
From: Lucy Holden <Lucy.Holden@boprc.govt.nz>
Sent: Monday, 14 November 2022 4:05 pm
To: District Plan
Subject: BOPRC further submission to WBOPDC's Plan Change 92
Attachments: Cover letter BOPRC submission to Plan Change 92 WBOPDP 2022-11-14.pdf;
BOPRC further submission to Plan Change 92 2022-11-14.pdf

Kia ora

Please find attached Bay of Plenty Regional Council's cover letter and further submission on WBOPDC's Plan Change 92.

We appreciate the opportunity to provide further comment.

Ngā mihi maioha

Lucy

Lucy Holden

Senior Planner

Bay of Plenty Regional Council Toi Moana

DD: 0800 884 881 extn: 9278

E: Lucy.Holden@boprc.govt.nz

W: www.boprc.govt.nz

A: PO Box 364, Whakatāne 3158, New Zealand

Thriving together – mō te taiao, mō ngā tāngata

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14 November 2022



Our ref: A4249674

John Holyoake
Chief Executive Officer
Western Bay of Plenty District Council
Private Bag 12803
Tauranga 3143

Tēnā koe John

Bay of Plenty Regional Council further submission to proposed Plan Change 92 to the Western Bay of Plenty District Plan

Please find enclosed Bay of Plenty Regional Council's further submission to proposed Plan Change 92 to the Western Bay of Plenty District Plan.

A copy will be sent to the persons who made the original submissions to which our further submission relates.

Bay of Plenty Regional Council wishes to be heard in support of its further submission.

For matters relating to this submission please contact Julie Bevan (Julie.Bevan@boprc.govt.nz) and Nathan Te Pairi (Nathan.TePairi@boprc.govt.nz).

Nāku noa, nā,

A handwritten signature in blue ink that reads 'Julie Bevan'.

Julie Bevan
Policy & Planning Manager

District Plan Change 92

Further Submission Form

You can deliver your submission to the Katikati, Te Puke, Ōmokoroa or Waihi Beach Library and Service Centre, Main Council Office at Barks Corner, email it to districtplan@westernbay.govt.nz, or mail it to:

District Plan Changes
Western Bay of Plenty District Council
Private Bag 12803
Tauranga Mail Centre
Tauranga 3143

A copy of your further submission must be served on the original submitter within 5 working days after it is served on Council

Please note: All the information you provide in your feedback form (including personal details) will become public documents.

Submissions close 5.00pm on Monday 14 November 2022

Name: Julie Bevan / Nathan Te Pairi

Organisation: Bay of Plenty Regional Council

Address for Service: PO Box 364
Whakatāne **Post Code:** 3158

E-mail Address: julie.bevan@boprc.govt.nz and nathan.tepairi@boprc.govt.nz

Telephone Number: 0800 884 880

I am (please tick the one applicable to you)

- a person representing a relevant aspect of the public interest
 a person that has an interest in the plan change greater than the interest that the general public has
 the local authority itself.

Please specify the grounds for saying that you come within one of these categories:

Regional Council submitter

I/We would like to speak in support of my/our submission at the Council hearing.

Yes No



Signed: _____ **Date:** 14 November 2022
(Signature of person making submission or person authorised to sign on behalf of person making submissions)

Submitters Name and Address who you are further submitting on	Submission Ref. No. and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Classic Group, c/o Libby Gosling, 160 Seventeenth Ave, Tauranga South, Tauranga 3110	26.4	O	Oppose relief sought by the submitter because, as outlined in our submission point 25.31, driveways can form a significant part of the impervious area on a site for an infill area, especially when accessing rear sites. Impervious surface 'creep' from infill developments leads to cumulative effects on the stormwater network, which can compromise existing levels of service (e.g. for stormwater and wastewater infrastructure).	Remove the exclusions (items a, b and c) from the definition of 'net site area' in relation to its use as an activity standard to determine the impervious surface percentage limit within the net site area (14A.4.2 (d)(i)).
Urban Taskforce for Tauranga, c/o Aaron Collier, Collier Consultants Ltd, PO Box 14371, Tauranga Mail Centre, Tauranga 3112	39.8	Support in part	<p>Support in part relief sought by the submitter. Bay of Plenty Regional Council ("Regional Council") supports any plan provision that encourages/requires water sensitive design such as stormwater reuse within a site. However even with onsite water retention measures in place, sites in medium density residential areas are still likely to need to connect to the reticulated stormwater system because it may not be possible to retain all stormwater on site during larger storms to meet Western Bay of Plenty District Council's level of service for management of stormwater.</p> <p>Any site that did not connect to reticulated stormwater would fall outside of the comprehensive stormwater consent for that area. The comprehensive stormwater consent aims to manage stormwater in the whole catchment, including cumulative effects of the stormwater discharge. A site that did not connect to the reticulated stormwater system may need a resource consent from the Regional Council because the stormwater discharge may not meet the relevant permitted rule of the relevant regional plan.</p>	Retain provision 12.4.5.3 as notified.
Kainga Ora, c/o Gurv Singh, PO Box 74598,	29.13	Support in part	<p>Support addition of 'and development' to the rule.</p> <p>Oppose deletion of the additional detail in 12.4.5.17(b) (requirement for water sensitive urban design to maintain/enhance pre-development hydrology and</p>	Retain the additional detail required under 12.4.5.17(b), (d) and (e) as notified. Ensure a clear and consistent

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Greenlane, Auckland 1051			<p>quality). The additional detail in (b) ensures that this detail will be included in the SMP – without this direction, these measures may not be included. The plan should detail the requirements of the SMP, including requirements to manage attenuation and water quality to give effect to the NPS-FM, the relevant provision/s of the Bay of Plenty Regional Policy Statement (RPS) and to ensure consistency with the relevant regional plans.</p> <p>Oppose deletion of 12.4.5.17 (d) (construction plans) and (e) (erosion and sediment control plans). These plans support comprehensive and integrated planning to manage water quality effects, and therefore meet SMP and comprehensive consent requirements and give effect to regional and national policy requirements.</p> <p>Regional Council supports using clear and consistent terminology for the catchment management documents, including the SMP (per submission point 25.12). We understand that the proposed Ōmokoroa SMP is still in draft form and so the final version cannot be referenced. Regional Council considers the SMP should be an adaptive management document, able to be updated and respond to the circumstances for the best outcome for stormwater quality and flood management. References to the SMPs should be consistent throughout the plan and should refer to the most recent certified version.</p>	terminology is used to reference the SMPs throughout the plan.
The North Twelve Ltd Partnership, c/o Shae Crossan, 29 Grey Street, Tauranga 3110	47.5	S	Support relief sought by the submitter because there is uncertainty around the design figures in 12.4.5.17(a): the flooding management standard in 12.4.5.17(a) does not align with the various attenuation requirements anticipated or approved in the existing catchment management plans for Ōmokoroa and Te Puke.	Delete 12.4.5.17(a) in favour of relief sought for 12.4.5.17 (b) (submission point 25.9) to ensure that attenuation is managed at the subdivision stage by the relevant catchment management documents and associated management plans.

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Classic Group, c/o Libby Gosling, 160 Seventeenth Ave, Tauranga South, Tauranga 3110	26.13	S	Support relief sought by the submitter because there is uncertainty around the design figures in 12.4.5.17(a): the flooding management standard in 12.4.5.17(a) does not align with the various attenuation requirements anticipated or approved in the existing catchment management plans for Ōmokoroa and Te Puke.	Delete 12.4.5.17(a) in favour of relief sought for 12.4.5.17 (b) (submission points 25.9, 25.11 and 25.12) to ensure that attenuation is managed at the subdivision stage by the relevant catchment management documents and associated management plans.
Jace Investments and Kiwi Green NZ Ltd, c/o Momentum Planning and Design, Richard Coles, Level 1, 138 Willow Street, Tauranga 3110	58.14	O	Oppose relief sought by the submitter. Existing stormwater infrastructure may need to be upgraded to meet consent conditions and the SMP requirements.	Delete 12.4.5.17(a) in favour of relief sought for 12.4.5.17 (b) (submission points 25.9, 25.11 and 25.12) to ensure that attenuation is managed at the subdivision stage by the relevant catchment management documents and associated management plans. Any alternative, similar or consequential amendments, including to other provisions, that would give effect to the relief sought or address the matter raised.
Urban Taskforce for Tauranga, c/o Aaron Collier, Collier	39.9	Support in part	Support relief sought by the submitter to delete Rule 12.4.5.17(a) because there is uncertainty around the design figures in 12.4.5.17(a): the flooding management standard in 12.4.5.17(a) does not align with the various attenuation requirements anticipated or approved in the existing catchment management plans for Ōmokoroa and Te Puke.	Delete 12.4.5.17(a) in favour of relief sought for 12.4.5.17 (b) in submission points 25.9, 25.11 and 25.12, to ensure that attenuation is managed at the subdivision stage by the relevant catchment

