

**BEFORE THE INDEPENDENT HEARINGS PANEL APPOINTED BY THE
WESTERN BAY OF PLENTY DISTRICT COUNCIL**

IN THE MATTER of the Resource Management Act
1991 (**RMA**)

AND

IN THE MATTER of Proposed Plan Change 92 to the
Western Bay of Plenty District Plan
First Review - Ōmokoroa and Te
Puke Enabling Housing Supply and
Other Supporting Matters (PC 92)

**STATEMENT OF EVIDENCE IN REPLY OF JEFFREY PETER HEXTALL ON
BEHALF OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
(PLANNING)**

PLANNING MAPS / ŌMOKOROA ZONING

**SECTION 14A - ŌMOKOROA AND TE PUKE MEDIUM DENSITY
RESIDENTIAL – PART 1 – SECTION LABELLING, EXPLANATORY
STATEMENT, ISSUES, OBJECTIVES & POLICIES**

**SECTION 14A - ŌMOKOROA AND TE PUKE MEDIUM DENSITY
RESIDENTIAL – PART 2 – DEFINITIONS, ACTIVITY LISTS & ACTIVITY
PERFORMANCE STANDARDS**

**SECTION 14A - ŌMOKOROA AND TE PUKE MEDIUM DENSITY
RESIDENTIAL – PART 3 – MATTERS OF CONTROL AND MATTERS OF
DISCRETION**

SECTION 19 - COMMERCIAL

SECTION 24 – NATURAL OPEN SPACE ZONE

6 SEPTEMBER 2023

CooneyLeesMorgan

ANZ Centre
Level 3, 247 Cameron Road
PO Box 143
TAURANGA 3140
Tel: (07) 578 2099
Partner: Mary Hill
Lawyers: Kate Stubbing / Jemma
Hollis
kstubbing@clmlaw.co.nz
jhollis@clmlaw.co.nz

INTRODUCTION

1. My name is Jeffrey Peter Hextall.
2. My qualifications and experience are detailed at page 6 of the Introduction section of the Section 42A Report for PC 92 dated 11 August 2023 (the **section 42A report**).
3. As also recorded in the section 42A report, I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023 and I agree to comply with it. I confirm that the issues addressed in this statement of evidence are within my area of expertise, except where I state I am relying on the specified evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from my expressed opinion.

SCOPE OF REPLY EVIDENCE

4. I prepared the following sections of the section 42A report:
 - (a) Planning Maps / Ōmokoroa Zoning
 - (b) Section 14A Ōmokoroa and Te Puke Medium Density Residential – Part 1 – Section Labelling, Explanatory Statement, Issues, Objectives & Policies
 - (c) Section 14A Ōmokoroa and Te Puke Medium Density Residential – Part 3 – Matters of Control and Matters of Discretion
 - (d) Section 16 – Rural-Residential
 - (e) Section 21 – Industrial (co-author)
 - (f) Section 24 Natural Open Space Zone
5. I have also had input into parts of the following sections of the 42A report:
 - (a) Planning Maps / Te Puke Zoning
 - (b) Section 14A Ōmokoroa and Te Puke Medium Density Residential – Part 2 – Definitions, Activity Lists & Activity Performance Standards.
6. I have reviewed the following statements of evidence provided in support of submissions and in response to the section 42A report:

- (a) Aaron Collier for N&M Bruning
 - (b) Aaron Collier for the Tauranga Urban Taskforce (& Others)
 - (c) Scott Adams for the Tauranga Urban Taskforce
 - (d) Keith Hamill for the Bay of Plenty Regional Council
 - (e) Nathan Te Pairi for the Bay of Plenty Regional Council
 - (f) Lezel Beneke for Kainga Ora – Homes and Communities
 - (g) Susannah Tait for Kainga Ora – Homes and Communities
 - (h) Philip Osborne for Kainga Ora – Homes and Communities
 - (i) Catherine Heppelthwaite for KiwiRail Holdings Limited
 - (j) Michael Brown for KiwiRail Holdings Limited
 - (k) John Collyns for the Retirement Villages Association of New Zealand Incorporated
 - (l) Nicola Williams for the Retirement Villages Association of New Zealand Incorporated
 - (m) Matthew Brown for Ryman Healthcare Limited.
7. My evidence in reply addresses matters raised in the written evidence circulated on behalf of the submitters as it relates to the topics that I addressed in the section 42A report. For some topics there was no written evidence received from submitters, so I have not addressed that topic further in this statement of reply evidence.
8. I cover the following topics in this statement:
- (a) Planning Maps / Ōmokoroa Zoning (see pages 4 to 11)
 - Topic 2 Proposed Medium Density Residential Zone – Request for areas identified as 3C to be changed to high density residential zone.
 - Topic 4 Proposed Rural-Residential Zone – Requests for alternative zoning.
 - Topic 5 Proposed Industrial Zone – Including requests to change industrial boundaries and for alternative zonings.

- Topic 6 Proposed Natural Open Space Zone – including requests for boundary changes and alternative zonings.
- (b) Section 14A Ōmokoroa and Te Puke Medium Density Residential – Part 1 – Section Labelling, Explanatory Statement, Issues, Objectives & Policies (see pages 12 to 21)
- Topic 2 Explanatory Statement.
 - Topic 4 Significant Issues.
 - Topic 5 14A.4.2.1 Objectives.
 - Topic 6 14A.4.2.2 Policies
- (c) Section 14A Ōmokoroa and Te Puke Medium Density Residential – Part 2 – Definitions, Activity Lists & Activity Performance Standards (see pages 22 to 24)
- Topic 10 Rule 14A.4.1(b) – Density Standards – Building and Structure Height.
- (d) Section 14A Ōmokoroa and Te Puke Medium Density Residential – Part 3 – Matters of Control and Matters of Discretion (see pages 22 to 27)
- Topic 2 Matters of Discretion 14A.7.1
 - Topic 3 Non-compliance with building and structure height
 - Topic 4 Non-compliance with height in relation to boundary
 - Topic 5 Non-compliance with setbacks
 - Topic 6 Non-compliance with coverage
 - Topic 10 Non-compliance with landscaped area
 - Topic 11 Non-compliance with residential yield
 - Topic 12 Non-compliance with residential typology

- Topic 13 Non-compliance with minimum storey requirement in the Ōmokoroa Mixed Use Residential Precinct
 - Topic 17 Non-compliance with earthworks
- (e) Section 19 Commercial (see pages 27 to 29)
- Topic 4 – Rule 19.4.1(a)(iii) – Activity Performance Standards – Building height in the Commercial Zone – Increase in height for Te Puke & Ōmokoroa Commercial Zones Te Puke Commercial Zone Maximum Height.
- (f) Section 24 Natural Open Space Zone (see pages 29 to 30)
- Topic 1 Explanatory Statement, Significant Issues, Objectives & Policies
 - Topic 2 Plan Provisions – Activity lists, matters of discretion and other methods.
- (g) Corrections / Addendums (see pages 32 to 33).
9. The changes recommended in my evidence are also included in the collated changes document, dated 6 September 2023 and circulated with the Council reply evidence

PLANNING MAPS / ŌMOKOROA ZONING

Topic 2 – Request for areas identified as 3C to be changed to high density residential zone

10. Kainga Ora – Homes and Communities has prepared two briefs of evidence from Lezel Beneke (Planner) and Susannah Tait (Planner) in support of their primary submission, which sought the replacement of the Ōmokoroa Stage 3C Area Specific Overlay with a new High Density Residential Zone.
11. Evidence on behalf of Kainga Ora was also provided by Philip Osbourne (Economic Consultant). The latter evidence does not specifically address the matters relating to the request to introduce a new zone.
12. The evidence by Lezel Beneke and Susannah Tait largely replicates points made in the original submission. The original submission supported the spatial extent of the Ōmokoroa Stage 3C Area and accordingly the

key matter of contention is whether an entire new zone is required for this area as opposed to the overlay methodology as proposed.

13. The Section 42A report on this matter¹ summarises the base reasoning supporting the 3C Area Specific Overlay.
14. To support higher densities and conversely avoid lower densities than anticipated, minimum residential unit yields for developments incorporating four or more residential units have been set. It appears that the submissions and supporting evidence on behalf of Kāinga Ora view these as maximum requirements rather than minimum requirements.

As notified, these are as follows:

Area	Yield Requirements
Ōmokoroa Stage 3A	Minimum yield of 15 residential units per hectare of developable area
Ōmokoroa Stage 3B Ōmokoroa (Outside of Stage 3) Te Puke	Minimum yield of 20 residential units per hectare of developable area
Ōmokoroa Stage 3C Ōmokoroa Mixed Use Residential Precinct	Minimum yield of 30 residential units per hectare of developable area

15. To identify these areas, area specific overlays have been introduced which are listed at the start of Section 14A. The overlay methodology is also used to identify the applicability of specific performance standards. This is especially important in the case of Stage 3C where more enabling provisions are included.
16. In my opinion the inclusion of an additional whole new High Density Residential Zone as requested by Kāinga Ora, with a set of plan provisions (incorporating Purpose; Objectives; Policies; Rules-Activity Status; Development Standards; and related plan map zone changes) would create unnecessary duplication. Based on the Kāinga Ora submission document this equates to adding 19 pages to the District Plan and requiring significant consequential changes throughout the District

¹ Topic 2 Proposed Medium Density Residential Zone – Request for areas identified as 3C to be changed to high density residential zone, pages 8 – 11.

Plan. This would result in greater complexity than the current proposal, which effectively provides for the matters of substance raised in the submissions by providing for higher density residential areas.

17. There are some differences with performance standards such as a proposed maximum height of 20 while the equivalent original Kāinga Ora request is 22m (with a 1m 'bonus' scenario), but generally the effect is similar in enabling more intensive and higher density residential development. It should be noted that in regard to the matter of height there are now further recommendations that are aligned with the maximum heights sought by Kāinga Ora. There is nothing in the proposed rule that prevents the yields advocated by Kāinga Ora.
18. It is noted the evidence of Ms Beneke appears to justify the creation of a new zone on the basis that the parts of s14A that provide for higher density residential development are not sufficiently clear. In her evidence [9.2], she alludes that the proposed provisions are hidden under a layer of zones, overlays, rules and map layers that are difficult to navigate and interpret.
19. In my opinion, the recommended approach is more straightforward than what is proposed by Kāinga Ora and I would find it highly unlikely that anyone seeking to do a higher density development would be unable to navigate the plan provisions.
20. However, in response to the evidence of Kāinga Ora I consider that greater clarity as to the nature of the overlay could be achieved by relabelling the overlays noting that the Ōmokoroa Stage 3C identifier does not provide any indicator that this supports higher density. Subject to appropriate labels I would support amending the overlay identifiers to this effect.

Topic 4 Proposed Rural-Residential Zone – Requests for alternative zoning.
Topic 5 Proposed Industrial Zone – Including requests to change industrial boundaries and for alternative zonings.
Topic 6 – Proposed Natural Open Space Zone – including requests for boundary changes and alternative zonings.

21. For the purposes of this evidence Topics 4, 5 and 6 (in part) above have been combined, as the submitter evidence by Aaron Collier on behalf of N & M Bruning effectively challenges the validity of all three zones in the

context of this Plan Change, although it is understood that the intent is only in relation to how these affect the Bruning property.

22. The evidence of Mr Collier is largely concerned with the statutory legal interpretation of the Amendment Act rather than the merits of the specific application of the respective zones over areas of the Bruning property. The legal interpretation matters will be addressed in the legal submissions on behalf of the Council. My rebuttal evidence addresses the planning context of the zones and their relationship with the overall plan change.
23. My evidence in Topic 4 Proposed Rural-Residential Zone – Requests for alternative zoning [pages 14 – 20]; Topic 5 Proposed Industrial Zone – Including requests to change industrial boundaries and for alternative zonings [pages 20 – 29]; and Topic 6 – Proposed Natural Open Space Zone – including requests for boundary changes and alternative zonings [pages 29 - 41] provide an assessment of the merits of the proposed zoning with recommended changes. I do not replicate this evidence but provide additional comment in response to the matters raised by Mr Collier.
24. The evidence of Mr Collier takes a narrow interpretation of the scope of the IPI based on the proposed Rural-Residential, Industrial and Natural Open Space zones not being either urban zones and/or are not supportive or consequential to the MDRS or policies 3,4, and 5 of the NPS-UD, as applicable.
25. In my opinion, in the specific context of Ōmokoroa where the plan change provides significant new “residential” zoned areas (as new medium density residential zoned areas), there is a rational relationship to providing supporting zones that combined with the new medium-density residential zone and contribute to a well-functioning urban environment. In the subject case, zonings of commercial, industrial, rural-residential and natural open space have been applied. Residential zones do not ‘live’ in isolation to other zonings. Just because a zone may not provide for housing this does not equate to not supporting the residential area. In the contrary it is these other zones which combined with the residential zones that provide the basis of a well-functioning urban environment.
26. As a peninsula Ōmokoroa is a well-defined land area. A key part of Plan Change 92 is the extension of the urban environment to the extent of State

Highway 2 to enable the provision of additional housing and supporting activities within the area zoned Future Urban under the operative plan. With most urban expansions of this scale there is a need to provide for a mixture of zones. The Council has carried out an extensive structure planning exercise in consultation with the Ōmokoroa community which has resulted in the planning and zoning framework proposed under Plan Change 92.

27. The overall zoning framework and related provisions provide for the provision of housing with supporting zones. Due to the specific physical form of Ōmokoroa, there are areas that are suitable for housing and areas that are not. To only apply the plan change to the “residential” and “commercial” zoned areas begs the question of what becomes of the other areas.
28. Mr Collier has concluded that, for the Bruning land, the Future Urban Zone should be retained. The argument advanced for this would appear equally applicable to all industrial, rural-residential and natural open space zones although it is understood that this is not the intent.
29. Based on being applied across the whole of the plan change, Ōmokoroa would end up with new medium density residential zoned areas and a new commercial area only. The remaining areas would remain zoned Future Urban. The Future Urban zone in the district plan is described as providing for the longer term development of the Ōmokoroa Peninsula for urban purposes. As the development is occurring now, having a Future Urban zone which has effectively been a holding zone for many years is providing an incorrect message.
30. Noting that substantive assessment has already occurred as demonstrated by the plan change and related structure plan the proposed urban form is clearly identified. If it is accepted that the proposed natural open space and rural-residential zones are not urban zones in the context of Ōmokoroa then a more appropriate identifier would be “Future Non-Urban” zone.
31. I have had a subsequent telephone conversation with Mr Collier and based on that conversation I understand there is no opposition with the proposed Natural Open Space zone as a whole, but only in regard to the applicability to the Bruning property. My understanding based on this

conversation is this is based on the Natural Open Space zone in this area only servicing the Industrial zone rather than a zone considered to be provided for under the IPI and accordingly is not applicable.

32. Mr Collier [4.1, 5.6, 5.11, 5.12, 6.4, 6.5 of his evidence] considers that the Rural-Residential zone is not an urban zone and cannot form part of the plan change. He states that the Rural-Residential zone is not a relevant residential zone and further notes that large lot residential zones are explicitly excluded from being a relevant residential zone.
33. In regard to the latter, I agree and accordingly the MDRS have not been applied to these areas. Provisions have been applied that support limited development of these areas reflecting locational and topographical issues. In regard to the former, I disagree that the Rural-Residential zone cannot form part of the plan change for the reasons in the section 42A report and in the preceding discussion. I agree that the inclusion of a Rural-Residential zone in general would not be appropriate or permissible if this was outside the urban context, however in the case of Ōmokoroa as a peninsula it is part and parcel.
34. It is noted that Mr Collier's evidence differs from the submission it supports in that the evidence states that any changes to the Industrial zone area is outside the scope of the plan change. However, the submission supported the industrial zoning as shown on the planning map, which included additional areas of Industrial zoned land over the subject property. The extent of the area zoned Industrial in the Operative District Plan is 4.053 ha; as proposed by Plan Change 92 it is 5.580 ha and as recommended in the s42A report it is 7.274 ha.
35. It is further noted that the original submission also states in regard to the proposed Natural Open Space zone that "the adjacent industrial zone (or the residential zone sought to replace the rural-residential zone as set out in our submission above) is a more appropriate underlying zone for the land."
36. Overall, my understanding from further discussing the matter with Mr Collier is that the relief sought is only in regard to the subject property and can be summarised as retain the current Operative District Plan zoning as applies on the subject property.

37. In summary, from a planning perspective the recommended amended zoning framework and related provisions are considered the most appropriate planning response. If however the Panel is concerned with scope issues as affects the Bruning property, it is in my opinion open to the Panel to consider this site as having unique or exceptional circumstances.
38. As discussed in both my principal evidence, (section 42A report), the original Bruning submission and Mr Collier's evidence the subject site differs from most other sites in that it is the subject of significant designations over large areas. It is also widely known that Waka Kotahi is very soon planning to lodge an alteration to their existing designation for State Highway purposes which will include the subject site. Accordingly, for simplicity the option to retain the operative zoning could be followed with consequential rezoning as may be appropriate once the designation process is complete and there is more certainty around residual property boundaries and the like. It is noted that this would be subject to a Schedule 1 planning process to rezone the small parcel of future urban land in the future.

Topic 6 – Proposed Natural Open Space Zone – including requests for boundary changes and alternative zonings.

39. In addition to the wider matter of applicability of the Natural Open Space zone as in the preceding discussion, evidence has been received from Keith Hamill (Environmental Scientist) and Nathan Te Pairi (Planner) on behalf of the Bay of Plenty Regional Council supporting further amendments to the zoned areas.
40. Mr Hamill has provided ecological evidence which has requested additional areas to be added to the Natural Open Space Zone at 51 Francis Road and Lot 3 DP 28670 (N & M Bruning property) and 467E Ōmokoroa Road (M & S Smith). The intent of the Natural Open Space zone is multi-functional and is not solely in regard to ecological values. Other factors may include if an area has: severe development constraints for urban development; has stormwater and/or coastal inundation management functions; provides a greenbelt function; and provide for cultural, recreational and amenity values. The areas sought for inclusion have not been identified as containing significant ecological features in

the District Plan with the exception of U14/135 Mangawhai Bay Inlet where the proposed Natural Open Space zone matches this feature.

