectively.

7.16 At [Figure 11](#) below, also included at [Appendix A](#), the two Seven Oaks consented developments are shown to the north (Terraces) and south (Seven Oaks Stages 1-9) of the application site. The application site and proposed lots are shown in light blue.

RM230338-339 & RM200118B (withdrawn)

7.17 This application was for a land use and subdivision of the existing Seven Oaks balance land parcel at the end of Okaia and Kahikatea Drives (most of the current application site) into 100 residential lots, reserves and roads over eight stages. The application was also for a change of conditions to RM200118A. The application was publicly notified on 4 March 2024 and 25 submissions were lodged. Further information was requested after the close of submissions, then the application was put on hold at the request of the applicant, and the application was subsequently withdrawn on 21 November 2024.

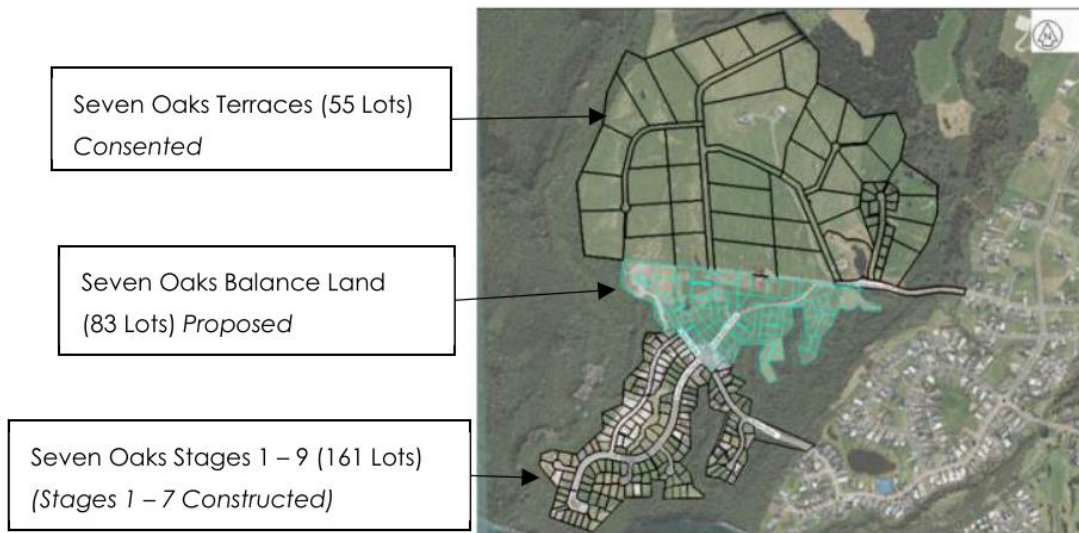


Image 5: Constructed, Consented and Proposed Seven Oaks Developments

Figure 11: Seven Oaks Consented and Proposed Developments

8 SITE DESCRIPTION

- 8.1 The application sites are located at the end of Okaia and Kahikatea Drives, Kinloch and consist of the following three titles:
- Lot 202 DP 606472 contained within Record of Title 1201870, 14.71ha in area [Otaketake Drive - no address]
 - Lot 1 DP 514174 contained within Record of Title 797345, 1ha in area [27 Kahikatea Drive]
 - Lot 2 DP 514174 contained within Record of Title 7877571, 1ha in area [25 Kahikatea Drive]
- 8.2 The application site is balance land to the north of the consented Seven Oaks subdivision excluding Stage 8 and including Stage 9 as well as 25 and 27 Kahikatea Drive. The total application site area (all three landholdings excluding Stage 8) is approximately 14.4ha. The application site is shown by the orange area below at [Figure 12](#).



Figure 12: Aerial of Application Site

- 8.3 The overall site generally slopes in a north to south direction with a vertical gradient of approximately 410m above sea level to 402m above sea level over a length of approximately

300m. The site topography is undulating with humps and hollows typical of Taupō geomorphology. The soil type for the general site area is pumice, which is typical for soil within the Taupō Volcanic Zone.

- 8.4 The site is currently open pasture apart from 25 Kahikatea Drive which contains a small dwelling. The site was previously utilised for forestry pre-1970s and in the 1970s switched to pastoral land. The site is adjoined to the east by the Okaia Stream Reserve and to the west by the Otaketake Scenic Reserve. The reserves consist of dense, native vegetation of around 5m in height.
- 8.5 To the north is a large farm block that is currently in the process of being developed as per the Terraces subdivision RM230207 (shown at [Figure 10](#) above). To the south are the residential sections of Stages 1-7 (implemented) and the boundary with the area of Stage 8 (not yet implemented) of the Seven Oaks subdivision RM200118 (shown at [Figure 9](#) above).
- 8.6 The application site is located to the west of Kinloch township as shown at [Figure 13](#). Lake Taupō is located approximately 650m to the south and the Seven Oaks subdivision is separated from the lake by the Otaketake Scenic Reserve. The Kawakawa Bay Track (part of the Great Lake Trail) dissects through the Otaketake Scenic Reserve between Lake Taupō and the Seven Oaks subdivision to the south.
- 8.7 Further to the east, and southeast is the established residential area of Kinloch. There are a range of lot sizes that have been established through various resource consents from a minimum of 400m² and maximum of 14,585m² (both sizes are found within the Locheagles subdivision). The most typical residential lot sizes are around 800m² within the southern end of Kinloch village.

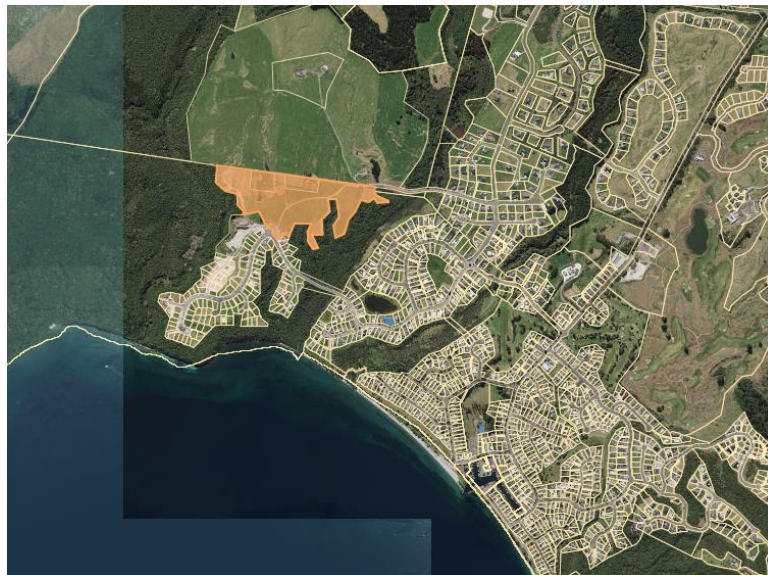


Figure 13: Aerial of Wider Area

9 DISTRICT PLAN SHIFT TO NATIONAL PLANNING STANDARDS FORMAT

- 9.1 On May 16 2025 the Taupō District Plan was reformatted to reflect the National Planning Standards (NPS). The NPSs are a set of standards that aim to improve the efficiency and effectiveness of the planning system across New Zealand by providing nationally consistent structure, format, definitions and electronic functionality for all regional, district and combined plans under the RMA.

- 9.2 This has changed the chapter layout of the Plan, has renamed the Environments to Zones (General Residential, General Rural etc.) and has adopted NPS definitions. As the implementation of the Plan from the previous format to the NPS format is unchanged i.e. the application of the standards, rules and activity statuses are unchanged, the reformatting did not require a formal Schedule 1 plan change process.
- 9.3 I note that this has meant some changes to the zoning names, standards and rule references relevant to this application since it was lodged, and after the notification report was issued. The following table outlines some of the key changes:

DISTRICT PLAN PRE-NPS	DISTRICT PLAN – NPS FORMAT	NOTES
Kinloch Residential Environment	General Residential Zone GRZ	Kinloch is a Development Area as noted in section 14: DEV1-Kinloch
Kinloch Low Density Environment	Low Density Zone LRZ	
Kinloch Rural Residential Environment	Rural Lifestyle Zone RLZ	
Kinloch Residential Environment - Maximum Building Coverage = 25%	General Residential Zone – Maximum Combined Coverage = 30%	The definition of ‘building’ has changed which has meant a change to the standard of ‘building coverage’ which excluded 0.6m of eaves, to ‘combined coverage’ which includes the full roof area of a building.
Kinloch Low Density Environment - Maximum Building Coverage = 5%	Low Density Zone – Maximum Combined Coverage = 5%	

- 9.4 The standards and rules applicable to development in the Kinloch Development Area are unchanged (only the numbers / references). The NPS District Plan zoning terms will be utilised throughout the remainder of this report.

10 TAUPŌ DISTRICT PLAN

- 10.1 The majority of the site is zoned Low Density Residential as shown by the lighter yellow colour on the map at [Figure 14](#), with some of the southern lots within Stage 9 being within the General Residential Zone as shown by the darker yellow colour on the map at [Figure 14](#) below.
- 10.2 Okaia and Kahikatea Drives are classified as Local Road under the District Plan Roading Hierarchy. The adjoining reserve to the east, southeast is also Significant Natural Area 170 – Okaia Stream Scenic Reserve; and the reserve to the west is also Significant Natural Area 152 – Otaketake Stream Scenic Reserve which also has the overlay of Outstanding Natural Feature and Landscape Area ONFL28 – Northwestern Bays Whakaroa Point to Otuparae Point to the west and south. These features are shown by the green colours within the right hand map at [Figure 14](#).

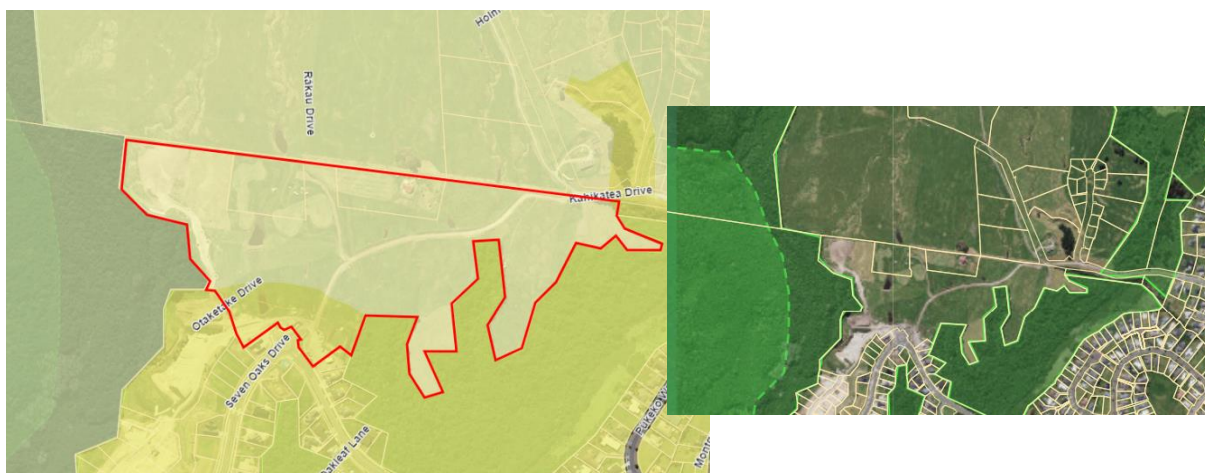


Figure 14: District Plan Maps [Zoning & SNA/OLAs]

- 10.3 Kinloch is a Development Area as noted in section 14 of the District Plan – DEV1-Kinloch. Table 4 lists the Minimum and Average Lot Sizes for the Density Areas within Kinloch Development Area:

KINLOCH DEVELOPMENT AREA – DEV1				
		General Residential	Low Density	Rural Lifestyle
Minimum Lot Size	Lot	800m ²	1 hectare	2 hectares
Average Lot Size	Lot	1000m ²	1.5 hectares	2.5 hectares

- 10.4 Section HPW-2.7 of the District Plan discusses 'Relationships between Spatial Layers' and states:

Where a property is subject to two zones (such as the General Residential Zone and General Rural Zone), or an overlay (such as an Outstanding Landscape Area), any land use on that property will only be subject to the zone or overlay that directly affects the land use.

Where the actual land use (such as a house) straddles two zones, then the most restrictive provisions will apply.

Where a property affected by two zones, or overlays, is subdivided, the most restrictive provisions will apply.

- 10.5 As such, the subdivision is subject to the more restrictive zoning of Low Density Zone, and for the land use, only Lots 36, 37, 38, 39, 41, 80, 81, 82 and 83 are wholly or mostly contained within the General Residential Zone such that future land use development will be within the General Residential Zone and will comply with those provisions.
- 10.6 With the minimum and average lot size specified in the District Plan as 1ha and 1.5ha for Low Density Zone and 800m² and 1000m² for General Residential Zone, this results in the potential for 10 residential lots and six low density lots. As such, the proposed subdivision will result in a higher density of lots than anticipated for the Kinloch Low Density zone, by an additional 67 lots compared to 16 lots enabled by the District Plan.

10.7 The proposed subdivision is subject to the following rules of the District Plan:

SUBDIVISION - 11		
Rule	Requirement	Proposal
SUB-R8.2 Restricted Discretionary Activities GRZ, MRZ, LRZ	Any subdivision within unserviced areas of the residential zones, or any activity which results in a new public road or extension to existing public roads, water, stormwater or wastewater utility services.	The proposed subdivision will create new public roads and will extend existing water and wastewater utility services to service the proposed lots, therefore this rule <u>is</u> applicable.
SUB-R26.1 Non Complying Activity DEV1-Kinloch	Any subdivision within DEV1-Kinloch, which is not identified as a controlled or discretionary activity.	The proposed 83 residential lots will have a minimum lot size of 800m², being 9200m² less than the minimum lot size of 1ha. The proposed 83 residential lots will have an average lot size of 1300m², being 1.37ha less than the average lot size of 1.5ha. As all of the proposed lots will be less than the minimum and average lot sizes for the DEV1-Kinloch Low Density Zone, this rule <u>is</u> applicable.