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Submitters Name and Address who you are further submitting on	Submission Ref. No. and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Consultants Ltd, PO Box 14371, Tauranga Mail Centre, Tauranga 3112			Oppose relief sought by the submitter to delete references to the Ōmokoroa Peninsula Stormwater Management Plan and Te Puke Stormwater Management Plan from Rule 12.4.5.17(b) – it is appropriate for the district plan and associated SMPs to provide direction on the requirements for attenuation and discharge standards to be achieved, rather than to rely on resource consents alone to set this direction. Resource consents take direction from policies in a plan and SMP rather than being standalone documents.	management documents and associated management plans.
Vercoe Holdings Ltd, c/o Aaron Collier, Collier Consultants Ltd, PO Box 14371, Tauranga Mail Centre, Tauranga 3112	40.6	Support in part	<p>Support relief sought by the submitter to delete 12.4.5.17(a) because the flooding management standard in 12.4.5.17(a) does not align with the various attenuation requirements anticipated or approved in the existing catchment management plans for Ōmokoroa and Te Puke.</p> <p>Oppose relief sought by the submitter to delete references to the Ōmokoroa Peninsula Stormwater Management Plan and Te Puke Stormwater Management Plan from Rule 12.4.5.17(b) – it is appropriate for the district plan and associated SMPs to provide direction on the requirements for attenuation and discharge standards to be achieved, rather than to rely on resource consents alone to set this direction. Resource consents take direction from policies in a plan and SMP rather than being standalone documents.</p>	Delete 12.4.5.17(a) in favour of relief sought for 12.4.5.17 (b) in submission points 25.9, 25.11 and 25.12, to ensure that attenuation is managed at the subdivision stage by the relevant catchment management documents and associated management plans.
Brian Goldstone, c/o Aaron Collier, Collier Consultants Ltd, PO Box 14371, Tauranga Mail Centre, Tauranga 3112	42.4	Support in part	<p>Support relief sought by the submitter to delete 12.4.5.17(a) because the flooding management standard in 12.4.5.17(a) does not align with the various attenuation requirements anticipated or approved in the existing catchment management plans for Ōmokoroa and Te Puke.</p> <p>Oppose relief sought by the submitter to delete references to the Ōmokoroa Peninsula Stormwater Management Plan and Te Puke Stormwater Management Plan from Rule 12.4.5.17(b) – it is appropriate for the district plan and associated SMPs to provide direction on the requirements for attenuation and discharge standards to be achieved, rather than to rely on resource consents alone to set this direction. Resource consents take direction from policies in a plan and SMP rather than being standalone documents.</p>	Delete 12.4.5.17(a) in favour of relief sought for 12.4.5.17 (b) in submission points 25.9, 25.11 and 25.12, to ensure that attenuation is managed at the subdivision stage by the relevant catchment management documents and associated management plans.

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Submitters Name and Address who you are further submitting on	Submission Ref. No. and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
The North Twelve Ltd Partnership, c/o Shae Crossan, 29 Grey Street, Tauranga 3110	47.6	Support	Support relief sought by the submitter because there is uncertainty around the design figures in 12.4.5.17(a): the flooding management standard in 12.4.5.17(a) does not align with the various attenuation requirements anticipated or approved in the existing catchment management plans for Ōmokoroa and Te Puke.	Delete 12.4.5.17(a) in favour of relief sought for 12.4.5.17(b) (submission points 25.9, 25.11 and 25.12) to ensure that attenuation is managed at the subdivision stage by the relevant catchment management documents and associated management plans.
Jace Investments and Kiwi Green NZ Ltd, c/o Momentum Planning and Design, Richard Coles, Level 1, 138 Willow Street, Tauranga 3110	58.15	S	<p>Support relief sought by the submitter to prefer native trees instead of maples because:</p> <ol style="list-style-type: none"> 1. Deciduous trees such as maples can increase the cost burden on Council and ratepayers due to increased blockages to the stormwater network caused by autumn leaf falls. 2. Deciduous trees can increase the difficulty and cost of maintaining stormwater infrastructure such as catchpits, swales and rain gardens encouraged in 12.4.5.17(c). 3. Pirirakau hapū indicated a preference for native trees (as outlined in submission point 58.15). 4. Native trees provide greater ecological benefits than introduced species by providing habitat and food sources for native birds, bats and invertebrates. 	Provision 12.4.11.2(c): consider requiring native evergreen trees along Ōmokoroa Road instead of maple trees.
Kainga Ora, c/o Gurv Singh, PO Box 74598, Greenlane, Auckland 1051	29.17	O	Oppose relief sought by the submitter to change provision 12.4.11.5(c) because development should be led by the plan rather than carried out on a consent-by-consent basis, with unintended incremental changes to how the structure plan is implemented. The issues that initiated the structure plan have been explored, and the structure plan provides the approach to manage those issues. The structure plan has been consulted on and incorporates the community's input. As such, non-complying is the appropriate activity status for non-compliance with the plan or associated stormwater consent/stormwater management plan.	Retain 12.4.11.5(c) as notified.

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Submitters Name and Address who you are further submitting on	Submission Ref. No. and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Classic Group, c/o Libby Gosling, 160 Seventeenth Ave, Tauranga South, Tauranga 3110	26.15	O	Oppose relief sought by the submitter because development should be led by the structure plan rather than carried out on a consent-by-consent basis, with unintended incremental changes to how the structure plan is implemented. The issues that initiated the structure plan have been explored, and the structure plan provides the approach to manage those issues. The structure plan has been consulted on and incorporates the community's input. As such, non-complying is the appropriate activity status for non-compliance with the plan or associated stormwater consent/stormwater management plan.	Retain 12.4.11.5(c) as notified.
Jace Investments and Kiwi Green NZ Ltd, c/o Momentum Planning and Design, Richard Coles, Level 1, 138 Willow Street, Tauranga 3110	58.16	O	Oppose relief sought by the submitter because development should be led by the structure plan rather than carried out on a consent-by-consent basis, with unintended incremental changes to how the structure plan is implemented. The issues that initiated the structure plan have been explored, and the structure plan provides the approach to manage those issues. The structure plan has been consulted on and incorporates the community's input. As such, non-complying is the appropriate activity status for non-compliance with the plan or associated stormwater consent/stormwater management plan.	Retain 12.4.11.5(c) as notified.
Pete Linde, PO Box 15607, Tauranga 3110	19.14	O	Oppose relief sought by the submitter because development should be led by the structure plan rather than carried out on a consent-by-consent basis, with unintended incremental changes to how the structure plan is implemented. The issues that initiated the structure plan have been explored, and the structure plan provides the approach to manage those issues. The structure plan has been consulted on and incorporates the community's input. As such, non-complying is the appropriate activity status for non-compliance with the plan or associated stormwater consent/stormwater management plan.	Retain 12.4.11(c) as notified.

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Submitters Name and Address who you are further submitting on	Submission Ref. No, and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Ara Poutama Aotearoa Department of Corrections, c/o Andrea Millar, Private Box 1206, Wellington 6011	24.6	Support in part	Support relief sought by the submitter to retain Policy 14A.2.2.7 as notified.	Retain Policy 14A.2.2.7 as notified with an amendment to refer to water sensitive urban design (per submission point 25.43).
Classic Group, c/o Libby Gosling, 160 Seventeenth Ave, Tauranga South, Tauranga 3110	26.24	O	Oppose relief sought by the submitter to delete 'how the relevant requirements of the structure plan are met' from Policy 14A.2.2.7 because the policy is appropriately specific in referring to the structure plan. Associated rule 14A.7.1 provides detail on how to assess how the relevant requirements of the structure plan are met (Rule 14A.7.1 matters of discretion c-g).	Retain Policy 14A.2.2.7 as notified with an amendment to refer to water sensitive urban design (per submission point 25.43).
Kainga Ora, c/o Gurv Singh, PO Box 74598, Greenlane, Auckland 1051	29.27	O	Oppose relief sought by the submitter. It is appropriate to retain Policy 14A.2.2.7 because the policy provides direction on the matters to consider, and Rule 14A.7.1 provides more detail on how to assess these matters. The policy and rule are complementary rather than the policy repeating the matters of discretion in the rule.	Retain Policy 14A.2.2.7 as notified with an amendment to refer to water sensitive urban design (per submission point 25.43).
Retirement Villages Association of NZ, c/o	34.23	O	Oppose relief sought by the submitter. The requirement to assess how high-quality urban design outcomes are being achieved is not considered vague because the matters of discretion in Rule 14A.7.1 provide the detail of how to assess these matters. Rule 14A.7.1 states: "Council shall consider the following to assess the	Retain Policy 14A.2.2.7 as notified with an amendment to refer to water sensitive urban design (per submission point 25.43).