41. In creating zone boundaries there are a number of different factors that need to be considered. Generally, zones should provide practical boundaries and be of a shape that is useable, and split zoning on properties either avoided or limited if this is not feasible.
42. In regard to 51 Francis Road, the subject site was inspected by Council staff and consultants and a GPS unit was utilised to ensure better accuracy than was available from aerial imagery. There are variations in the topography with banks and land spurs that have been taken into consideration. The extent of the Natural Open Space zone in this area is considered appropriate to provide for the water course feature and potential walkways in this area.
43. In regard to Lot 3 DP 28670 and 467E Ōmokoroa Road, Mr Hamill has recommended areas be added to the Natural Open Space Zone further to those that have been recommended in the review by Council staff. It is noted that these include areas that were not part of the original Regional Council submission, and it appears that one area is actually outside the plan change area. Accordingly, the affected parties have not had the opportunity to submit on these matters.
44. As discussed earlier in my evidence the zone boundaries are not solely determined by ecological matters. Although it is not doubted that there are ecological merits in what Mr Hamill is suggesting, the result is a very irregular and fragmented zone. As I discussed in the section 42A report the inclusion of the area that is within the existing Industrial zone area is not considered practical and undermines previous planning decisions. The area is subject to an existing designation for stormwater purposes which is connected to the development of the industrial zoned area. The proposed extension of the Natural Open Space zone dissects the Industrial zoning.
45. The other additional areas proposed by Mr Hamill similarly add new areas that largely create an unusual zoning pattern. It is noted that there are regional council controls and/or matters that are affected/controlled by the National Policy Statement for Freshwater Management and related National Environmental Standards for Freshwater that will apply to any

sites that meet the criteria for assessment. There is no need for a duplication within the District Plan.

46. As far as practicable ecological features have been identified and included in the areas that have been proposed to be zoned Natural Open Space zone in consideration of the overall zoning pattern and interaction. I do not support additional changes.

**SECTION 14A ŌMOKOROĀ AND TE PUKE MEDIUM DENSITY RESIDENTIAL
PART 1 – SECTION LABELLING, EXPLANATORY STATEMENT, ISSUES,
OBJECTIVES & POLICIES**

Topic 2 Explanatory Statement

47. Evidence on behalf of the Tauranga Urban Taskforce by Mr Collier [12.1] supports the changes made to the explanatory statement.
48. Susannah Tait (Planner) on behalf of Kāinga Ora has suggested a number of changes to the Explanatory Statement “to better articulate the purpose of the zone” and to differentiate from the Kāinga Ora proposed High Density Residential Zone. The original submission sought that the explanatory text be re-written to be consistent with the relief sought in their submission, with only one specific matter of relief stated in regard to the referencing of the operative Medium Density Residential zone explanatory statement, issues, objectives and policies. The latter has been agreed with and recommended to be removed.
49. The former is open for interpretation but appears related to the creation of a new High Density Residential zone.
50. As previously discussed, the creation of a whole new High Density Residential Zone is not supported. Accordingly, the suggested removal of the paragraph that helps articulate that the proposed zone includes areas of higher density is similarly not supported. This helps provide the clarity that Kāinga Ora’s planner Ms Beneke is saying is lacking, as noted earlier in my evidence.
51. No reasoning has been provided in the submitter’s evidence for the other suggested minor additional word changes other than “to better articulate the purpose of the zone” which again seems to be linked with the differentiation between the suggested two zones.

52. No evidence has been presented to explain how the proposed changes would better articulate the purpose of the zone. I do not support further changes to those already recommended in the section 42A report.

Topic 4 Significant Issues.

53. As noted above, in response to a number of submissions it has been recommended that a separate “significant issues” section be included in s14A to differentiate this from the operative Medium Density Residential section. This is detailed in the s42A report, Topic 4 - Significant Issues [pages 12 – 14].
54. The evidence of Mr Te Pairi on behalf of the Bay of Plenty Regional Council has suggested additional wording to Significant Issue 6 to clarify implications of the issue and to provide consistency with other parts of the District Plan (Section 12).
55. The amended wording (in blue) is as follows:
- Urban development creates large areas of impermeable surfaces increasing stormwater run-off that can lead to flooding and the carrying of pollutants. These changes have implications for water quality and quantity effects and increases in flood risk on the receiving environment.*
- The modification of the landform can also adversely affect natural processes and the cultural values of the land.*
56. The proposed amendments are considered to better reflect the issue and I recommend that these are accepted.
57. Kāinga Ora’s planner Ms Tait in her evidence [9.5] has provided deletions and rewriting of various issue statements which similarly to the above appear to mainly relate to differentiating between the Kāinga Ora High Density zone and the proposed 14A Ōmokoroa and Te Puke Medium Density Residential zone. As discussed previously this is not supported, and any related requested changes are similarly not supported.
58. Other specific issues raised are in regard to the reference to natural landforms and the cultural values of the land, and a perceived notification issue.
59. As explained in the s42A report, the significant issues are drawn from the s32 report and a review of significant issues within Section 14 Medium

Density Residential zone of the Operative Plan. The issues identified key matters of concern as discussed with the community and included issues with the implementation of higher density housing. These are the issues that informed the consideration of the forming of zones and related provisions associated with the plan change.

60. In regard to natural landforms and the cultural values of the land, these were identified as a significant issue. As notified there were specific controls over the extent of earthworks and related cut and fill performance standards. Although it has been recommended to remove those specific performance standards there remains assessment criteria related to earthworks and related matters to ensure these matters are appropriately addressed through the resource consent process. There are also existing other provisions in the Operative Plan that relate to the cultural impacts of earthworks. Although clearly not a significant issue for Kāinga Ora it is for others.
61. A new significant issue was recommended in the s 42A report as follows:

“Higher density residential development can be opposed by parties who prefer the status quo leading to either higher costs establishing higher density developments and/or a lack of developable land within the existing urban form”

Ms Tait considers this issue is not required, as notification matters are prescribed by legislation. Whether or not there are notification requirements prescribed by the Act does not remove this from being an issue. This was a key issue for Central Government, and also recognised as the local level.

62. I do not consider further changes are required to the wording in response to the Kāinga Ora evidence.

Topic 5 Objectives

63. Evidence has been received in regard to the recommended s 14A objectives from the following submitters:
- Kāinga Ora
 - Tauranga Urban Taskforce

- Bay of Plenty Regional Council,
 - Retirement Villages Association of New Zealand Incorporated and Ryman Healthcare Limited (combined).
64. As per the original submission, Kāinga Ora continue to oppose Objective 3. The reasoning for the retention of Objective 3 is detailed in the s42A report [pages 15 -16]. The only new matter articulated in the evidence of Ms Tait [9.8] is an apparent need to clearly signal that greater than three storeys is anticipated in the zone. The purpose of this objective is to clearly acknowledge that a variety of different response in housing typologies is anticipated, not to specify any height matters.
65. I confirm my opinion that Objective 3 as recommended should remain for the reasons set out in the section 42A report.
66. Evidence has been received on behalf of Kāinga Ora and the Tauranga Urban Taskforce in regard to Objective 4. It is noted that Kāinga Ora's submission did not relate to this objective.
67. Mr Collier on behalf of the Tauranga Urban Taskforce has reiterated the original submission point seeking the deletion of "private and public" from the objective, on the basis the objective should promote amenity outcomes regardless of whether these are private or public. As explained in the s42A report [pages 16 – 18] the use of both terms is deliberate. The objective does not diminish the promotion of a positive amenity outcome by identifying the two components specified. As an objective it is of a broad nature, and directs the consideration of delivering positive amenity outcomes which is considered appropriate. I do not recommend any further changes.
68. Ms Tait on behalf of Kāinga Ora has suggested some wording changes which appear to advocate an objective where effects of development on the public realm are managed while good quality onsite residential amenity is provided. I do not support this because "managing" does not imply any positive relationship beyond the property boundary. This does not in my opinion support a well-functioning urban environment.
69. Evidence has been received on behalf of Kāinga Ora from Ms Tait [9.12] in regard to Objective 5. The original submission incorrectly identified

Objective 5 when it was confirmed that the intent was Objective 6. For completeness I have made additional comments. The suggested changes are linked with the Kāinga Ora High Density zone and for the previous reasons these changes are not supported. The replacement of “increased density of development to provide...” by “Achieve a...” takes away from the clear direction of greater density, which seemed to be a concern was lacking in Objective 3. I do not consider any further changes are required.

70. Evidence has been received on behalf of Kāinga Ora and the Tauranga Urban Taskforce in regard to Objective 6. Both Ms Tait on behalf of Kāinga Ora [9.13] and Mr Collier on behalf of the Tauranga Urban Taskforce [14] both seek the removal of this objective. It is noted that the original submission from Kāinga Ora did not seek deletion as a whole but in part to remove the words “and amenity” and a relocation to the district wide section of the District Plan. The submission point was accepted in part by accepting the wording change but keeping the objective within s14A. The reasoning is provided in pages 18 – 19 of the Topic 5 report.
71. As explained in my earlier discussion on significant issues, although it has been recommended to remove those specific performance standards there remains assessment criteria related to earthworks and related matters.
72. I agree with Mr Collier’s general view that earthworks and related works are required to deliver medium density housing and that the provisions as notified could be considered not to be enabling. These have now been removed and more general matters of consideration included under matters of control/discretion for residential developments with 4 or more residential units.
73. As discussed in the s42A report the objective and related policy and matters of discretion are not a prohibition on earthworks, but encourage developers to utilise the natural landform as much as feasible while recognising that to enable medium density residential development is likely to require earthworks of some scale.
74. If there are any changes to the related matters, then it may be necessary to reconsider the linked objective and policy set.

75. Evidence has been received on behalf of the Bay of Plenty Regional Council and Kāinga Ora in regard to Objective 7.
76. Mr Te Pairi on behalf of the Regional Council has requested additional wording to provide what he considers “a complimentary land use response to the subdivision Objective and overall, would better support an integrated approach to the management of stormwater and flood risk”.
77. His proposed amended wording is as follows:
- Maintenance and enhancement of the stormwater management functions of both the natural and built stormwater network and, management of flooding risk and effects on the receiving environment.*
78. As with a number of other submissions on objectives Ms Tait has provided evidence on this matter where there was no original submission. She seeks that the objective be deleted as being not necessary “as stormwater is sufficiently covered in Section 12 and there are no rules in Section 14A that cascade from this objective.”
79. No parties submitted in opposition to the objective however it is noted that the Retirement Villages Association sought the deletion of “and enhancement”.
80. Similar to the earthworks issue, although there is no specific performance standard directly linking to the objective there remains matters of consideration regarding stormwater under the matters of discretion for residential developments with 4 or more residential units.
81. In my opinion, the proposed amendments to the wording by Mr Te Pairi link well with the matters of discretion and I recommend they are adopted.
82. Kāinga Ora have provided evidence by Ms Tait on Objective 8. Kāinga Ora did submit on this matter. The evidence suggests retaining the objective but applying it to the Kāinga Ora proposed High Density Residential zone. As discussed previously, the creation of a separate zone is not supported and accordingly I remain of the view the objective should stay within s14A.
83. The evidence provided by Nicola Williams for the Retirement Villages Association of New Zealand Incorporated and Ryman Healthcare proposes a new objective to more explicitly recognises the ageing

population and which relates to and is supporting of objectives 1 and 2 of the MDRS. Linked to this are amended policies.

84. The s42A report addresses the policies proposed by for the Retirement Villages Association [pages 38 - 40]. The same reasoning applies to the provision of a stand-alone objective. I acknowledge that an ageing population is a significant demographic in the District, and this is well supported by the evidence provided on behalf of the Retirement Villages Association and Ryman Healthcare.
85. The issues in contention appear more a philosophical style issue, where the Council reporting team considers that provision for the ageing population, including by way of retirement villages (but not only), does not necessitate specific age-based objectives and policies. The proposed plan change seeks to provide for a large variety of different responses to providing housing, noting that all residential developments containing 4+ units come within the restricted discretionary framework and that this includes retirement villages.
86. The inclusion of a new specific objective for retirement villages is not supported and is considered inconsistent with the District Plan methodology. If the Panel supported stand-alone provisions for retirement villages as part of the plan change, I would support the addition of appropriately linked objectives and policies.

Topic 6 Policies

87. Evidence has been received in regard to the recommended policies in regard to s14A from the following submitters:
 - Kāinga Ora
 - Tauranga Urban Taskforce
 - Bay of Plenty Regional Council,
 - Retirement Villages Association of New Zealand Incorporated and Ryman Healthcare Limited (combined).
88. In regard to Policy 6, evidence has been received from Kāinga Ora (Ms Tait). In the original submission from Kāinga Ora they sought deletion of

the reference to “pocket neighbourhood”. In the section 42A report I recommend that this be removed and replaced with “other community based housing”. Ms Tait appears to dislike that terminology although it is unclear why. Similarly, she has highlighted the inclusion of the wording “such as” and noted this means that the list is not exhaustive. The whole point of the policy (and linked objective and explanatory statement) is to acknowledge that there may be a wide variety of response to providing housing. The matters are deliberately not exhaustive and attempt to demonstrate a range of housing development typologies is being provided for. The comments regarding “gated communities” are her words only (and is not an equivalent to a pocket neighbourhood concept). Of the typologies stated retirement villages are often the closest fit to this descriptor and it is unclear from her evidence whether she is objecting to any residential based development with gates being provided for. I do not recommend any further changes to this policy.

89. The evidence on behalf of Kāinga Ora seeks the deletion of Policy 7, while the evidence on behalf of the Urban Taskforce supports the policy with some amendments as does the evidence on behalf of the Regional Council.
90. The latter through the evidence of Mr Te Pairi seeks the inclusion of specific mention of water sensitive design, while the evidence of Mr Collier on behalf of the Urban Taskforce suggests the reduction of wording. These both replicate the respective submissions on this matter.
91. In my opinion, and for the reasons explained in the s42A report [pages 24 – 27] no changes are recommended to Policy 7.
92. The evidence on behalf of Kāinga Ora seeks the deletion of Policy 8 on the basis that it is considered not necessary. No evidence in support of this deletion is provided. The matter has been addressed in the s42A report [pages 27 – 28]. No additional comments are required. I do not consider any changes to Policy 8 are required.
93. The evidence on behalf of Kāinga Ora by Ms Tait states that “Kāinga Ora sought for the outright deletion of Policy 14A.2.2.9” however this is incorrect. There was no submission from Kāinga Ora on Policy 9. The policy as recommended in the s42A report addresses matters raised in

the relevant submissions and is considered an appropriate policy. No further changes to this policy are recommended.

94. The evidence on behalf of Kāinga Ora by Ms Tait supports the recommended changes to Policy 10. Ms Williams on behalf of the Retirement Association and Ryman Healthcare Limited has suggested amended wording but appears to be addressing the notified version rather than the recommended amended version. Confirmation will be required from Miss Williams as to whether the amended policy addresses her concerns.
95. Ms Tait has provided evidence on Policy 12 on behalf of Kāinga Ora however it is noted that Kāinga Ora did not make a submission on this policy. This policy has been amended in response to the submission by the Urban Taskforce. The proposed wording from Ms Tait reinstates some of the wording that was removed and re-placed by more specific wording to address the concerns raised. The policy is not in relation to parking standards, so is not considered inappropriate as stated by Ms Tait.
96. Mr Collier on behalf of the Urban Taskforce and Ms Tait for Kāinga Ora both seek the deletion of Policy 13. The initial submission from Kāinga Ora sought wording changes and a shift to the district wide section of the District Plan. The intent of the word changes was accepted however the policy was not removed from s14A.
97. As per previous discussion on the related objective, there still remains a link to plan provisions. The basis for maintaining the policy as modified is documented in the s42A report [pages 32 – 33].
98. In regard to Policy 14, although the policy is not specified in her evidence Ms Tait comments that she does not “consider that the management of stormwater and overland flow paths needs to be articulated through the MRZ policies”. Similarly, her evidence doesn’t state she seeks this policy to be deleted but it is noted that it is deleted in her amendments section. No additional evidence is provided.
99. This policy is addressed in the S42A report [pages 33-34] and the assessment remains valid. No changes to this policy are recommended.

100. Ms Tait's evidence states she has recommended deleting Policies 14A.2.2.16 and 14A.2.2.17 from Section 14A and seeks to relocate them in the Kāinga Ora proposed High Density Residential zone. For the reasons above the inclusion of the additional High Density zone is not supported and it follows that I support the policies remaining in s14A.
101. Mr Collier on behalf of the Urban Taskforce has noted that he is happy with the amended wording.
102. The evidence on behalf of Kāinga Ora by Ms Tait states she does not support the amended Policy 18, and she has sought it deleted. The s42A report [page 37] provides the explanation of the policy. The intended dominate use of the mixed use residential precinct is residential and it is appropriate that commercial activities within this location are compatible activities.
103. As noted earlier in my reply, Nicola Williams for the Retirement Villages Association of New Zealand Incorporated and Ryman Healthcare has proposed a number of new policies to support their proposed new objective that more explicitly recognises the ageing population.
104. As with the discussion on the proposed new objective, the inclusion of a new policy set for retirement villages is not supported and is considered inconsistent with the District Plan methodology.
105. The s42A report addresses the original policies proposed by for the Retirement Villages Association [pages 38 - 40]. It is noted that there has been some refinement of these as included in Ms Williams evidence.
106. As with the objective the issues in contention appear more a philosophical style issue where the Council reporting team considers that provision for the ageing population, including by way of retirement villages (but not only), does not necessitate specific age based objectives and policies.
107. The proposed new policy under the heading "Changing Communities" does provide a policy that picks up on some aspects that are not as overtly acknowledged in the current policy set and has a relationship with Objective 4 of the National Policy Statement on Urban Development.
108. The policy as proposed is as follows:

To provide for the diverse and changing residential needs of communities and recognise that the existing character and amenity of the residential zones will change over time to enable a variety of housing types with a mix of densities.

109. As with a number of other policies (and objectives) the wording captures the wide range of people who form our communities and is not specifically age based. As written, it is considered to be more of an objective than policy and it is considered that with minor word changing this can be incorporated into the plan change as it compliments proposed objective 3 and supports proposed policies 1, 4 and 6. Accordingly, it is recommended that the suggested policy be rewritten as a new objective (with consequential renumbering as follows):

Provide for the diverse and changing residential needs of communities by enabling a variety of housing types with a mix of densities, including recognising that the existing character and amenity of the residential zones will change over time.

110. As noted in my comments regarding the proposed objective, if stand-alone provisions for retirement villages were introduced to the plan change, I would support the addition of appropriately linked objectives and policies.