10.8 In summary, the proposed subdivision is to be assessed as a restricted discretionary activity under Rule SUB.R8.2; and a non complying activity under Rule SUB-R26.1. Under the principle of 'bundling' where there are two activity statuses the most restrictive shall apply. As such the proposed subdivision is considered as a **non complying activity**.

10.9 The proposed land use infringes the following standards and rules of the District Plan:

LOW DENSITY RESIDENTIAL ZONE – DEV1 KINLOCH DEVELOPMENT AREA (Section 13)		
Standard	Requirement	Proposal
LRZ-R5.1 Maximum Combined Coverage	5%	<i>Future development on Lots 3-6, 8, 11-13, 20-31, 40, 42-53, 61, 62, 65-79</i> 30% - exceeding the limit by an additional 25% <i>Future development on Lots 1, 2, 7, 9, 10, 14-19, 32-35, 54-60, 63, 64</i> 20% or 315m² whichever is the greater - exceeding the limit by an additional 15%

LRZ-R5.2 Maximum Plot Ratio	7.5%	<i>Future development on all Lots</i> No limit on plot ratio, exceeding the 7.5% limit
LRZ-R5.4 Minimum Building Setback – Front Boundary	10m	<i>Future development on lots with frontage onto Roads 2 & 3, being Lots 3-8, 11-13, 61-63, 67, 69, 71</i> 3m for dwelling façade - encroaching into the required 10m setback by 7m 5m for garage façade – encroaching into the required 10m setback by 5m <i>Future development on Lots 1, 2, 14-16, 17, 20, 23, 25, 27-30, 43-49, 50-53, 79 with frontage onto all other Roads</i> 5m – encroaching into the required 10m setback by 5m. <u>Note</u> – Lots 32-35, 54-60 comply with required 10m setbacks to all boundaries.
LRZ-R5.5 Minimum Building Setback – All other Boundaries	10m	<i>Future development on Lots 1, 2, 7, 9, 10, 14, 17-19, 63-65</i> 1.5m – encroaching into the required 10m setback by 8.5m. <i>Future development on Lots 1, 2, 14, 17-19</i> 5m – encroaching into the required 10m setback by 5m. <i>Future development on Lots 11-13, 50-53, 61, 62, 64, 65</i> 7.5m – from reserve boundaries, encroaching into the required 10m setback by 2.5m. <u>Note</u> – Lots 32-35, 54-60 comply with required 10m setbacks to all boundaries.

GENERAL DISTRICT WIDE MATTERS (Section 12)		
Standard	Requirement	Proposal
EW-R1.1 Earthworks within the LRZ, GRZ, NCZ	a. Disturbance of the <u>allotment</u> at any one time while redeveloping – 50% maximum or if in DEV1-Kinloch LRZ 10% maximum b. 1.5m vertical ground alteration outside the minimum <u>building setback</u> in a new face or cut and / or fill c. 0.5m vertical ground alteration within the minimum <u>building setback</u> requirement d. No <u>dust</u> or silt nuisance beyond the boundary of the <u>allotment</u> e. Compliance with standards from Other Plan Matters	<i>Future development on Lots 36-39, 41, 80-83</i> a. 70%, exceeding the limit by an additional 20%. <i>Future development on Lots 3-6, 8, 11-13, 20-31, 40, 42-53, 61, 62, 65-79</i> a. 70%, exceeding the limit by an additional 60%. <i>Future development on Lots 1, 2, 7, 9, 10, 14-19, 32-35, 54-60, 63, 64</i> a. 40%, exceeding the limit by an additional 30%. <i>Subdivision earthworks on application site</i> b. Earthworks cut / fill of up to 4m will be required to construct the new roads and to shape the proposed lots / reserves, exceeding the 1.5m vertical ground alteration by an additional 2.5m. c. Earthworks cut / fill of up to 4m will be required to shape the proposed lots / reserves, exceeding the 0.5m vertical ground alteration by an additional 3.5m.

EARTHWORKS RULES		
Rule	Requirement	Proposal
EW-R3.2 Discretionary Activities	Any activity within the MRZ, GRZ, LRZ and MUZ 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.	Earthworks to implement the subdivision and for future development on the lots within GRZ and LRZ infringe three of the earthworks standards of EW-R1.1, therefore this rule is applicable.

GRZ & LRZ RULES		
Rule	Requirement	Proposal
LRZ-R4.1 Non Complying Activities	Any activity which does not comply with four or more standards for permitted activities including (where a standard contains more than one control) four or more parts thereof.	<i>Future development on all Lots within Low Density Area</i> The proposed future land use on the Kinloch Low Density Zone infringes four standards, as noted above, therefore this rule is applicable.

- 10.10 In summary, the proposed land use is to be assessed as discretionary activity under Rule EW-R3.2 and a non complying activity under Rule LRZ-R4.1. Under the principle of ‘bundling’ where there is more than one activity status, the most restrictive shall apply. As such the proposed land use is considered as a **non complying activity**.

***Note:** Future development on all of the proposed lots will be able to comply with building height, the parking, loading and access requirements and will not exceed the maximum equivalent vehicle movement limit of 24 per day.*

11 SECTION 127 RMA

- 11.1 The proposal also involves a change of conditions to Subdivision Consent RM200118A in relation to Stage 9 eight lots, being incorporated into the proposed development instead of the southern Seven Oaks consented development. Under Section 127 of the Resource Management Act 1991, the consent holder may apply to the consent authority for a change or cancellation of conditions of consent. Sections 88 to 121 are to apply to the consideration of applications to change/cancel consent conditions as if the application were for an application for resource consent for a discretionary activity. Only the effects of the change/cancellation of conditions can be considered.

12 SECTION 221 RMA

- 12.1 The proposal also involves a cancellation of consent notices on the existing sites of Lots 1 and 2 DP 514174 that are part of the application site. Section 221(3)(a) of the RMA allows for the variation or cancellation of any conditions specified in a consent notice and that sections 88 to 121 of the Act apply as if the application were an application for resource consent as a discretionary activity.

13 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (Section 104(1)(a))

- 13.1 Based on the submissions received and an assessment of the District Plan framework, I consider that the primary effects of the proposal relate to the effects on character and amenity of the site and wider Kinloch village from the proposed higher density of development. That said, an assessment of all actual and potential effects is required, as such the following effects on the environment are discussed:
- **character and amenity**
 - **landscape/visual impacts**
 - **privacy and outlook**
 - **ecology**
 - **transportation**
 - **services/infrastructure**
 - **earthworks / construction**
 - **tangata whenua / cultural values**
 - **change of conditions & cancellation of consent notices**

- **positive effects**
- **cumulative effects**

These effects are discussed in turn below, following the introductory note.

Introductory Note

- 13.2 Earlier in my report I mention a figure of 2130 households, which is the estimated maximum number of households within the KCSP area taken from the Harrison Grierson Infrastructure Costs report that was carried out to inform the KCSP in 2004, extract at Appendix F. This figure is based on water supply provision per lot (higher number than wastewater) and is an estimate. An up to date assessment has been carried out by Council's water and wastewater Asset Managers which calculates a lower figure of 1825 as shown in the memo at Appendix H.
- 13.3 I note that this figure is an estimate and based on water supply rates factor for Kinloch which is higher than the wastewater number (given that a number of larger lots are consented to dispose of wastewater to ground). The figure also includes the number of lots that will have reticulated water within consented developments yet to be implemented, and potential future development (including this proposal) that will have water supply. I use the up to date figure of 1825 in the following assessment of effects, and emphasise that this is an estimate and that there may end up being a few more households than this, as some lots may have private water supply instead of reticulated water supply, although that number of additional lots / households over and above 1825 is likely to be very low.

Character & Amenity

- 13.4 The District Plan key objective for all residential zones is to maintain and enhance the character and amenity of those areas. The Plan recognises that the Taupō District contains a variety of residential areas and while each community has distinct character, the basic elements of each are the same. 'Character' refers to the distinctive qualities and visual identity of an area and includes building form (style, density, layout), landscape features (vegetation, topography, open spaces) and the overall 'feel' of a place that distinguishes that area from another.
- 13.5 The RMA defines 'amenity values' as *'those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes'*. Or put more simply, it is the qualities that make a place pleasant and enjoyable to live in and can include privacy, having sunlight and warmth, views and outlook, accessibility (ease of movement, services, reserves etc.) and low levels of noise and other nuisance type effects.
- 13.6 As stated earlier, I consider that the character and amenity effects of the proposal are the key matter of consideration for this application, based on the District Plan framework and submissions received, as noted above. When considering character and amenity effects, the assessment is based on envisaging the completed development i.e. the subdivision being fully implemented with the residential lots, roads, reserves, and the lots developed with residential buildings. I do not consider that the effects from earthworks / construction, provision of services etc. factor into the consideration of the character and amenity effects of the proposed subdivision and development, given that those effects are temporary and very confined in their nature.
- 13.7 The proposed higher density of development results in greater building bulk with more buildings, reduced setbacks, no limit on plot ratio (sum of all floors), buildings being closer together, a reduction of open space and generally an increased level of activity with a greater

number of households and associated people and vehicle movements. All of these aspects can affect the character and amenity of this currently undeveloped site and area. However, for the following reasons I consider that these character and amenity effects will not be more than minor.

- 13.8 Many of the submissions in opposition raised concerns about impacts on Kinloch's character and amenity. Some of the comments from the submissions regarding character and amenity are briefly summarised as follows:
- residents value the village feel and environment of Kinloch
 - the proposal is inconsistent with other larger lot development in Kinloch, like Oakdale
 - the proposal will generate additional light, night sky effects and traffic noise nuisance
 - the proposal will erode Kinloch's low density character
 - Kinloch's unique and quiet community should be protected
 - there will be impacts on Kinloch's community amenities particular at busy summer season
- 13.9 The character and amenity effects assessment of the proposal will be discussed under the following sub-headings.

Existing Site Character

- 13.10 The character of the existing application site is 'undeveloped urban land'. The term urban is used due to the site's position within the urban area of Kinloch, and the zoning of General Residential that applies to a southern small portion of the site and the zoning of Low Density which applies to the northern majority portion of the site. The application site only contains one house which will be subdivided into a smaller allotment at the first stage (Lot 1), and the remaining area of the site is undeveloped and in grass. The site has a gentle fall in topography from north down to the south.
- 13.11 The Department of Conservation scenic reserves to the east, southeast and west of the application site very much dominate and enclose the application site significantly. The sites boundaries with the reserves are irregular and curved with long 'fingers' of reserve land extending into the site from the southeast. The reserves contain dense, mature indigenous vegetation that is well established and approximately 4-6m in height. The reserves at this location do not contain any public walking tracks or access.
- 13.12 As stated earlier, to the north the application site borders onto a large 62ha pastoral landholding that widens further to the east, west and north to an open, expansive pastoral area. As stated above, this site to the north is being developed as consented into 40 rural residential lots, with 15 residential lots located further to the east within the site. None of the lots have been built on as yet, and Kahikatea Drive has been extended into this site from Oakdale Downs further to the east.

Kinloch's Character

- 13.13 The KCSP has had some influence on the development of Kinloch's character since its measures were adopted into the District Plan in 2007. The intent of the KCSP is to create a radial density by having an average of 1000m² lots in the residential zone closest to the lake, an average of 1.5ha lots within the low density zone, and an average of 2.5ha in the rural-residential zone to allow for the development of a peri-urban amenity and character before the rural zoning north of Whangamata Road.
- 13.14 The application site is within the central, western part of Kinloch and generally the western side of Kinloch has been the last (most recent) area to develop under the District Plan KCSP

requirements. To the south of the application site is the Seven Oaks Drive roundabout and Okaia Drive that extends down to the east through the Okaia Stream reserve area. South of the roundabout are the earlier stages of Seven Oaks residential subdivision that have almost all been completed and contain a mix of modern single and two level houses on lot sizes ranging from 800m² to 1000m², consistent with the Kinloch General Residential required lot sizes.

- 13.15 Further to the north is the Lochridge development consented for 47 rural lifestyle lots, within which 24 lots have already been created at the northern end off Whangamata Road and Lochridge Drive. Again, this subdivision was consistent with the Kinloch Rural Lifestyle required lot sizes.
- 13.16 The original Kinloch village near the central lakeshore part of Kinloch was developed through the 1960s-70s, then the Lisland, Locheagles, Kinloch Golf and Te Kowhai Ridge development were all consented through the 1990s and early 2000s, as discussed in the Background at section 7 of my report. While parts of the abovementioned developments present character that is consistent with the KSCP radial density pattern, there are portions of Locheagles, Kinloch Golf (the Poplars, Fairways and accommodation lots) and Te Kowhai Ridge where the development consists of much smaller lot sizes (ranging between 550m² – 2500m²). This is because all of the abovementioned developments were consented prior to the KSCP.
- 13.17 Overall, Kinloch consists of established residential forms of development of differing densities that form quite unique enclaves around Kinloch township. The village is interspersed with vegetated and open reserves that follow the streams entering the lake. Each of these areas is identified on the map at [Figure 15](#) and [Appendix E](#), and each area has specific development provisions that are applicable through mostly consent notices, rather than the District Plan.

District Plan Zoning

- 13.18 The majority of the application site zoned Low Density (Kinloch Development Area) with a small portion of General Residential to the south. The Low Density zone anticipates minimum lot size of 1ha and average lot size of 1.5ha. In terms of building controls, there are 10m building setbacks, 5% combined coverage and 7.5% plot ratio. Therefore as a controlled activity subdivision in keeping with the District Plan provisions, it is estimated that the application site could accommodate 16 lots (10, 1.5ha lots in Low Density and 6, 1000m² lots in Residential).
- 13.19 A compliant form of subdivision and development on the application site would result in a very different character of development to that of the proposal, with much more open space, a much lower level of built form with dispersed buildings and open vistas throughout the application site. However, I note that a similar roading layout as proposed would be necessary in this compliant scenario, given the three connection points to the north, northeast (Kahikatea Drive) and southeast (Okaia Drive) consistent with the KCSP roading layout, and also due to the elongated and irregular shape of the application site.
- 13.20 This form of development would be very similar to the consented low density portion of the Terraces subdivision to the north, and there would be no transition between the residential higher density of development to the south and the low density Terraces development to the north.
- 13.21 I acknowledge that the proposal is a much higher density than anticipated by the District Plan Low Density zoning discussed above and as such will result in a different form of character

with much greater built form and reduced open space. However, for the reasons outlined below, I consider these character and amenity effects to be minimal.



