

**NOTIFICATION REPORT PURSUANT TO
SECTION 95 OF THE RESOURCE MANAGEMENT ACT 1991 ('THE ACT')**

SUBJECT: A non-complying application for a combined land use and subdivision consent for 30 residential lots associated with the Wairakei International Golf Course, including a request for public notification.

APPLICANT: TW Property Holdings Ltd (the Applicant)

LOCATION: Wairakei Drive, Taupo

LODGEMENT DATE: Original Application – 5 September 2023
Addendum/Revised Application lodged on 15 January 2024.

NOTIFICATION

DECISION DATE: 18 January 2024

1 DESCRIPTION OF PROPOSAL

The Applicant is seeking subdivision and land use consent to provide for a new development associated with the Wairakei International Golf Course. It is noted that the original application was lodged in September 2023 and is subject to an addendum to the application dated 15 January 2024.

The application proposes a subdivision of the 145.7187ha Wairakei Drive property into a golf course lot (Lot 300), 30 residential lots (Lots 1 to 30), a balance lot (Lot 200) and private road (Lot 100) and rights of way JOALs. A manager's home is shown on the site and scheme plan.

Land-use consent is sought to construct one dwelling on Lots 1 to 30. The dwellings will not comply with the minimum allotment area, site coverage or boundary setback rules in accordance with the plan rules for the Rural Environment.

A building footprint of 400m² (Lots 1 to 20 & 22 to 28) and 500m² (Lots 21, 29 and 30) is proposed. This equates to a site coverage range of approximately 27% on a 1,500m² to 22% on the largest 2,239m² lots. Total building coverage over the entire site would equate to 1.3 hectares or 4.8% site coverage over the entire parent title. The dwellings would also not comply with the 15m boundary setbacks. An alternative setback of 5.0m is sought from the internal boundaries.

As part of the development, a predator proof fence, similar to the fence surrounding the golf course has been constructed to aid the native sanctuary to be created within balance Lot 200.

The subdivision scheme plan is provided in **Figure 1** with the masterplan and earthworks plan provided in **Figure 2** and **Figure 3** respectively.