SECTION 14A - ŌMOKOROA AND TE PUKE MEDIUM DENSITY RESIDENTIAL – PART 2 – DEFINITIONS, ACTIVITY LISTS & ACTIVITY PERFORMANCE STANDARDS

Topic 10 – Rule 14A.4.1(b) – Density Standards – Building and Structure Height

111. Evidence from Ms Tait, Ms Beneke and Mr Osborne for Kāinga Ora has been provided that supports increasing the maximum height of buildings in regard to the Ōmokoroa Stage 3C Area Specific Overlay area of the Medium Density Residential zone. It is noted that their recommendations are for this to incorporate a High Density Residential zone however it is also considered appropriate to consider this matter on its own merits taking into consideration the Council reporting teams opinion that a specific High Density zone is not required.
112. Ms Tait's evidence includes an attachment as Appendix A which has a comparison between the Ōmokoroa Stage 3C provisions as notified in the

S42A report and the Kāinga Ora High Density zone proposal. The original Kāinga Ora submission also included a Kāinga Ora High Density zone proposal, however the version attached in evidence appears to be a different version in some respects.

113. Under the proposed plan change the proposed maximum height for residential units, retirement villages, and rest homes in Ōmokoroa Stage 3C is 20 metres. The Kāinga Ora proposal as originally submitted is to increase this to 22 metres with criteria allowing for an additional one metre. The version in the evidence does not appear to have the 'bonus' height provision.
114. The intent of the provision is to provide for a variety of housing typologies including apartment buildings up to and including six storeys. In assessing the evidence provided by Kāinga Ora it appears that this is the same metric that they are wishing to achieve. It is acknowledged that developers often identify that the costs of developing apartments that are four or five levels is uneconomic, noting the cost of structural, material, additional expert assessments e.g fire engineer reports, health and safety and requirements for lifts as contributing. The comments by Mr Osbourne concur with this.
115. Accordingly, the matter in question is what maximum height should apply. Although it is feasible to achieve six levels with a maximum height of 20 metres, to provide more internal space and/or more roof pitch an increase to 22 metres is supported. It is noted however that it is feasible to construct a seven level storey development at a height of 22 metres. This may compromise internal liveability and architecture interest elements which the additional height is providing for. On this basis, I recommend that if the extra height was provided this should not result in another story being added, and this should be reflected in the performance standard.
116. Kāinga Ora was proposing a bonus height standard which provides for a potentially more interesting roofline. As above, subject to not resulting in an additional storey, the intent is supported. The version proposed by Ms Tait does not have this component, and it is unclear whether this is still being suggested.
117. Kāinga Ora are also proposing different height in relation to boundary standards. The standards as notified are considered appropriate, simpler

to administer, and consistent with the style being utilised in this section of the proposed plan change.

118. For consistency, if the amendments are adopted the related performance standard for the Ōmokoroa Mixed Use Residential Precinct should also be changed to the same effect.
119. Based on the above I recommend that the proposed plan change be amended as follows:

14A.4.1 Density Standards

b. Building and structure height

ii This standard does not apply to:

a. Ōmokoroa Stage 3C where the maximum height for residential units, retirement villages and rest homes shall be 22 metres and a maximum of six storeys.

b. Ōmokoroa Mixed Use Residential Precinct where the maximum height for buildings shall be 22 metres and a maximum of six storeys.

SECTION 14A ŌMOKOROA AND TE PUKE MEDIUM DENSITY RESIDENTIAL – PART 3 MATTERS OF CONTROL AND MATTERS OF DISCRETION

Topic 2 Matters of Discretion – 14A.7.1

120. The S42A report [pages 6 – 22] assesses this matter in detail. Evidence has been received on behalf of Kāinga Ora (Ms Tait & Ms Beneke), Retirement Villages Association of New Zealand Incorporated and Ryman Healthcare (Ms Williams), the Tauranga Urban Taskforce (Mr Collier) and the Regional Council (Mr Te Pairi).
121. As set out in the evidence of Ms Tait and Mr Collier the ‘urban design’ aspects of the matters of discretion were the subject of an expert conferencing session and a resultant joint witness statement which was included in the s42A report. The result of this were significantly reworked ‘urban design’ matters of discretion.
122. As stated in the s42A report and in the joint witness statement, Ms Tait acting for Kāinga Ora did not agree with the inclusion of an advice note advising that Council’s Residential Design Outcomes document provides

guidance to assist with addressing the matters of discretion. All other parties agreed with the inclusion of the advice note.

123. The evidence of Ms Tait and Ms Beneke provide the reasoning for opposing the inclusion of the advice note. The basis of the evidence is that “Kāinga Ora seeks that the Design Guides generally sit outside of the District Plan as a non-statutory document” [L. Beneke 11.7].
124. The Residential Design Outcomes document is a non-statutory document that sits outside of the District Plan. It is a ‘living document’ and will be updated as appropriate. It was designed specifically for the Western Bay of Plenty District context rather than relying on the more generic national type documents. The advice note is purely that. The amended wording to this part of the proposed plan (as agreed by all other parties) is as follows:

Urban Design

Whether the proposal achieves a positive urban design outcome by addressing the following matters:

An urban design assessment is to be provided with the application prepared by a suitably qualified person(s). The extent and detail of this assessment will be commensurate with the scale and intensity of the proposed development.

Advice note: Council’s Residential Design Outcomes document provides guidance to assist with addressing the matters of discretion.

125. Ms Tait and Mr Collier both oppose the inclusion of clauses 14A.7.1(l) and (m). It is noted that Mr Pairi in his evidence has requested additional wording for 14A.7.1(l).
126. As recorded in the joint witness statement there was insufficient time at the expert conference to deal with matters of discretion for non-compliance with performance standards, and earthworks performance standards and matters of discretion. It was agreed by the experts that the Council experts would circulate their revised provisions reflecting which parties had made submissions. The other experts would seek to provide feedback by the end of the day on Friday 4th August 2023. The statement also included a note that “These provisions will be addressed further in the section 42a report.”

127. The Council provided the revised provisions in accordance with the agreement. Only one party responded being Ms Tait, who recommended that the only matter of control/discretion should relate to earthworks being managed to avoid retaining walls greater than 1.5m at the front boundary. The reasoning for the height threshold was stated as being “because a 1.5m cut on the boundary is permitted under the building act (Building Act 2004, Schedule 1, Exemption 20).”
128. The reasoning for retaining some matters of discretion for earthworks has been addressed earlier in this reply and in the section 42A report (Section 14A Part 2). Mr Collier has raised an apparent issue of how these matters have been able to be introduced, which as explained above is in direct response to the discussion on this matter. In addition, as notified there was a separate matter of discretion for non-compliance with earthworks which had 12 matters of discretion. The revised matters are largely based on a review of those matters.
129. In regard to 14A.7.1(l). (which is concerned with integrated stormwater management design) these reflect matters of discretion that were included in the proposed plan change. The term “Urban Design” was used as a sub-section label in the broader sense of the terminology and hence included matters such as stormwater, other infrastructure and earthworks. With the restructure of this section as part of the joint witness agreement there were a number of residual matters that were relocated.
130. Mr Pairi has requested that this clause be amended on the basis that the wording is “a complimentary land use response to the subdivision Rule 12.4.5.1.7 and overall, would better support an integrated approach to stormwater management”. His suggested amendments are as follows:
- i. Providing Identify and incorporate best practicable options for water sensitive urban design including the retention of permeable areas and the treatment of stormwater in accordance with the relevant catchment management plan.*
131. Ms Tait considers that, as there are other non-compliances with impervious surfaces matters, there is no need for this sub-clause.
132. The matter is more than non-compliance with impervious surfaces. As a matter of discretion I do not consider the wording proposed by Mr Pairi is appropriate because it would create uncertainty for Plan users as to what

the best practicable option may be. Although the proposed reference to the relevant catchment management plan does provide additional guidance as to appropriate design matters, in the context of a matter of discretion I do not support referring to an external document that is not part of the District Plan. Accordingly, I recommend retaining the proposed wording as set out in the section 42A report.

133. Evidence on behalf of the Retirement Villages Association of New Zealand Incorporated and Ryman Healthcare Limited provided by Ms Williams supports the original submissions requesting more stand-alone treatment of retirement villages. This matter has been previously discussed in my evidence and in regard to matters of discretion on pages 10 - 11 of the s42A report.
134. As discussed above, if stand-alone provisions were introduced for retirement villages in the plan change, I would support the addition of appropriate matters of discretion, however I agree with the position that this is not necessary to enable the development of retirement villages.

Topic 3 Non-compliance with building and structure height & Topic 4 Non-compliance with height in relation to boundary

135. The evidence on behalf of Kāinga Ora by Ms Tait accepts the recommended changes relating to Topics 3 and 4. No other evidence has been received on this matter.

Topic 5 Non-compliance with setbacks

136. Kāinga Ora (Ms Tait) supports the matters of discretion for setbacks but suggests that the amended matter b is more appropriately located under the sub-heading for side and rear yards rather than the heading of front yards. I agree that this is more appropriate and recommend that the clause be moved to the side and rear yard heading with consequential renumbering. She has also suggested some minor amendments to the recommended wording so that the clause would read as follows:

Whether the non-compliance is internalised within a development and provides a more efficient use of land and ~~related improved amenity~~ liveable outcomes.

137. I consider the amendment acceptable.

138. KiwiRail has provided evidence from Ms Heppelthwaite and Mr Brown supporting the original submission request for a new matter of discretion as follows:

f. The location and design of the building or structure as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.

139. My original recommendation was to reject this matter as it appeared to be addressing an issue that was outside of a property. I note my reference to internal boundaries has caused some interpretation issues. Ms Heppelthwaite has proposed a refinement as follows:

f. Whether the location and design of the building or structure provides for the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.

140. The amended wording is supported and provides greater clarity. Accordingly, I recommend that this clause be added to 14A.7.4.

Topic 6 Non-compliance with coverage

141. The evidence on behalf of Kāinga Ora by Ms Tait supports the recommended changes. No other evidence has been received on this matter.

Topic 10 Non-compliance with landscaped area

142. The evidence on behalf of Kāinga Ora by Ms Tait supports the recommended changes. No other evidence has been received on this matter.

Topic 11 Non-compliance with Residential unit yield

143. Ms Tait has provided evidence [9.82] supporting further changes to the matters of discretion. Kāinga Ora in their original submission requested a number of changes to the proposed matters. All the proposed changes were accepted and accordingly it is considered that the submission has been accepted in full.
144. Although I do not oppose the suggested additional amendments from a planning perspective, the scope to accept the additional proposed deletions would need to be confirmed. If the Panels opinion on this is that

it is within scope, matters b, g & h would be deleted with consequential renumbering.

Topic 12 Non-compliance with Residential unit typology & Topic 17 Non-compliance with earthworks

145. For the reasons explained in the section 42a report it has been recommended that both the above being proposed clauses 14A.7.11 and 14A.7.16 be deleted as the linked performance standards have been recommended to be deleted. Ms Tait's evidence supports these recommendations.

Topic 14 Non-compliance with impervious surfaces

146. The evidence on behalf of Kāinga Ora by Ms Tait supports the recommended changes. No other evidence has been received on this matter.

Topic 13 Non-compliance with minimum storey requirements in the Ōmokoroa Mixed Use Residential Precinct

Non-compliance with offensive odour in the Ōmokoroa Mixed Use Residential Precinct

147. Ms Tait in her evidence [9.85] has suggested that these matters of discretion be relocated to the Kāinga Ora proposed High Density Residential zone. There were no submissions in regard to non-compliance with offensive odour matters of discretion in the Ōmokoroa Mixed Use Residential Precinct and accordingly this was not addressed in the s42a report (and consequently has no topic number reference).

148. As previously discussed, the provision of a separate High Density zone is not supported and accordingly it follows that I do not support the movement of these matters of discretion.

COMMERCIAL ZONE

Topic 4 – Rule 19.4.1(a)(iii) – Activity Performance Standards – Building height in the Commercial Zone – Increase in height for Te Puke & Ōmokoroa Commercial Zones

149. The evidence of Ms Tait for Kāinga Ora states that Te Puke and Ōmokoroa should have their heights increased to 24.5m. Ms Tait confirms that the High Density Zone sought in Kāinga Ora's original submission for Te Puke is no longer being pursued, but is for Ōmokoroa Stage 3C (as

detailed earlier in this reply evidence). In lieu of pursuing the High Density Zone for Te Puke, Ms Tait, supported by the evidence of Mr Phillip Osbourne, is now seeking additional height from 11m to 24.5m with additional daylight, minimum dwelling size and outlook space. The same is sought for Ōmokoroa Commercial Zone. Kāinga Ora's original submission did not seek changes to these rules.

150. As discussed in Ms Price's s42a report on Te Puke zoning matters, the Council has commenced the Te Puke Spatial Plan project which is expected to result in changes to the District Plan to better provide for the town's urban growth. The scope of the spatial plan includes housing delivery across the housing continuum, direction for district plan changes (e.g. rezoning of land for residential and industrial use, and direction for development of the town centre). As noted in the s42a report Te Puke varies from Ōmokoroa in that the community has not had the benefit of substantive engagement on urban growth matters.
151. It is anticipated that the spatial plan will be adopted in August/September 2024. This timeframe is indicative and may change based on the direction of the Te Puke Spatial Plan Subcommittee and the community-led engagement process that is planned for the last quarter of 2023.
152. As Kāinga Ora's original submission did not seek changes to these rules in the Commercial Zone, they have not been previously considered in the Section 42A report. This request made in the expert evidence for Kāinga Ora may be out of scope of their original submission and this will be considered further in legal submissions. However, I assess the merits of the request below.
153. The evidence of Mr Osbourne supported by the assessment of Ms Tait provide a basis to increase the minimum height for the Commercial zone areas from 12.5m in Te Puke to 24.5m (almost a doubling of permitted height). In regard to the Ōmokoroa Commercial Zone Stage 3 Structure Plan Area the proposal results in a minor increase from 20m (with a 'bonus' provision allowing for a maximum height of 23m) to 24.5m. In addition, the height in relation to boundary provisions from the MDRS are also adopted to manage the interface between the Commercial and Medium Density Residential Zone.

154. Other provisions including minimum size of residential units and outlook space are sought by Kāinga Ora and a new Restricted Discretionary Activity Rule requested for new buildings in the Te Puke Town Centre.
155. From a planning design perspective, I support the proposed provisions as enabling more intensive development within urban centres that will assist in providing opportunities to create a more vibrant centre. The proposed standards are considered appropriate to manage potential adverse effects in the context of providing for a more intensive urban form.
156. As highlighted the above the change in the context of the Ōmokoroa Commercial Zone Stage 3 area is relatively minor and in some ways simplifies the proposed provisions. As part of a new growth area that has been subject to a great deal of consultation the proposed change is considered to be generally in keeping with the roll out of a new urban area. The same cannot be said for Te Puke where the change is significant.
157. If the Panel finds that requested changes are within scope then I would support the proposed provisions for Ōmokoroa. However, I do not support the proposed changes for Te Puke. This is because I consider it more appropriate that the response for the Te Puke is addressed through the Te Puke Spatial Plan project and subsequent plan changes to provide a more comprehensive approach, including the potential for higher density development within the medium density residential zone in the vicinity of the town centre. This would also ensure meaningful engagement with the community and other stakeholders. It is noted that Kāinga Ora is identified as being a key stakeholder and it is acknowledged that their evidence will be helpful in progressing this matter.

SECTION 24 NATURAL OPEN SPACE ZONE

158. Evidence has been provided by Mr Te Pairi (planner) supported by Mr Hamill (Environmental Scientist) on behalf of the Regional Council in regard to the Natural Open Space Zone provisions. No other evidence has been received on this particular matter noting however that there is evidence in regard to the applicability of the proposed Natural Open Space Zone over a specific area.

159. Mr Te Pairi has requested an amendment to the wording of Policy 24.2.2.3 (as recommended to be changed in the s42a report) so that it reads as follows:

Control activities to avoid adverse effects on freshwater and coastal ecology and the functioning of stormwater system, including streams, wetlands, natural gully network and the coastal interface, and promote improvement of these areas by providing for development that supports restoration of the values of these areas.

160. The s42a report assesses this policy in the context of other submissions affecting the significant issues, explanatory statement, objectives and policies framework [pages 2 -8].

161. The original policy was redrafted as the Regional Council considered that the policy should be framed in a way that is able to be linked back clearly to a District council's functions under the RMA, rather than reading like regional provisions. The requested relief suggested replacing the term natural watercourse with overland flow path/flood plain or other changes with similar effect.

162. There are no submissions on the linked Objective 2 which states the following:

Maintenance and enhancement of the stormwater and coastal inundation management functions of the area.

163. As the policy links with the above the recommended amended policy as in the s42a report is preferred as the wording has a more direct relationship with the objective.

164. Mr Te Pairi and Mr Hamill have recommended that the matter of discretion for restricted discretionary activities 24.5.2 should also include hydrology. As stated in Mr Hamill's evidence hydrology is important "in influencing ecological effects and stream health." The clause would read as follows:

The potential adverse effects on the natural character, ecological, hydrological, cultural, recreational and amenity values of the area and how these may be avoided, remedied or mitigated.

165. As stated by Mr Hamill hydrology is a matter that influences ecology. I considered the addition of the suggested term is not required in the context of the District Council provision.