Figure 15: Kinloch Subdivision Areas

Proposed Subdivision & Development

- 13.22 The proposal will continue the residential form of development that has occurred to the south in the consented Seven Oaks area, into the elongated application site area of mostly low density zoning. There are elements of the proposed subdivision layout that give consideration to the zoning change (from residential to low density), discussed below, and the presence of the reserves to the east and west.
- 13.23 The lot layout is such that there is a transition from north to south of the residential lots of around 800m² being located in the central, southern part of the development with the lot sizes increasing to the north, northwest and northeast parts of the development, all being over 1500m² in area. In addition, most of the proposed lots that adjoin the reserves to the west and east-southeast have been maintained as larger lot areas as well. I note that the average lot size through the proposed development is 1300m². Although these lot sizes are still well below the low density expectation of 1ha-1.5ha, the pattern of the proposed development does follow the radial decreasing density from south to north that the KCSP seeks.
- 13.24 Given the smaller lot sizes than anticipated by the District Plan, the application seeks greater combined coverage and plot ratio, as well as reduced setbacks for future buildings on the lots. This will result in greater built form than anticipated by the Plan, although given the planned subdivision layout as described above, the contained nature of the site between the densely

vegetated reserves, and the transition location of the site between residential to the south and low density to the north, I consider the resulting character of built form will be appropriate within this site context.

- 13.25 The roading pattern will establish Kahikatea Drive as a main thoroughfare through the development from the Okaia Drive roundabout extending to the northeast. This road will incorporate a 3m wide central vegetated swale, Okaia Drive which extends to the northwest will have a vegetated swale along one side of the road, and all roads within the subdivision will have landscaped corridors along their lengths. As stated above, I note that this roading layout would be necessary regardless of the density of development proposed, given the three connection points to the north, northeast (Kahikatea Drive) and southeast (Okaia Drive) consistent with the KCSP roading layout, and also due to the elongated and irregular shape of the application site.
- 13.26 The proposed subdivision also incorporates 7052m² of stormwater and local purpose reserve areas for vesting, with a main 4000m² stormwater reserve extending through the central, eastern portion of the subdivision (Lot 122). This reserve will have landscape planting and pathways providing pedestrian connectivity, as well as considerable landscaping amenity. Around 3.3ha (or 27%) of the application site area will be open space and roads. With the incorporation of swale vegetation within the roads and landscape planting within the reserves, this reduces the areas of hard surfacing and provides significant corridors of vegetation throughout the subdivision, breaking up the building bulk and form of the higher density of development.
- 13.27 As discussed earlier, the site is very visually contained between two densely vegetated reserves to the east, southeast and west such that vegetation and natural vistas can be viewed from every lot within the proposed development. Of the proposed 83 lots, 27 are adjacent to scenic reserve, 10 are adjacent to the low density lots within the Terraces to the north, 12 are adjacent to the open space stormwater reserves and 25 have frontage onto the widened and landscaped Kahikatea Drive.
- 13.28 In summary, I consider that:
- the proposed layout with its pattern of smaller lot areas in the central, south area, and larger lot areas to the north, east and west;
 - the planting design and layout of the proposed roads and reserves within the subdivision; and
 - the framing and natural character provided by the adjoining Okaia and Otaketake reserves around the proposed subdivision;
- all ensure that the proposed subdivision and future development will provide an appropriate character and amenity transition between the residential area to the south and the larger low density lot development within the Terraces subdivision to the north.

Reserves

- 13.29 The adjoining reserves provide considerable amenity and landscape framing to the proposed development. Protection of the reserves was a significant concern of many of the submissions on the proposal.
- 13.30 The proposed subdivision layout is such that the lot sizes of the lots adjoining the reserves are mostly the larger sized lots, which assists with ensuring buildings and earthworks can be kept distanced from those reserve boundaries. In terms of maintaining the natural character and open space along the reserve boundaries with the proposed lots, some of the lots that adjoin

the reserve and that have a suitable shape factor will have the required building setback of 10m, these lots being Lots 1, 2, 5-10, 63, and 57-60. Furthermore, building heights for future development on the lots will be compliant at 4.5m within 50m of the reserves. This will ensure that open space to the reserves is maintained where suitable and the considerable natural character and amenity that the reserves provide to the proposed development is maintained.

- 13.31 In summary, I consider that the potential effects on the natural character and amenity of the adjoining reserves will be no more than minor.

Wider Kinloch

- 13.32 In terms of potential character and amenity effects on the wider Kinloch village to the east of the Okaia Stream Scenic reserve, I consider these effects to be no more than minor for the following reasons.
- 13.33 The application site is elevated above the central and eastern Kinloch village to the east and separated from this area by the densely vegetated Okaia Stream Scenic Reserve, such that the only public vantage point of the proposed development is from the top of Okaia Drive, or at distance from upper Locheagles. The residents within the central, eastern areas of Kinloch will not directly see the built form associated with the higher density of development proposed given the application site elevation and separation which fully screens it from view from the rest of Kinloch.
- 13.34 The greater density of development proposed will generate more activity from having more households, vehicles etc. utilising the amenities within the Kinloch Village, and this could adversely affect the amenity of the wider Kinloch area. A number of the submissions refer to the added pressure on Kinloch's amenities such as the boat ramp at peak summer periods.
- 13.35 The proposal is for an additional 67 lots (over a controlled activity subdivision of 16 lots). Taking into account Kinloch's current number of rateable properties, already consented development and potential future development (in keeping with the KCSP requirements), the overall number of properties / households does not exceed the estimated figure of 1825 households for the KCSP area. The proposed additional 67 lots (over the controlled activity subdivision level of 16 lots) makes up to 3.6% of the 1825 estimated total number of households in the KCSP area.
- 13.36 I also note that the application site is the second to last greenfield site within the KCSP area, with the only other site being the Hunt Club site off Whangamata Road to the north zoned Rural Lifestyle requiring lot sizes of 2-2.5ha (the likely number of lots being 30 and included in the figures of 'potential future development' noted above). This means the proposal is most likely to be the last multi-lot subdivision within the KCSP area, and even if the Hunt Club were subdivided in future, the overall figure would still be within the 1825 expected households.
- 13.37 The proposal will generate much more vehicle movements than for a controlled activity subdivision with 83 proposed lots compared to 16 lots. A residential site is estimated to generate around eight Equivalent Vehicle Movements (EVM) per day. As the proposed development will have various road connections to the north (upon completion of all Stages and consented subdivisions to the north), east via Kahikatea Drive and southeast via Okaia Drive, traffic from the proposed lots will disperse along the different roads rather than being concentrated through a particular area of Kinloch.

- 13.38 I note that there are another 240 lots / households that are consented but not yet developed (this includes 116 house sites within the Kinloch Golf development). A number of the submissions stated concerns about the already congested nature of some of Kinloch's amenities during summertime, such as at the boat ramp. Kinloch is already very busy at the peak summer periods and conversely is relatively quiet during the winter months.
- 13.39 The proposed development is proposed to be carried out over stages and should consent be granted, will take some years to be implemented. Furthermore, a longer lapse period has been sought. This means that the additional EVMs and associated activity will not occur all at once but will gradually increase over time as each stage is implemented, and as each lot is built on.
- 13.40 Taking into account EVMs and associated activity from the yet to be developed consented 240 lots / households, the potential future development in the KCSP area (compliant with the District Plan) and keeping in mind the staging of the proposed development, I consider that the proposal will have inconsequential effects on traffic activity and use of amenities in Kinloch i.e. the level of traffic and activity at the boat ramp will not be noticeably greater as a result of the proposal.
- 13.41 In summary, I consider that the proposal will have no more than minor effects on the character and amenity of the wider Kinloch village.

Summary

- 13.42 I have taken into account the concerns raised by submissions on the character and amenity of the Kinloch village and acknowledge that there will be a significant change to the existing character of the site with the proposal given its higher number of proposed lots and greater built form over what is expected within the low density zone. However, on balance of the potential effects and for the reasons given above, I consider that the effects on character and amenity from the proposed development will be no more than minor.

Landscape / Visual Impacts

- 13.43 The proposed subdivision and development is for greater density than anticipated for the low density zoning and proposes 83 residential lots compared to the 16 lots as a controlled activity subdivision of this land. As such, there is the potential for adverse landscape and visual effects from the proposal in relation to the additional built form, and reduced amount of open space. I note that many of the submissions raised concerns about landscape impacts, particularly in relation to the adjoining reserves.
- 13.44 A Landscape and Character Assessment (LCA) was prepared by Mansergh Graham Landscape Architects Ltd and lodged with the application. For previous Seven Oaks applications, LCAs have been submitted and peer reviews of those assessments have been undertaken by a different landscape architect to ensure adequacy of the LCAs. For both previous consent applications the conclusions were that the LCAs sufficiently assessed the landscape and visual effects and that those effects would not be more than minor. Given that the application site has the same site characteristics and context as previous Seven Oaks stages and because the same company has prepared the LCA (being Mansergh Graham) for this proposal, it was considered that a peer review of the LCA was not necessary for this application.
- 13.45 For this assessment on landscape and visual effects, I rely on the expert assessment undertaken by the author of the submitted LCA and these effects are discussed under the following sub-headings.

Application Site

- 13.46 The LCA discusses the application site and describes it as being an elongated in shape in an east-west direction, being bordered to the east and west by the densely vegetated Okaia Stream and Otaketake Stream Scenic Reserves. The site is 14ha in area and irregular in shape to the south, east and west with the reserve interface / boundary curving around narrow 'fingers' of the site. The site is elevated above the main Kinloch village further to the east and is at the interface of existing Seven Oaks residential subdivision to the south and the developing Seven Oaks Terraces subdivision to the north, which is still mostly open pastureland and consented to be developed into 40 low density sites, with 15 residential sites further northeast.
- 13.47 The site has a southerly aspect, with a gentle fall from north to south with undulating terrain. The existing site cover is predominantly pasture interspersed with a farmhouse and ancillary buildings, fence lines, farm tracks and a rock outcrop. The road network and residential development of the previously consented Seven Oaks stages are visible down slope to the south with Lake Taupō beyond. The surrounding reserves given the site a sense of enclosure while expansive views are afforded above and beyond the containing vegetation.
- 13.48 The application site is largely obscured by the existing vegetation when viewed at proximity and from lower elevations within Kinloch village to the east, and it can only be partially viewed at a distance and from higher elevations further east.

Landscape Character

- 13.49 The LCA discusses the surrounding landscape context and describes Kinloch as being a village located on the northern shores of Lake Taupō within a shallow valley nestled between two containing ridgelines. The western ridgeline is the Te Kauwae Peninsula and the eastern ridgeline is the Whakaroa Peninsula, with Lake Taupō to the southwest.
- 13.50 The original residential development of Kinloch is concentrated within some 500m of the foreshore, contained to the west by the Whangamata Stream Scenic Reserve and to the east by the Whakaroa Point Reserve. The LCA notes that the settlement of Kinloch includes development patterns that reflect expansion beyond the initial valley floor onto adjacent landforms; with modification having occurred, both historically (conversion to pastoral farmland) and more recently with urban and rural-residential development extending from the lake edge to Whangamata Road to the north.
- 13.51 The LCA states that the wider landscape containing the application site is of moderate-high landscape amenity value and this value is influenced by the presence of the natural features associated with the lake, the east and west headlands, the densely vegetated stream reserves and the distant volcanic landforms of the central plateau to the south.
- 13.52 A number of the surrounding landscape features have identified landscape and natural values including Lake Taupō (OLA20) Te Kauwae (OLA45) and Whakaroa Peninsulas (OLA65), Whakaroa Hills (ALA67) and the Significant Natural Areas (SNAs) along the lakeshore and stream reserves.
- 13.53 While the application site is located adjacent to several valued landscape areas, the LCA states that the application site does not have any notable landscape value, other than providing the immediate context for these wider landscape features.

Effects on Landscape Character

- 13.54 The LCA states that the urban grain of Kinloch is a result of the slow accumulation of development that can be characterised as small scale with a fine grain of lots which gradually transitions to larger lots further from the lakeshore.
- 13.55 The KCSP density areas reflect the general pattern to manage future development in an orderly and coordinated way. The application site is captured within the western extent of the KCSP and is identified as an area of 'high density' (General Residential) to the south and mostly 'medium density' (Low Density) and includes an indicative collector road through the application site and linking back to Whangamata Road.
- 13.56 The LCA comments on the density pattern of the KCSP and states that while the density distribution appears consistent within the valley floor of Kinloch over the central eastern portion of the KCSP, the transition within the application site, on the western side of Kinloch, terminates arbitrarily at a narrow neck within the proposal area, as shown by the map at [Figure 16](#). From a landscape character perspective, the location of the density transition mapped within the western extent of Kinloch, creates an imbalance. This is because the western transition does not align with the general density transition shown on the valley floor and there is no obvious landscape rationale for the transition at this point.



Figure 16: Extent of Residential Zone Measured from Lake

- 13.57 It is noted that in the central and eastern portions of Kinloch the Residential / Low Density transition occurs at or beyond what is assumed to be an older cadastral line that corresponds with the alignment of Kahikatea Drive to the west and the Kinloch Golf Course / Bodes Lane boundary to the east. The LCA states that while it is acknowledged that these lines may be arbitrary, applying consistency in the broad location of the transition between densities is considered to enhance the overall legibility of the village and improve its coherence. The LCA considers that the proposal will, by increasing the extent of residential density as proposed, reduce this imbalance as it shifts the transition further to the north.
- 13.58 Regarding landscape effects from the proposal, while the increased residential density proposed will be evident within the development itself, the increased extent does not influence existing residential development on the valley floor to the east as it is largely contained on the ridgeline within the surrounding reserve planting. The proposed development will only be partially viewed from more elevated distant locations in the context of the broader Kinloch village.