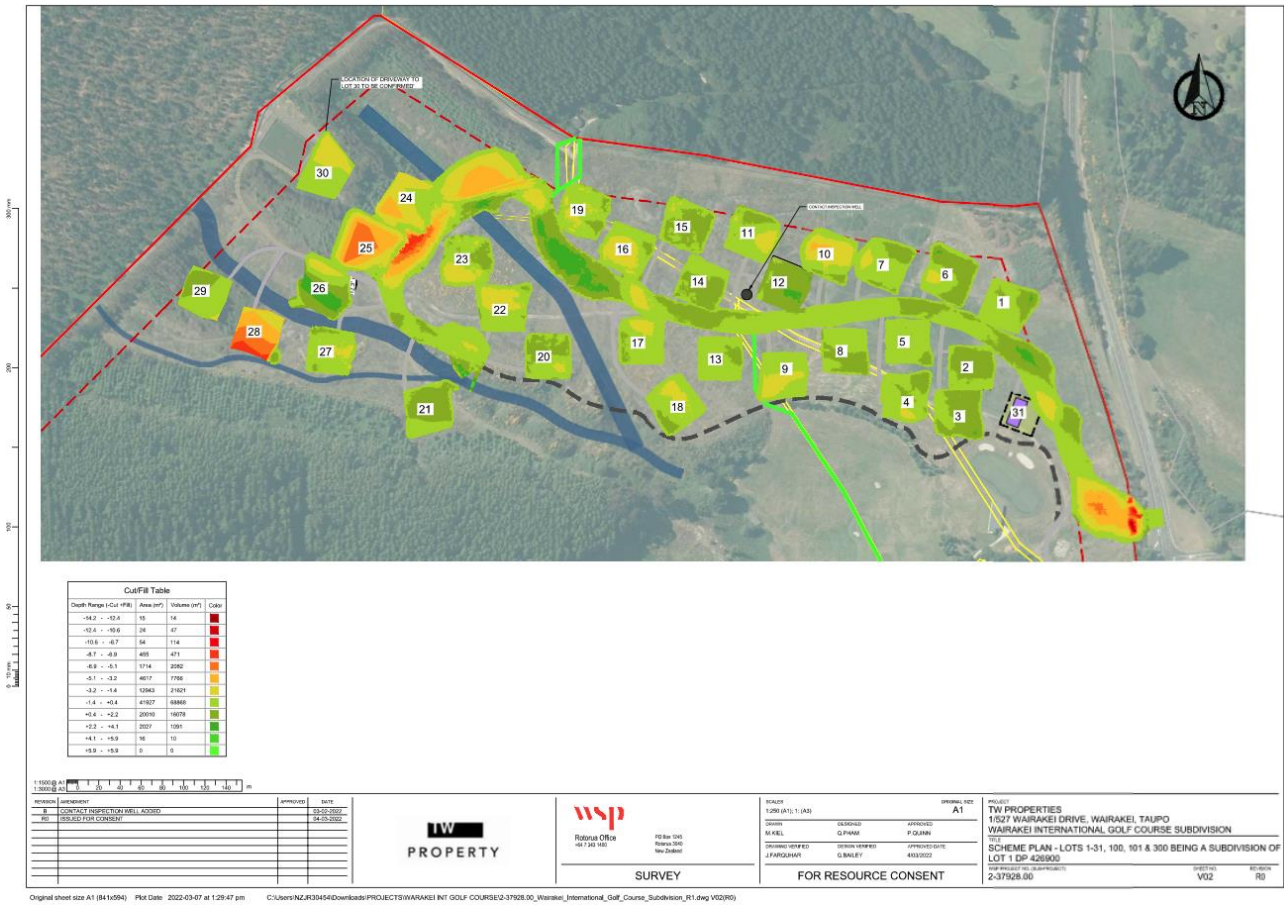


Figure 3: Earthworks Plan

The Application is supported by an AEE, and technical reports in terms of landscape assessment, engineering assessments, preliminary site contamination reporting, and geotechnical investigations. In addition, a legal opinion has been presented in terms of the relationship of the application with the objectives and policies of the District Plan.

The application has been lodged with a request for public notification check (refer addendum dated 15 January 2024).

2 SITE DESCRIPTION

2.1 Subject Site

The subject site at 1/527 Wairakei Drive, Taupo and is identified as Lot 1 DP 426900, record of title 505925 and is 145.7187ha's in size and is occupied by an internationally recognised golf course. The subject site is irregular in shape and consists of gentle to moderate sloping hills, with steep gullies and gentle rolling hills. The site is shown in **Figure 4** overpage.

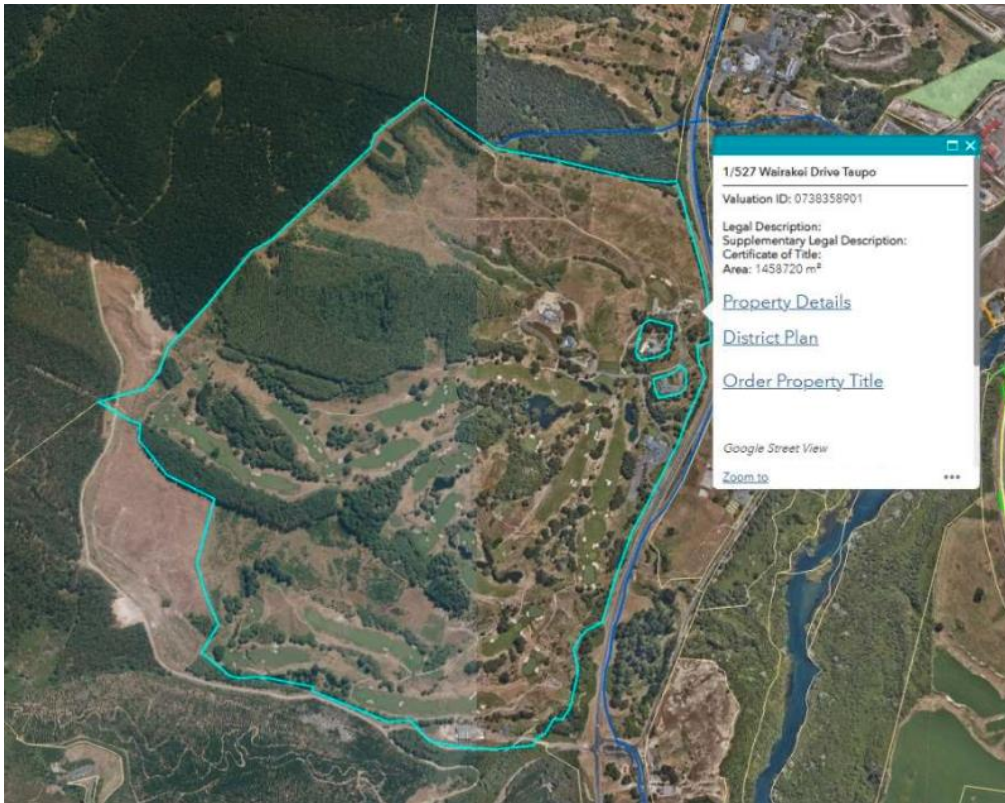


Figure 4: Property and Site Location – (Source : Application AEE)