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Submitters Name and Address who you are further submitting on	Submission Ref. No. and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Chapman Tripp, Luke Hinchey, Level 24, PWC Tower, 15 Customs Street West, PO Box 2206, Shortland Street, Auckland 1010			<i>overall contribution of the development to deliver a high quality and well-functioning urban environment”, and the rule then provides detail on the matters to consider.</i>	
Urban Taskforce for Tauranga, c/o Aaron Collier, Collier Consultants Ltd, PO Box 14371, Tauranga Mail Centre, Tauranga 3112	39.16	O	Oppose relief sought by the submitter to delete ‘how the relevant requirements of the structure plan are met’ from Policy 14A.2.2.7 because the policy is appropriately specific in referring to the structure plan. Associated rule 14A.7.1 provides detail on how to assess how the relevant requirements of the structure plan are met (Rule 14A.7.1 matters of discretion c-g).	Retain Policy 14A.2.2.7 as notified with an amendment to refer to water sensitive urban design (per submission point 25.43).
Fire and Emergency NZ, c/o Beca, Alec Duncan, PO Box 448, Hamilton 3116	18.18	S	Support the submission point and the submitter’s reasons for supporting Policy 14A.2.2.7.	Retain Policy 14A.2.2.7 as notified with an amendment to refer to water sensitive urban design (per submission point 25.43).

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The North Twelve Ltd Partnership, c/o Shae Crossan, 29 Grey Street, Tauranga 3110	47.33	O	Oppose relief sought by the submitter because it is appropriate to limit impervious surface area exceedances unless onsite mitigation is provided. The policy is considered sufficiently flexible by not specifying the type of onsite mitigation required.	Retain Policy 14A.2.2.14 as notified with an amendment to include the receiving environment (as well as the stormwater network), per submission point 25.42.
Kainga Ora, c/o Gurb Singh, PO Box 74598, Greenlane, Auckland 1051	29.31	O	Oppose relief sought by the submitter. Policy 14A.2.2.14 is considered necessary because it provides guidance to the rule. The policy directs to manage stormwater on site, while Rule 14A.7.13 requires consent applicants to provide information on how this will be achieved. The policy and rule are complementary.	Retain Policy 14A.2.2.14 as notified with an amendment to include the receiving environment (as well as the stormwater network), per submission point 25.42.
Kainga Ora, c/o Gurb Singh, PO Box 74598, Greenlane, Auckland 1051	29.32	O	Oppose relief sought by the submitter because: <ul style="list-style-type: none"> 1. Regional Council considers protecting overland flow paths is an appropriate policy response to achieve a low level of risk and not increasing risk offsite in the context of applying the MDRS to Ōmokoroa and Te Puke. 2. The policy is required in this chapter to support consequential provisions to protect overland flow paths from inappropriate development, i.e. the policy is complementary to and provides direction to the relevant rule. 	Retain Policy 14A.2.2.15 as notified.
Urban Taskforce for Tauranga, c/o Aaron Collier, Collier Consultants Ltd, PO Box 14371,	39.22	O	Oppose relief sought by the submitter because, as outlined in Regional Council's submission points 25.31 and 25.45, driveways can form a significant part of the impervious area of a site for an infill area, especially when accessing rear sites. Impervious surface 'creep' from infill developments leads to cumulative effects on the stormwater network, which can compromise existing levels of service (e.g. for stormwater and wastewater infrastructure). Restricting surface runoff from intensification to existing levels will appropriately mitigate effects on downstream flood protection assets. The maximum impervious cover was used to quantify	If the definition of 'net site area' is not amended (per submission point 25.31), in Rule 14A.4.2(d) change references to 'net site area' to 'total site' (or similar) so that all impervious surfaces (including accessways) within a site are considered.

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Tauranga Mail Centre, Tauranga 3112			flooding extent, flood depth and velocity and associated effects on the receiving environment.	Any alternative, similar or consequential amendments, including to other provisions, that would give effect to the relief sought or address the matter raised.
Classic Group, c/o Libby Gosling, 160 Seventeenth Avenue, Tauranga South, Tauranga 3110	26.30	O	Oppose relief sought by the submitter because, as outlined in Regional Council's submission points 25.31 and 25.45, driveways can form a significant part of the impervious area of a site for an infill area, especially when accessing rear sites. Impervious surface 'creep' from infill developments leads to cumulative effects on the stormwater network, which can compromise existing levels of service. Restricting surface runoff from intensification to existing levels will appropriately mitigate effects on downstream flood protection assets.	If the definition of 'net site area' is not amended (per submission point 25.31), in Rule 14A.4.2(d) change references to 'net site area' to 'total site' so that all impervious surfaces (including accessways) within a site are considered. Any alternative, similar or consequential amendments, including to other provisions, that would give effect to the relief sought or address the matter raised.
Vercoe Holdings Ltd, c/o Aaron Collier, Collier Consultants Ltd, PO Box 14371, Tauranga Mail Centre, Tauranga 3112	40.14	O	Oppose relief sought by the submitter because, as outlined in Regional Council's submission points 25.31 and 25.45, driveways can form a significant part of the impervious area of a site for an infill area, especially when accessing rear sites. Impervious surface 'creep' from infill developments leads to cumulative effects on the stormwater network, which can compromise existing levels of service. Restricting surface runoff from intensification to existing levels will appropriately mitigate effects on downstream flood protection assets.	If the definition of 'net site area' is not amended (per submission point 25.31), in Rule 14A.4.2(d) change references to 'net site area' to 'total site' so that all impervious surfaces (including accessways) within a site are considered. Any alternative, similar or consequential amendments, including to other provisions,

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				that would give effect to the relief sought or address the matter raised.
Brian Goldstone, c/o Aaron Collier, Collier Consultants Ltd, PO Box 14371, Tauranga Mail Centre, Tauranga 3112	42.10	O	Oppose relief sought by the submitter because, as outlined in Regional Council's submission points 25.31 and 25.45, driveways can form a significant part of the impervious area of a site for an infill area, especially when accessing rear sites. Impervious surface 'creep' from infill developments leads to cumulative effects on the stormwater network, which can compromise existing levels of service. Restricting surface runoff from intensification to existing levels will appropriately mitigate effects on downstream flood protection assets.	If the definition of 'net site area' is not amended (per submission point 25.31), in Rule 14A.4.2(d) change references to 'net site area' to 'total site' so that all impervious surfaces (including accessways) within a site are considered. Any alternative, similar or consequential amendments, including to other provisions, that would give effect to the relief sought or address the matter raised.
The North Twelve Ltd Partnership, c/o Shae Crossan, 29 Grey Street, Tauranga 3110	47.51	O	Oppose relief sought by the submitter. The 50% impervious surface limit is to enable further development of Te Puke without having a negative impact on existing stormwater infrastructure or on downstream properties.	Retain standard 14A.4.2(d)(i)(a) as notified.
Brian Goldstone, c/o Aaron Collier, Collier Consultants Ltd, PO Box	42.15	O	Oppose relief sought by the submitter because, as outlined in Regional Council's submission points 25.31 and 25.45, driveways can form a significant part of the impervious area of a site for an infill area, especially when accessing rear sites. Impervious surface 'creep' from infill developments leads to cumulative effects on the stormwater network, which can compromise existing levels of service. Restricting surface runoff from intensification to existing levels will appropriately mitigate effects on downstream flood protection assets.	Retain Rule 14A.7.13 as notified.

