

Lakes and Waterways Action Group Trust oral submission to TDC PC 42 General Rural & Rural Lifestyle Environments:

Introduction

Lakes and Waterways Action Group Trust (LWAG) is a leading advocate for the protection of Lake Taupo, its waterways and other local catchment environments.

LWAG participated in the Lake Taupō Protection Project including submitting on Waikato Regional Council (WRC) Regional Plan variation, now Chapter 3:10 and relevant Taupo District Council processes aimed at reducing the nutrient loading to Lake Taupo.

We are fully supportive of the Lake Taupo Protection Strategy.

We continue to actively seek the enhancement of water quality within the Lake Taupo catchment and firmly advocate for “Sustainable Development Thinking” with regards to any development within the Lake Taupo area.

LWAG has been advocating on environmental issues in the Taupo area, but particularly water quality issues, since about 2000. We have over 100 members.

Lakes and Waterways Action Group Trust would like to thank the Council for the opportunity to comment on the draft District Plan changes.

Re: GENERAL RURAL ENVIRONMENT & RURAL LIFESTYLE ENVIRONMENT

Comment: LWAG support TDC's intention to: *'keep large spaces of land available for productive use. aiming to keep property sizes large and limit the number and location of houses.'*

However, we would only support a minor unit per 10 ha. This will ensure future subdivision of the 10 ha will not be permitted, which we support.

DP Landscape Provisions should prevent house sites on SNLA's and OLA's including ridgelines. We note that the provisions for the minor unit, such as the 20m, distance appear to prevent ad-hoc subdivision of rural land, and we agree that this should be prevented.

The concern re; allowing additional units in the general rural zone is also in the context of landscape issues identified through the development of the Mapara Valley Structure Plan.

Historically the community agreed to the Plan as it prevented cumulative effects of development in this highly-valued landscape area. We note that the valley floor itself was also considered an amenity which is why development was restricted to identified areas. (N.B. infrastructure provisions also applied, namely roading and sewage.)

We would like to draw attention to the extensive natural gullies in this and other rural areas in the district that have amenity values and stormwater functions.

In our original submission we stated that ‘Draft provisions relating to Amenity Values are not sufficiently strong as, even when discretion is applied, adverse cumulative effects are likely – as in ‘death by a thousand cuts’.’

We support ‘For the purposes of Rule 4b.5.8.i the Council restricts the exercise of its discretion to the following matters: q) Any immediate adverse or potentially adverse effects, including cumulative effects, on the amenity and landscape values of the Rural Environment, and the methods by which such effects can be remedied or mitigated.’

However, we ask where in the rules the methods are by which such effects can be remedied or mitigated?

- **We seek specific Performance standards relating to amenity including specifically ‘Vegetation’ as this is essential to managing adverse affects in the rural environment.**

Rotorua District Council Objectives and Policies for Rural Subdivision include a section on *vegetation for instance*:

4. Vegetation, re-vegetation and retirement

Subdivision within the rural zones will be expected to demonstrate that consideration has been given to existing vegetation, retirement of land adjoining water courses from grazing and appropriate new planting of indigenous species to mitigate the effects of potential development including for the purposes of water quality improvement, stormwater control, land stabilisation, screening and habitat protection or enhancement.

Any subdivision of land adjoining a lake, stream or wetland must include measures to retain, enhance and manage the landscaping of that land.

Include a site plan that shall identify lot boundaries, contours, landscape types, special ecological features, proposed access, location of future buildings, fence lines, and the finished landform resulting from the subdivision.

Recommended conditions necessary to mitigate adverse effects or provide positive effects on the landscape including; a. Controls on the siting, bulk, location and design of buildings, earthworks and vegetation removal; b. Location and design of roading and supporting infrastructure; c. Planting of landscape on public and private lands; d. Protection of natural features of value; e. Location and design of fencing.

The extent of any landscape assessment shall be sufficiently comprehensive to address the scale of the development and nature of potential landscape and visual effects. etc.

<https://www.rotorualakescouncil.nz/our-services/planningservices/districtplan>

This is more comprehensive than the current TDC DP Landscape provisions relating only to identified Landscape areas that say re: *Planting*

a) *New tree planting and vegetation patterns reflect the existing landscape character and natural patterns of the landscape.*

b) *Where possible, ecological corridors and ecosystems are restored.*

c) *Planting is used to help integrate buildings with the Landscape Area.*

<https://taupo.isoplan.co.nz/eplan/rules/0/43/0/5310/0/106>

With additional more intensive subdivision enabled by this Plan Change we feel that amenity and landscape policy requires strengthening and, there is an opportunity to include direction for mitigation through revegetation within Plan Change 42.

- ***We seek additional objectives and policy as per Rotorua Rules that: Vegetation, re-vegetation and retirement Subdivision within the rural zones will be expected to demonstrate that consideration has been given to existing vegetation, retirement of land adjoining water courses from grazing and appropriate new planting of indigenous species to mitigate the effects of potential development including for the purposes of water quality improvement, stormwater control, land stabilisation, screening and habitat protection or enhancement. (or similar)***
- **We also seek provision that 'Any subdivision of land adjoining a lake, stream or wetland or natural gully must include measures to retain, enhance and manage the landscaping of that land.**
- ***Subdivision 'Include a site plan that shall identify lot boundaries, contours, landscape types, special ecological features, [including gullies]***
- ***We seek conditions necessary to mitigate adverse effects or provide positive effects on the landscape including; a. Controls on the siting, bulk, location and design of buildings, earthworks and vegetation removal; b. Location and design of roading and supporting infrastructure; c. Planting of landscape on public and private lands; d. Protection of natural features of value; e. Location and design of fencing.***
- **Ensure that the extent of any landscape assessment shall be sufficiently comprehensive to address the scale of the development and nature of potential landscape and visual effects.**

Ref: 4b.5.2 Subdivision – Rural Lifestyle Env. Etc

4 ha or larger adjoining the General Rural Environment are controlled – the situation we currently have

Smaller than 4 ha adjoining General Rural Environment are proposed as discretionary

Then 4b.5.3 We interpret as lots not adjacent to the General Rural Environment but within a 4 ha (+) zone will be controlled

We are concerned that precedent could be set by current rural lifestyle landowners adjacent to the rural zone who currently have smaller 4 ha lots and could apply for **2 ha** subdivision as a discretionary activity despite Draft PC 42 restricting subdivision to lots not adjacent to the rural zone.