The existing site site supports an 18-hole international golf course, clubhouse and parking area. Driving, pitching and putting ranges are spread across the site along with several buildings associated with the recreational golfing activities. Four dwellings and sheds used for the maintenance and grounds keeping are also spread throughout the Wairakei Drive property. The Wairakei Drive property also supports native and exotic bush, including a large area of exotic forest located in the centre of the Wairakei Drive property. With the exception of the clubhouse and car park area, and the green keeps house in the southern corner, the entire Wairakei Drive property is encompassed by a large predator proof fence.

The site is access directly off Wairakei Drive, a dual lane Regional Arterial Road which forms part of the wider Taupō District Roding Network. The road services the tourism attractions and accommodation activities within the Wairakei Tourist Park, geothermal and hydrological power generation activities and wider rural community of the Taupō and the greater Waikato Region.

The Wairakei Drive property is bordered by rural, recreational, tourism and geothermal properties. To the north, the neighbouring property supports a block of forestry that runs the length of the northern boundary and a golf course, both associated within the Wairakei Thermal Resort located to the north of the site.

To the west of the Wairakei Drive property is a large property owned by Contact Energy which supports another large forestry block that borders the western boundary of the site and is also used for geothermal power generation activities.

To the south, the Wairakei Drive property adjoins another large forestry block. The legal road frontage with Wairakei Drive runs the length of the eastern boundary. Opposite the Wairakei Drive property, on Wairakei Drive, is a large high ropes course and Huka Honey Hive.

To the northeast, the neighbouring property is a large paddock used for grazing stock and to the southeast, the site is located opposite Helistar scenic flight and café.

Development Background and Consents

The site is the subject to a previous land-use and subdivision consent application approved in 2017 (RM170294 & RM170295) and 2018 (RM180138) allowing for the construction of a 20-room hotel with lodge/restaurant building, 40 standalone chalets, and a separate dwelling. The parallel subdivision consent application (RM170295) was also submitted to create allotments around the chalets and dwelling (Lot 44), the hotel and two balance lots over six stages. To date the consent holder has not given effect to the commercial accommodation activities approved.

RM180138 was a variation to the two previous consents to allow for a sixth Stage “A,” which allowed for the subdivision of Lot 44, the construction of a new dwelling and infringements on building coverage, setbacks, Rural Effects Area Radius, and allotment size of the Rural Environment. Stage A has been partly completed, with the construction of the dwelling, the subdivision component remains incomplete but is understood to be in the process of obtaining 223 & 224(c).

In 2023, land use consent (RM220357) was also granted for a new onsite manager’s residence. The new residence was designed to enable the Golf Course Manager to reside onsite and provide better management and oversight of the golf operations, similar to the current Greenkeepers residence already located on the southern end of the property.

3 OPERATIVE TAUPŌ DISTRICT PLAN

3.1 Environment / Zoning

The site is zoned Rural Environment as identified on Planning Maps B11 and B15 of the District Plan and is within the Wairakei Tourist Park. The site is also within Area X on Planning Map D3 - Geothermal Subdivision, and within the Wairakei-Tauhara Geothermal Steam field. Wairakei Drive is classified as a Regional Arterial Road under the District Plan Roading Hierarchy. The planning map is shown in **Figure 5**.