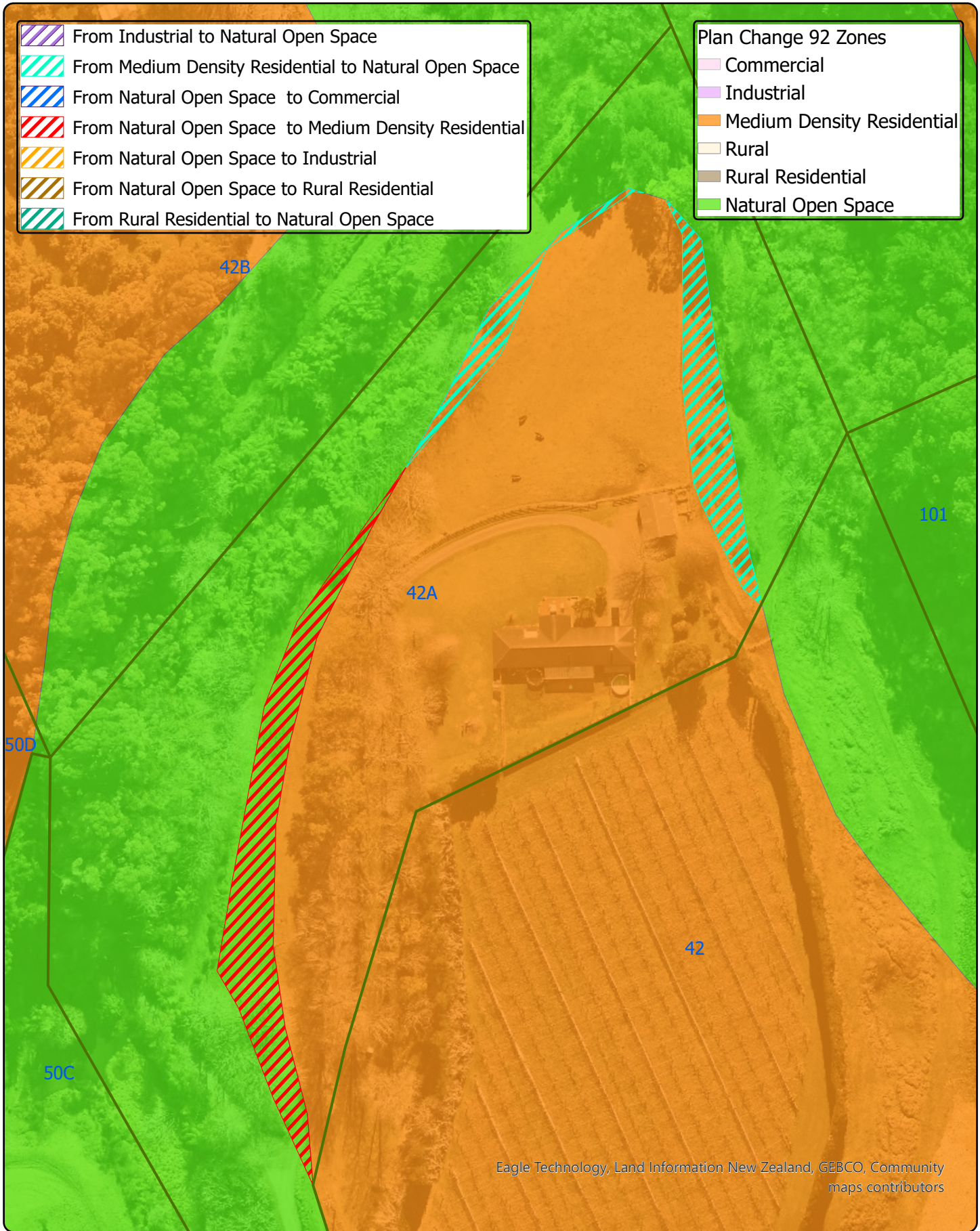
Corrections /Addendums

166. Following publication of the section 42A report I noticed that the detailed maps identifying the recommended changes to the Natural Open Space zone boundaries were not included. These had been provided to the affected submitters, however for greater clarity they have now been provided in Attachment F of the Council reply.
167. I have also noted that in Topic 3 of the Section 14A Part 1 report that there were two Option 2 headings. The second Option 2 heading should be Option 3. At the time of the s42a report being uploaded the expected accompanying map which would have identified a minor alignment change wasn't ready in time resulting in a change of recommendation to reflect what was still being shown. The discussion on page 10 of the report noted that this could be subject to change. The updated map has now been prepared and is also included in Attachment F. The result is that the submission from Mr Linde [19.16] is now recommended to accepted in part. This is Option 3 as relabelled however the descriptor in the recommendation needs to be updated to read:

That the Ōmokoroa Medium Density Residential – Area Specific Overlays be amended in part.

The Section 32AA analysis within the report is now correct.

Jeffrey Peter Hextall (MNZPI)
6 September 2023



- From Industrial to Natural Open Space
- From Medium Density Residential to Natural Open Space
- From Natural Open Space to Commercial
- From Natural Open Space to Medium Density Residential
- From Natural Open Space to Industrial
- From Natural Open Space to Rural Residential
- From Rural Residential to Natural Open Space

- Plan Change 92 Zones**
- Commercial
 - Industrial
 - Medium Density Residential
 - Rural
 - Rural Residential
 - Natural Open Space

Eagle Technology, Land Information New Zealand, GEBCO, Community maps contributors

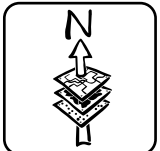
Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
 Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
 Location of services is indicative only. Council accepts no liability for any error.
 Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

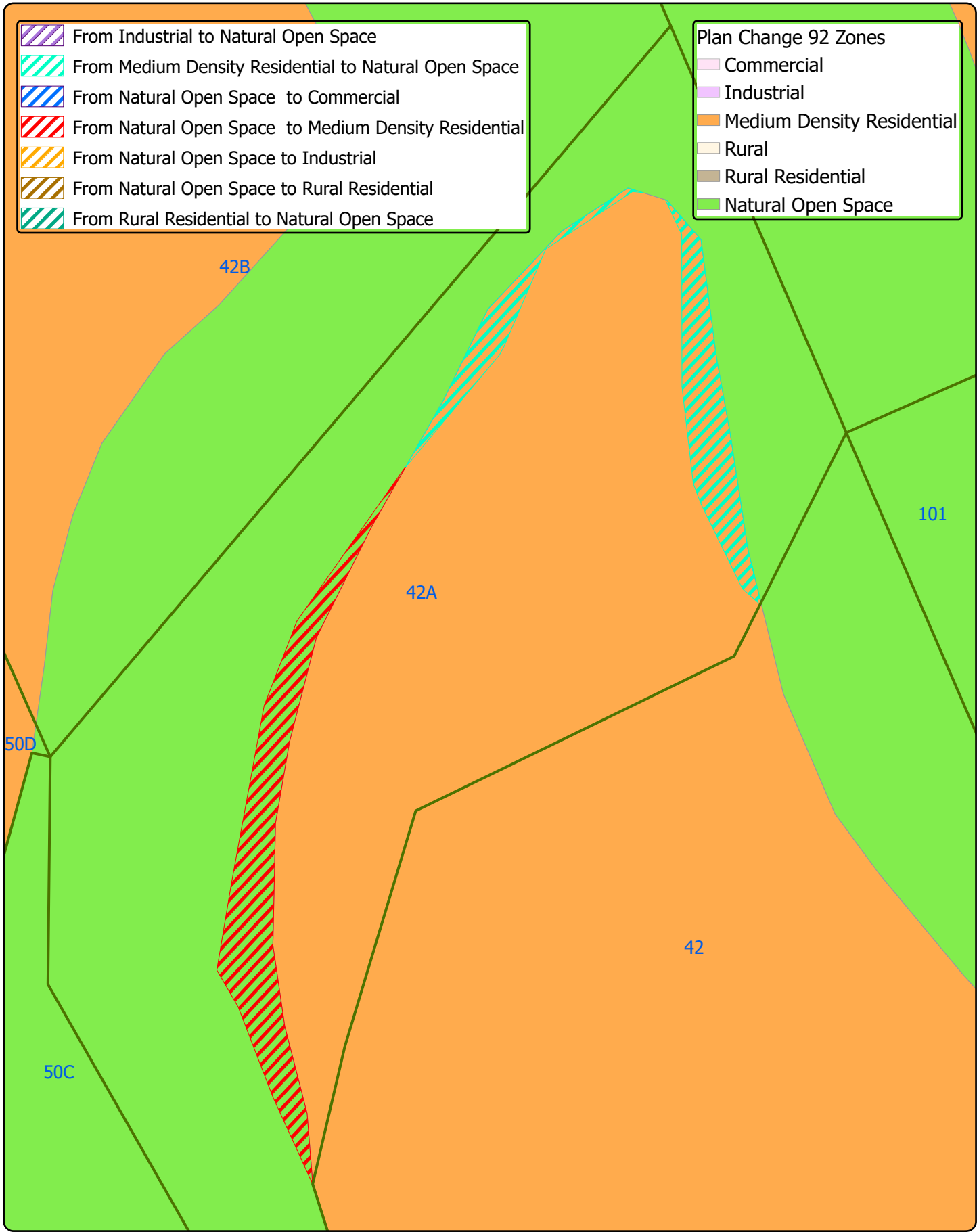
Email: gis@westernbay.govt.nz
 Date: 11/08/2023
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx

Scale A4 - 1:1,200



Plan Change 92
 Zone Amendments - 42A Francis Road
 Natural Open Space to Medium Density Residential and
 Medium Density Residential to Natural Open Space





- From Industrial to Natural Open Space
- From Medium Density Residential to Natural Open Space
- From Natural Open Space to Commercial
- From Natural Open Space to Medium Density Residential
- From Natural Open Space to Industrial
- From Natural Open Space to Rural Residential
- From Rural Residential to Natural Open Space

- Plan Change 92 Zones**
- Commercial
 - Industrial
 - Medium Density Residential
 - Rural
 - Rural Residential
 - Natural Open Space

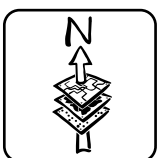
Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
 Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
 Location of services is indicative only. Council accepts no liability for any error.
 Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

Email: gis@westernbay.govt.nz
 Date: 11 8
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx








Scale A4 - 1:1,200
 0 5 10 20 30 40 50 Metres



Plan Change 92
 Zone Amendments - 42A Francis Road
 Natural Open Space to Medium Density Residential and
 Medium Density Residential to Natural Open Space

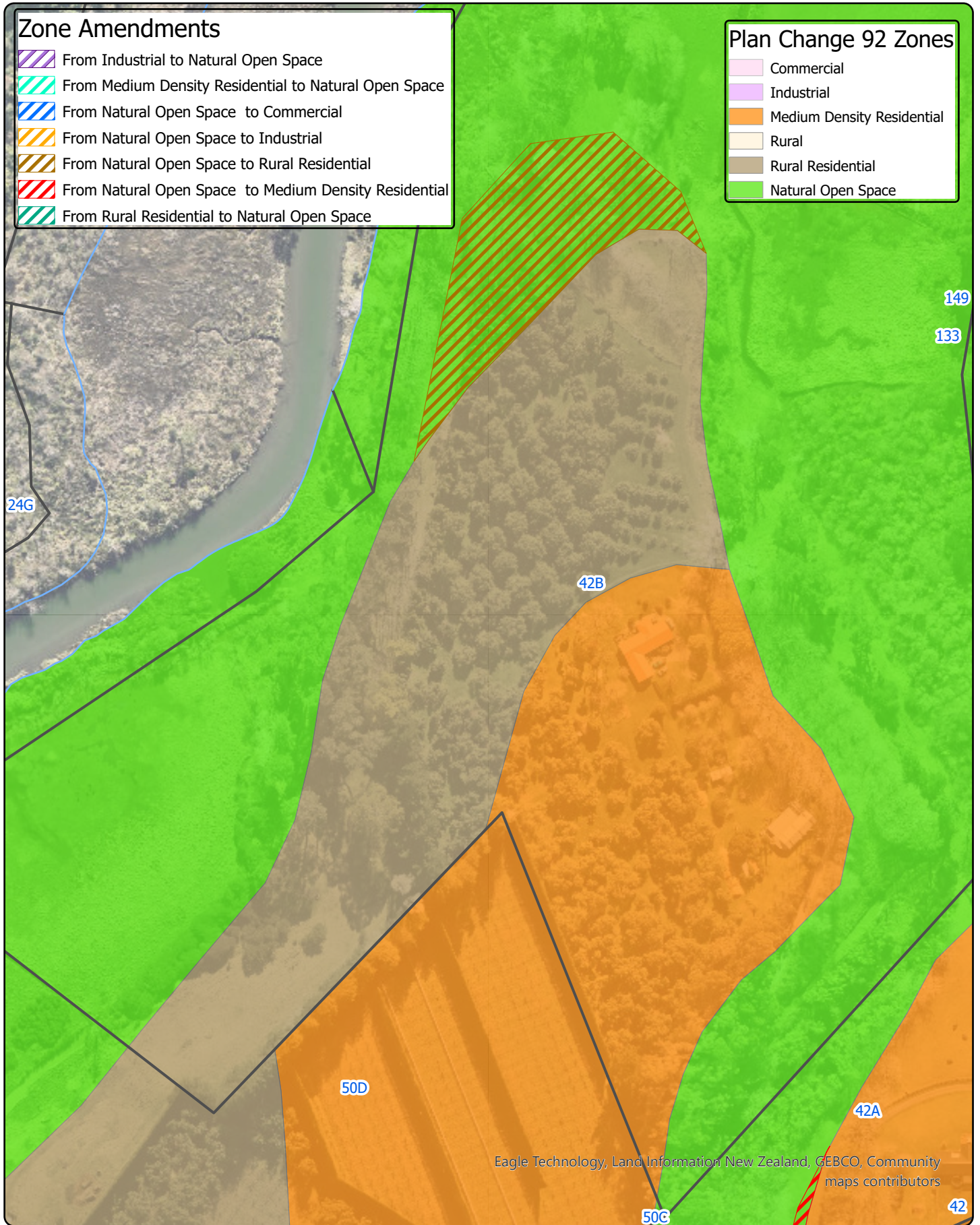


Zone Amendments

-  From Industrial to Natural Open Space
-  From Medium Density Residential to Natural Open Space
-  From Natural Open Space to Commercial
-  From Natural Open Space to Industrial
-  From Natural Open Space to Rural Residential
-  From Natural Open Space to Medium Density Residential
-  From Rural Residential to Natural Open Space

Plan Change 92 Zones

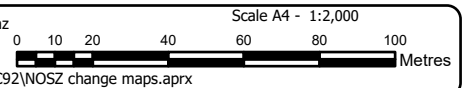
-  Commercial
-  Industrial
-  Medium Density Residential
-  Rural
-  Rural Residential
-  Natural Open Space



Eagle Technology, Land Information New Zealand, GEBCO, Community maps contributors

Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
 Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
 Location of services is indicative only. Council accepts no liability for any error.
 Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

Email: gis@westernbay.govt.nz
 Date: 11/08/2023
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx










Western Bay of Plenty
District Council

For our people

Plan Change 92
Zone Amendment - 42B Francis Road
Natural Open Space to Rural Residential

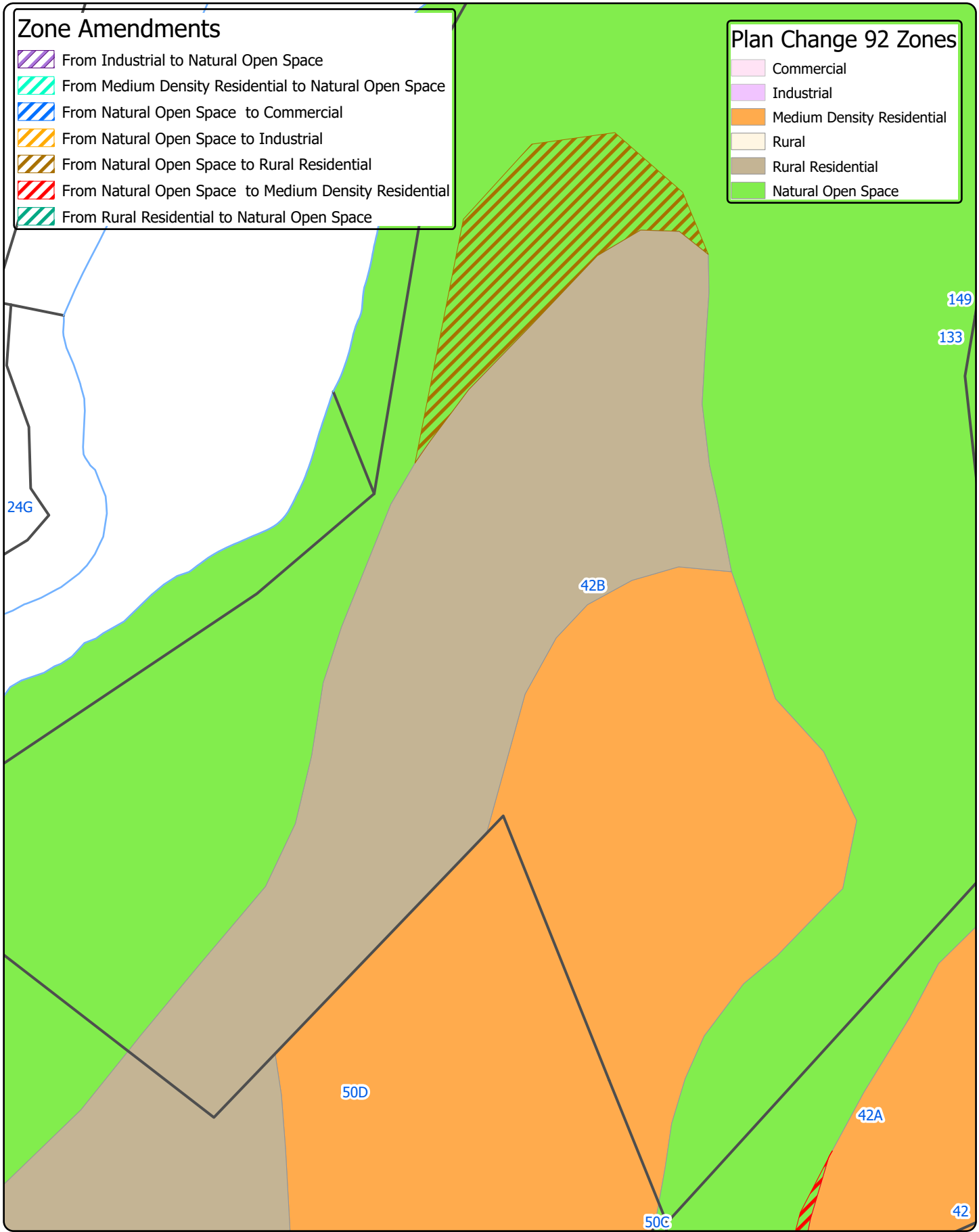


Zone Amendments

-  From Industrial to Natural Open Space
-  From Medium Density Residential to Natural Open Space
-  From Natural Open Space to Commercial
-  From Natural Open Space to Industrial
-  From Natural Open Space to Rural Residential
-  From Natural Open Space to Medium Density Residential
-  From Rural Residential to Natural Open Space

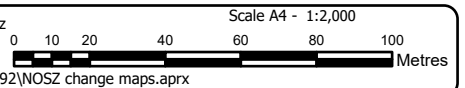
Plan Change 92 Zones

-  Commercial
-  Industrial
-  Medium Density Residential
-  Rural
-  Rural Residential
-  Natural Open Space



Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
 Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
 Location of services is indicative only. Council accepts no liability for any error.
 Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

Email: gis@westernbay.govt.nz
 Date: 11/08/2023
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx



Western Bay of Plenty
District Council

For our people








Plan Change 92
Zone Amendment - 42B Francis Road
Natural Open Space to Rural Residential