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14371, Tauranga Mail Centre, Tauranga 3112				
Vercoe Holdings Ltd, c/o Aaron Collier, Collier Consultants Ltd, PO Box 14371, Tauranga Mail Centre, Tauranga 3112	40.19	O	Oppose relief sought by the submitter because, as outlined in Regional Council's submission points 25.31 and 25.45, driveways can form a significant part of the impervious area of a site for an infill area, especially when accessing rear sites. Impervious surface 'creep' from infill developments leads to cumulative effects on the stormwater network, which can compromise existing levels of service. Restricting surface runoff from intensification to existing levels will appropriately mitigate effects on downstream flood protection assets.	Retain Rule 14A.7.13 as notified.
Pete Linde, PO Box 15607, Tauranga 3110	19.33	O	Oppose relief sought by the submitter to Policy 24.2.2 because: <ol style="list-style-type: none"> 1. Policy 24.2.2.1: it is unclear what subdivision and development would be complementary to the Natural Open Space Zone or how this would be assessed. It is appropriate to avoid residential subdivision and development in the Natural Open Space Zone, which is considered unsuitable for urban development due to contour and natural hazards and has stormwater functions. 2. Policy 24.2.2.3: The submitter's proposed addition of 'control' implies it is appropriate to obstruct, modify or divert natural watercourses in a manner that could adversely affect their stormwater management function if it is controlled. Modification of natural watercourses is a regional planning matter and is not regulated under the district plan. 	Retain Policy 24.2.2.1 as notified. Consider redrafting Policy 24.2.2.3 to confine matters to obstruction, modification and diversion of overland flow paths and floodplains, which can be controlled through district plan rules (per submission point 25.46). Reject submission point 19.33 to include the word 'control' in the policy.
Mike and Sandra	50.4	Oppose in part	The necessity of the submitter's proposed change is unclear.	Oppose in part as stormwater wetland locations are shown in

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Submitters Name and Address who you are further submitting on	Submission Ref. No. and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Smith, c/o Momentum Planning and Design, Richard Coles, Level 1, 138 Willow Street, Tauranga 3110				the Omokoroa Catchment Plan (Appendix A - Concept Plan). See submission point 25.10.
Western Bay of Plenty District Council, c/o Natalie Rutland, 1484 Cameron Road, Greerton 3112	15.13	Support	Support the need to accurately show locations of stormwater wetlands and ensure they are incorporated into the reserve areas for the reasons provided in submission point 15.13.	Accept submission point 15.13. The following relief is also sought in regard to mapping (as detailed in submission point 25.3): <ol style="list-style-type: none"> 1. Undertake detailed mapping identifying existing wetlands, streams and freshwater ecosystems in proximity to proposed stormwater wetlands, (particularly N1a and E1) before confirming the extent of the Natural Open Space Zone and/or the proposed locations of indicative wetlands shown on 'Ōmokoroa Structure Plan Infrastructure – Three Waters Infrastructure'. 2. Consider methods, including as set out in

Submitters Name and Address who you are further submitting on	Submission Ref. No. and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
				<p>submission point 25.4, for stormwater reserves, subdivision and financial contributions.</p> <p>3. Any alternative, similar or consequential amendments, including to other provisions, that would give effect to the relief sought or address the matters raised.</p>
Robert Hicks, 50d Francis Road, Ōmokoroa 3114	4.2	Support in part	Regional Council supports the need to accurately map the locations of stormwater treatment wetlands, however Regional Council does not support treatment wetlands being positioned in the lowest point in the gully system if these were to be 'online'. However, 'online' stormwater treatment wetlands created within a stream/river are not supported and are contrary to the direction of the NPS-FM with regard to retaining stream values.	<p>Regarding mapping (as detailed in submission point 25.3):</p> <ol style="list-style-type: none"> 1. Undertake detailed mapping identifying existing wetlands, streams and freshwater ecosystems in proximity to proposed stormwater wetlands, (particularly NIa and E1) before confirming the extent of the Natural Open Space Zone and/or the proposed locations of indicative wetlands shown on 'Ōmokoroa Structure Plan Infrastructure – Three Waters Infrastructure'. 2. Consider methods, including as set out in submission point 25.4, for

Submitters Name and Address who you are further submitting on	Submission Ref. No, and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
				<p>stormwater reserves, subdivision and financial contributions.</p> <p>3. Any alternative, similar or consequential amendments, including to other provisions, that would give effect to the relief sought or address the matters raised.</p>
<p>Sylvia Oemcke, 70b Francis Road, RD2, Ōmokoroa 3114</p>	<p>37.1</p>	<p>S</p>	<p>Regional Council supports the provision of a minimum 10 metre setback (and a larger setback for larger streams/rivers) between new development and rivers/streams/wetlands. This is good practice given the ecological and flooding issues that arise when development is too close to a river/stream/wetland. Regional Council notes that:</p> <ul style="list-style-type: none"> • Rivers/streams/wetlands are dynamic systems that need space to meander and interact naturally with their floodplains; larger rivers have larger floodplains and require larger setbacks. • When infrastructure is built too close to a river, there are few alternative solutions other than hard engineering, for which Council support is often requested. • Setbacks should be adequate to allow for natural meandering to occur without risk of compromising infrastructure and without the need for hard engineering solutions, which can cause loss of river extent and values. • Wetlands are a threatened ecosystem that provide habitat for threatened species. Setbacks should be adequate to protect ecosystem health and functioning of wetlands. • Setbacks/buffers to protect biodiversity and ecosystem health will often need to be wider than setbacks for water quality. 	<p>Consider requiring all buildings/structures and impervious surfaces to have a setback of at least 10 m from the edge of a bank of a permanently flowing river or stream, or a wetland.</p>

Submitters Name and Address who you are further submitting on	Submission Ref. No. and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
			<p>Provision of an appropriately sized, intact riparian/wetland margin, particularly adjacent to industrial areas, is consistent with Objective 1 and Policies 1, 3, 4, 5, 6, 7, 9, 10, 12 and 15 of the National Policy Statement for Freshwater Management 2020 (NPS-FM). The healthiest streams/rivers are those with vegetated buffers. The benefits of appropriately sized and planted riparian/wetland margins are well documented, and include:</p> <ul style="list-style-type: none"> • Improvements in water quality by filtering sediment and contaminants from runoff before it enters the water. • Reduction in water temperature. • Mitigates streambank erosion. • Provides habitat and migration corridor for wildlife. • Connected corridors (hills to sea/ki uta ki tai). • Enhances landscape. • Allows access to remove fallen trees/debris. • Lessens disturbance of wetland wildlife including threatened species. • Increases social and cultural values, including health and wellbeing. <p>Buildings constructed on the 10 m boundary of a river/wetland are likely to encroach into and fragment a riparian margin with additional structures such as decks, patios, fences and pools. Allowing minor structures and activities to encroach into the riparian margin will result in less space for the waterbody/wetland and its floodplain and permanent fragmentation of the riparian margin.</p>	
N&M Bruning, c/o Aaron Collier, Collier Consultants Ltd, PO Box 14371, Tauranga	31.3	O	Oppose relief sought by the submitter because the Natural Open Space Zone is the most appropriate method to protect the extent of streams, wetlands and freshwater ecosystems for the purposes of this plan change and as required under the NPS-FM.	Ensure that the Natural Open Space Zone is applied to waterbodies including those within N&M Bruning's land. Waterbodies and freshwater ecosystems are required to be protected under the NPS-FM, per submission point 25.2.

Submitters Name and Address who you are further submitting on	Submission Ref. No. and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Mail Centre, Tauranga 3112				
Pete Linde, PO Box 15607, Tauranga 3110	19.28	O	Oppose relief sought by the submitter. The submitter did not provide reasons for amending the Natural Open Space Zone in submission point 19.28. The Natural Open Space Zone is currently largely in private ownership but due to natural constrains has very limited development potential. Activities within the Zone should be compatible with the Zone's values and attributes including the management of the stormwater network.	Reject submission point 19.28.
Western Bay of Plenty District Council, c/o Natalie Rutland, 1484 Cameron Road, Greerton 3112	15.2, 15.3, 15.4, 15.5, 15.6, 15.7	S	Support the removal of liquefaction related provisions and panning maps as reasoned in BOPRC submission points 25.36, 25.38, 25.39.	Accept the relief sought in the WBOPDC submission points stated in 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, which is aligned with the BOPRC submission on this point.
Western Bay of Plenty District Council, c/o Natalie Rutland, 1484 Cameron Road, Greerton 3112	15.1	S	Support relief sought by submitter. Outstanding Natural Features/Landscapes (ONFLs) are also identified as a qualifying matter (see s(77)(l)(b)).	Include ONFLs in a new definition of qualifying matter.
Western Bay of Plenty District Council, c/o Natalie	15.14	S	Support relief sought by the submitter. Regional Council accepts there was insufficient time to fully review mapping and considers this a reasonable approach.	Accept submission point 15.14 in favour of submission point 25.32.