- 13.59 The primary landscape effects relates to the change in landcover within the site. As the site forms part of an existing area of pastoral land, with contiguous existing residential development from previous Seven Oaks stages, the shift to similar residential density results in a coherent progression of landcover. Relative to the scale and density of the development within the context of Kinloch village and the wider surrounding environment, the adverse effects on wider landscape character are concluded to be very low.
- 13.60 The LCA concludes that the more northerly density transition proposed is consistent with good urban design practice, enhanced by the distribution of the larger lots along the northern, and east and west boundaries of the site. Although there is an increased extent of residential density beyond that envisioned by the District Plan, the sleeving effect of larger lots framing the proposed development, extensive building height controls and improved alignment with the broader density tradition within Kinloch is considered to result in very low landscape effect.
- 13.61 Overall, I consider that the proposal will have less than minor effects on landscape character values in this area.

Effects on Natural Character

- 13.62 As stated earlier, the proposed development is located within an area of gently undulating pasture that sits between two stream systems to the east and west. Both stream reserves are clad in regenerating indigenous vegetation and area identified as SNAs. There are also several OLAs in the wider area to the west, Lake Taupō to the south and the Whakaroa Peninsula to the east. These vast features in the wider environment have a high degree of naturalness, and therefore high natural character values.
- 13.63 The LCA states that the development is in an area that has been zoned for residential development and previous stages of development have been consented and are under construction to the north and south. While the proposed bulk and location limits for future development on the residential lots is for reduced setbacks on some lots adjoining the reserve of 7.5m instead of 10m, the proposed development does not encroach into either of the scenic reserves extent and all stormwater and earthworks are contained within the development area. Therefore the natural character of the reserve areas will be physically unaffected by this development. I note also that DOC as landowner of the adjoining scenic reserves were directly served notice of the public notification of the application but no submission from DOC was received.
- 13.64 With regard to Lake Taupō itself, the LCA says that the natural character of the lake is very high forming the focal point for surrounding settlement as an expansive water body. The proposed development is spatially separated more than 500m from the lake edge and vertically through its location on the elevated spur on which it sits. As a result the LCA concludes that the proposed development will not have any adverse effect on the natural character of the lake and its margins.
- 13.65 The integrity and preservation of the natural character of the adjoining reserves was a significant issue raised through submissions. Where the lots that adjoin the reserve are larger and have a suitable shape factor, the required setback of 10m will apply, these lots being Lots 1, 2, 5-10, 63, and 57-60 and building heights throughout the proposed development will comply with the 4.5m limit within 50m of the reserve boundaries. Also, should consent be granted, consent conditions would be imposed requiring fencing of the reserve boundary, and

also consent notice conditions to prevent any access being created or any vegetation trimming / or removal from occurring. This will ensure that potential edge effects to the reserves are mitigated and the integrity of the natural character of the reserves will be maintained.

- 13.66 Overall, I consider that the proposal will have no more than minor adverse effects on the natural characteristics and values of the area.

Visual Effects

- 13.67 The LCA states that the clearest views of the proposed development are largely restricted to the distant elevated views to the east. This is due to the existing reserve vegetation and elevated position of the site, which significantly obscures views of the proposed development.
- 13.68 When viewed from publicly accessible surrounding locations, the site is characterised by the rounded ridgeline on which it sits, and the bush clad reserves which separate the elevated land of the application site from Kinloch village on the valley floor and the adjacent land to the west. The site is largely obscured by the vegetation within the reserves when viewed at proximity and lower elevations. From above the site, as viewed from the north and from higher elevations to the east, there are glimpses of the site.
- 13.69 As previously mentioned, the LCA describes the residential development already underway within previous stages of the Seven Oaks development to the north and south of the application site. These areas, in addition to the adjacent Lisland subdivision to the east, in combination with other development on the western side of Kinloch, provides an existing context of residential development which will result in the proposed subdivision appearing as infilling of urban development rather than the introduction of an entirely new element in the landscape.
- 13.70 It is noted that the maximum building heights of the District Plan will be complied with, at 7.5m or 4.5m for houses within 50m of a reserve, and the transition between the proposed development and the low density consented development to the north (the Terraces) will be achieved with the required setback of 10m being applied to the proposed lots along the north boundary of the application site.
- 13.71 The LCA states that there is no need for mitigation planting to screen the proposed development given the framing and screening provided by the densely vegetated reserves to the east and west. Within the proposed development, street and reserve planting is proposed with detailed plans being provided in the second further information response. I consider that planting will add to the amenity and character within the development, but is not considered to be necessary for mitigation of visual effects to any wider areas beyond the site.
- 13.72 The character and amenity of Kinloch is derived by the areas of residential development within and between the network of stream reserves that weave through the valley floor and delineate the residential areas. From the various vantage points assessed through the LCA, the proposed development will result in a small change to the amenity of the existing view where it will appear as an extension of previously consented and under construction stages of Seven Oaks and the existing Lisland development.
- 13.73 The LCA concludes that the effects of the current application are largely consistent with the intent of the KCSP, given that a shift to residential use in this area is anticipated by the District Plan.

- 13.74 I consider that the visual effects of the proposed development are within acceptable levels and will result in less than minor effects.

Temporary / Earthworks Effects

- 13.75 The LCA discusses temporary effects during construction of the proposed development. Such effects could arise from the exposure of bare earth to create the roads, lots with cuts and fills occurring to adjust contour levels. The application states that the earthworks proposed are to generally shape the land and smooth out various hummocks and hollows. In summary, the earthworks will not change the overall landform significantly. The earthworks will be carried out over stages in accordance with the proposed staging of the subdivision.
- 13.76 As mentioned above, the viewing catchment of the application site is very limited and given construction is to be staged, is a temporary / short term activity, and typical of developing residential subdivisions.
- 13.77 As such, I consider that any temporary or earthworks associated landscape / visual effects from the proposal will be no more than minor.

Conditions

- 13.78 Taking into account the findings of the LCA, should consent be granted conditions of consent are recommended as follows:
- bulk and location controls for future buildings on the residential allotments (with the District Plan 10m setbacks applied to lots adjoining the reserves, and along the north boundary, where the lots have appropriate area and shape factor);
 - colour and material controls for future buildings on the residential allotments;
 - colour controls for the fencing along the reserve boundaries with the residential allotments;
 - that the fencing is implemented by the applicant at the time of subdivision construction.

Summary

- 13.79 The LCA concludes that due to the visually and physically contained nature of the site, with the densely vegetated reserves framing it, there will be very low adverse effects on existing landscape character and visual amenity values. As such, based on the findings of the LCA and recommended conditions of consent (should consent be granted), I consider that the potential landscape and visual effects of the proposal will be no more than minor and any concerns raised in submissions on this matter are adequately addressed.

Privacy & Outlook

- 13.80 The proposal is for future development most of the proposed lots to have reduced building setbacks to the reserves, internal boundaries to the front boundaries (on some centrally located lots) and for greater coverage than is permitted in the low density zone. There is not proposed to be any plot ratio limit. Given the greater density of development proposed these bulk and location infringements may have adverse privacy and outlook effects. I note that building heights will be limited to 4.5m on all lots within 50m of a reserve boundary, and 7.5m on all other lots, as is expected by the standards of the Kinloch Development Area.
- 13.81 The resulting built form is considered to be similar to the character of the residential Seven Oaks development to the south, and within the Lisland subdivision further to the southeast. The privacy and outlook of the closest residential sites within the Seven Oaks development to the south, southeast will be unaffected by the proposal given this similarity in character of

development and general orientation of existing development to the southwest to the lake and mountains. There is also substantial separation provided by Okaia drive and the reserves.

- 13.82 I consider that there will be no impacts on the privacy and outlook of the existing Lisland residential area or any other residential areas in Kinloch to the east, given the substantial separation and screening provided by the elevation of the application site and wide, densely vegetated Okaia reserve.
- 13.83 Within the Okaia and Otaketake reserves adjoining the proposed development to the east, southeast and west, there are no formed walking or biking tracks, or public access. As such any privacy and outlook effects on the reserves are considered to be negligible.

Summary

- 13.84 For the above reasons, it is considered that any adverse privacy and outlook effects will be negligible.

Ecology

- 13.85 The ecological effects of the proposed development are a matter raised in a few of the submissions in relation to the ecology of the adjoining reserves. The submissions, including the submission from WRC, seek the recommendations of the Ecology Assessment Report submitted with the application be carried out for the proposed development.
- 13.86 As stated above an Ecology Assessment Report (EAR) was prepared by Phoenix Ecology and submitted with the application. This assessment relies on the findings of this expert assessment. The EAR states that the proposed subdivision is located on highly modified and currently grazed farmland. The site is assessed to be of moderate ecological value at present, with low value biodiversity attributes and no indigenous vegetation values. However, even though the site is intensively grazed pastureland, it may still provide habitat for the nationally threatened long-tailed bat, the at risk short-tailed bat and the NZ pipit.
- 13.87 The conclusion of the EAR is that the overall effects of the proposed works are expected to be minimal, if all recommendations to avoid and mitigate ecological effects are implemented. In summary these include:
- Fauna management protocols
 - Sediment control and stormwater management (including treatment of stormwater prior to entering the watercourses)
 - Buffering of lighting and noise effects on the adjacent reserves, through setbacks
 - Consideration of wildlife-sensitive features for outdoor lighting to minimise lighting effects
- 13.88 The EAR also recommends that the planting for the proposed subdivision reserves areas should be as restoration to provide for the establishment of corridors to link habitats across the site, species mix and planting spacings, planting methods, maintenance and monitoring, weed control and pest animal control.
- 13.89 In the further information response of June 2025, the applicant has addressed the recommendations of the EAR by including a suite of potential consent conditions. The conditions include provision of detailed Planting Plans for the roading and reserves within the subdivision (including species, methodology, maintenance, pest control and weed management); detailed Earthworks and Sediment Control Plan (discussed in further detail under Earthworks / Construction; fencing of the reserves; particular controls on the proposed

lots that adjoin the reserves such as maintenance of the fencing, outdoor lighting restrictions. Noting that on most of the proposed lots that adjoin the reserves that have the suitable shape factor will have the District Plan required 10m building setback.

- 13.90 I consider that the applicant has addressed the recommendations of the EAR and in turn satisfied the concerns of those submitters around ecological effects, noting that WRC has stated that their concerns are resolved and withdrawn their wish to be heard at the hearing. Should consent be granted, conditions of consent would be included to cover these matters as noted above.

Summary

- 13.91 For the above reasons, I consider that the potential effects on ecology from the proposed development will be no more than minor, and the concerns raised in some of the submissions on this matter are addressed.

Transportation

- 13.92 The proposed development will create 83 residential lots (and dwellings) and this will result in potential traffic effects from additional traffic volumes generated by the higher number of lots than anticipated under the District Plan low density zoning. A few of the submissions also raised concerns about potential adverse effects on Kinloch's roading network.
- 13.93 It is noted that future development on the lots will be residential and expected to comply with the residential limit of 24 equivalent vehicle movements per day as well have sufficient room for onsite parking and manoeuvring. Access to the proposed lots will be via the proposed road network through the development which will become vested in Council as public roads at each stage of subdivision.
- 13.94 The main central road of Kahikatea Drive will provide a link from the existing Kahikatea Drive formation to the northeast to the Okaia Drive roundabout at the southwest. Kahikatea Drive then connects to Oakdale Drive, which provides a link to Whangamata Road further to the north. Road 1 will also provide a collector road link to the north that will connect to Rakau Drive within the Terraces subdivision, then to Lochridge Drive further to the north within the Lochridge subdivision and eventually to Whangamata Road. This roading layout is in accordance with the indicative collector road layout sought by the KCSP.
- 13.95 A Traffic Impact Assessment (TIA) was prepared by CKL and submitted with the application. I rely on the expert findings of the TIA for this assessment. The TIA concludes that the connecting collector roads to the east, Okaia and Lisland Drives, and northeast, Oakdale Drive, as well as future Rakau Drive to the north, all have more than sufficient capacity for the additional vehicles expected from the proposed development. The TIA also concludes that the proposed subdivision layout with three different collector roads providing access to the north, northeast and east, will ensure that vehicle movements will be well dispersed through the road network of Kinloch, avoiding concentrations of vehicle movements on any one particular road or area.
- 13.96 In terms of the wider roading network of Whangamata Road and Poihipi Road through to Taupō township, the TIA concludes that traffic generation from the additional 67 lots over the District Plan anticipated limit of around 16 lots (as a controlled activity subdivision) will have inconsequential impacts over and above the entire development potential of Kinloch (some 1825 lots).

- 13.97 I also note that as mentioned earlier in my report, the application site is the second to last greenfield site within the KCSP area, with the only other site being the Hunt Club site off Whangamata Road to the north zoned Rural Lifestyle requiring lot sizes of 2-2.5ha (the likely number of lots being 30 and included in the figures of 'potential future development'. This means the proposal is most likely to be the last multi-lot subdivision within the KCSP area, and even if the Hunt Club were subdivided in future, the overall figure would still be within the 1825 expected households.
- 13.98 The CKL TIA was peer reviewed by Abley in relation to the greater density of development proposed and the potential effects at the northern entrance into Taupō at the Wairakei Drive intersections with Poihipi Road, Norman Smith Street, at the Control Gates Bridge over the Waikato River to the Spa Road roundabout. The traffic modelling was reviewed and revised several times with a number of further information requests and responses provided.
- 13.99 The final TIA modelling results in relation to the likely implications of additional delay and queuing on road users and the operation of those roads and intersections were accepted by Abley. The conclusions reached are that the proposed development is only expected to add 32 vehicles per hour to the Norman Smith Street / Wairakei Drive and Spa Road intersections, and that the practical increase of one vehicle every two minutes is low and therefore unlikely to have a practical effect on the road network.
- 13.100 Council's Development Engineer has reviewed the proposal and concurs with the findings of the TIA in relation to the Kinloch roading network, and with the conclusions of the TIA and Abley Consultants review in relation to the northern entrance into Taupō township.
- 13.101 I note that Council also set aside funding in the Long Term and Annual Plans to look at options for a second bridge crossing over the Waikato River, which will also alleviate congestion at that northern entrance into Taupō town (in time).

