

BEFORE THE HEARINGS PANEL APPOINTED BY TAUPO DISTRICT COUNCIL

UNDER the Resource Management Act 1991 ("**RMA**")

AND

IN THE MATTER of an application to Taupo District Council by Seven Oaks for land use consent [RM240388], subdivision consent [RM240389] and variation to subdivision consent RM200118B for: 83 residential lots, 4 reserves, 5 road and over 6 stages; land use consent for earthworks and for additional building coverage plot ratio and building setbacks; variation to Stage 9 of the previous subdivision stage (the Proposal)

STATEMENT OF EVIDENCE OF MAREE JOSELYN DRURY

ON BEHALF OF THE TE KOWHAI RIDGE RESIDENTS SOCIETY

17TH AUGUST 2025

INTRODUCTION

1. My full name is Maree Jocelyn Drury and I am here today as a lay person representing the 31 lot owners within Te Kowhai Ridge subdivision, that lies between the Whangamata Stream to the east and Oakdale Drive to the west. It is within the Kinloch Low Density Environment and was developed within the low-density rules for the Kinloch Community Structure Plan.
2. I am familiar with the locality and have visited the sites on several occasions most recently on 17 August 2025. I have read the Council Officer's Section 42A Report and the submissions received.
3. Our submission is based on both the integrity of the Kinloch Community Structure Plan (KCSP), the direction provided in the National Policy Statement on Urban Development (NPS-UD), The Waikato Regional Policy Statement (RPS) and the relevant objectives and policies of the Taupo District Plan (TDP).and:
4. The management of cumulative adverse effects such as road traffic noise, and amenity values,
5. In our view the proposal is contrary to the intent of the above listed planning documents and should be rejected.
6. In our view the proposal does not adequately address cumulative adverse effects on the environment, most importantly amenity and charter and road traffic noise.

KINLOCH COMMUNITY STRUCTURE PLAN

7. As set out in our submission we maintain that the Project is inconsistent with the applicable planning framework, as signalled by the non-complying activity status relating to the density of future land use.
8. The KCSP sets out a plan for the development of Kinloch and has a radial development around the bay with increasing Lot sizes as you move away from the lake front. It responded to community consultation and The TDC development process. Many people gave their time freely to develop the KCSP with the Council. We believe the integrity of the TDC plan development process is negatively impacted by the changes reflective of this proposal and distrust in future processes is to be expected.

9. The KCSP references the desire to “retain the rural outlook” and when outlining the current built environment with reference to Lot sizes and coverage it says, “This unique built environment is one component that makes up the character and amenity of the existing Kinloch development”.
10. Specifically Objective LRZ04 , *To maintain and enhance the existing amenity and character of the Kinloch residential area and provide for appropriate residential development in the Kinloch Community Structure Plan Area* and Policies LRZ P1 and P3 P5 and P8 P9 which relate to low density controls on bulk, character, amenity specific requirements areas, and development in Kinloch consistent with the KCDP area are unable to be satisfied by this proposal.
11. Further, mitigation is not specifically outlined for the effect of lighting on the night sky of this ridgeline development and seems to have been overlooked in both the Landscape and Visual Assessment and the AEE. There, is no assessment of the effects of street lighting at this elevation and on a ridge line. The AEE says the Proposal will meet best practice lighting, for residential yes but not the anticipated low-density development.
12. The ridgeline area will become dominated by this proposed development and will no longer provide a green backdrop to the Kinloch residential area and hence development cannot occur without compromising the intent of the Kinloch Landscape Policy Area.
13. We retain our submission point that intensification in the area is contrary to Policy v and will detract from the character of the area. Further, there is little evidence that the buildings can be integrated into the site, such that the built form is not dominant to those viewing from Loch Eagles, the lake, The Kawakawa Bay cycle track and other surrounding high points.
14. Additionally, and importantly, the Proposal if granted would establish precedent for further changes to intensity provisions of the Kinloch Structure Plan, which was developed in response to sustained growth of this nature.
15. In summary, the KCSP and the TDP anticipated character and amenity levels representative of the low density provisions, which through the proposal are lost.
16. We do not believe that allowing this proposal of 83 residential lots within an area designated as low density and 16 Lots is within the intention of the KCSP, nor can it address the cumulative impacts of the increased density, and so on this basis we continue to oppose the application. We do not

believe the new application from Seven Oaks Kinloch Ltd has addressed the fundamental concerns of our submission initially presented.

THE NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT (NPS-UD).

17. The NPS-UD sets out guidelines for urban development. It must be complied with by territorial authorities, including the Taupo District Council (TDC).
18. Policy 1(c) of the document states “*planning decisions have good accessibility for all people between housing, jobs, community services including by way of public or active transport*”
19. The intention is for Taupo District Council to encourage high-density housing close to people’s work, schooling, medical centres, retail, hospitality and recreational facilities.
20. And Policy 1(e) *supports reductions in greenhouse gas emissions;*
21. Kinloch is 20 km away from any meaningful services other than the recreational opportunities around the lake and walkways. It has no regular public transport services to allow people to get to and from work. Every time people want to access work, the doctor, school, or shopping, they must travel by private vehicle. This usually results in a 50 km round trip, which is country to achieving reduction in greenhouse gas emissions.
22. We do not believe that Kinloch village is the right place to encourage high density housing outside of what is already provided in the KCSP, and in part was the driver for the KCSP, so on this basis we oppose the application.
23. Furthermore Policy 2 of the NPS UD states: *Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.*
24. However, there is capacity within the recent growth in subdivision activity around Taupo to meet this policy intent, as evidence by many developments are currently unable to sell sections and have reduced their rate of development. Furthermore, local real estate agents have confirmed that there are currently approximately 72 homes or sections on the market south of Whangamata Rd in Kinloch. Of these 25 are sections within Seven Oaks and the Terraces. Only 39 properties have sold in the last 12 months, with it

taking an average of 68 days to sell while 12 months ago it was taking an average of 48 days. This does not indicate a high demand for extra sections and suggest filling capacity available in Taupo would be more consistent with the direction provided by the NPS UD.