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Submitters Name and Address who you are further submitting on	Submission Ref. No. and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Rutland, 1484 Cameron Road, Greerton 3112				
Vortac NZ Ltd, c/o Grant Nicholls, 233 Grange Road, Otumoetai 3110	12.1	O	Oppose relief sought by the submitter. Overland flow and flooding occur in the lowest points of the land form, such as the gully system situated at 29 Hookey Drive. Modelling and observation of flooding events identified that the hazard spans across this gully floor. Whether or not an easement exists on the neighbouring property is irrelevant when considering flood risk to 29 Hookey Drive.	Reject submission point 12.1.

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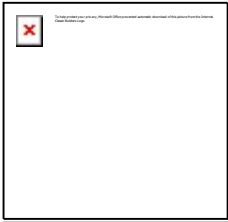
47

From: Vanessa Stewart <Vanessa.Stewart@classicbuilders.co.nz>
Sent: Monday, 14 November 2022 3:53 pm
To: District Plan
Subject: Further submission to Plan Change 92
Attachments: Plan Change 92 - Further Submission Form - Classic Group.docx

Good afternoon

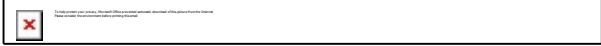
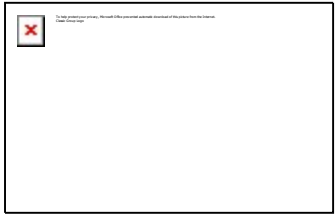
Please find attached a further submission to Plan Change 92 on behalf of Classic Group.

Thank you.



Vanessa Stewart
Planner

160 Seventeenth Avenue, Tauranga South, Tauranga 3112
P. 07 571 2761 | **F.** +64 7 571 6152 | **M.** +64 21 489 863
E. Vanessa.Stewart@classicbuilders.co.nz | **W.** www.classicbuilders.co.nz





District Plan Change 92

Further Submission Form

You can deliver your submission to the Katikati, Te Puke, Ōmokoroa or Waihi Beach Library and Service Centre, Main Council Office at Barks Corner, email it to districtplan@westernbay.govt.nz, or mail it to:

District Plan Changes
Western Bay of Plenty District Council
Private Bag 12803
Tauranga Mail Centre
Tauranga 3143

A copy of your further submission must be served on the original submitter within 5 working days after it is served on Council

Please note: All the information you provide in your feedback form (including personal details) will become public documents.

Submissions close 5.00pm on Monday 14 November 2022

Name:	<u>Libby Gosling</u>	
Organisation (only if submitting on behalf)	<u>Classic Group Limited</u>	
Address for Service:	<u>160 Seventeenth Avenue</u>	
	<u>Tauranga</u>	Post Code: <u>3110</u>
E-mail Address:	<u>Libby.gosling@classicdevelopments.co.nz</u>	
Telephone Number:	<u>021 193 8352</u>	
		<small>(home)(work)</small>

I am (please tick the one applicable to you)

- a person representing a relevant aspect of the public interest
- a person that has an interest in the plan change greater than the interest that the general public has
- the local authority itself.

Please specify the grounds for saying that you come within one of these categories:

_Classic Group of companies includes Classic Builders, and Classic Developments. Classic Builders is the the largest residential builder in the Western Bay of Plenty District.

I/We would like to speak in support of my/our submission at the Council hearing.

Yes No Please tick

Signed: _____ **Date:** 14 November 2022
(Signature of person making submission or person authorised to sign on behalf of person making submissions)



Privacy Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.

Submitters Name and Address who you are further submitting on	Submission Ref. No. and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Example: Joe Bloggs, 19 Bloggs Street, Tauranga	Example: 45 & 45.1	Example: S	Example: Support the provision of medium density housing in identified areas but seek the addition of a specific medium density area for Te Puke to give certainty to Te Puke residents that this area will be used for medium density development.	Example: Add to the District Plan Maps for Te Puke an area for higher density development.
Kainga Ora	29 & 29.12	Oppose	We oppose the submission point as we support the proposed plan change..	Support rule 12.4.4.c as proposed in the plan change document.
Kiwirail	30 & 30.4	Oppose	Oppose the addition of Indoor Railway Noise provisions as proposed by Kiwirail as it will affect affordability due to potentially increase insulation and a requirement for beefed up building foundation design	Decline inclusion the Indoor Railway Noise provisions as requested
Urban Taskforce for Tauranga	39 & 39.23	Support	The rule proposed to introduce new and restrictive earthworks provisions which will limit yield because of constraints on the ability to change existing ground levels/contours. This is inconsistent with Objective 6, and policies 1 and 3 of the NPS-UD. The rule will result in development capacity being unnecessarily constrained. The effects of the rule have not been properly assessed under Section 32 of the RMA in relation to the impact on infrastructure provision, housing choice, yield, and density.	Delete the rule relating to earthworks, or provide more flexibility in the permitted earthworks standards, in particular, the vertical height cut and fill limitations and the permitted volume.
Jace Investments and Kiwi Green New Zealand Limited	58 & 58.25	Support	The permitted earthworks limits are too stringent for the development of large sites with varied contour.	Delete the rule relating to earthworks, or provide more flexibility in the permitted earthworks standards, in particular, the vertical height cut and fill limitations and the permitted volume.
Brian Goldstone	42 & 42.11	Support	The rule proposed to introduce new and restrictive earthworks provisions which will limit yield because	Delete the rule relating to earthworks, or provide more flexibility in the permitted earthworks standards, in

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			of constraints on the ability to change existing ground levels/contours. This is inconsistent with Objective 6, and policies 1 and 3 of the NPS-UD. The rule will result in development capacity being unnecessarily constrained. The effects of the rule have not been properly assessed under Section 32 of the RMA in relation to the impact on infrastructure provision, housing choice, yield, and density.	particular, the vertical height cut and fill limitations and the permitted volume.
Vercoe Holdings Limited	40 & 40.15	Support	The rule proposed to introduce new and restrictive earthworks provisions which will limit yield because of constraints on the ability to change existing ground levels/contours. This is inconsistent with Objective 6, and policies 1 and 3 of the NPS-UD. The rule will result in development capacity being unnecessarily constrained. The effects of the rule have not been properly assessed under Section 32 of the RMA in relation to the impact on infrastructure provision, housing choice, yield, and density.	Delete the rule relating to earthworks, or provide more flexibility in the permitted earthworks standards, in particular, the vertical height cut and fill limitations and the permitted volume.
Kainga Ora	29. & 29.52	Oppose	We oppose this submission point because the density requirement is forcing the market into something it is ready for. Once it makes financial sense to do so, density will naturally increase.	Decline the proposed amendment as requested

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Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

From: Richard Coles <richard@mpad.co.nz>
Sent: Monday, 14 November 2022 4:33 pm
To: District Plan; Tony Clow
Cc: Craig
Subject: PC 92 - Further Submission by Jace Investments 14 Nov 22
Attachments: PC 92 - Further Submission by Jace Investments Ltd 14 Nov 22.pdf

Hi there,

Please find attached a further submission on PC92 on behalf of Jace Investments Limited.

Kind Regards

Richard Coles
Director/Planner MNZPI
0274 325 154 richard@mpad.co.nz
www.mpad.co.nz





District Plan Change 92

Further Submission Form

You can deliver your submission to the Katikati, Te Puke, Ōmokoroa or Waihi Beach Library and Service Centre, Main Council Office at Barks Corner, email it to districtplan@westernbay.govt.nz, or mail it to:

District Plan Changes
Western Bay of Plenty District Council
Private Bag 12803
Tauranga Mail Centre
Tauranga 3143

A copy of your further submission must be served on the original submitter within 5 working days after it is served on Council

Please note: All the information you provide in your feedback form (including personal details) will become public documents.