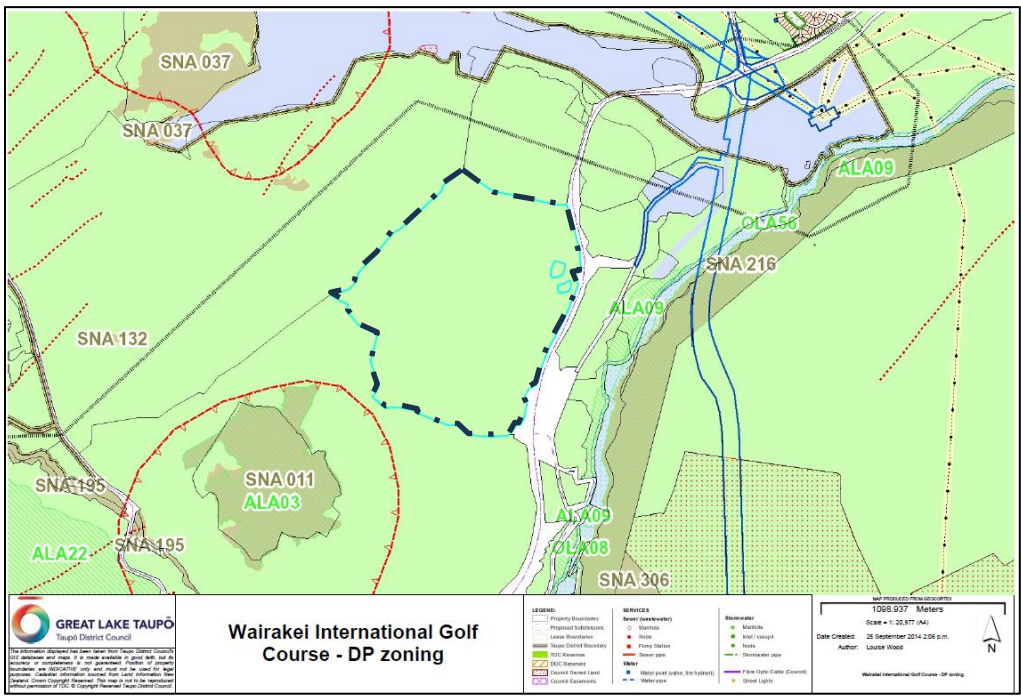


Figure 5: District Plan Zone

The proposal fails the following rules/performance standards in the Taupō District Plan (as adopted and reviewed from the Applicant's AEE):

| Operative Taupo District Plan – Land Use Consent Criteria | | | |
|---|--|---|---|
| Performance Standard | Parameter | Activity Status | Assessment |
| 4b.1.2 | Maximum Building Coverage 2.5% aggregate total of all buildings or 1000m ² ground floor area of a single building whichever is the more restrictive. | Discretionary in accordance with Rule 4b.2.9 | The proposed coverages range from 400m ² to 500m ² which results in building coverages ranging from 22% to 27% and average 4.8% across the large parent allotment. |
| 4b.1.4 | Minimum Building Setback from All other Boundaries - 15m | Discretionary in accordance with Rule 4b.2.9 | The proposed dwellings will be setback 5m from internal boundaries, or 10m within the 15m minimum building setback. |
| 4b.1.5 | Rural Effects Area Radius of 50m from an allotment boundary | Restricted Discretionary in accordance with Rule 4b.2.5 | Each dwelling will be located within its own allotment, ranging in size from 1500m ² to 2239m ² and will be up to 5m from this internal boundary and as such will be up to 45m inside the REAR. Note all proposed dwellings will meet the 50m REAR to all external boundaries of WIGC. |
| 4b.1.22 | Nominal Allotments – The second and subsequent dwelling shall be located within its own 10 hectare nominal allotment. | Discretionary in accordance with Rule 4b.2.9 | Each dwelling will be located within its own allotment, ranging in size from 1500m ² to 2239m ² and will add an additional 30 dwellings to the 145ha site which has five dwellings already built (four owners' dwellings and 1 greenkeepers dwelling) and 1 more consented (the managers dwelling), taking the total number of built and consented dwellings to 36. |
| Operative Taupo District Plan – Subdivision Criteria | | | |
| Rule | Parameter | Activity Status | Comment |
| 4b.3.3 | Any subdivision of rural land that is located within an Outstanding Landscape Area or in Area X on Planning Map D3 where the resulting lots are 4 hectares or larger, or is located in Area Y on Planning Map D3 where the resulting lots are between 4 hectares and 10 hectares, is a discretionary activity. | Discretionary | The proposed subdivision is within Area X on Planning Map D3. |

| | | | |
|---------|--|---------------|--|
| 4b.3.6 | Unless specifically provided for by another rule in this plan any subdivision of land in the Rural Environment where the resulting allotments are smaller than 4 hectares is a non-complying activity. | Non-complying | The individual proposed rural lifestyle lots are all under 4ha with sizes ranging from 1500m ² – 2239m ² . |
| 4b.3.12 | Any subdivision of land where more than twelve (12) allotments share a single common access in the Rural Environment is a discretionary activity. | Discretionary | There will be up to 30 dwellings being serviced off the proposed private road from Wairakei Drive. |

It is noted that the Applicant's assessment of the activity status relies on the large parent title with reference to building coverage and to the nominal allotment assessment. The relationship of the parent title of 145ha and the portion of the site to be developed for residential allotments will need to be reviewed as part of the decision-making process. However, the overall activity status has been assessed by the Applicant as non-complying given the number and size of the residential lots (Lots 1 – 30).