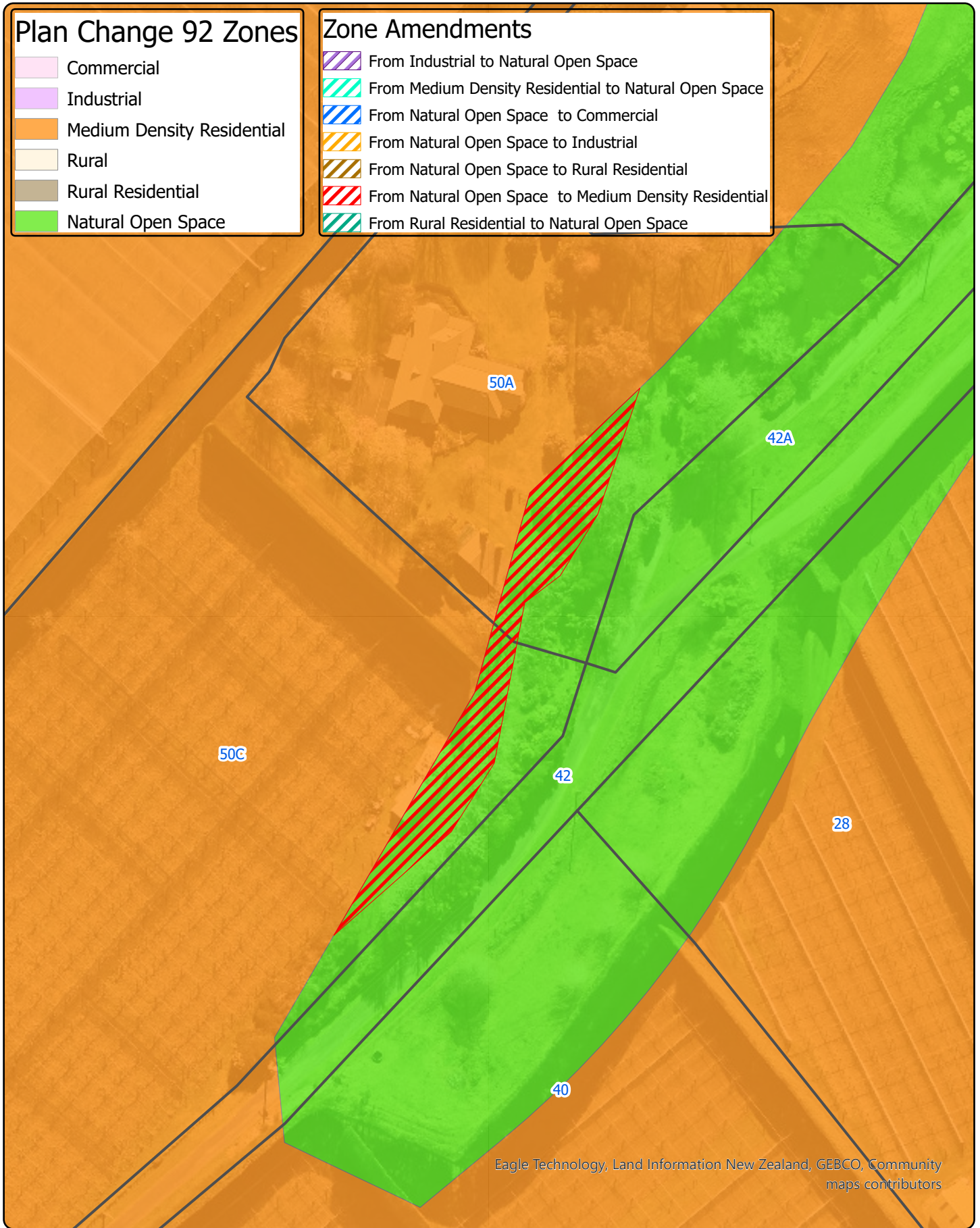


Plan Change 92 Zones

-  Commercial
-  Industrial
-  Medium Density Residential
-  Rural
-  Rural Residential
-  Natural Open Space

Zone Amendments

-  From Industrial to Natural Open Space
-  From Medium Density Residential to Natural Open Space
-  From Natural Open Space to Commercial
-  From Natural Open Space to Industrial
-  From Natural Open Space to Rural Residential
-  From Natural Open Space to Medium Density Residential
-  From Rural Residential to Natural Open Space



Eagle Technology, Land Information New Zealand, GEBCO, Community maps contributors

Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
 Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
 Location of services is indicative only. Council accepts no liability for any error.
 Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

Email: gis@westernbay.govt.nz Scale A4 - 1:1,000
 Date: 11/08/2023
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx



**Western
 Bay of Plenty**
 District Council

**For our
 people**








Plan Change 92
Zone Amendment - 50A and 50C Francis Road
Natural Open Space to Medium Density Residential

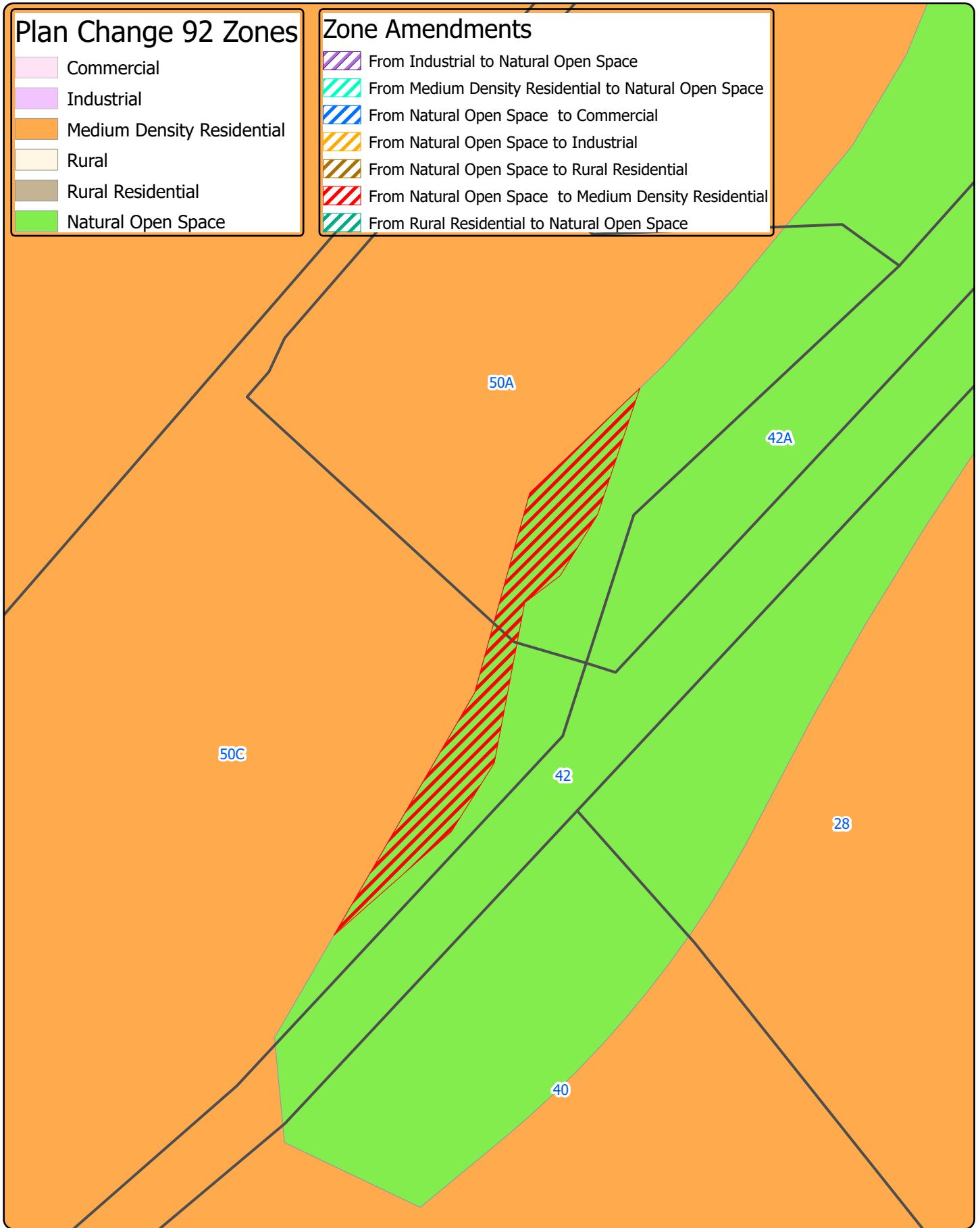


Plan Change 92 Zones

-  Commercial
-  Industrial
-  Medium Density Residential
-  Rural
-  Rural Residential
-  Natural Open Space

Zone Amendments

-  From Industrial to Natural Open Space
-  From Medium Density Residential to Natural Open Space
-  From Natural Open Space to Commercial
-  From Natural Open Space to Industrial
-  From Natural Open Space to Rural Residential
-  From Natural Open Space to Medium Density Residential
-  From Rural Residential to Natural Open Space



Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
 Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
 Location of services is indicative only. Council accepts no liability for any error.
 Archaeological data supplied by NZ Archaeological Assoc./Dept. of Conservation.

Email: gis@westernbay.govt.nz Scale A4 - 1:1,000
 Date: 11/08/2023
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx

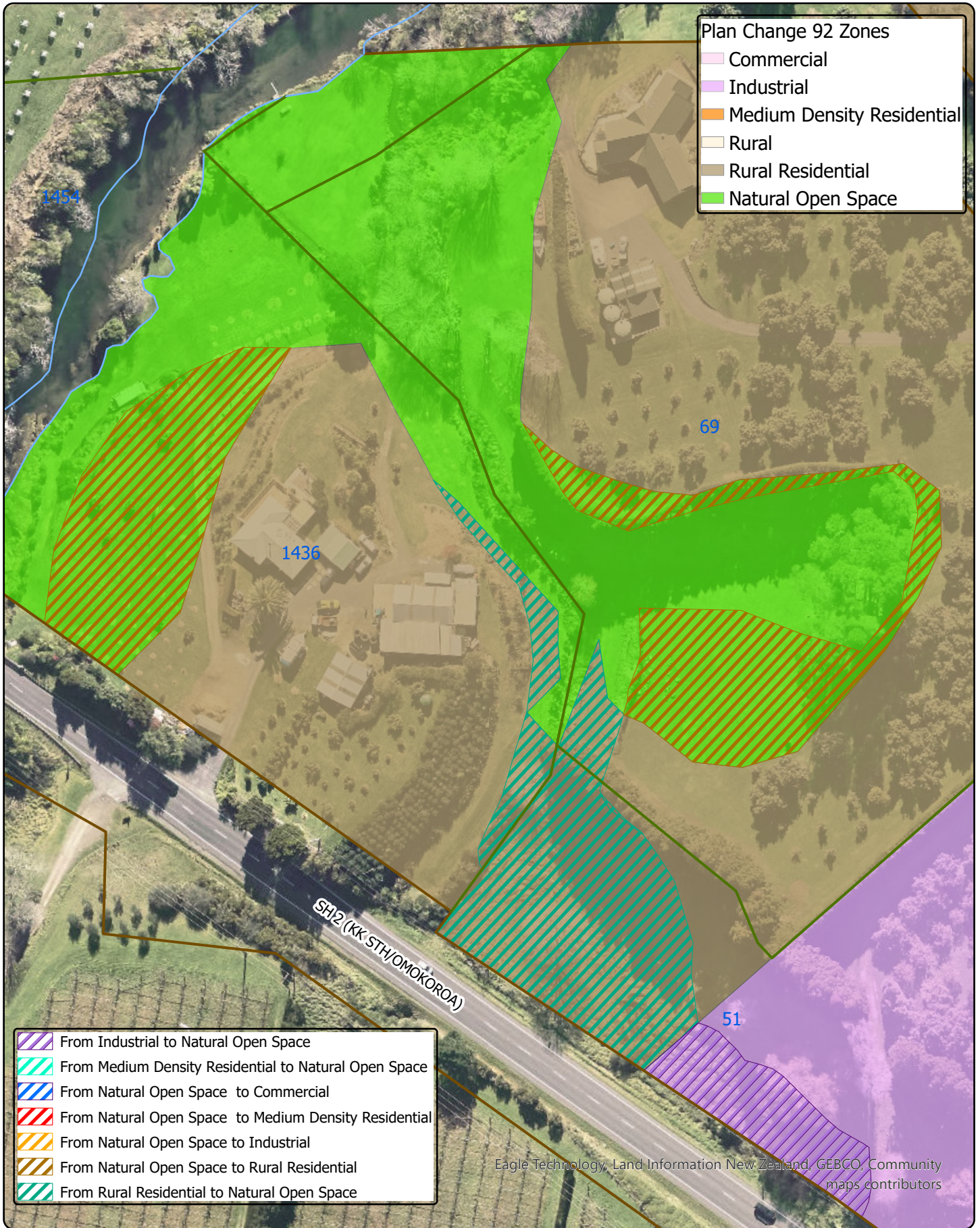


**Western
 Bay of Plenty**
 District Council

**For our
 people**

Plan Change 92
Zone Amendment - 50A and 50C Francis Road
Natural Open Space to Medium Density Residential





- Plan Change 92 Zones**
- Commercial
 - Industrial
 - Medium Density Residential
 - Rural
 - Rural Residential
 - Natural Open Space

- From Industrial to Natural Open Space
- From Medium Density Residential to Natural Open Space
- From Natural Open Space to Commercial
- From Natural Open Space to Medium Density Residential
- From Natural Open Space to Industrial
- From Natural Open Space to Rural Residential
- From Rural Residential to Natural Open Space

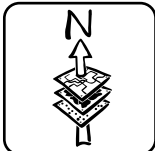
Produced using ArcMap by the Western Bay of Plenty District Council GIS Team. Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522. Location of services is indicative only. Council accepts no liability for any error. Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

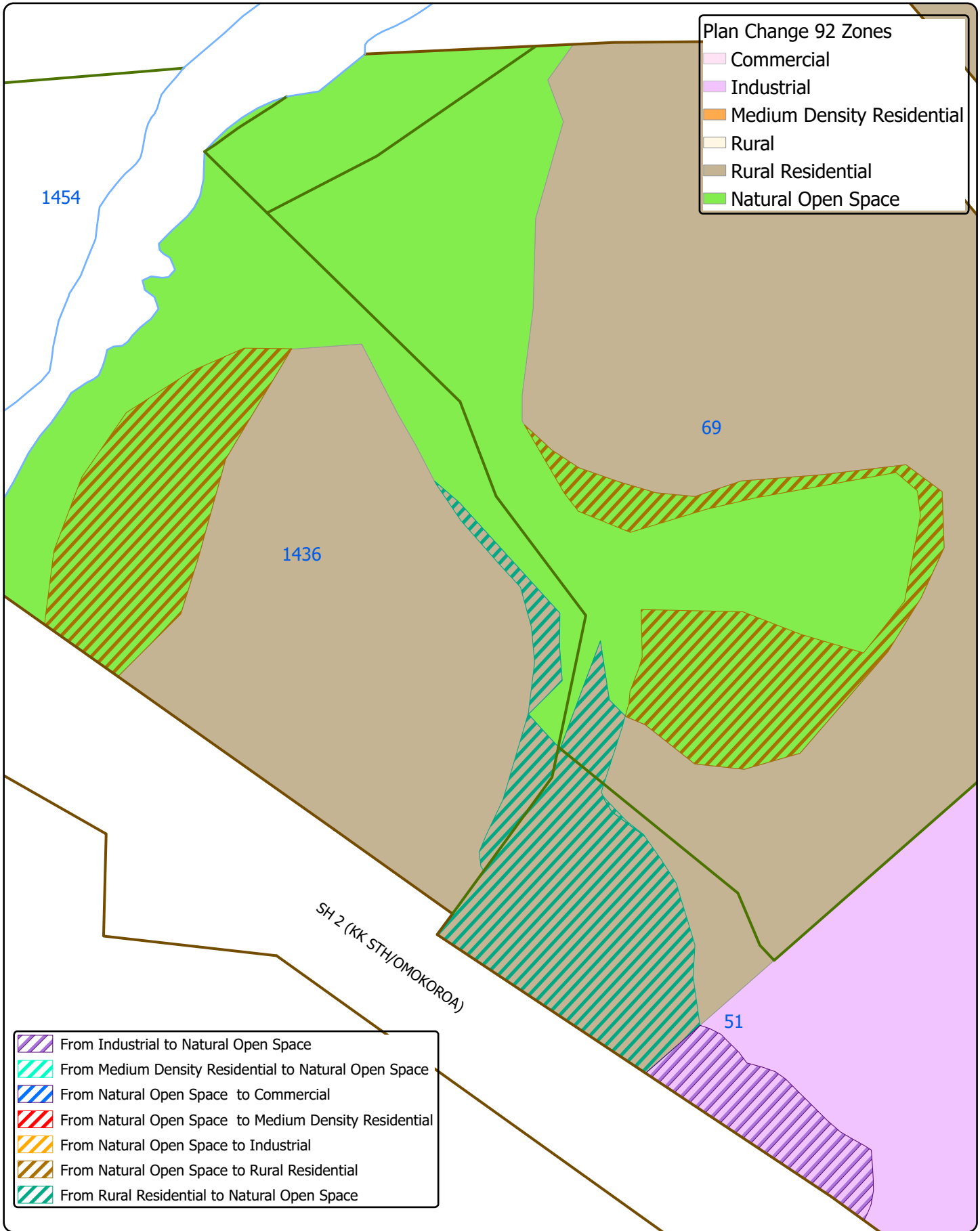
Email: gis@westernbay.govt.nz
 Date: 11/08/2023
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx

Scale A4 - 1:1,200
 0 5 10 20 30 40 50 Metres



Plan Change 92
 Zone Amendments - 51 and 69 Francis Road, and 1436 SH 2
 Natural Open Space to Rural Residential, Rural Residential to Natural Open Space, Industrial to Natural Open Space





- Plan Change 92 Zones**
- Commercial
 - Industrial
 - Medium Density Residential
 - Rural
 - Rural Residential
 - Natural Open Space

- From Industrial to Natural Open Space
- From Medium Density Residential to Natural Open Space
- From Natural Open Space to Commercial
- From Natural Open Space to Medium Density Residential
- From Natural Open Space to Industrial
- From Natural Open Space to Rural Residential
- From Rural Residential to Natural Open Space

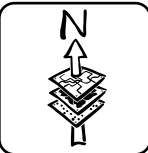
Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
 Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
 Location of services is indicative only. Council accepts no liability for any error.
 Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

Email: gis@westernbay.govt.nz
 Date: 11/08/2023
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx

Scale A4 - 1:1,200
 0 5 10 20 30 40 50 Metres



Plan Change 92
 Zone Amendments - 51 and 69 Francis Road, and 1436 SH 2
 Natural Open Space to Rural Residential, Rural Residential to Natural Open Space, Industrial to Natural Open Space



-  From Industrial to Natural Open Space
-  From Medium Density Residential to Natural Open Space
-  From Natural Open Space to Commercial
-  From Natural Open Space to Medium Density Residential
-  From Natural Open Space to Industrial
-  From Natural Open Space to Rural Residential
-  From Rural Residential to Natural Open Space

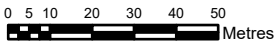
- Plan Change 92 Zones**
-  Commercial
 -  Industrial
 -  Medium Density Residential
 -  Rural
 -  Rural Residential
 -  Natural Open Space



Eagle Technology, Land Information New Zealand, GEBCO, Community maps contributors

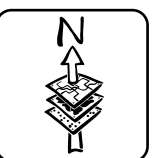
Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
 Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
 Location of services is indicative only. Council accepts no liability for any error.
 Archaeological data supplied by NZ Archaeological Assoc./Dept. of Conservation.