Submissions close 5.00pm on Monday 14 November 2022

Name:	<u>Jace Investments Limited</u>	
Organisation (only if submitting on behalf)	<u>C/- Momentum Planning and Design Ltd, Level 1, 136 Willow Street,</u>	
Address for Service:	<u>Tauranga</u>	Post Code: 3110
E-mail Address:	<u>Richard@mpad.co.nz; craig@southernorchards.co.nz</u>	
	<u>0274 325154 Richard Coles</u>	
	<u>021 606 030 Craig Lemon</u>	
Telephone Number:	<u>(home)</u>	<u>(work)</u>

I am (please tick the one applicable to you)

- a person representing a relevant aspect of the public interest
- a person that has an interest in the plan change greater than the interest that the general public has
- the local authority itself.

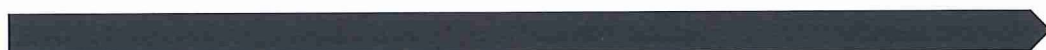
Please specify the grounds for saying that you come within one of these categories:

 Jace Investments own the Omokoroa Town Centre Site and other land in Omokoroa Peninsula

I/We would like to speak in support of my/our submission at the Council hearing.

Yes No Please tick

Signed:  **Date:** 14-11-22
(Signature of person making submission or person authorised to sign on behalf of person making submissions)



Submitters Name and Address who you are further submitting on	Submission Ref. No. and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Fire and Emergency NZ	18.9	O	The private ways grades sought by NZFS grade are too restrictive.	Reject submission and allow private ways to be steeper in accordance with the development Code. This will assist marginal land retaining its landform to a greater extent.
KO	29.13	S	If stormwater management plans are to be referred to in the District Plan, they should be properly referenced to enable appropriate RMA scrutiny to amendments that may occur to the plans in the future.	Accept submission point provided there is an available referenced document that has been approved through due process.
Urban Task Force	39.10	S	Support amendment to the rule to include an advice note.	Accept the submission seeking advice note. The standard proposed did not read as a performance standard.
WBOPDC	15.13	S	Support concepts of SMP's in accordance with Council's CSC and recognising existing infrastructure that has been consented for sub catchment purposes such as the Kaimai Views pond.	Accept the submission seeking approved SMP's be included in the District Plan <u>and appropriately referenced in accordance with best practice.</u>
Waka Kotahi	41.3	O	Object to a NC activity classification for subdivision and development. Government funding for the intersection improvements and temporary management of traffic during construction will enable traffic management and safety on the State Highway and Omokoroa Rd intersection.	Reject the submission as these regional roading projects should be confirmed to provide certainty to significant urban growth projects such as Omokoroa Urban Growth area.
Pete Linde	19.7	S	Support temporary access to Prole Road during construction to minimise impact on other new roads under construction or recently completed.	Accept the submission to provide for temporary access to Prole Road and Omokoroa Road where appropriate.

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BOPRC	25.20	O	Disagree with NC default activity classification. The Natural Open Spaces zone has not been accurately determined by ground truthing or survey. Consequently, the default activity classification should not be so stringent.	Reject submission seeking NC activity classification for non-compliance with Rule12.4.5.17. Apply a more lenient activity classification with restricted discretion i.e. RDA.
Classic group	26.15	S	Support non-compliance with Structure Plan being an RDA.	Accept submission to include activity classification as an RDA.
Pete Linde	19.14	S	Support non-compliance with Structure Plan being an RDA.	Accept submission to include activity classification as an RDA.
The North Twelve Ltd Partnership	47.32	S	Support recognition that Greenfield growth requires a certain quantity and area of earthworks to facilitate development yields and complying road design and grades.	Accept Submission and amend Policy 13 to recognise earthworks are necessary for urban development.
Penny Hicks	16.6	O	The submission seeks to lower the height limit for buildings in the medium density areas. Additional height is required to meet the development densities sought by PC92 and provide housing typologies that respond to market needs including affordability.	Reject Submission
Paul & Maria van Veen	61.2	O	The submission seeks to lower the height limit for buildings in the medium density areas – mixed use precinct area. Additional density is required in this area to enhance the legibility and vitality of the Omokoroa Town Centre.	Reject Submission
Paul & Maria van Veen	61.3	O	The submission seeks to lower the height limit for buildings in the medium density areas – mixed use precinct area. Additional density is required in this area to enhance the legibility and vitality of the Omokoroa Town Centre.	Reject Submission
Retirement Villages Association of NZ incorporated	34.35	O	The submission seeks to include additional interfaces that the Residential HIRB rule would not apply to. Mixed use areas and town centres are also seeking good design outcomes and access to natural light and open space.	Reject submission to include mixed use and town centre zoned as excluded from Residential HIRB 14A.4.1(c)
Paul & Maria van Veen	61.1	O	The submission seeks to lower the height limit for buildings in the medium density areas – mixed use precinct area. Additional density is required in this	Reject Submission

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			area to enhance the legibility and vitality of the Omokoroa Town Centre.	
KO	29.42	O	The submission seeks a minimum density yield much higher than notified by PC92. 50 units per ha is too high a minimum standard	Reject Submission
Urban Task Force	39.21	S	Support submission that seeks to reduce the dwelling typology outcomes. Suggest Council use incentives should it wish a certain housing typology outcome.	Accept submission and delete the typology requirements or provide incentives within the District Plan to promote typology outcomes.
The Nth Twelve Ltd Partnership	47.50	S	Support submission that seeks to reduce the dwelling typology outcomes. Suggest Council use incentives should it wish a certain housing typology outcome.	Accept submission and delete the typology requirements or provide incentives within the District Plan to promote typology outcomes.
UTF	39.23	S	Support submission that is seeking greater flexibility in earthworks rule 14A.4.2	Accept submission and delete the rule. There are several other methods of control including stormwater catchment boundaries, identifying key landform features within the Peninsula, identifying significant ecological areas etc.
KO	29.47	S	Support the submission that seeks to have kitchens permitted within 'accommodation facilities'. Kitchens are a mandatory need for accommodation facilities to be economically viable and appeal to a broad market.	Accept submission and permit kitchens to be established in accommodation facilities.
KO	29.51	S	Support the submission that seeks to amend the minimum shape factor dimensions of Rule 14A.4.3	Accept submission and amended shape factor standard
KO	29.52	O	Support RDA activity classification but reject 50lot/ha as minimum density. 14A.4.3(c) sub standards.	Reject submission with respect to minimum density. Support submission with respect to RDA activity classification.
Classic Group	26.39	S	Support submission seeking to amend activity classification and establish more planning certainty. 14A.7.1	Accept submission point.
KO	29.55	S	Support submission seeking to refine urban design assessment criteria in rule 14A.7.1.	Accept Submission point.
Pete Linde	19.2	S	Support - Revised explanatory statement for the Natural Open Space zone to recognise that it has a function for stormwater, drainage and is generally geotechnically constrained.	Accept Submission point and amend explanatory statement as suggested.
Pete Linde	19.33	S	Support submission to amend policies 24.2.2	Accept Submission point and amend policies as suggested.

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*Robert Hicks	4.11	S	Support higher earthworks limit as 1m3 is far too stringent in Natural Open Space zone that will interface with the development earthworks for all development in Omok Stage 3 – Rule 24.3.3	Accept submission to relax the earthworks limits. These could be relaxed further provided the outcomes of the gully reserve landscape plan are achieved.
Omokoroa Country Club	56.11	S	Support submission to delete the SP road through Omokoroa Country Club Site but retain public access and pedestrian and cycle connectivity through the gully areas.	Accept submission and delete the SP through road through the retirement village.

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*** Further submitter has been contacted and has confirmed original submission relates to Robert Hicks point 4.11**

From: Lezel Botha <Lezel.Botha@kaingaora.govt.nz>
Sent: Monday, 14 November 2022 5:25 pm
To: District Plan
Cc: developmentplanning
Subject: RE: Re: Kāinga Ora – Further Submission on PC92 - Western Bay of Plenty District Council
Attachments: Kainga Ora Further Submission on PC92.pdf

Kia ora,

A combined .pdf document of the previous documents for record purposes.