Plan Changes 38-43

District Plan Changes 38-43 were notified on Friday 14 October 2022 and submissions closed 9 December 2022 with the hearings held in 2023.

The Plan Changes cover:

- 38 Strategic Directions – replaces the 'Significant Resource Management Issues' chapter with six key strategic or significant resource management matters for the Taupo District: (Tangata Whenua, Fresh Water Quality, Urban Form and Development, Climate Change, Strategic Infrastructure and Natural Values and Landscapes)
- 39 Residential Building Coverage – increases maximum building coverage limit in most residential environments from 30% to 35%
- 40 Taupo Town Centre – Changes to building height provisions, temporary activity rule and verandah requirements over service lanes
- 41 Deletion of Fault Lines
- 42 General Rural and Rural Lifestyle Environments – full review of Rural Environment and removal of the Mapara Valley Structure Plan Area and Environments
- 43 Taupo Industrial Environment – zoning of additional land for Taupo Industrial Environment

The plan changes do not have any rules with immediate legal effect in relation to the application and decisions are pending from the plan change hearings. As such, there are no proposed rules which affect the activity status.

4 NATIONAL ENVIRONMENTAL STANDARDS

There are six National Environmental Standards (NES) that have been prepared under sections 43 and 44 of the Resource Management Act 1991 and are in force as regulations. These cover air quality, human drinking water, telecommunications facilities, electricity transmission, plantation forestry and management of contaminants in soil.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health
This NES addresses the assessment and management of the actual and potential adverse effects of contaminants in soil on human health from particular activities. The proposal only involves minor site works for the building extensions and formation of the new parking and manoeuvring areas. Subdivision and Soil disturbance is considered as an activity under the NES, when it takes place on a piece of land described under Regulation 5(7) which reads:

- (7) *The piece of land is a piece of land that is described by 1 of the following:*
- (a) *an activity or industry described in the HAIL¹ is being undertaken on it:*
 - (b) *an activity or industry described in the HAIL has been undertaken on it:*
 - (c) *it is more likely than not that an activity or industry described in the HAIL is being or has been undertaken on it.*

A Golf Course is an identified HAIL activity and the Applicant has prepared Preliminary Site Investigation for the broader site – EAM NZ Ltd Report 2202-01 dated November 2021. The specific site for the development area has been assessed as not having any historic HAIL activity and site testing has not identified any elevated presence of contaminants. As such, it is considered that the site is not a piece of land to which the NES applies and no further testing or consents are required .

No other NES's are applicable to the proposed development.

5 NPS – HIGHLY PRODUCTIVE LAND

The National Policy Statement – Highly Productive Land (NPS-HPL) came into effect 20 September 2022 and seeks to protect New Zealand's most favourable soils for food and fibre production. The intent is to stop development and urbanisation of highly productive land and ensure that food and fibre production is protected for future generations.

Regional Council's must map out highly productive land indicated by land categories LUC 1, 2 or 3 and Territorial Authorities must give effect to the NPS by restricting urban rezoning and development of classified land.

The NPS is not applicable to this application as the area of development is not on land recognised as being highly productive based on the Landcare Research baseline maps as shown below in **Figure 6** with a LUC Classification of 6e10. These maps are to be used until the Regional Council have undertaken their own identification and mapping process.