It seems that as a 'discretionary activity' (Ref: 4b.5.2 ii) this would be allowable under certain circumstances i.e. with neighbour agreement, and could set a precedent for other existing 4 ha rural residential (rural lifestyle) areas.

~~Ref: 4b.2.5 Any activity that does not meet the Rural "Effects Area" Radius Performance Standard is a restricted discretionary activity.~~

- **We ask that subdivision remain at 'restricted discretionary' status and that landscape protection rules be triggered by all applications in the general rural and rural residential (rural lifestyle) areas and.**

In our original submission we stated:

- **We do not want to see 'permitted activity' dwellings in the rural areas for the above reasons. If 'controlled' status was the outcome of the consultation process then, as with our preferred 'restricted discretionary' status, clearly stated assessment criteria for landscape/amenity effects should apply.**

We understand that minor lots will not be non complying in OLA's, however we believe our general amenity landscape concerns are congruent with the wider community concerns in this regard. A large reflective barn/aeroplane hanger was built on a OLA during the last District Plan change and Mapara Valley Structure Plan process.

Concern for instance with 4b.2 Performance Standards – General Rural Environment
4b.2.5 Maximum building height i. 12 metres. ii. 5 meters in a height restricted area.
iii. 5 meters in an Outstanding Landscape Area. Should we not be preventing building in an OLA?

- **Regarding the removal of Mapara Valley Structure Plan: We seek an overlay of landscape areas that are clearly mapped as per the MVSP, so as to provide clarity for applying the above provisions.**

Ideally, we would see Outstanding and Amenity landscape mapping as an appendix to this Plan Change.

We also support consolidation of growth in relation to 'Strategic Direction 2.4.2 Objective 1. Subdivision, use and development of land in the Taupō District will result in positive climate change outcomes.' As this will reduce to reduce carbon footprint produced by travel in rural areas.

Like the Taupo Climate Action Group, we are concerned that allowing further subdivision in these areas will increase carbon emissions as there will be increased travel.

In our original submission we commented re; *general infrastructure concerns*. LWAG understand that any development in the rural areas will add to demand for water and have increased traffic effects. For this and all of the above reasons we note that we supported the latest TDC Growth Management Strategy that proposed to consolidate urban and rural residential growth closer to town. This would allow for infrastructure provision to also be consolidated for strategic management and for better wastewater treatment.

- **LWAG ask that TDC reconsider their original GMS objective to consolidate rural residential and urban growth closer to the Taupo township so as to better manage the provision of infrastructure and avoid adverse amenity affects.**
- **Relief sought: Rural Lifestyle subdivision be limited to the periphery of existing urban areas, not those identified in the Rural areas.**

Comment Re: Chapter 10 of the Regional Plan nitrogen discharge rules. LWAG have historically asked that all subdivision/land use change provide a N budget.

We are concerned that providing for 2 ha subdivision in the rural areas gives a green light for increased intensification (e.g., more grazing animals and larger human population) without regard to the potential effects on Lake Taupo water quality.

For instance, Rotorua District 13.10.1 Site Design Performance Standards for Rural 2 Rural Lifestyle states: *'Sites shall be capable of accommodating activities that can comply with Rule 13.10.1.2.'* This includes *'ii. The lifestyle lot shall be of sufficient size in order to meet the regional council requirements for the treatment and management of sanitary sewerage and associated disposal field within the boundary of the site to be created.'*

Table 3: Table 13.10.1.1: Land Use Change Requirements

4. Nutrient losses In conjunction with the application for subdivision, a nutrient loss assessment report relating to the recipient holding prepared by a suitably qualified and experienced independent person shall be submitted to council for approval. The report shall demonstrate that the use and development of all proposed lots within the subdivision will not result in an increase in current nutrient losses created by existing land uses. Council shall commission an independent expert audit of the report, such audit to confirm the report's findings. Where applicable, any recommendations contained in the approved report may be the subject of consent conditions, including those required to be complied with on a continuing basis

And 5. Ongoing management: d. Information regarding the estimated reduction of nutrient losses as a result of the subdivision.

- **As per our original submission LWAG ask that the rural provisions clearly state the N restrictions relating to Chapter 10 of the Regional Plan apply to land use in the rural residential zone.**

Ref: RP Chapter 3:10 Policy 3: 'Cap nitrogen outputs from land in the catchment' and Policy 9: 'Cap nitrogen outputs from wastewater sources.'

Suggest wording would be:

- **That 'subdivision and resulting land use change in the rural lifestyle zone meets regional council requirements, ensuring wastewater discharges from new on-site systems plus grazing animals do not result in additional nitrogen leaching to the Lake.'**
- **We seek additional policy requiring a nutrient loss assessment report; in conjunction with the application for subdivision, a nutrient loss assessment report be supplied**

(as per Rotorua District provisions above)