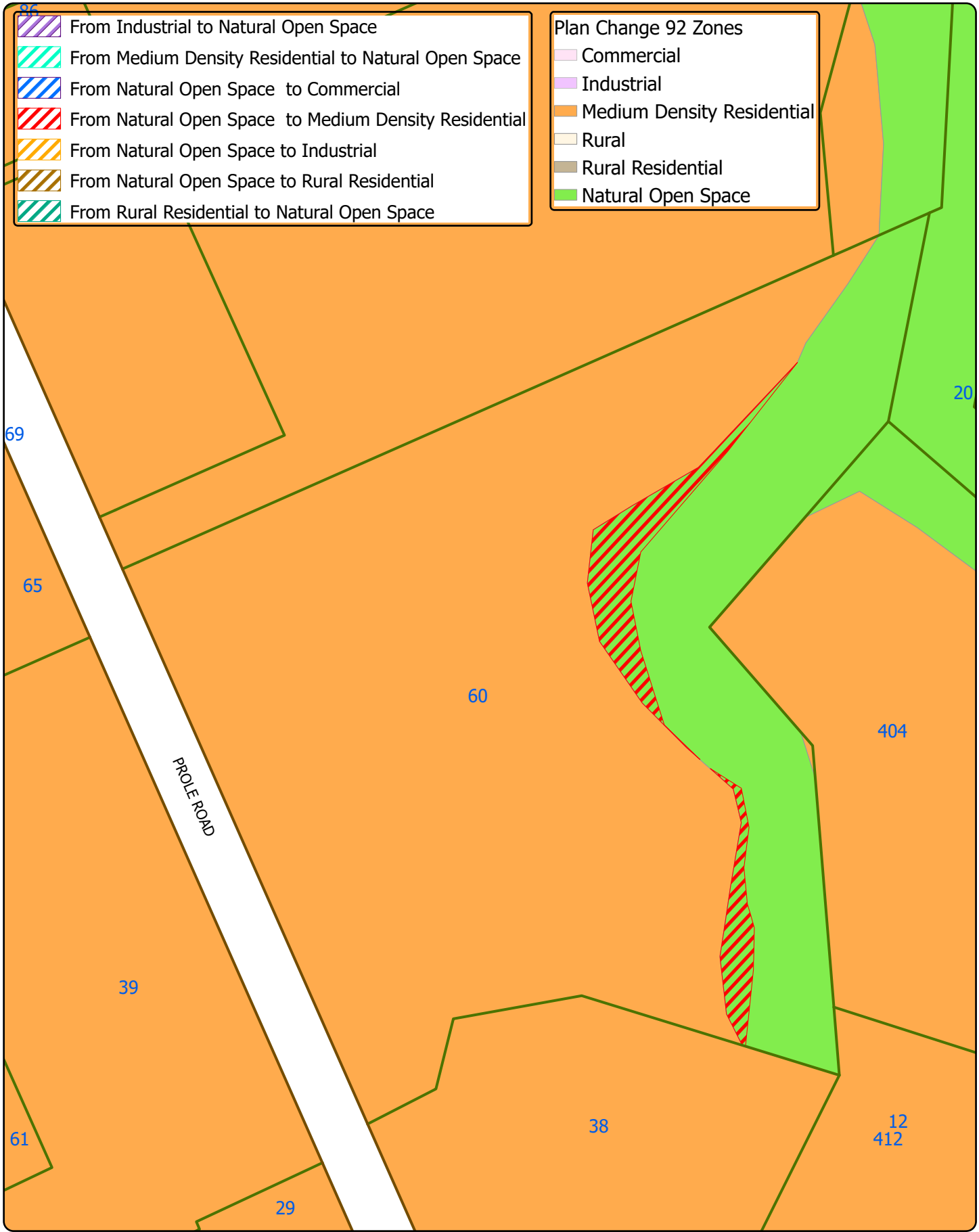
Email: gis@westernbay.govt.nz
 Date: 11/08/2023
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx

Scale A4 - 1:1,800




Plan Change 92
Zone Amendments - 60 Prole Road
Natural Open Space to Medium Density Residential



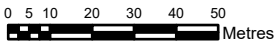


-  From Industrial to Natural Open Space
-  From Medium Density Residential to Natural Open Space
-  From Natural Open Space to Commercial
-  From Natural Open Space to Medium Density Residential
-  From Natural Open Space to Industrial
-  From Natural Open Space to Rural Residential
-  From Rural Residential to Natural Open Space

- Plan Change 92 Zones**
-  Commercial
 -  Industrial
 -  Medium Density Residential
 -  Rural
 -  Rural Residential
 -  Natural Open Space

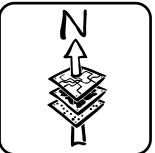
Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
 Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
 Location of services is indicative only. Council accepts no liability for any error.
 Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

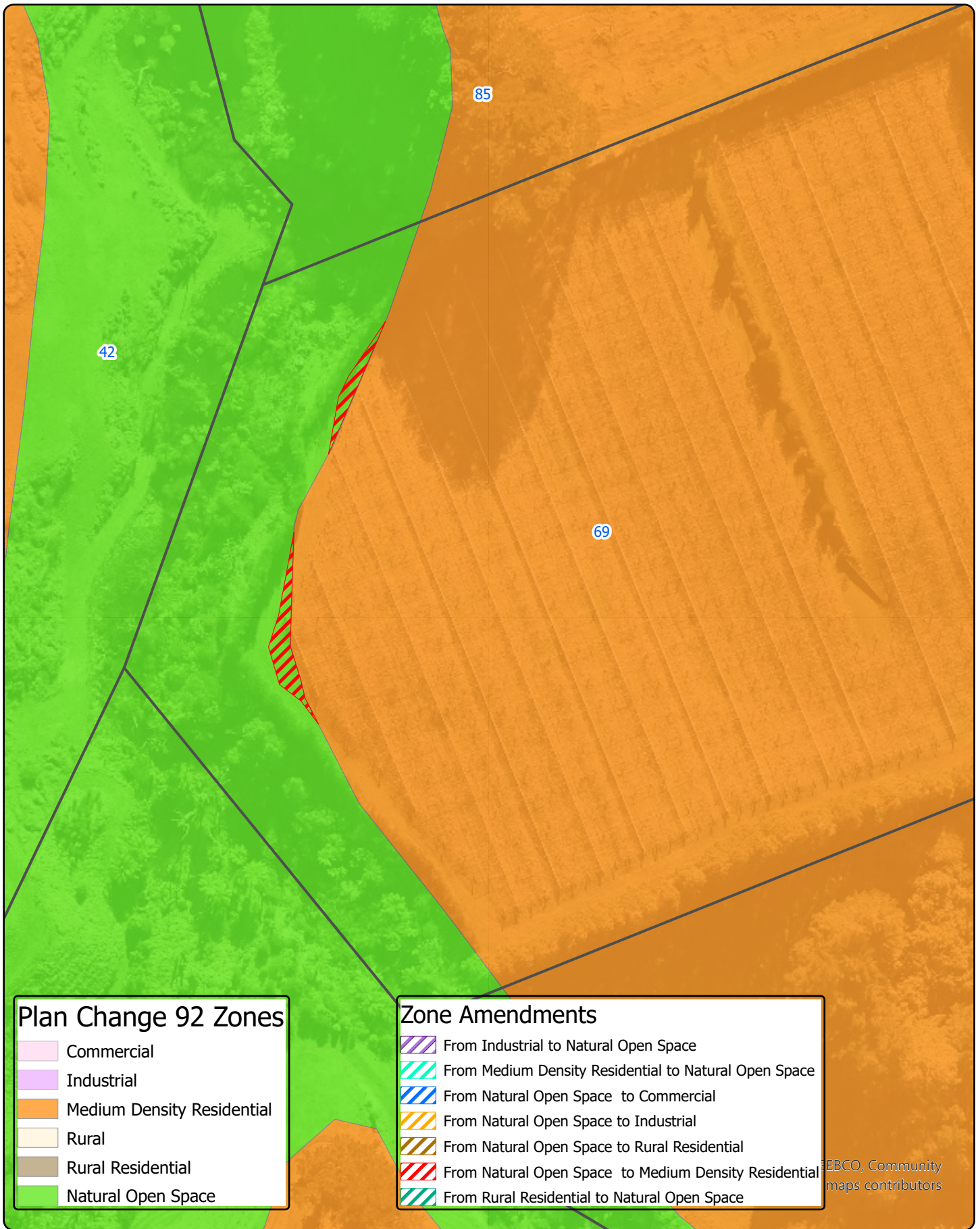
Email: gis@westernbay.govt.nz
 Date: 11/08/2023
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx

Scale A4 - 1:1,800




Plan Change 92
 Zone Amendments - 60 Prole Road
 Natural Open Space to Medium Density Residential





Plan Change 92 Zones

- Commercial
- Industrial
- Medium Density Residential
- Rural
- Rural Residential
- Natural Open Space

Zone Amendments

- From Industrial to Natural Open Space
- From Medium Density Residential to Natural Open Space
- From Natural Open Space to Commercial
- From Natural Open Space to Industrial
- From Natural Open Space to Rural Residential
- From Natural Open Space to Medium Density Residential
- From Rural Residential to Natural Open Space

© EBCO, Community maps contributors

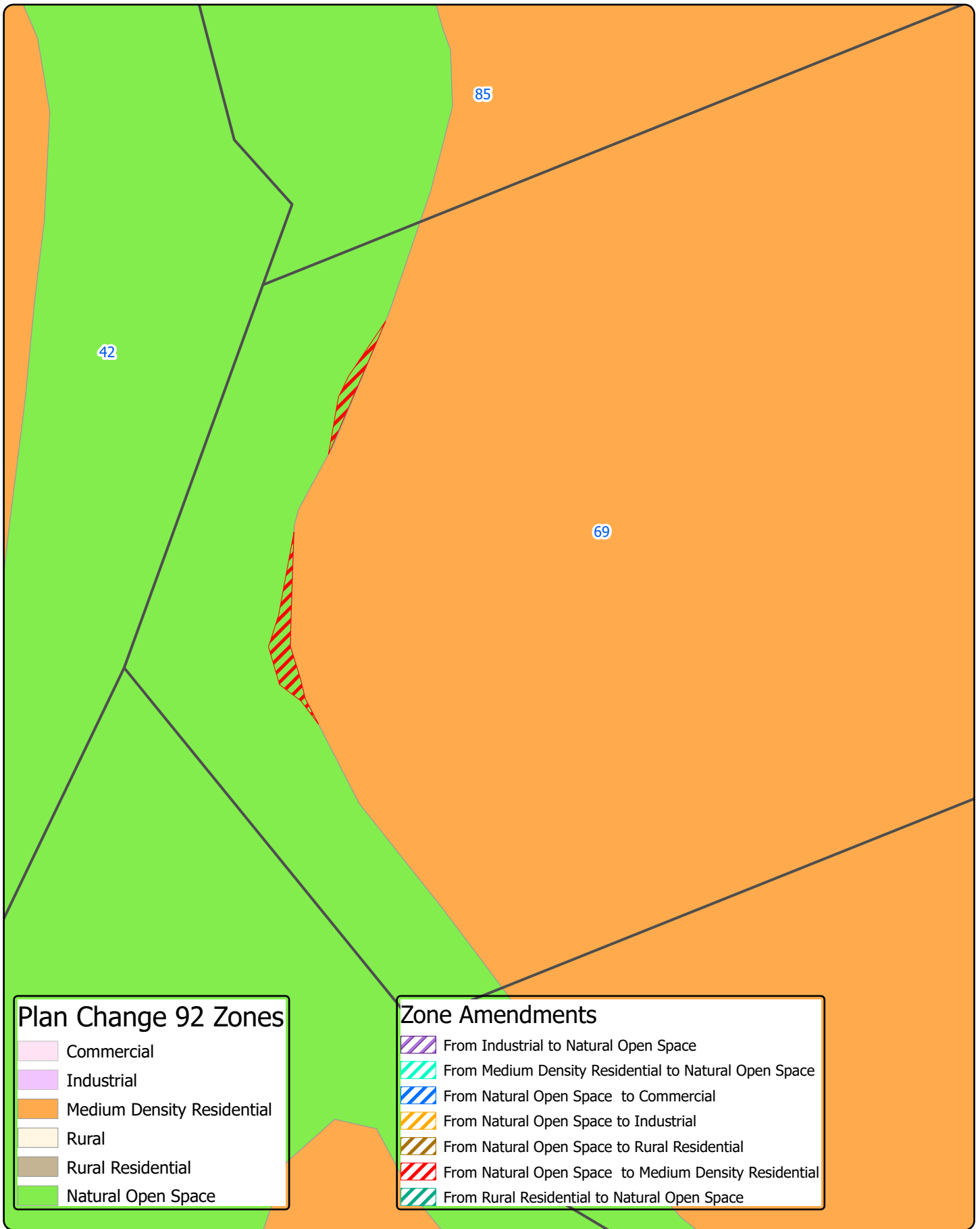
Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
 Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
 Location of services is indicative only. Council accepts no liability for any error.
 Archaeological data supplied by NZ Archaeological Assoc./Dept. of Conservation.

Email: gis@westernbay.govt.nz Scale A4 - 1:1,000
 Date: 11/08/2023
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx



Plan Change 92
Zone Amendment - 69 Prole Road
Natural Open Space to Medium Density Residential





Plan Change 92 Zones

- Commercial
- Industrial
- Medium Density Residential
- Rural
- Rural Residential
- Natural Open Space

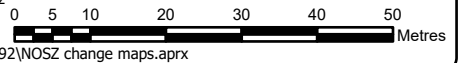
Zone Amendments

- From Industrial to Natural Open Space
- From Medium Density Residential to Natural Open Space
- From Natural Open Space to Commercial
- From Natural Open Space to Industrial
- From Natural Open Space to Rural Residential
- From Natural Open Space to Medium Density Residential
- From Rural Residential to Natural Open Space

Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
 Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
 Location of services is indicative only. Council accepts no liability for any error.
 Archaeological data supplied by NZ Archaeological Assoc./Dept. of Conservation.

Email: gis@westernbay.govt.nz
 Date: 11/08/2023
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx

Scale A4 - 1:1,000

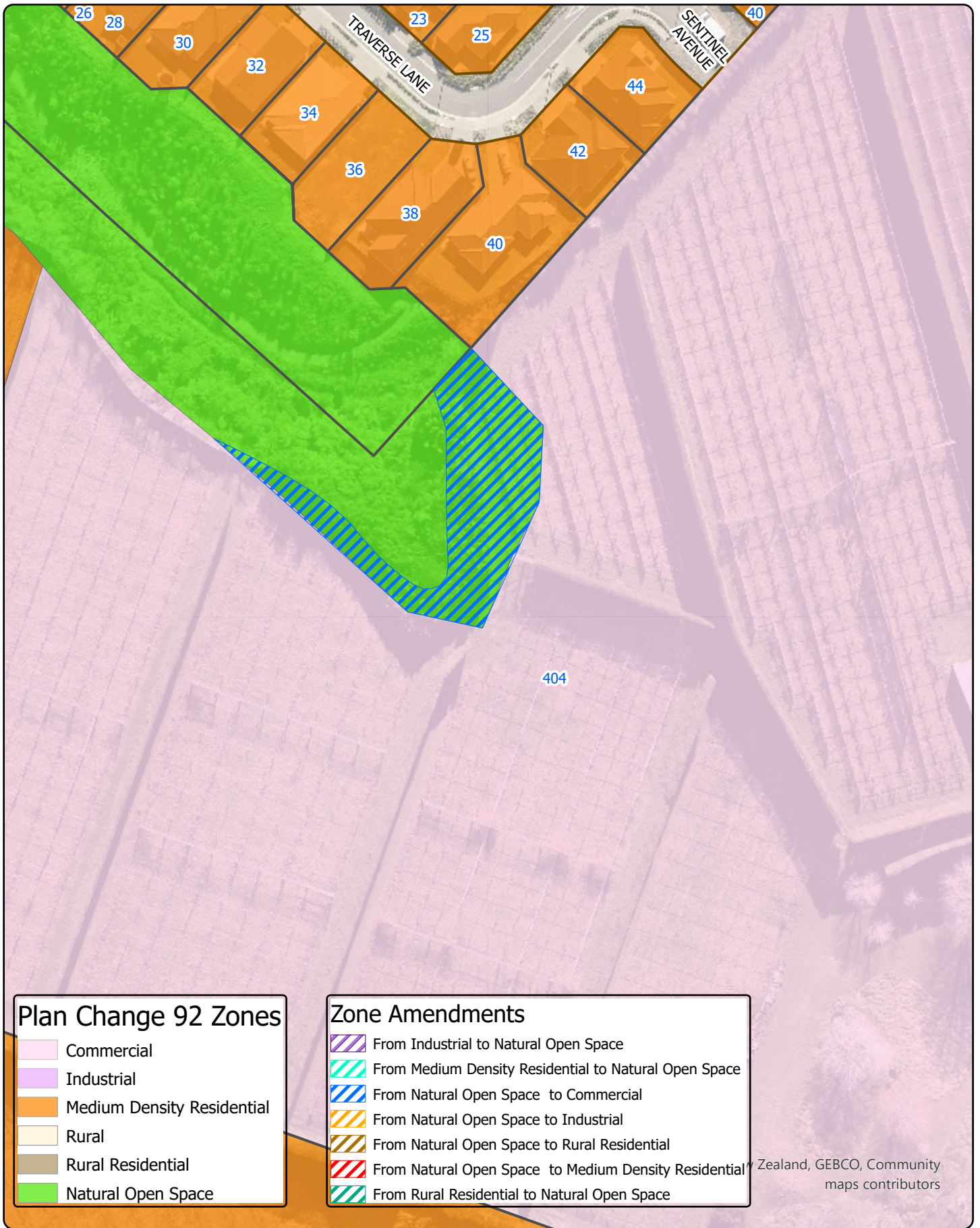


Western Bay of Plenty
District Council

For our people

Plan Change 92
Zone Amendment - 69 Prole Road
Natural Open Space to Medium Density Residential