¹ The current edition of the Hazardous Activities and Industries List

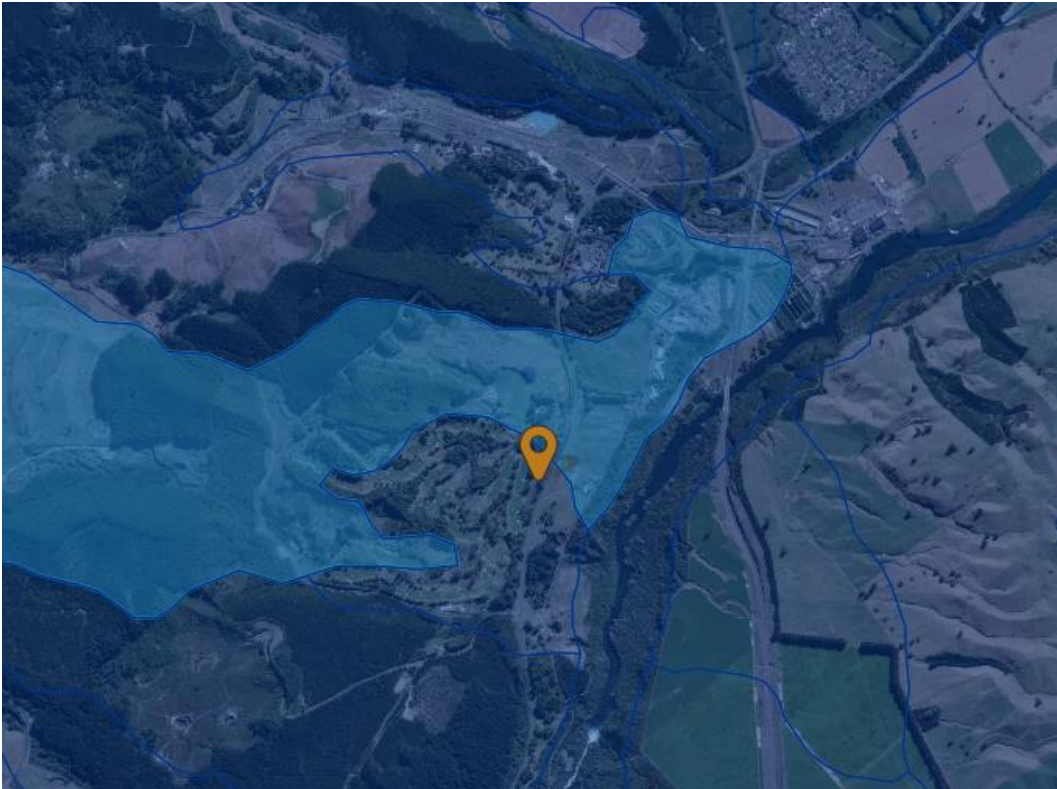


Figure 6 - LUC map.

4 NOTIFICATION ASSESSMENT

| 95A PUBLIC NOTIFICATION OF CONSENT APPLICATIONS | | |
|---|---|--|
| Step 1 | 95A(3) Mandatory public notification in certain circumstances | |
| | (a) <i>The applicant has requested the application be publicly notified?</i> | Yes - The applicant has requested notification. |
| | (b) <i>Public Notification has been determined to be required under section 95C?</i> | No - Section 95C is not relevant as the further information requested / commissioned report has been responded to in full |
| | (c) <i>The application is an application to exchange recreation reserve land under s.15AA of the Reserves Act 1977?</i> | No - No exchange of reserve land is involved. |

As the Applicant has requested public notification, then a full public notification must be undertaken and there is little merit in completing the remaining notification or limited notification assessment steps. However, the notification resolution records the other parties and properties which are recommended to be served notice of the application in addition to the public notice.

NOTIFICATION DECISION

The Applicant has requested public notification in accordance with S.95A(3) and the application shall therefore be publicly notified. The parties identified in Schedule 1 are to be served notice of the application as part of the public notification process.

Report prepared by ,



Todd Whittaker
Consultant planner

Report reviewed, approved and recommendation adopted by Heather Williams, Resource Consents Manager, under delegated authority pursuant to Section 34 of the Resource Management Act 1991.



Heather Williams
Resource Consents Manager

Schedule 1: Parties to be served Notice:

Statutory Bodies:

- Ministry for the Environment
- DoC
- Waikato Regional Council
- NZ Archaeological Association
- Heritage NZ
- NZTA Waka Kotahi

Adjacent Landowners/Occupiers

- Contact Energy Limited given the location of the site within an identified Geothermal Area and that they are a surrounding landowner. *Note: A written approval of the application from Contact Energy has been received. Service is proposed to Contact Energy Limited in case they wish to be part of any submissions and/or hearings process.*
- Adjacent landowners in close proximity to the site and/or outlook over the site (as identified in the figure over page).

Mana Whenua:

- Te Kotahitanga o Ngati Tuwharetoa
- Hikuwai hapū collective