Summary

- 13.102 In summary, I consider that the proposal will maintain the safety and efficiency of the roading network within Kinloch, and with the wider network of Whangamata, Poihipi Roads through to the Taupō township. Accordingly, the submitters' concerns around impacts on Kinloch's roading network are addressed, and I consider that the potential transportation effects of the proposed development will be no more than minor.

Services / Infrastructure

- 13.103 The proposal includes connections to both public water and wastewater networks for all of the proposed 83 lots and involves the establishment of stormwater management infrastructure throughout the proposed development. The additional density proposed of a further 67 lots over the District Plan limit of 16, and the potential pressure on Kinloch's existing infrastructure networks from the additional density, as well as stormwater disposal and management, are issues of concern raised through several submissions.
- 13.104 Harrison Grierson Consultants Ltd prepared a report for the KCSP in June 2004 titled Kinloch Infrastructure Costs and it is appended to the KCSP. The purpose of the report was to provide Council with infrastructure expansion concepts to cater for the anticipated population growth in the KCSP area and costings. The report states that the estimated total number of Household Equivalent Units (HEU) for water supply provision in the KCSP area would be 2130 (noting this figure is higher than for wastewater provision at 1930). An extract of this report is included at Appendix F.

- 13.105 An up to date assessment of the capacity of Kinloch's existing water and wastewater infrastructure networks has been undertaken by Council's Asset Managers. This memo is included at Appendix H. The assessment takes into account the number of existing Kinloch properties rates factor for water and wastewater, consented development still to be implemented, as well as potential infill development, all based on the current and future wastewater and water treatment plants / upgrades and the capacity of these. The total number of estimated households within the KCSP area (based on connections to this infrastructure) is concluded to be less than the KCSP 2004 report, at 1825 for water and 1736 for wastewater.
- 13.106 In short, the assessment finds that there is capacity within Council's water and wastewater network infrastructure for the proposed 83 lots as well as for the remaining consented but not yet implemented lots, along with potential future development within Kinloch. Council's Development Engineer Mike Keys discusses infrastructure capacity in more detail in his report, included at Appendix G, and his conclusions are that there is sufficient capacity for the proposed development. As such, I consider that the submitters' concerns regarding infrastructure capacity are addressed.
- 13.107 The proposed lots will be connected to Council's reticulated wastewater system and the flows will go back to the community wastewater treatment plant for treatment and disposal to ground. In removing the pastoral and livestock land uses off the site and reticulating wastewater disposal, there will be less nitrogen leaching into the ground than at present. This is a key aim of the KCSP and within the District Plan for the Kinloch Development Area – that all lots are serviced by the community wastewater infrastructure to avoid degradation of the District's waterways. As such, there will not be any adverse effects on the quality of the District's waterways or Lake Taupō from wastewater disposal.
- 13.108 For water supply, high pressure mains are required along the lengths of Kahikatea Drive and proposed Road 1, which provides access to the Terraces development to the north. Lower pressure and rider mains will be utilised for the servicing of the individual lots. The smaller cul-de-sac roads will require 100mm diameter mains to allow for fire hydrants except for Okaia Drive which will have a 125mm main.
- 13.109 I note that Fire and Emergency New Zealand (FENZ) lodged a submission on the proposal and sought to have particular conditions imposed regarding firefighting water supply and ensuring that the development would not adversely impact the wider water supply network. Following the close of submissions, the applicant has negotiated with FENZ and agreed to a consent condition that requires the water supply infrastructure to be in accordance with the FENZ Firefighting Code of Practice. Should consent be granted, this condition will be included, and it is included within the recommended conditions at Appendix I.
- 13.110 Stormwater treatment and disposal for the proposed development is to follow similar methodologies used in previous stages of the Seven Oaks development. This will consist of swales for Kahikatea Drive and the shorter cul-de-sac roads, and a combination of swales and catchpits for Road 1 and the extension to Okaia Drive. In addition, the application site has an added consideration of upstream catchments which currently drain through the proposed development from the Terraces land to the north. As such, overland flow paths are proposed both through and around the proposed development to allow for these flows.

- 13.111 Stormwater runoff from the future buildings and hard stand areas on the lots is to be collected and disposed of to soakholes within each lot. The roads will have runoff collected either via swales or catchpits and directed to soakage / attenuation ponds within stormwater reserves to be vested in Council. The road swales and stormwater reserves will be planted in suitable native species to pre-treat stormwater by filtering prior to entering the stormwater system. The water will stay within each sub-catchment. In this matter the likelihood of overland stormwater discharge to the adjoining reserves will be restricted to extreme event storms and only once significant treatment has been achieved through soakage and filtration. WRC land use consent has been granted for diversion of surface water overland flow paths (Ref. APP147276).
- 13.112 Council's Development Engineer Mike Keys has assessed the proposed infrastructure methodologies outlined in the application documents and confirms that they will be appropriate for the proposed development. Mr Keys report is included under Appendix G. Should consent be granted, a range of consent conditions will be imposed requiring detailed designs and provision of the required infrastructure, including the requirement that all of the infrastructure be built to Council's Code of Practice requirements and national standards. I also note that development contributions will be payable per lot for the water, wastewater connections, and for transportation in accordance with the Council's Development Contributions Policy that will contribute to Council's required investment in assets and services to meet the demands of growth.

Summary

- 13.113 In summary, I consider that the potential effects of the proposal in relation to servicing and infrastructure will be no more than minor and that the concerns raised by submissions on these matters have been resolved.

Earthworks / Construction

- 13.114 Earthworks are proposed over much of the application site to generally shape the land and smooth out various hummocks and hollows which feature over the balance land area and to form the roads and reserve areas. Earthworks disturbance and stormwater management are issues raised in some of the submissions, and some submissions also mention concerns about high levels of associated construction traffic along the feeder roads of Okaia and Kahikatea Drives.
- 13.115 The intention for the proposed lots is to minimise earthworks for future lot owners, although given the general contour is not steep, formation of individual building platforms is not proposed, and some level of earthworks may be required for individual lot development by future owners (should consent be granted).
- 13.116 The design philosophy stated in the application is to minimise earthworks as much as possible, as such the earthworks proposed will not alter the existing landform to a significant degree. No earthworks are proposed over the larger lots to the northwest, north and northeast of the application site. The actual areas of non compliant earthworks i.e. greater than 1.5m cut or fill are limited to fairly discrete areas of the site with cut of up to a maximum of 3.2m occurring mainly for the Okaia Drive road extension to the west of the site, and fill of up to a maximum of 3.7m over some small areas of the site to the south, southeast.
- 13.117 Setbacks of 7.5m or 10m are proposed to the boundaries with the reserves and in most instances no earthworks will occur within the 7.5m setbacks apart from in some discrete areas. The ground levels at the boundaries with the adjoining reserves will be unchanged. As noted

earlier in this report, DOC as landowner of the adjoining scenic reserves were directly served notice of the public notification of the application but no submission from DOC was received.

- 13.118 Overall, the effects of the proposed earthworks in terms of ground level change are considered to be minimal given:
- the limited degree and localised small areas of the earthworks infringements,
 - the minimal changes to existing landform, and
 - the separation distance of the earthworks from the reserve boundaries, maintaining the integrity of the reserve boundaries.
- 13.119 There are potential effects arising from the proposed earthworks and construction, primarily relate to the visual effects (of an open construction area), nuisance effects, such as dust and noise, potential sediment runoff effects, and construction traffic effects. I consider that the potential visual and amenity effects of earthworks and construction for the proposed development will be no more than minor given the staging of the development, two different road linkages into the application site and the visually confined nature of the site.
- 13.120 Various controls will be required during construction to manage erosion and prevent sediment discharge during the earthworks process onsite. These controls will likely consist of sediment retention ponds (SRP), decanting earth bunds (DEB), clean and dirty water diversion bunds, and silt fences as outlined in a preliminary Erosion and Sediment Control Plan (ESCP). The draft ESCP has been approved by WRC, and WRC land use consent has been granted for earthworks within a high risk erosion area and for diversion of surface water overland flow paths (Ref. APP147276). Should consent be granted, a detailed ESCP will be required as a condition of consent, along with monitoring and notification of works.
- 13.121 As the development will be progressed in stages, only portions of the site will be earthworked at one time. All fill material will be sourced from within the overall Seven Oaks site, and no material will be required to be transported into the site (or off the site). There is access to reticulated water to the site and the ability to control dust in windy conditions. Given the staging of the development and access into the site from two different roads (Okaia and Kahikatea) there are not considered to be any adverse nuisance effects resulting from the proposal. A condition regarding the protocols to follow if there is an accidental discovery of archaeological sites has also been included given the extent of the earthworks involved.

Summary

- 13.122 In summary, I consider that the potential earthworks and construction effects of the proposal can be managed and mitigated to ensure they will be no more than minor, and that the submission concerns on this matter have been addressed. Should consent be granted, recommended conditions around earthworks / construction include provision of a detailed ESCP and a 'no work' period over dry summer months (to minimise any dust nuisance).

Tangata Whenua / Cultural & Historical Values

- 13.123 Lake Taupō, the reserves, streams and landscape around the lake, including the ecology of these areas, are all taonga to the local iwi Ngāti Tūwharetoa who have kaitiakitanga (guardianship) and interest over this area. I understand that wastewater and stormwater disposal from proposed developments are of particular concern and interest to local iwi with respect to the importance of maintaining water quality and mauri of Lake Taupō and its waterways. Of note is that no submissions were received on the proposal from Te Kotahitanga o Ngāti Tūwharetoa, Ngāti Raukawa or Mokai Marae (and the public notice was served directly on those parties).

- 13.124 I also note that under the District Plan, the Historical and Cultural Values section 9.3 refers to Sites and Areas of Significance to Māori. There are no rules or performance standards for this issue however during assessment of a resource consent application, the following matters shall be taken into consideration where appropriate.
- Where there are any sites of significance to Tangata Whenua (whether identified in the Plan or not), and the potential effect of activity on the cultural value of the site.*
 - Any alternative locations available for activity, or whether activity can be undertaken without adversely affecting the site of significance to Tangata Whenua.*
 - Whether proposed mitigation measures to be undertaken as a result of activity protects or preserves the value and/or significance of the site.*
 - The relationship of a site of significance to Tangata Whenua with the surrounding area and whether activity will result in severance or isolation from the surrounding area, resulting in the loss of that value.*
- 13.125 There are no identified areas of historical or cultural value, or sites of significance on application site as identified by the District Plan, although it is acknowledged that the reserves, the streams, and Lake Taupō in proximity to the application site are all of significant cultural value. An Archaeological Assessment was carried out as part of the 2020 application for Stages 2-9 of Seven Oaks (to the south). The assessment concluded that there were no recorded sites, or evidence of any sites over the parent property (which at the time included the northern portion of the property being the application site). As such, the likelihood of any being encountered during the construction of the proposed development is very low. Nevertheless, should consent be granted, an archaeological discovery condition is recommended to give directions on processes to follow in that unlikely event.
- 13.126 The proposed lots will be connected to Council's reticulated wastewater system and the flows will go back to the community wastewater treatment plant for treatment and disposal to ground. In removing the pastoral and livestock land uses off the site and reticulating wastewater disposal, there will be less nitrogen leaching into the ground than at present. All of the infrastructure will be built to Council's Code of Practice requirements and national standards.
- 13.127 Stormwater runoff from the future buildings and hard stand areas on the lots is required to be collected and disposed of to soakholes within each lot, so disposal is well distributed and is close to the source. The roads will have runoff collected either via swales or catchpits and directed to soakage / attenuation ponds within stormwater reserves to be vested in Council. The road swales and stormwater reserves will be planted in suitable native species to provide natural and attractive spaces, and also to pre-treat stormwater by filtering prior to entering the stormwater system. The water will stay within each sub-catchment. In this matter the likelihood of overland stormwater discharge to the adjoining reserves will be restricted to extreme event storms and only once significant treatment has been achieved through soakage and filtration.
- 13.128 A considerable area of the site will be earthworked to construct the roads and to smooth out the humps and hollows. Erosion and sediment controls and final earthworks methodology will be provided through the detailed design phase of the development and will include such measures as bunding and diversion drains, silt fences, sediment retention ponds and decanting earth bunds, as discussed earlier in this report. The draft ESCP has been approved by WRC and WRC land use consent has been granted for earthworks within a high risk erosion area and for diversion of surface water overland flow paths.

13.129 Ecological effects related to the adjoining reserves were considered earlier in my report and the conclusions of the Ecology report are that the overall effects of the proposed works are expected to be minimal, if all recommendations to avoid and mitigate ecological effects are implemented. In summary these include:

- Sediment control and stormwater management (including treatment of stormwater prior to entering the watercourses)
- Buffering of lighting and noise effects on the adjacent reserves, through setbacks
- Consideration of wildlife-sensitive features for outdoor lighting to minimise lighting effects

13.130 The applicant has agreed to these conditions, as such the potential effects on ecology are considered to be no more than minor.

Summary

13.131 In summary, I consider that the potential adverse effects on tangata whenua / cultural and historical values from the proposal will be less than minor.

Change of Conditions RM200118A & Cancellation of Consent Notices

13.132 Some changes to the existing Seven Oaks Subdivision Consent RM200118A are required given that consented Stage 9 has been reconfigured and is now part of the proposed development. This means the eight lots within RM200118A Stage 9 are reconfigured and included within Stage 9 of the proposal. As a result, some of the conditions of RM200118A require alteration to reflect this proposed change.