Plan Change 92 Zones

- Commercial
- Industrial
- Medium Density Residential
- Rural
- Rural Residential
- Natural Open Space

Zone Amendments

- From Industrial to Natural Open Space
- From Medium Density Residential to Natural Open Space
- From Natural Open Space to Commercial
- From Natural Open Space to Industrial
- From Natural Open Space to Rural Residential
- From Natural Open Space to Medium Density Residential
- From Rural Residential to Natural Open Space

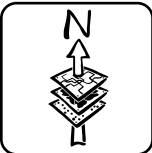
Zealand, GEBCO, Community maps contributors

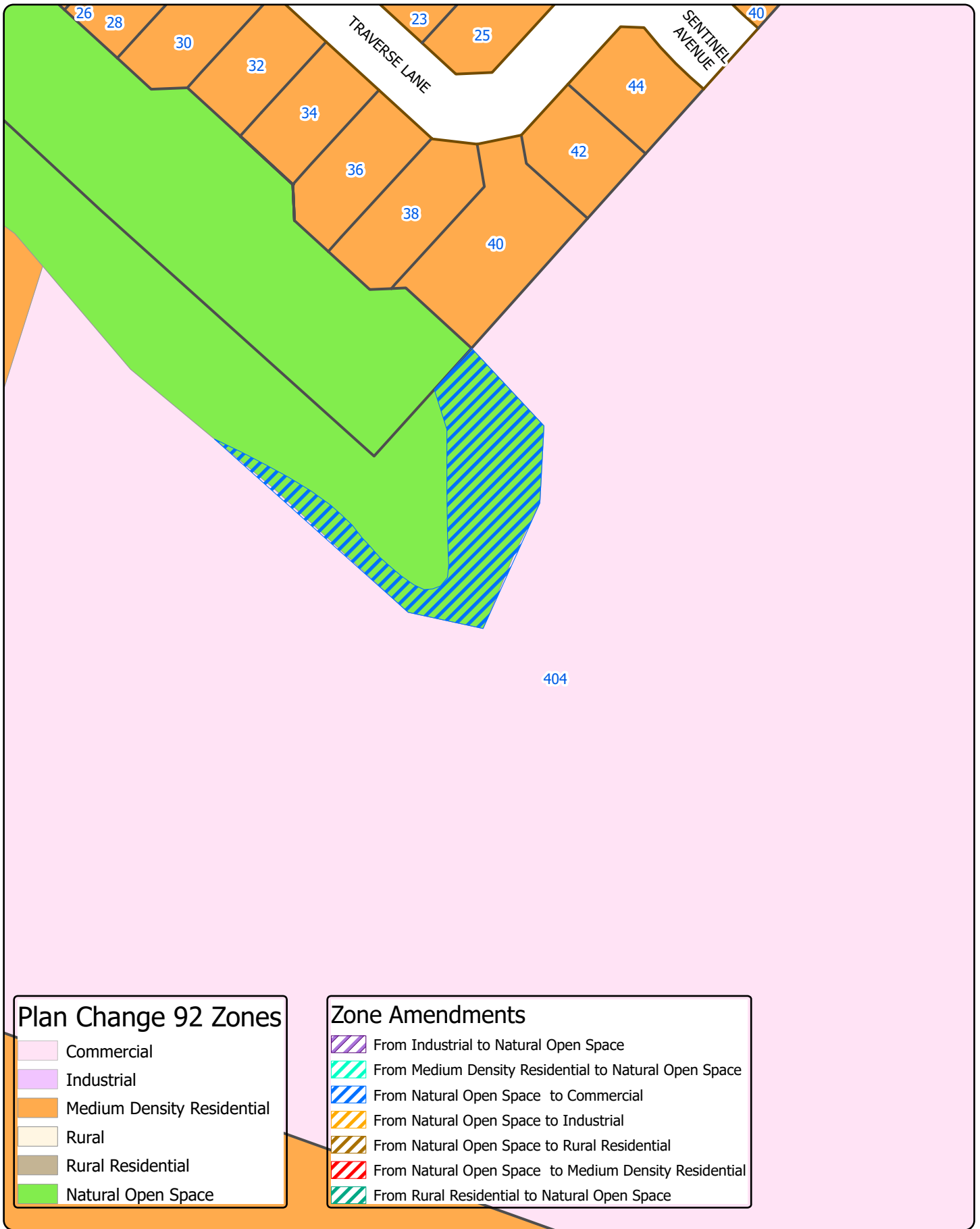
Produced using ArcMap by the Western Bay of Plenty District Council GIS Team. Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522. Location of services is indicative only. Council accepts no liability for any error. Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

Email: gis@westernbay.govt.nz Scale A4 - 1:1,000
 Date: 11/08/2023 0 10 20 40 60 Metres
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx



Plan Change 92
Zone Amendment - 404 Ōmokoroa Road
Natural Open Space to Commercial





Plan Change 92 Zones

- Commercial
- Industrial
- Medium Density Residential
- Rural
- Rural Residential
- Natural Open Space

Zone Amendments

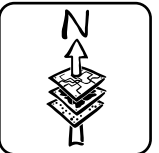
- From Industrial to Natural Open Space
- From Medium Density Residential to Natural Open Space
- From Natural Open Space to Commercial
- From Natural Open Space to Industrial
- From Natural Open Space to Rural Residential
- From Natural Open Space to Medium Density Residential
- From Rural Residential to Natural Open Space

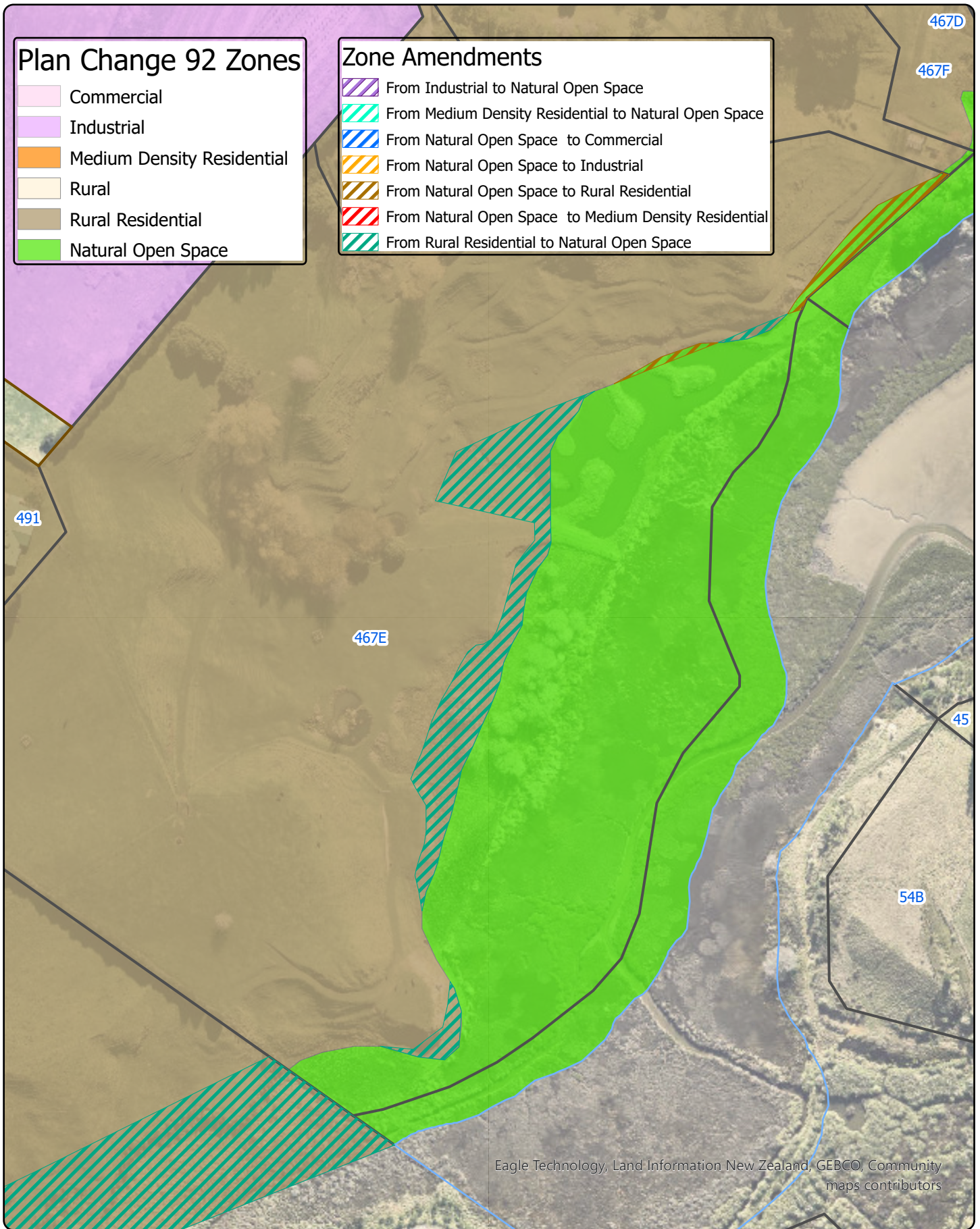
Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
 Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
 Location of services is indicative only. Council accepts no liability for any error.
 Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

Email: gis@westernbay.govt.nz Scale A4 - 1:1,000
 Date: 11/08/2023 0 10 20 40 60 Metres
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx



Plan Change 92
Zone Amendment - 404 Ōmokoroa Road
Natural Open Space to Commercial





Plan Change 92 Zones

- Commercial
- Industrial
- Medium Density Residential
- Rural
- Rural Residential
- Natural Open Space

Zone Amendments

- From Industrial to Natural Open Space
- From Medium Density Residential to Natural Open Space
- From Natural Open Space to Commercial
- From Natural Open Space to Industrial
- From Natural Open Space to Rural Residential
- From Natural Open Space to Medium Density Residential
- From Rural Residential to Natural Open Space

491

467E

467D

467F

45

54B

Eagle Technology, Land Information New Zealand, GEBCO, Community maps contributors

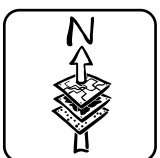
Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
 Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
 Location of services is indicative only. Council accepts no liability for any error.
 Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

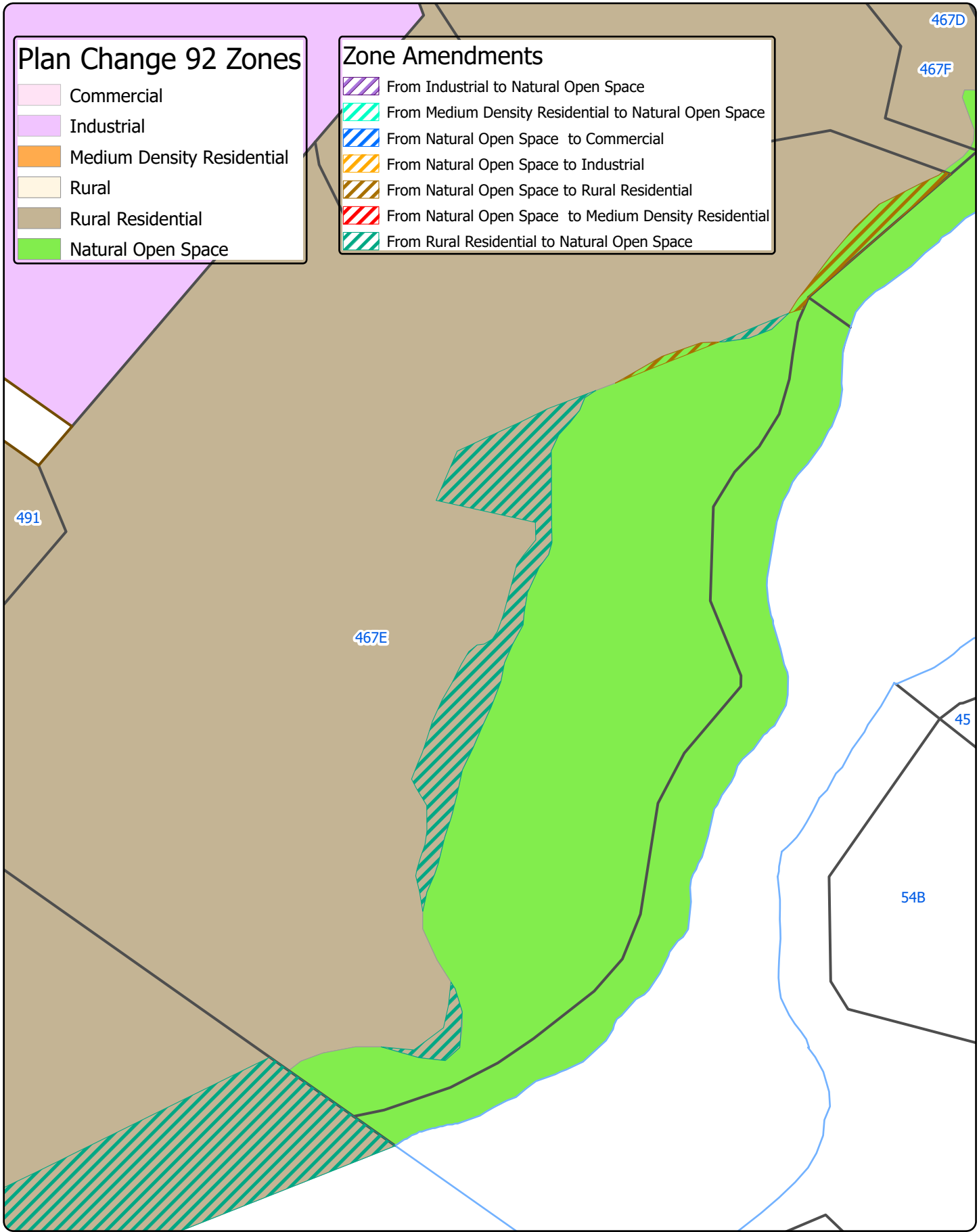
Email: gis@westernbay.govt.nz
 Date: 11/08/2023
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx

Scale A4 - 1:2,000
 0 5 10 20 30 40 50 60 70 80 Metres



Plan Change 92
 Zone Amendment - 467E Omokoroa Road
 Rural Residential to Natural Open Space and
 Natural Open Space to Rural Residential





Plan Change 92 Zones

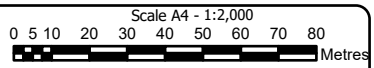
- Commercial
- Industrial
- Medium Density Residential
- Rural
- Rural Residential
- Natural Open Space

Zone Amendments

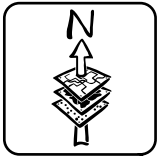
- From Industrial to Natural Open Space
- From Medium Density Residential to Natural Open Space
- From Natural Open Space to Commercial
- From Natural Open Space to Industrial
- From Natural Open Space to Rural Residential
- From Natural Open Space to Medium Density Residential
- From Rural Residential to Natural Open Space

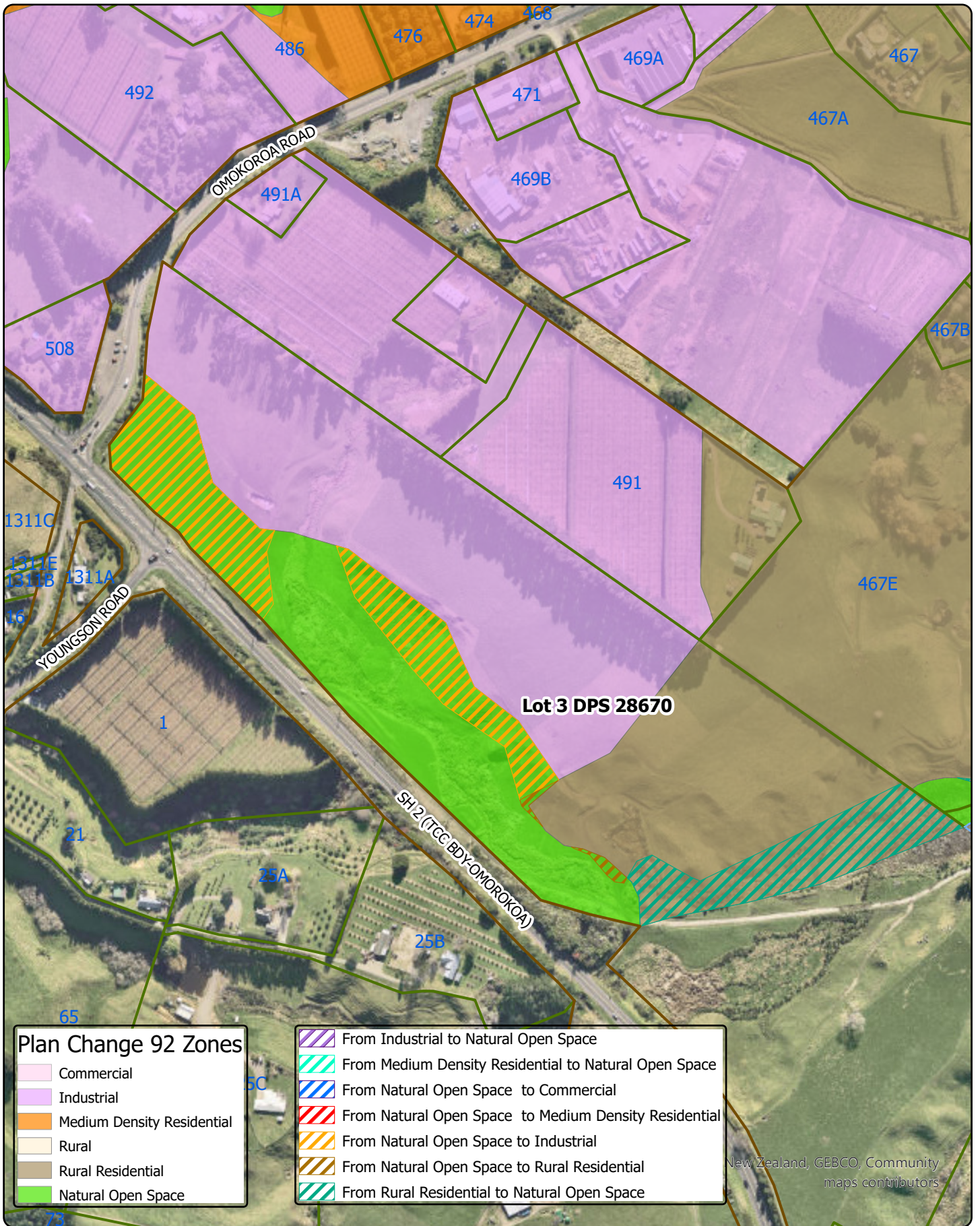
Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
 Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
 Location of services is indicative only. Council accepts no liability for any error.
 Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