Lezel Botha MNZPI. BPlan(Hons)

Principal Development Planner

Development Planning

Urban Planning and Design

Mobile: 021 428 055

Email: lezel.botha@kaingaora.govt.nz

Freephone: 0800 801 601 | Mainline: (021) 428 055 | Kāinga Ora - Homes and Communities
P.O.BOX 2628, WELLINGTON, 6140 | New Zealand Government | www.kaingaora.govt.nz

From: Lezel Botha
Sent: Monday, 14 November 2022 5:00 PM
To: districtplan@westernbay.govt.nz
Cc: developmentplanning <developmentplanning@kaingaora.govt.nz>
Subject: Re: Kāinga Ora – Further Submission on PC92 - Western Bay of Plenty District Council

Kia ora,

Please see attached Kāinga Ora – Homes and Communities further submission on PC92.

Please confirm receipt of further submission. If you require the word document version, let me know.

Any questions, please get in touch.

Ngā mihi,



Lezel Botha MNZPI. BPlan(Hons)

Principal Development Planner

Development Planning

Urban Planning and Design

Mobile: 021 428 055

Email: lezel.botha@kaingaora.govt.nz

Freephone: 0800 801 601 | Mainline: (021) 428 055 | Kāinga Ora - Homes and Communities
P.O.BOX 2628, WELLINGTON, 6140 | New Zealand Government | www.kaingaora.govt.nz

www.govt.nz - your guide to finding and using New Zealand government services

Any opinions expressed in this message are not necessarily those of Kāinga Ora. This message and any files transmitted with it are confidential, may be legally privileged, and are solely for the use of the intended recipient. If you are not the intended recipient or the person responsible for delivery to the intended recipient, you have received this message in error.

Please:

- (1) reply promptly to that effect, and remove this email, any attachment and the reply from your system;
- (2) do not use, disclose or act on this email in any other way. Thank you.

Further Submission on Plan Change 92 on the Western Bay of Plenty District Plan by Kāinga Ora – Homes and Communities

Clause 8 of Schedule 1 to the Resource Management Act 1991

To: District Plan Changes
Western Bay of Plenty District Council
Private Bag 12803
Tauranga Mail Centre
Tauranga 3143
Submitted via email to: districtplan@westernbay.govt.nz

Name of Further Submitter: Kāinga Ora – Homes and Communities

1. **Kāinga Ora – Homes and Communities** (“**Kāinga Ora**”) makes this further submission on Plan Change 92 (“PC92”) in support of/in opposition to original submissions to the Western Bay of Plenty District Plan (“WBOPDP”).
2. Kāinga Ora has an interest in PC92 that is greater than the interest the general public has, being an original submitter on PC92 with respect to its interests as Crown entity responsible for the provision of public housing, and its housing portfolio in Western Bay of Plenty District.
3. Kāinga Ora makes this further submission in respect of submissions by third parties to PC92.

Reasons for further submission

4. The submissions that Kāinga Ora supports or opposes are set out in the table attached as **Appendix A** to this further submission.
5. The reasons for this further submission are:

- (a) The reasons set out in the Kāinga Ora primary submission on PC92.
 - (b) In the case of the Primary Submissions that are opposed:
 - (i) The Primary Submissions do not promote the sustainable management of natural and physical resources and are otherwise inconsistent with the purpose and principles of the Resource Management Act 1991 (“**RMA**”);
 - (ii) The relief sought in the Primary Submissions is not the most appropriate in terms of section 32 of the RMA;
 - (iii) Rejecting the relief sought in the Primary Submissions opposed would more fully serve the statutory purpose than would implementing that relief; and
 - (iv) The Primary Submissions are inconsistent with the policy intent of the Kāinga Ora primary submission.
 - (c) In the case of Primary Submissions that are supported:
 - (i) The Primary Submissions promote the sustainable management of natural and physical resources and are consistent with the purpose and principles of the RMA and with section 32 of the RMA;
 - (ii) The reasons set out in the Primary Submissions; and
 - (iii) Allowing the relief sought in the Primary Submissions supported would more fully serve the statutory purpose than would disallowing that relief.
6. Without limiting the generality of the above, the specific relief in respect of each Primary Submission that is supported or opposed is set out in **Appendix A**.
7. Kāinga Ora wishes to be heard in support of its further submission.
8. If others make a similar submission, Kāinga Ora will consider presenting a joint case with them at a hearing.

DATED 14 November 2022

Kāinga Ora – Homes and Communities



Brendon Liggett

Manager – Development Planning

ADDRESS FOR SERVICE:

Kāinga Ora – Homes and Communities

PO Box 74598

Greenlane, Auckland

Attention: Development Planning Team

Email: developmentplanning@kaingaora.govt.nz

Appendix A – Further Submission Table

Appendix A - Further Submission Table

Submitter Ref no.	Sub Point No.	Section/Appendix	Sub-section	Provision	Issue	Opp/support	Submission Point Summary	Relief/Decision Sought Summary	Kāinga Ora response	Kāinga Ora reasons	Decision(s) sought
15 (Western Bay of Plenty District Council)	15.2	Section 8 - Natural Hazards	Introduction	General		Oppose	The proposed liquefaction maps (all classifications) and associated provisions should be removed from the District Plan for Ōmokoroa and Te Puke to allow Council to investigate options for improving the level of accuracy of these maps for a possible future Plan Change.	Amend the explanatory statement to give effect to submission point	Support	Kāinga Ora supports submission point 15.2 as the relief sought is generally consistent with Kāinga Ora primary submission point 29.8.	Allow
15 (Western Bay of Plenty District Council)	15.3	Section 8 - Natural Hazards	8.3.1 Permitted Activities	e. Liquefaction Damage is Unlikely - Ōmokoroa		Oppose	The proposed liquefaction maps (all classifications) and associated provisions should be removed from the District Plan for Ōmokoroa and Te Puke to allow Council to investigate options for improving the level of accuracy of these maps for a possible future Plan Change.	Delete Rule 8.3.1(e)	Support	Kāinga Ora supports submission point 15.3 as the relief sought is generally consistent with Kāinga Ora primary submission point 29.8.	Allow
15 (Western Bay of Plenty District Council)	15.4	Section 8 - Natural Hazards	8.3.3 Restricted Discretionary Activities	e. Liquefaction Damage is Possible		Oppose	The proposed liquefaction maps (all classifications) and associated provisions should be removed from the District Plan for Ōmokoroa and Te Puke to allow Council to investigate options for improving the level of accuracy of these maps for a possible future Plan Change.	Delete provisions (i) - (iii)	Support	Kāinga Ora supports submission point 15.4 as the relief sought is generally consistent with Kāinga Ora primary submission point 29.8.	Allow
15 (Western Bay of Plenty District Council)	15.5	Section 8 - Natural Hazards	8.5.1 Restricted Discretionary Activities	8.5.1.5 Liquefaction Damage is Possible		Oppose	The proposed liquefaction maps (all classifications) and associated provisions should be removed from the District Plan for Ōmokoroa and Te Puke to allow Council to investigate options for improving the level of accuracy of these maps for a possible future Plan Change.	Delete Rule 8.5.1.5	Support	Kāinga Ora supports submission point 15.5 as the relief sought is generally consistent with Kāinga Ora primary submission point 29.8.	Allow
15 (Western Bay of Plenty District Council)	15.8	Section 11 - Financial Contributions	Rule 11.5.4			Support in part	For small infill subdivisions of 1-2 additional vacant lots, charging financial contributions based on one household equivalent per lot would mean that all lots pay the same financial contribution regardless of whether they were larger or smaller lots. It may also lead to these lots paying more financial contributions than lots in larger subdivisions where financial contributions are paid on a per hectare basis. It would therefore be fairer to charge these small infill subdivisions financial contributions on a per hectare basis. This requires rule 11.5.4 to be deleted.	Delete 11.5.4 as follows (and make consequential amendments to 11.5.5 as shown in next submission point)	Support	Kāinga Ora generally supports submission point 15.8, which generally seeks to achieve a more balanced and equitable approach to the charging of financial contributions for smaller household / land lot sizes.	Allow
15 (Western Bay of Plenty District Council)	15.9	Section 11 - Financial Contributions	Rule 11.5.5			Support in part	To allow small infill subdivisions of 1-2 additional vacant lots to be charged financial contributions on a per hectare basis, Rule 11.5.5 would need to apply to all subdivision. It would also need to be renumbered to 11.5.4.	Renumber Rule 11.5.5 to 11.5.4 and amend as follows: All other subdivision and four or more residential units on a site in the Ōmokoroa and Te Puke Medium Density Residential Zones.	Support in part	Kāinga Ora generally supports submission point 15.9, which generally seeks to achieve a more balanced and equitable approach to the charging of financial contributions for smaller household / land lot sizes.	Allow
15 (Western Bay of Plenty District Council)	15.15	Planning Maps			Natural Hazards - Liquefaction	Oppose	The proposed liquefaction maps (all classifications) and associated provisions should be removed from the District Plan for Ōmokoroa and Te Puke to allow Council to investigate options for improving the level of accuracy of these maps for a possible future Plan Change. I	Delete proposed liquefaction maps (all classifications) from the District Plan maps.	Support	Kāinga Ora supports submission point 15.15 as the relief sought is generally consistent with Kāinga Ora primary submission point 29.8.	Allow
25 (Bay of Plenty Regional Council)	25.35	Planning Maps	General	General	Natural Hazards - Liquefaction	Oppose	Oppose the inclusion of liquefaction maps and related provisions because the information base is mostly at Level A (regional) scale.	Remove liquefaction maps, explanation and associated liquefaction provisions from PC92.	Support	Kāinga Ora supports submission point 23.35 as the relief sought is generally consistent with Kāinga Ora primary submission point 29.8.	Allow
25 (Bay of Plenty Regional Council)	25.36	Section 8 - Natural Hazards	8.3.1 Permitted Activities	e. Liquefaction Damage is Unlikely - Ōmokoroa		Oppose	Oppose the inclusion of liquefaction maps and related provisions because the information base is mostly at Level A (regional) scale.	Remove liquefaction maps, explanation and associated liquefaction provisions from PC92.	Support	Kāinga Ora supports submission point 23.36 as the relief sought is generally consistent with Kāinga Ora primary submission point 29.8.	Allow
25 (Bay of Plenty Regional Council)	25.37	Section 8 - Natural Hazards	8.3.3 Restricted Discretionary Activities	e. Liquefaction Damage is Possible		Oppose	Oppose the inclusion of liquefaction maps and related provisions because the information base is mostly at Level A (regional) scale.	Remove liquefaction maps, explanation and associated liquefaction provisions from PC92.	Support	Kāinga Ora supports submission point 23.37 as the relief sought is generally consistent with Kāinga Ora primary submission point 29.8.	Allow
25 (Bay of Plenty Regional Council)	25.38	Section 8 - Natural Hazards	8.5.1 Restricted Discretionary Activities	8.5.1.5 Liquefaction Damage is Possible		Oppose	Oppose the inclusion of liquefaction maps and related provisions because the information base is mostly at Level A (regional) scale.	Remove liquefaction maps, explanation and associated liquefaction provisions from PC92.	Support	Kāinga Ora supports submission point 23.38 as the relief sought is generally consistent with submission point 29.8 of Kāinga Ora.	Allow