13.133 The proposed subdivision involves the existing sites of Lots 1 and 2 DP 514174 which were created through Subdivision Consent RM170231. There are consent notices on the titles of these sites imposed through that earlier subdivision noting that there are no wastewater connections, no power or telecoms, and that no building can occur on Lot 1 until wastewater connection is provided. As these sites are to be subdivided and provided with those services through this proposal, the consent notices can be cancelled as part of this process.

13.134 I consider that the effects of the proposed change of conditions and cancellation of consent notices are considered to be negligible given this is merely an administrative exercise and there are no adverse effects on the environment as a result.

Lapse Period

13.135 The application seeks a 10 year lapse period, instead of the default five year lapse period. The effects of this are considered to be minimal as a longer lapse period is typical of subdivisions of this scale with multiple lots and stages. Furthermore, the application site is well separated from any other residential area of Kinloch (by the surrounding reserves) which in turns ensures that any earthworks / construction effects are confined, and the longer lapse / construction period will not affect any residential properties.

Positive Effects

13.136 I consider that there are some positive effects that will result from the proposed subdivision and development and note that the submissions in support also state that there are benefits from the proposal. The proposal provides multiple linkages and connections through the subdivision and to wider Kinloch in accordance with the KCSP and within the subdivision there will be vegetated road swales and reserves with pathways, all providing landscaped connectivity through the development. A variation in lot sizes provides for a variety of building

types and price ranges, to meet the needs of different households, and the higher density proposed provides much-needed additional housing supply within the Taupō District. Furthermore, there will be positive economic effects generated by the subdivision construction and subsequent construction of dwellings.

Summary

13.137 In summary I consider that there will be positive effects from the proposal.

Cumulative Effects

13.138 The proposed subdivision and development will result in cumulative effects given the additional density of development proposed, however these effects are not considered to be adverse. A key cumulative effect from the proposal is in relation to traffic generation and the impact that this may have on the safety and efficiency of the roads within the Taupō District. Traffic generation from the proposal must be considered in combination with existing traffic on surrounding roads and likely future traffic from the development potential of Kinloch (and consented future growth). The key roads affected by this traffic are Kinloch Road, Whangamata Road, and Poihipi Road through to Taupō township.

13.139 The CKL ITA determines that the key roads mentioned above have more than sufficient capacity for the additional vehicles expected from the proposed development, along with the future growth of Kinloch. In terms of the wider roading network of Whangamata Road and Poihipi Road through to Taupō township, traffic generation from the additional 67 residential lots over the District Plan anticipated limit of around 16 lots (as a controlled activity subdivision) will have inconsequential impacts over and above the entire development potential of Kinloch (some 1825 lots).

13.140 Other cumulative effects may arise from the proposed density of development and the resulting built form, although these cumulative effects are considered to be offset by the position of the application site being visually contained by the densely vegetated adjoining reserves and the pattern of the proposed lots with the smaller lots being located centrally and to the south and the lot sizes increasing in area to the north, northwest and east and incorporating compliant 10m setbacks where suitable, to the adjoining reserves.

Summary

13.141 In summary, there are potential cumulative effects resulting from the proposed development, however I consider these effects to be no more than minor.

Effects Assessment Conclusion

13.142 I consider the key concerns of the submissions in opposition to the proposal relate to the increased density of development and the adverse impacts that could result from the increased density on the character of Kinloch and capacity of Kinloch's infrastructure.

13.143 I have given consideration to the submissions, the application and further information responses provided, and the District Plan provisions. The effects assessment is summarised by the following points:

- the proposed subdivision layout provides a radial density of lot layout that is similar to the pattern sought in the KCSP and will provide an appropriate transition between the residential development to the south and low density development to the north;
- the proposal completes the predetermined roading network and layout outlined by the KCSP and will provide connectivity to the wider Kinloch area;

- the application site has a very confined visual catchment such that the proposed development will hardly be visible from the wider Kinloch area;
- the significant natural values of the adjoining reserves have been addressed with very minimal earthworks occurring in proximity to the reserves, appropriate earthworks and stormwater management, fencing of the boundaries, compliant 10m setbacks where appropriate and consent notice conditions on maintenance of the integrity of the vegetation at the reserve boundaries;
- the proposed number of lots (plus consented development, and likely future development) will be within the anticipated number of households in the KCSP area (KCSP 2004); and
- there is sufficient capacity for the proposed number of lots to be serviced with reticulated water and wastewater.

13.144 In conclusion, I consider that the key concerns raised in submissions have been addressed and that the effects on the environment from the proposal will be no more than minor.

13.145 Should the Commissioner decide to approve the application for proposed subdivision and development, a suite of recommended consent conditions has been prepared and is attached at Appendix I. I note that these conditions have been agreed with the applicant at the time of issuing this report.

14 TAUPŌ DISTRICT PLAN OBJECTIVES AND POLICIES (Section 104(1)(b)(vi))

14.1 I consider that the Taupō District Plan objectives and policies relevant to the proposal are in relation to:

- Strategic Directions [Land Development, Natural Environment Values, Tangata Whenua, Urban Form & Development]
 - Transport
 - Subdivision
 - Low Density Residential Zone [Kinloch Development Area]
- and these are discussed in turn below.

STRATEGIC DIRECTIONS – 6

14.2 The Strategic Directions are high level, district wide resource management matters that are to be considered for resource consent applications, being: 6.1 - Climate Change, 6.2 - Fresh Water Quality, 6.3 – Land Development, 6.4 - Nationally and Regionally Significant Infrastructure, 6.5 – Natural Environment Values, 6.6 – Tangata Whenua, 6.7 – Taupo Business Distribution and 6.8 – Urban Form and Development.

14.3 For this proposal the Strategic Directions regarding Land Development, Natural Environment Values, Tangata Whenua and Urban Form and Development are considered relevant.

Land Development – 6.3

14.4 The relevant objectives of Land Development are:

LD-03 *Ensure the maintenance of an appropriate and sufficient level of community infrastructure within existing serviced areas.*

LD-04 *Avoid the degradation of Taupō District's lakes, waterways and aquifers from effluent and waste water resulting from land development.*

LD-05 *Ensure land development does not detract from the amenity value or qualities of the local environment.*

14.5 The relevant policies of Land Development are:

LD-P11 Allow new activities and development to connect to existing water and wastewater infrastructure where there is adequate capacity to meet the needs of the development.

LD-P12 Avoid, remedy or mitigate any adverse effects of the disposal of stormwater on the receiving environment.

LD-P13 Ensure new activities and developments contribute to the provision and standard of reserves and open space amenity to meet the needs of the community including Esplanade Reserves in accordance with the provisions of the Act.

LD-P14 Avoid, remedy or mitigate the adverse effects of new development and activities on the safe and efficient functioning of the existing and future roading networks including those identified through the Taupō District Development Plan Process.

LD-P17 Ensure that proposals for the subdivision and development of land assess the particular amenity values of the area including the physical characteristics of the land and avoids, remedies or mitigates any adverse effects.

LD-P18 Subdivision and subsequent development shall either maintain or enhance, but not detract from, the significance of features or areas of cultural, spiritual, historical, landscape or natural value, (as identified through the provisions of this Plan).

- 14.6 The proposed lots will be fully serviced with connections to Council's reticulated water and wastewater services. Because the proposed residential lots will be connected to reticulated wastewater services, any degradation of Taupo District's lakes, waterways and aquifers from effluent and wastewater will be avoided. The measures to be established for stormwater management both during construction and following development of the subdivision will ensure that stormwater resulting from the proposed development can be adequately disposed of and will have negligible adverse effects.
- 14.7 The proposal includes the vesting of several stormwater reserves and a recreation reserve that will include pathways to provide connectivity. The reserves will have plantings and there will also be street trees and swale planting within the road reserves along with likely future play equipment on the recreation reserve (Lot 124) that will all contribute to providing considerable amenity within the development.
- 14.8 The proposed roads and the traffic that will feed from these roads onto the existing roads of Okaia, Kahikatea, Lisland and Oakdale Drives (and eventually to Lochridge Drive and Whangamata Road to the north) will not adversely affect the existing surrounding roading network and there is sufficient capacity for the additional traffic from the proposed development. Council's Development Engineer concurs with expert traffic assessments undertaken for the application that the safe and efficient functioning of the roading network will be maintained.
- 14.9 The proposed subdivision layout has considered the landform and character of the site and surrounds. While the proposed development will alter the character of the site by the resulting change from an undeveloped site to a residential development with buildings and roads, the lot sizes have been designed to be larger to the east, west and north and the required building setback of 10m will be complied with on all lots that have the appropriate area and shape factor. The roads and reserves through the subdivision will be planted, and there is considerable framing and natural character provided by the adjoining densely vegetated Otaketake and Okaia Scenic Reserves. As such, I consider that the amenity values and physical characteristics of the site and area have been considered and will not be adversely affected.
- 14.10 The adjoining reserves are areas of natural and landscape value being SNAs and further afield there are ONFLs. There are not considered to be any adverse impacts on the values of these

areas given that there is no ground level change occurring near the boundaries with the reserves and the future built form will not have any impacts on the wider landscape given the containing nature of the adjoining reserves.

- 14.11 There are no identified areas of historical or cultural value, or sites of significance on application site as identified by the District Plan, although it is acknowledged that the reserves, the streams, and Lake Taupō in proximity to the application site are all of significant cultural value. Given that earthworks will be managed, stormwater will be disposed of adequately with pre-treatment occurring and future residential lots will connect to reticulated wastewater, there are not considered to be any adverse impacts on cultural values.
- 14.12 Therefore it is considered that the proposal is consistent with the relevant Land Development objectives and policies.

Natural Environment Values – 6.5

- 14.13 The relevant objectives of Natural Environment Values are:
NEV-O1 *Recognise the importance of the District's natural values and landscapes and their significance to the Taupō District's communities and identity.*
NEV-O2 *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna from the adverse effects of inappropriate development.*
- 14.14 The relevant policy of Natural Environment Values is:
NEV-P1 *Protect areas of significant indigenous vegetation and significant habitats of indigenous fauna from subdivision, land use and development activities that will have more than minor effects on the ecological values and processes important to those areas.*
- 14.15 The adjoining reserves are areas of natural and landscape value being SNAs and further afield there are ONFLs. There are not considered to be any adverse impacts on the values of these areas given that there is no ground level change occurring near the boundaries with the reserves and the future built form will not have any impacts on the wider landscape given the containing nature of the adjoining reserves.
- 14.16 The potential ecological effects of the proposal have been considered and concluded that with some measure including protection of the edges of the reserves, controls on lighting, stormwater management and plantings, that these effects would be minimal. Should consent be granted, consent notice requirements will prevent any accesses being created into the reserve or any vegetation trimming / or removal from occurring. This will ensure that potential edge effects to the reserves are mitigated and the integrity of the natural character of the reserves will be maintained.
- 14.17 In summary, the proposal is considered to be consistent with the relevant Natural Environment Values objectives and policy.

Tangata Whenua – 6.6

- 14.18 The relevant objective of Tangata Whenua is:
TW-O1 *The values, rights and interests of Taupō District mana whenua are recognised and protected.*
- 14.19 The relevant policies of Tangata Whenua are:
TW-P1 *Recognise and provide for the following matters in land use planning and decision making:*

- a. *The relationship of Māori/iwi/hapū and their culture and traditions with their ancestral lands, water, sites, wāhi tapu (sacred sites), and other taonga (treasures).*
- b. *Mātauranga Māori, kaitiakitanga and tikanga Māori.*
- c. *The unique role of mana whenua hapū as kaitiaki at place of nga taonga tuku iho.*
- d. *The vision, objectives, values and desired outcomes in Te Kaupapa Kaitiaki.*

TW-P6 *Recognise, in decision making, the importance of iwi and or hapū environmental management plans in providing important guidance and direction on the sustainable use and development of the environment and natural resources.*

- 14.20 There are no identified areas of historical or cultural value, or sites of significance on application site as identified by the District Plan, although it is acknowledged that the reserves, the streams, and Lake Taupō in proximity to the application site are all of significant cultural value. Given that earthworks will be managed, stormwater will be disposed of adequately with pre-treatment occurring and future residential lots will connect to reticulated wastewater, there are not considered to be any adverse impacts on cultural values of Tangata Whenua.
- 14.21 The proposal has taken into account the objectives of Te Kaupapa Kaitiaki and other iwi environmental management plans (discussed under section 18 of this report). The application was publicly notified and no submissions from iwi / hapu were lodged.
- 14.22 Overall, the proposal is considered to be consistent with the Tangata Whenua objective and policies.

Urban Form & Development – 6.8

- 14.23 The relevant objectives of Urban Form & Development are:

UFD-O1 *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. *Subdivision, use and development of land in appropriate locations which can demonstrate social and/or cultural benefits to the District's community is recognised and provided for.*

UFD-O3 *Subdivision, use and development of land in appropriate locations which can demonstrate social and/or cultural benefits to the District's community is recognised and provided for.*

UFD-O4 *Development is serviced by an appropriate level of infrastructure that effectively meets the needs of that development.*

UFD-O6 *Subdivision, use and development will not detract from the planned urban built form and effective functioning of the zone which it is located.*

UFD-O7 *Subdivision, use and development is designed to avoid, remedy or mitigate adverse effects on the environment and occurs in a sequenced and coherent manner that protects or enhances the important natural, cultural and historic values of the environment where it is located.*

- 14.24 The relevant policies of Urban Form & Development are:

UFD-P2 *Planning and development in urban zones will positively contribute to well-functioning urban environments.*

UFD-P3 Avoid the subdivision, use and development of land that does not maximise the efficient use of zoned and serviced urban land and is not co-ordinated with the provision of effective infrastructure.

UFD-P5 Require urban subdivision and land development to be efficiently and effectively serviced by infrastructure (including Development Infrastructure and Additional Infrastructure), according to the capacity limitations of that infrastructure.

UFD-P6 Support and encourage subdivision, use and development of land that can demonstrate positive social and/or cultural outcomes for the District's community.