Email: gis@westernbay.govt.nz
 Date: 11/08/2023
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx



Plan Change 92
 Zone Amendment - 467E Omokoroa Road
 Rural Residential to Natural Open Space and
 Natural Open Space to Rural Residential





Lot 3 DPS 28670

Plan Change 92 Zones

- Commercial
- Industrial
- Medium Density Residential
- Rural
- Rural Residential
- Natural Open Space

- From Industrial to Natural Open Space
- From Medium Density Residential to Natural Open Space
- From Natural Open Space to Commercial
- From Natural Open Space to Medium Density Residential
- From Natural Open Space to Industrial
- From Natural Open Space to Rural Residential
- From Rural Residential to Natural Open Space

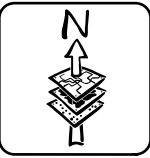
New Zealand, GEBCO, Community maps contributors

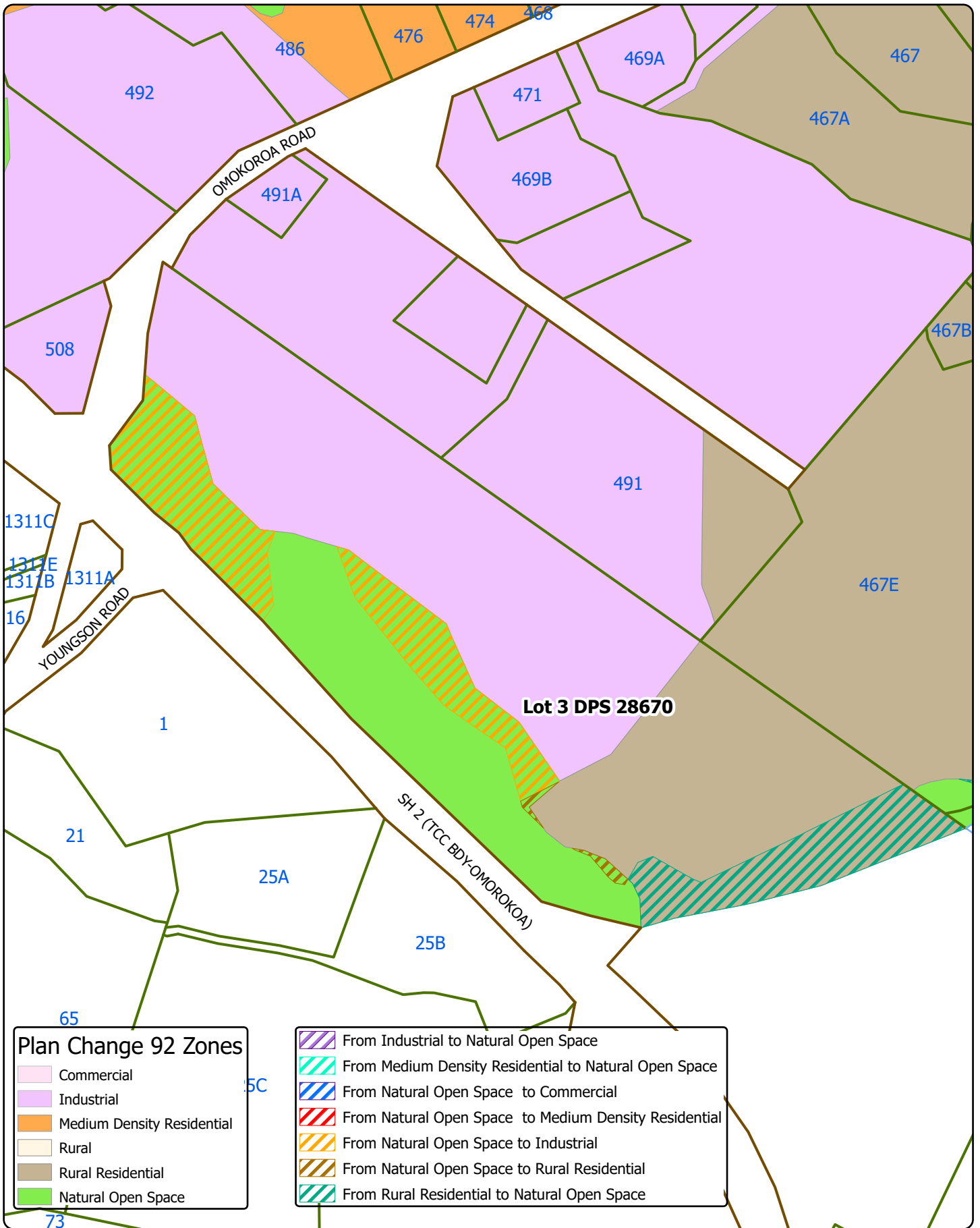
Produced using ArcMap by the Western Bay of Plenty District Council GIS Team. Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522. Location of services is indicative only. Council accepts no liability for any error. Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

Email: gis@westernbay.govt.nz Scale A4 - 1:4,000
 Date: 11/08/2023
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx



Plan Change 92
 Zone Amendments - Lot 3 DPS 28670 Ōmokoroa Road
 Natural Open Space to Industrial, Natural Open Space to Rural Residential,
 Rural Residential to Natural Open Space





Lot 3 DPS 28670

Plan Change 92 Zones

- Commercial
- Industrial
- Medium Density Residential
- Rural
- Rural Residential
- Natural Open Space

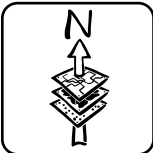
- From Industrial to Natural Open Space
- From Medium Density Residential to Natural Open Space
- From Natural Open Space to Commercial
- From Natural Open Space to Medium Density Residential
- From Natural Open Space to Industrial
- From Natural Open Space to Rural Residential
- From Rural Residential to Natural Open Space

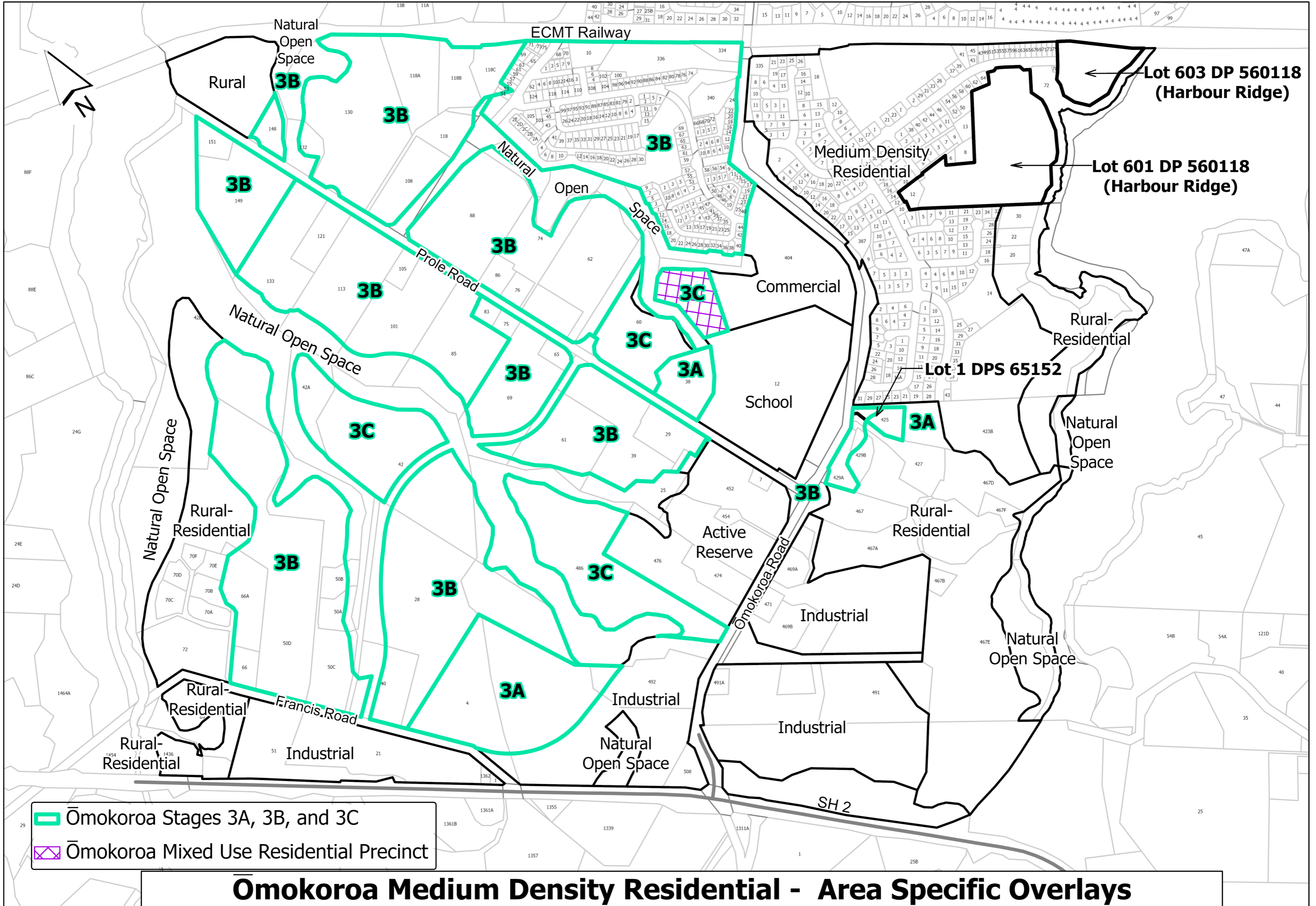
Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
 Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
 Location of services is indicative only. Council accepts no liability for any error.
 Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

Email: gis@westernbay.govt.nz Scale A4 - 1:4,000
 Date: 11/08/2023
 Operator: mlb
 Map: E:\Shape\DistrictPlan\PC92\NOSZ change maps.aprx



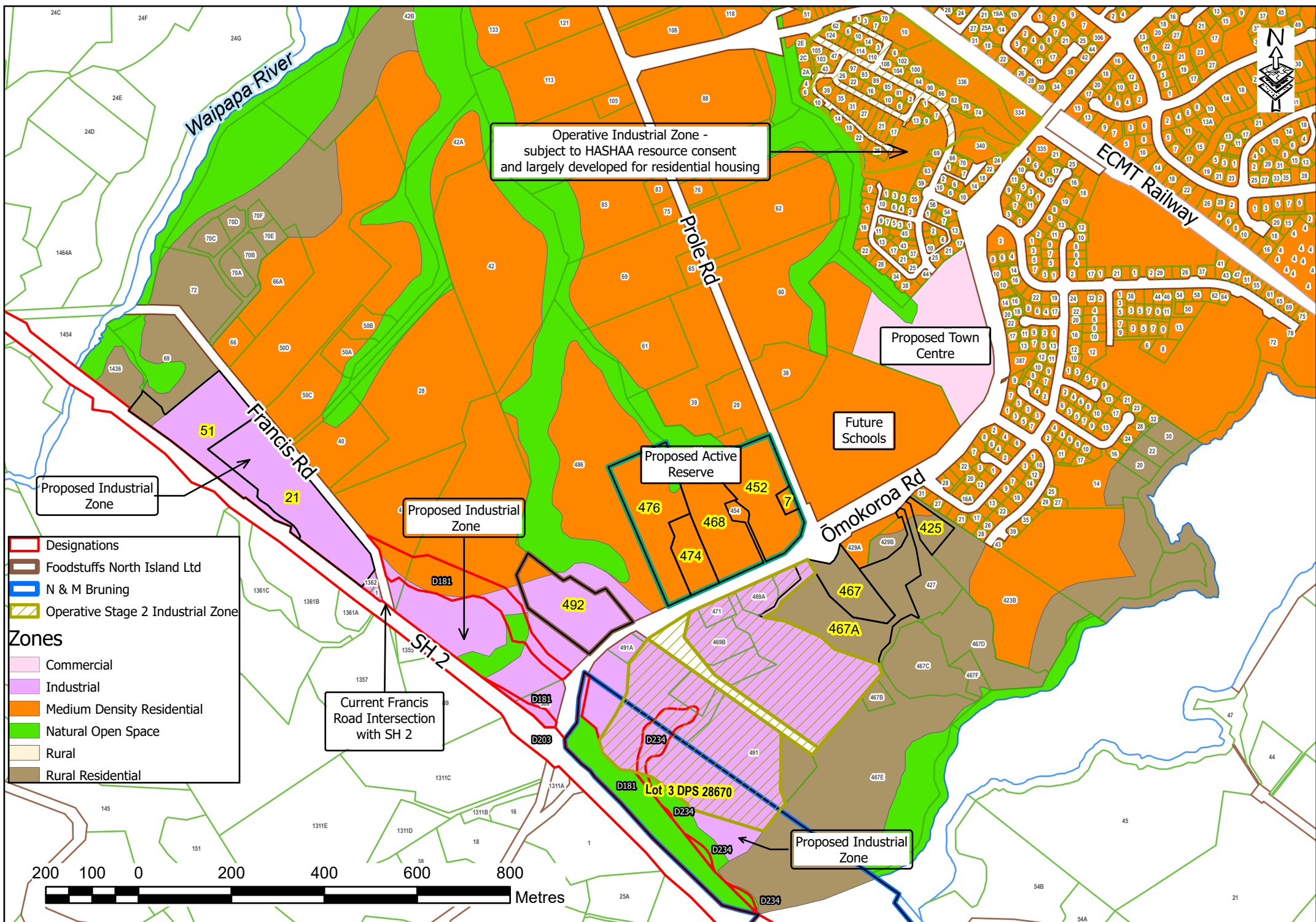
Plan Change 92
 Zone Amendments - Lot 3 DPS 28670 Ōmokoroa Road
 Natural Open Space to Industrial, Natural Open Space to Rural Residential,
 Rural Residential to Natural Open Space

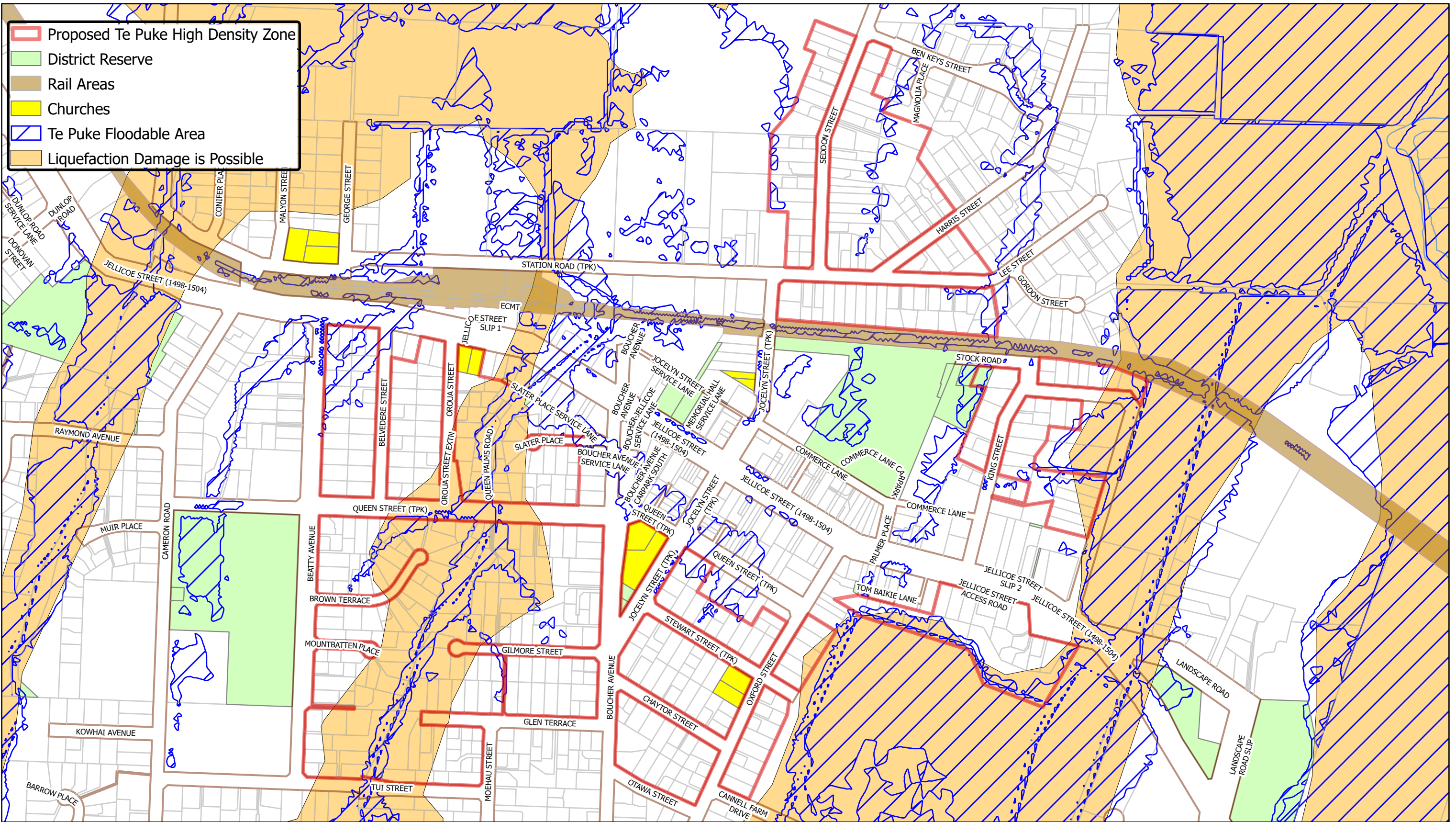




- Omokoroa Stages 3A, 3B, and 3C
- Omokoroa Mixed Use Residential Precinct

Omokoroa Medium Density Residential - Area Specific Overlays





Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
 Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
 Location of services is indicative only. Council accepts no liability for any error.
 Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

Email: gis@westernbay.govt.nz

Date: 13/07/2023

Operator: mlb

Map: E:\Shape\MLB\2023\Projects\Te Puke - Proposed High Density Zone.aprx

Scale A3 - 1:5,500