TAUPO DISTRICT PLAN

25. TDC is also required to follow its own District Plan and the incorporated KCSP
26. The application for subdivision and land use are non-complying activities under Rules LRZ R4.1 and SUB-R26.1 of the Taupō District Plan. with various infringement to performance standards for the low-density zone. As outlined in Section 104D of the RMA the application can only be granted if either the adverse effects are minor, or the activity is not contrary to the objectives and policies of the plan.
27. The most relevant objectives and policies and areas where we find the application is contrary to those objectives and policies individually as well as in their entirety are outlined below.

LAND DEVELOPMENT – 6.3

28. Relevant Land development objectives include:
29. *LD-O5 Ensure land development **does not detract from the amenity value or qualities** of the local environment, and associated policies*

*LD-P17 Ensure that proposals for the subdivision and development of land assess the 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***

The density of the proposal will alter the amenity values within Kinloch with an expansion to the scale of residential development. We maintain that the views from adjoining reserves will be adversely impacted by the increased residential spread.

Natural values within adjoining reserves will only be further depleted with the introduction intensification of pets who predate on native fauna.

This sentiment is echoed in **Natural Values 6-5 of the TDP** with **Objective NEV- 01, 02 and Policy 1 requiring** recognition and protection of significant habitat of indigenous fauna.

FINDING ON EFFECTS

30. Section 6.6 of the AEE concludes all effects are less than minor with the mitigation proposed. However, we believe that not all effects are adequately integrated in the proposal and that there is no mitigation for cumulative effects other than avoiding intensification.
31. After review of additional information provided and the Councils Officers report, we still maintain that the cumulative effects of road traffic noise on Whangamata and Oakdale drive (in particular Whangamata Road, given its current surfacing) and lighting have not been considered and hence our submission points on these matters remain.
32. The traffic report finds that traffic capacity in existing network is adequate to absorb the increased density without having adverse effects, however, there is no assessment of operational noise effects in the traffic or noise reports.
33. If the application was granted we request that some developer contribution go to installing low noise road surfacing along Whangamata Rd and Oakdale Drive to mitigate the cumulative impact of operational road traffic noise and recognise the increasing transformation of Whangamata Road to being within a residential area. This is in part acknowledgement that Whangamata Road is operating as a residential arterial with the increased density of the proposed subdivision and will assist to mitigate the cumulative effect of an increased population.
34. As such we request a condition for low noise road surfacing of dense asphalt such as Stone Mastic Asphalt (SMA), or porous asphalt such as LN3 or LN5 on Whangamata Road and Oakdale Drive.
35. Additionally, we seek no lighting or only sensor activated and confined downward lighting to avoid impacts on the dark night sky. We seek a condition in that regard.

RESPONSE TO COUNCIL OFFICER'S REPORT

36. Officers report paragraph 19.5 *I consider that the proposal is consistent with the majority of the relevant District Plan objectives and policies, although I acknowledge the 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.*
37. We agree with this sentiment in the Section 42A reporting officers' comment that 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.
38. The Kinloch Community Structure Plan (KCSP) is specific for the village and was developed by the community and the TDC. With the number of submissions opposing this application we believe the community is largely opposed and the process of developing and implementing the KCSP through the TDP is undermined and contrary to the TDP itself
39. Importantly the Kinloch community have not requested a change to the direction and intent provided in the KCSP, nor has the Council themselves identified a need for this proposed level of development. We maintain to allow the proposal as presented therefore undermines the planning process established between communities and their council.
40. Officers report Para 13.5 *"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 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"*
41. We strongly disagree with this conclusion that amenity effects (in their entirety) will be more than minor.

CONDITIONS

42. Our request is for the proposal to be declined for the reasons set out above. However, should the commissioner decide to grant the proposal we request conditions on:

- Low noise surfacing for Oakdale Drive and Whangamata Rd
- Lighting levels commensurate with low density development standards.

CONCLUSION

43. The section 42A report para 1.5 finds that, the adverse effects of the proposal on the environment will be no more than minor.
44. We maintain that cumulative effects, predominantly on character and amenity values have not been adequately addressed, such that the scope and scale of the change from 16 to 83 residential lots (more than 5 x increase in intensity) cannot have less than minor effects
45. We have outlined how this proposal, as a non-complying activity, is contrary to the objectives and policies of the planning framework, under the TDP. Nor does it meet the intent and direction provided by the KCSP and NPS UD. Hence, this proposal undermines the established district planning framework and an instrument of national direction
46. By granting the proposal it will set a precedent, whereby the integrity of the TDP objectives, policies and structure plans are undermined, and there is inadequate mitigation for adverse amenity, visual, and operational traffic noise effects
47. We therefore hold that the proposal should be rejected and that the intensity envisaged in the Kinloch Community Structure Plan should be retained to guide the future development of Kinloch.

Maree Drury and Tony Parsons on behalf of Te Kowhai Ridge Residents Association

17 August 2025