UFD-P10 Manage subdivision use and development of land to ensure that it will not:

- a. have an adverse effect on the functioning of the environment where it is located,
- b. unduly conflict with existing activities on adjoining properties and the surrounding area,
- c. compromise development consistent with the intent and planned urban built form of the zone where it is located, and
- d. give rise to reverse sensitivity effects on existing uses.

UFD-P13 Ensure that new urban subdivision and land development is designed in a manner that enables effective and logical multi modal transportation links to the surrounding, including planned, urban areas.

- 14.25 The proposal is for a residential development within a low density residential zone. The proposal maximises the use of zoned urban land and does not affect the effective functioning of these zones. The proposal is a cohesive development that has been designed to provide an appropriate transition between the residential development to the south and low density Terraces subdivision to the north. The proposal will provide new roads and associated footpaths that will link up to existing roads within Kinloch to the northeast, east and south, as well as provide for a future road connection to the north. This will contribute to a well-functioning, connected Kinloch community and enable greater social wellbeing through the provision of housing supply.
- 14.26 As stated earlier, the proposed residential lots will be connected to reticulated water and wastewater supply and there is capacity for the proposed additional lots. As such, the proposal can be efficiently and effectively serviced by infrastructure.
- 14.27 The adjoining reserves are areas of natural and landscape value being SNAs and further afield there are ONFLs. There are not considered to be any adverse impacts on the values of these areas given that there is no ground level change occurring near the boundaries with the reserves and the future built form will not have any impacts on the wider landscape given the containing nature of the adjoining reserves.
- 14.28 There are no identified areas of historical or cultural value, or sites of significance on application site as identified by the District Plan, although it is acknowledged that the reserves, the streams, and Lake Taupō in proximity to the application site are all of significant cultural value. Given that earthworks will be managed, stormwater will be disposed of adequately with pre-treatment occurring and future residential lots will connect to reticulated wastewater, there are not considered to be any adverse impacts on cultural values.
- 14.29 As a residential development, the proposal is not considered to have any conflicts with any existing activities on adjoining properties because they are also residential and as such there will not be any reverse sensitivity effects resulting from the proposal.

14.30 The main zoning of the application site is low density and the planned urban built form, as required by the District Plan in this zone, is a much lower level of residential development, with more open space etc. consistent with a lower number of lots. The proposal is for a much higher number of lots than anticipated by the low density zoning and in this regard I consider the proposal to be moderately inconsistent with policy UFD-P10 as it does not meet the intent of the planned urban built form of the low density zone.

14.31 The proposal includes extending the existing roads of Okaia and Kahikatea Drives, along with internal roads to serve the proposed development and will provide a roading connection to the north to align with a road through the Terraces subdivision. The roads will provide connectivity along with a network of reserves that will include pathways to link to other roads and reserves within existing Seven Oaks development to the south. This enables effective and logical transportation links to the surrounding Kinloch area.

Summary

14.32 In summary, the proposal is considered to be consistent with the majority of Urban Form and Development objectives and policies aside from some moderate inconsistency with policy UFD-P10.

TRANSPORT – 7.3

14.33 The relevant objective of Transport is:

TRAN-O1 *The safe and efficient operation of the roading network, and movement of traffic, including cyclists and pedestrians within the District.*

14.34 The relevant policies of Transport are:

TRAN-P1 *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.*

TRAN-P2 *Encourage activities, including the design and location of new vehicle crossings, to provide for the safe and efficient movement of traffic, including cyclists and pedestrians.*

TRAN-P13 *Provide for the establishment of new roads and transportation networks in a way that, as far as practicable, recognises the characteristics and amenity of the different zones.*

TRAN-P14 *Have regard for the technical and operational requirements of roads and transportation networks and the contribution they make to the functioning and wellbeing of the community.*

14.35 The proposal complies with the relevant transportation standards of the District Plan. The proposal has been designed to extend the existing roads of Okaia and Kahikatea Drives, along with the provision of internal roads to serve the proposed development. There will also be a roading connection to the north to align with a road through the Terraces subdivision. These roading linkages enable effective and logical transportation links to the surrounding Kinloch area. The transportation assessment of the proposal concludes that the safe and efficient operation of the roading network will be maintained and that there is capacity within the existing roading network to accommodate the traffic associated with the additional number of lots proposed.

Summary

14.36 In summary, the proposal is considered to be consistent with the relevant Transport objective and policies.

SUBDIVISION – 11

- 14.37 The relevant objective of Subdivision is as follows:
SUB-O1 RESZ *To ensure that development in the Residential Zones takes into account the capacity of the supporting infrastructure.*
- 14.38 The relevant policies of Subdivision are as follows:
SUB-P1 RESZ *Avoid, remedy or mitigate adverse effects of subdivision, in the residential zones on cultural, historic, landscape and natural values, as identified through the provisions of this Plan.*
SUB-P2.a DEV1-KINLOCH *Subdivision, and resulting development, that creates lots which are smaller than the minimum lot size than specified in Table 4: Minimum and average lot sizes for density areas of this plan for DEV1-Kinloch, should be designed so that the resulting development is clustered and is integrated into the landscape, coupled with a strong framework of tree and vegetation planting.*
SUB-P2.b DEV1-KINLOCH *Subdivision within DEV1-Kinloch should only occur where the resulting lots will be connected to community wastewater network infrastructure.*
- 14.39 As stated earlier, the proposed residential lots will be connected to reticulated water and wastewater supply and an assessment has been carried out on the capacity of the infrastructure networks in Kinloch which determines that there is capacity for the proposed number of lots also taking into account consented developments still to be implemented as well as other potential future development in Kinloch. As such, the proposal can be efficiently and effectively serviced by infrastructure.
- 14.40 The adjoining reserves are areas of natural and landscape value being SNAs and further afield there are ONFLs. There are not considered to be any adverse impacts on the values of these areas given that there is no ground level change occurring near the boundaries with the reserves and the future built form will not have any impacts on the wider landscape given the containing nature of the adjoining reserves and compliant 10m setbacks on lots that adjoin the reserves where there is a suitable shape factor.
- 14.41 There are no identified areas of historical or cultural value, or sites of significance on application site as identified by the District Plan, although it is acknowledged that the reserves, the streams, and Lake Taupō in proximity to the application site are all of significant cultural value. Given that earthworks will be managed, stormwater will be disposed of adequately with pre-treatment occurring and future residential lots will connect to reticulated wastewater, there are not considered to be any adverse impacts on cultural values.
- 14.42 The proposed lots will be much less in area than the minimum and average lot sizes specified by the Low Density Zone with a higher density resulting of 67 lots over the controlled activity number of 16 lots. The proposed subdivision layout is not clustered, in that all of the application site area is taken up in either residential lots, roads or reserves.
- 14.43 The building heights of future development on the lots will be compliant with the District Plan height requirements (4.5m within 50m of reserve, and 7.5m) and the earthworks to be carried out to implement the development are to shape rather than significantly alter the landform. As stated earlier, the adjoining densely vegetated reserves significantly contain the application site and the proposed future development from view from the wider area. As such, I consider that the proposed development will be integrated into the landscape.

14.44 While the proposal does not include any specific planting within the residential lots themselves, there is up to 7052m² of stormwater and local purpose reserve areas for vesting through the development that will contain landscape planting. While the swale vegetation within the roads and landscape planting within the reserves will provide significant corridors of vegetation through the subdivision, I do not consider this to meet the policy requiring a 'strong tree and vegetation framework' given that no planting is proposed on the residential lots themselves. That said, the adjoining densely vegetated reserves provide significant framing to the proposed development and integration of it into the landscape as mentioned above.

14.45 In summary, I consider the proposal to be consistent with the Subdivision objective and associated policies, with the exception of moderate inconsistency with policy SUB-P2.a DEV1-KINLOCH, given that the proposed subdivision layout at a much higher density of development is not clustered and does not have a strong tree and vegetation framework throughout the subdivision.

LOW DENSITY RESIDENTIAL ZONE – 13.3

14.46 The relevant objectives of the Low Density Residential Zone are:

LRZ-O1 *The maintenance and enhancement of the character and amenity of the LRZ.*

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

LRZ-O4 *To maintain and enhance the existing amenity and character of the Kinloch residential area and provide for appropriate residential development in the Kinloch Community Development Plan Area.*

14.47 The relevant policies of the Low Density Residential Zone are:

LRZ-P1 *Maintain and enhance the character and amenity of the LRZ 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.*

LRZ-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.*

LRZ-P9 *Enable and encourage development in the Kinloch Low Density Residential Areas to be carried out in a manner which reflects the intent of the Kinloch Community Development Plan Area.*

14.48 The proposal is for a residential development within a low density residential zone and proposes a much higher density of development than expected, with 67 more lots than anticipated by the low density zoning. However, for a range of reasons, I consider that the proposal will not adversely impact on character and amenity of the area.

14.49 The layout of the proposed subdivision with its pattern of smaller lot areas in the central, southern area and larger lot areas to the north, east and west mirrors the radial density pattern sought by the KCSP. The site is very visually contained by the adjoining densely vegetated reserves, such that the additional density will not impact on the Kinloch residential area to the east and northeast of Okaia Reserve; and the proposal incorporates plantings within the roads and reserves through the subdivision which will assist with integrating the higher density of development. In summary, I consider that the proposal will provide an appropriate character and amenity transition between the residential area to the south and the larger low density lot development within the Terraces subdivision to the north.

- 14.50 As stated earlier, the proposed residential lots will be connected to reticulated water and wastewater supply and an assessment has been carried out on the capacity of the infrastructure networks in Kinloch which determines that there is capacity for the proposed number of lots also taking into account consented developments still to be implemented as well as other potential future development in Kinloch. As such, the proposal can be efficiently and effectively serviced by infrastructure.
- 14.51 As stated earlier the proposal is for a much higher density of development than expected by the KCSP for the low density zone. As such, I consider that the proposal does not fully reflect the intent of the KCSP.
- 14.52 In summary, I consider the proposal to be consistent with the majority of objectives and policies for the Low Density Residential Zone, except in relation to policy LRZ-P9 to which the proposal is inconsistent with.
- 14.53 **CONCLUSION ON OBJECTIVES & POLICIES**
In conclusion, I consider that the proposal is consistent with the majority of relevant Taupo District Plan objectives and policies discussed above:
- Strategic Directions [Land Development, Natural Environment Values, Tangata Whenua, Urban Form & Development]
 - Transport
 - Subdivision
 - Low Density Residential Zone [Kinloch Development Area]
- 14.54 Although I consider the proposal to have moderately inconsistency with the following policies:
- Strategic Direction – Urban Form & Development policy UFD-10; proposal not in keeping with intent of planned urban built form of the zone.
 - Subdivision policy SUB-P2.a DEV-1-KINLOCH; proposal not clustered and does not have strong framework of tree and vegetation planting.
 - Low Density Residential Zone LRZ-P9; does not reflect the intent of the KCSP.

15 NATIONAL ENVIRONMENTAL STANDARDS (Section 104(1)(b)(i))

- 15.1 There are nine National Environmental Standards (NES) that have been prepared under sections 43 and 44 of the RMA and are in force as regulations. These cover air quality, human drinking water, telecommunications facilities, electricity transmission, plantation forestry, freshwater, marine aquaculture, outdoor storage of tyres and management of contaminants in soil.
- 15.2 The NES on management of contaminants in soil is relevant to the proposed subdivision and development given that soil disturbance and subdivision are activities controlled under the NES. The application site is a large, mostly undeveloped grazing block. The site has not had or is having, an activity or industry described in the HAIL carried out on the site. Nor is the site identified within the Taupō District Plan as being ‘contaminated’ or ‘potentially contaminated’. Therefore the land on which the proposed soil disturbance and subdivision is to take place, is not a piece of land that has had a HAIL undertaken on it and is not covered by Regulation 5(7).
- 15.3 Notwithstanding Regulation 5(7), Regulation 5(8) of the NES relates to production land. The site is production land however is not a piece of land as outlined above, therefore the land on which the proposed activity is to take place, is not covered by Regulation 5(8).

- 15.4 For the above reasons, it is considered that the NES regarding contaminants in soil does not apply to the consideration of this application.

16 NATIONAL POLICY STATEMENTS (Section 104(1)(b)(iii))

- 16.1 There are five National Policy Statements (NPS's) issued under section 52(2) of the RMA and which state objectives and policies for matters of national significance. The five National Policy Statements relate to urban development capacity, freshwater management, renewable electricity generation, electricity transmission and the New Zealand Coastal Policy Statement. I consider that the only NPS relevant to the proposal is the NPS on Urban Development.
- 16.2 This NPS on Urban Development (NPS-UD) is about recognising the national significance of:
- Urban environments and the need to enable such environments to develop and change
 - Providing sufficient development capacity to meet the needs of people and communities and future generations in urban environments.
- 16.3 The NPS directs local authorities to provide sufficient development capacity in their resource management plans for housing and business growth to meet demand. Sufficient capacity is necessary for urban land and development markets to function efficiently in order to meet community needs. In well functioning markets the supply of land, housing and business space matches demand at efficient (more affordable) prices. Taupō is a tier 3 territorial authority.
- 16.4 The proposal will provide a well functioning urban environment and is an appropriate use of this urban zoned land at a transition point between consented residential and low density developments. In providing 83, fully serviced residential lots for future development within an urban area, the proposal increases the supply of housing, providing opportunity for increased and varied housing density and types. The proposal provides access to natural spaces, reserve spaces and transportation links.
- 16.5 In summary, I consider that the proposal is consistent with the NPS-UD.

17 REGIONAL POLICY STATEMENT (Section 104(1)(b)(v))

- 17.1 The Waikato Regional Policy Statement (RPS) recognises, among other matters, significant resource management issues to be: the need for careful management of soils to avoid erosion, the need to maintain and enhance water quality, the significance of the regional roading network, and the potential for new activities to generate adverse effects.
- 17.2 The Regional Plan provisions of specific relevance to this application relate to the appropriate management of earthworks and the maintenance of water quality, through the management of stormwater. WRC has the jurisdiction to assess matters which relate to stormwater diversion and disposal, and earthworks. Land use consent APP147276 has been obtained from WRC for earthworks and to divert surface water overland flow paths. The proposed earthworks and stormwater disposal methodology are permitted activities under the Waikato Regional Plan, as such no further consideration is required.
- 17.3 In summary the proposal is considered to be consistent with the relevant provisions and intent of the RPS.

18 OTHER MATTERS (Section 104(1)(c))

Taupō District 2050 – District Growth Management Strategy

- 18.1 The Taupō District 2050 Growth Management Strategy was adopted in 2018 and replaced the 2006 Growth Strategy. In March 2025 Council adopted the Taupō District Future Development

Strategy (FDS) which is the plan to manage growth over the next 35 years to 2060. The FDS updates the TD2050 growth management strategy. The FDS states that population projections show that an additional 25,500 people will likely live within the Taupō District by 2060, mostly within the Taupō town and Kinloch area.

- 18.2 In the FDS, within the Taupō District, Future Development Areas are noted as either undeveloped residentially zoned land, or future residential growth areas. The future residential growth areas will need to be rezoned in future through the plan change process. The KCSP area is included as a residentially zoned area and is where future residential growth is expected to occur.
- 18.3 The FDS also discusses constraints to the future growth areas such as hazards, servicing and infrastructure and states that the FDS has an important role as it helps to signal where there are constraints on existing infrastructure that impact future development.
- 18.4 In terms of the proposed subdivision and development, it is providing up to 83 residential lots for future residential development and is within a Future Development Area as noted in the FDS. As the proposed lots can be adequately serviced and there is sufficient capacity for the lots (as discussed earlier in my report), I consider that the proposal is consistent with the FDS.

Iwi Management Plans

- 18.5 The following iwi management plans have been considered with regard to the proposal:
- Ngāti Tūwharetoa Environmental Iwi Management Plan (EIMP)
 - Raukawa Environmental Management Plan (REMP) – Te Rautaki Taiao a Raukawa
- 18.6 The EIMP provides a background to, and identifies key, resource-based issues for Ngāti Tūwharetoa iwi. The plan sets out environmental base lines and outlines that sustainability is the key foundation to make decisions regarding the environment. The EIMP plan has the following goals: exercise Kaitiakitanga, promote and protect Mātauranga, and to recognise the ownership that Ngāti Tūwharetoa have over Lake Taupo-nui-a-tia and its tributaries.
- 18.7 The REMP 'Te Rautake Taiao a Raukawa' is a statement of Raukawa issues, aspirations, and priorities pertaining to the use and management of the environment. The REMP is a living and practical document to assist Raukawa to proactively and effectively engage in and shape current and future policy, planning processes, and resource management decisions.
- 18.8 Overall, the proposal does not compromise any of the issues, objectives policies or principles detailed within the EIMP or the REMP. I consider that the proposal is consistent with the relevant objectives, policies and outcomes of the respective management plans. It is also noted that no submissions were lodged on the application from iwi / hapu.

Te Kaupapa Kaitiaki

- 18.9 Te Kaupapa Kaitiaki is a high-level plan for the Taupo catchment. Its purpose is to identify the significant issues, values, vision, objectives and outcomes for the catchment. It is a strategic document and does not include rules or methods. It is underpinned by Ngāti Tūwharetoa perspectives in the form of two principal Kaupapa referred to as Nga Pou e Toru and Te Kapua Whakapipi. The values for the health and wellbeing of the Taupo catchment are derived from these Kaupapa and particular regard must be given to Te Kaupapa Kaitiaki when processing an application for resource consent.
- 18.10 Of direct relevance to this proposal are the following objectives:

- Te whanake – Sustainable Development
- Kaitiakitanga – Intergenerational sustainable guardianship
- Te oranga me nga hua o te taiao – Health and benefits of the environment
- Taurima – To treat with care, to tend, to foster
- Kia whakarite – Arrange, adjust, organise, balance, fulfil, perform
- Te oranga o te tangata – Community health and wellbeing

18.11 I have given regard to Te Kaupapa Kaitiaki and in my opinion the application will not result in effects that are inconsistent with the objectives of Te Kaupapa Kaitiaki, in that it is deemed to have no more than minor adverse environmental effects and is contributing to the sustainable management of the Lake Taupo catchment and its associated values.

18.12 In summary, the proposal is considered to be consistent with the objectives of Te Kaupapa Kaitiaki.

Precedent

18.13 A number of submissions in opposition noted that if the proposal were granted, that it would set a precedent for other developments of higher density than anticipated by the KCSP zoning in the District Plan to be granted. Should consent be granted to the proposal, I do not consider that it would create a precedent of other similar applications within Kinloch, nor for there to be any influence on the decision making for any such application(s).

18.14 This is because the application site is in a unique position at the transition point between residential and low density zoning, with a consented residential subdivision to the south and consented low density subdivision to the north, and connecting roads to the east and southeast (and eventually to the north). There are no other sites in the KCSP that have the site area, location or characteristics as the application site.

18.15 The application site is also the second to last greenfield site in the KCSP area, with the remaining greenfield site being the Hunt Club which is to the north of the KCSP area adjoining Whangamata Road, and zoned Rural Lifestyle (allowing for around 30, average 2.5ha lots as a controlled activity subdivision). It would be highly unlikely that a higher density of development would be approved on this site given its position at the northern end of the KCSP area and because of the capacity limitations of Kinloch's infrastructure with the potential 30 lots being accounted for, but not any additional lots over that amount accounted for in the projected demand and capacity for water and wastewater.

18.16 In summary, should the proposal be granted consent, I do not consider that there will be any precedent created by such a decision.

19 STATUTORY PROVISIONS

19.1 *Section 104* of the Resource Management Act 1991 ('RMA') outlines the criteria that the consent authority must have regard to, subject to Part II of RMA.

19.2 *Section 104* requires that, subject to Part II of RMA, Council must have regard to the following matters;

- Any actual and potential effects on the environment of allowing activity; and
- Any relevant provisions of a national environmental standard;
- Other regulations
- Any relevant provisions of a national policy statement

- Any relevant provisions of a regional policy statement, or proposed regional policy statement;
- Any relevant provisions of a plan or proposed plan; and
- Any other matters the consent authority considers relevant and reasonably necessary to determine the application.

These matters have been discussed in the preceding Sections 13 to 18 of this report.

- 19.3 *Section 104(2)* of RMA allows the Council to disregard any adverse effects on the environment where the plan permits an activity with that effect (the 'permitted baseline'). An assessment of permitted baseline on the application site is not considered to be useful in this instance.
- 19.4 *Section 104B* provides that the consent may be granted or refused, and, if consent is granted, that conditions may be imposed on the consent under section 108.
- 19.5 *Section 104D* provides that the consent authority may grant resource consent only if it is satisfied that either the adverse effect of the activity on the environment will be minor or the activity will not be contrary to the objectives and policies of the Taupō District Plan. As discussed under section 14 of my report, I consider that the proposal is consistent with the majority of the relevant District Plan objectives and policies, although I acknowledge that proposal is moderately inconsistent with some of the policies of Urban Form and Development, Subdivision and the Low Density Residential Zone due to the higher density of development proposed within the Low Density zone.
- 19.6 However, as concluded under section 13 of this report, I consider that the effects on the environment from the proposal will be no more than minor. As such, consent may be granted under the first 'gateway' test of section 104D.

20 SECTION 106 RMA

- 20.1 The consent authority may refuse subdivision consent in certain circumstances:
- If there is a significant risk from natural hazards; or
 - Sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.
- 20.2 The application site does not have any District Plan natural hazard notations identified on or nearby it, and sufficient provision has been made for legal and physical access to each allotment to be created by the subdivision. As such, the circumstances to refuse the subdivision consent under section 106 are not applicable to the proposal.

21 PART II MATTERS

- 21.1 In Part II of the RMA, Section 5 sets out the purpose and principles for the sustainable management of natural and physical resources by enabling people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while avoiding, remedying or mitigating any adverse effects of activities on the environment.
- 21.2 I consider that the proposed subdivision and development is an efficient use of the land resource, being nearly the last greenfield site within the KCSP area and in a unique position of being at a transition point between residential and low density consented development.
- 21.3 The proposal will provide Kinloch (and the wider Taupō District) with an additional residential area which can be adequately serviced, has appropriate transportation links and reserves for

passive and active recreation, thereby providing for the social, economic and cultural wellbeing of people and the community.

- 21.4 Low impact design methods will be implemented for the proposed development, for such matters as stormwater management and the proposed roading network, and this approach demonstrates sustainable use of the land (as the physical resource).
- 21.5 As concluded under Section 13 of this report, the adverse effects proposed subdivision and development will be no more than minor. As the proposal demonstrates sustainable management of the resource, and I consider that the proposal is consistent with Section 5 of the RMA.
- 21.6 Section 6 sets out Matters of National Importance of which (a) preservation of natural character of lakes and rivers and their margins; (c) protection of areas of significant indigenous vegetation/fauna; and (e) the relationship of Maori and their culture, are of relevance.
- 21.7 The application site adjoins the Otaketake Scenic reserve to the west and adjoins the Okaia Scenic reserve to the east, southeast. The reserves consist of dense vegetation on either sides of the actual streams. The reserves and the vegetation within the reserves will be untouched by the proposed development, therefore the Okaia and Otaketake streams and their margins will be unaffected by the proposal. The reserves are also Significant Natural Areas. The proposal will not involve any removal of indigenous vegetation from within the reserves. The boundaries of the proposed lots with the reserves will also be fenced off. This will ensure that the natural character of the streams and their margins is maintained.
- 21.8 The relationship of Maori and their culture have been appropriately considered, as discussed in previous sections of this report.
- 21.9 In summary, it is considered that the proposal appropriately recognises and provides for the relevant matters of national importance.
- 21.10 Section 7 sets out additional matters to which those persons exercising functions under RMA in relation to managing the use, development and protection of natural and physical resources shall have particular regard to. The relevant matters in relation to this application as follows:
(a) kaitiakitanga
(b) the efficient use and development of natural and physical resources
(c) the maintenance and enhancement of amenity values
(f) maintenance and enhancement of the quality of the environment.
- 21.11 Lake Taupō, the reserves, streams and landscape around the lake are all taonga to the local iwi Ngāti Tūwharetoa who have kaitiakitanga (guardianship) over this area. Given that the application site is zoned for residential development, earthworks can be managed to ensure no off-site effects, stormwater disposal can be managed and wastewater will be reticulated to the treatment plant, there will be no off-site effects to the reserves or on the water quality of the streams or Lake Taupō. All of the infrastructure will be built to Council's Code of Practice requirements and national standards.
- 21.12 The proposed subdivision and development has been designed in such a way as to maintain and enhance the amenity values of the site and the surrounding area. This will ensure that the quality of the environment is maintained. The proposed subdivision and development demonstrate the efficient use of the land resource.

- 21.13 Section 8 requires Council to take into account the principles of the Treaty of Waitangi. I consider that the proposal takes into account the principles of the Treaty.

Conclusion on Part II Matters

- 21.14 I consider that the proposal is consistent with principles of Part II of RMA.

22 CONCLUSIONS

- 22.1 The applicants have applied for land use, subdivision and a change of conditions consent for the development of 83 residential lots, roads and reserves with associated earthworks and future buildings on the lots. The activity status of the proposed land use and subdivision (bundled) is non complying. The activity status of the proposed change of conditions is discretionary. A 10 year lapse period is sought.
- 22.2 The application was publicly notified at the applicants request. The application was publicly notified at the applicants request. 33 submissions were received in total, 29 in opposition, 2 in support.
- 22.3 The proposal has been assessed, in light of the submissions and against the relevant criteria stipulated under section 104 of the RMA. Overall, I consider that the adverse effects of the proposal on the environment will be no more than minor; and that there are positive effects from the proposal.
- 22.4 Corresponding to the effects assessment, I consider the proposal to be consistent with the vast majority of the relevant Taupō District Plan objectives and policies aside from three policies related to the higher density of development proposed than anticipated for within the Low Density zone. As the proposal is a non complying activity and the effects on the environment are considered to be no more than minor, consent can still be granted despite this moderate inconsistency with three District Plan policies.
- 22.5 I consider the proposal to also be fully consistent with the policy framework of all the relevant statutory documents, in particular the NPS on Urban Development; and overall, I consider the proposal to be consistent with Part II of the RMA.
- 22.6 Therefore on the basis of the information available at this time, I conclude that the application for land use, subdivision and a change of conditions consent should be granted.

23 RECOMMENDATION

- 23.1 I recommend that the application for:
- a) Land Use Consent for earthworks cut and fill to construct roads and to shape the proposed lots in excess of the 1.5m and 0.5m vertical ground alteration limits outside and within setbacks; for future development on the residential lots to exceed the provisions in relation to building coverage, plot ratio, building setbacks; and
 - b) Subdivision Consent to create 83 residential lots, four reserves and five roads over six Stages that will be less than the minimum and average lot sizes for the Kinloch Low Density Environment; and to construct roads, extend water and wastewater infrastructure to service the lots; and

- c) Change of Conditions Consent to change conditions of Subdivision Consent RM200118A to remove Stage 9 from this consent to incorporate this area into the proposed subdivision

on the application sites of:

- Lot 202 DP 606472 contained within Record of Title 1201870, 14.71ha in area [Otaketake Drive - no address]
- Lot 1 DP 514174 contained within Record of Title 797345, 1ha in area [27 Kahikatea Drive]
- Lot 2 DP 514174 contained within Record of Title 7877571, 1ha in area [25 Kahikatea Drive]

be granted pursuant to sections 104, 104B, 104D and 127 with a 10 year lapse period and that the subdivision be subject to the recommended conditions included under Appendix I pursuant to sections 108, 220 and 221 of the Resource Management Act 1991.

- 23.2 I also note that the recommended conditions have been agreed between the applicant and Taupō District Council prior to issue of this report.

Report prepared by:

Louise Wood, Senior Resource Consents Planner

**Report reviewed and approved for
issue by:**

Heather Williams, Resource Consents Manager