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30 (KiwiRail Holdings Limited)	30.1	Section 14A - Ōmokoroa and Te Puke Medium Density Residential	14A.4.1 Density standards	b. site boundaries with a railway corridor or desi		Support	Council has recognised the rail corridor as a qualifying matter in Plan Change 92 to protect nationally significant infrastructure from reverse sensitivity effects and provide a greater level of amenity for residential occupants living close to the working rail corridor. Specifically, this qualifying matter is applied in Plan Change 92 to: (a) require a 10m yard setback from the railway corridor for all buildings and structures in the Ōmokoroa and Te Puke Medium Density Residential; and (b) require a 5m side yard setback for buildings and setbacks within Lot 601 DP 560118 and Lot 603 DP 560118 (Harbour Ridge) where sites adjoin the esplanade reserve (south of railway line). KiwiRail strongly supports the identification of the rail corridor as a qualifying matter and the related setback provisions from the rail corridor. KiwiRail considers the operative setback provisions to be appropriate, given the increased building height and reduced height to boundary controls enabled by Plan Change 92 which increases the risk of potential interference with the rail corridor from maintenance and other activities being undertaken on sites adjoining the rail corridor.	KiwiRail seeks: (a) retention of identification of the rail corridor as a qualifying matter; (b) retention of 14A.4.1(d)(ii)(b)	Oppose	Kāinga Ora opposes the relief sought. Kāinga Ora does not consider the acoustic and vibration controls sought from Kiwirail to be a qualifying matter.	Disallow
32	32.9	Section 14A - Ōmokoroa and Te Puke Medium Density Residential	14A.4.1 Density standards	b. site boundaries with a railway corridor or desi		Oppose	The railway yard sought in Standard 14A.4.1.d. Setbacks ii.b. is opposed and is not considered to be evidential based, and it is greater than Kiwirail have identified elsewhere, nor are there other provisions in terms of objectives, policies, matters for discretion or assessment criteria that pertain to effects on the railway corridor. The extent of the existing Notice of Requirement should be sufficient for the purposes of maintenance issues. There is no evidence to demonstrate that a 10m yard is required for maintenance or use of the railway corridor. The other plan provisions in proposed Chapter 14A (objectives, policies, matters for discretion or assessment criteria) pertain to effects on the railway corridor.	Deletion of the standard. 14A.4.1.d. Setbacks ii.b. This standard does not apply to: b. site boundaries with a railway corridor or designation for railway purposes (for sites created by way of an application for subdivision consent approved after 1 January 2010) in which case all yards shall be 10m.	Oppose	Kāinga Ora opposes the relief sought. Kāinga Ora does not consider the acoustic and vibration controls sought from Kiwirail to be a qualifying matter.	Disallow
30 (KiwiRail Holdings Limited)	30.2	Section 14A - Ōmokoroa and Te Puke Medium Density Residential	14A.4.1 Density standards	d. Lot 601 DP 560118 and Lot 603 DP 560118 (Harbour		Support	Council has recognised the rail corridor as a qualifying matter in Plan Change 92 to protect nationally significant infrastructure from reverse sensitivity effects and provide a greater level of amenity for residential occupants living close to the working rail corridor. Specifically, this qualifying matter is applied in Plan Change 92 to: (a) require a 10m yard setback from the railway corridor for all buildings and structures in the Ōmokoroa and Te Puke Medium Density Residential; and (b) require a 5m side yard setback for buildings and setbacks within Lot 601 DP 560118 and Lot 603 DP 560118 (Harbour Ridge) where sites adjoin the esplanade reserve (south of railway line). KiwiRail strongly supports the identification of the rail corridor as a qualifying matter and the related setback provisions from the rail corridor. KiwiRail considers the operative setback provisions to be appropriate, given the increased building height and reduced height to boundary controls enabled by Plan Change 92 which increases the risk of potential interference with the rail corridor from maintenance and other activities being undertaken on sites adjoining the rail corridor.	KiwiRail seeks: (a) retention of identification of the rail corridor as a qualifying matter; (b) retention of 14A.4.1(d)(ii)(d)	Oppose	Kāinga Ora opposes the relief sought. Kāinga Ora does not consider the acoustic and vibration controls sought from Kiwirail to be a qualifying matter.	Disallow

*Further submitter has been contacted and has confirmed that this further submission point has been withdrawn

30 (KiwiRail Holdings Limited)	30.3	Section 14A - Ōmokoroa and Te Puke Medium Density Residential	14A.7.4 Restricted Discretionary Activities – Non-Compliance with Setbacks	General	Matters of Discretion	Support in part	KiwiRail observes that the proposed matters of discretion relating to non-compliance with the setbacks in 14A.7.4 only require consideration of the visual effects of building bulk and impacts on neighbouring property. There is no matter of discretion requiring the consideration of effects when the rail corridor setback standard is infringed. KiwiRail considers a matter of discretion requiring assessment of the impacts on the safety and efficiency of the rail corridor is critical in situations where the 10m yard and 5m side yard setback standards are not complied with. KiwiRail seeks an amendment to 14A.7.4 to include a specific matter of discretion where setbacks from the rail corridor are not complied with and seeks that acoustic and vibration controls be inserted into Plan Change 92 to manage the impacts of rail noise and vibration on noise sensitive activities.	KiwiRail seeks inclusion of a new matter of discretion in 14A.7.4 for activities that do not comply with the new permitted activity standard requiring buildings and structures to be setback at least 5m from the rail corridor. Restricted Discretionary Activities – Non-Compliance with Setbacks In considering an application that does not comply with Activity Performance Standard 14A.4.1 (d) Setbacks, Council shall consider the following: Side and rear yards <u>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.</u>	Oppose in part	Kāinga Ora opposes the relief sought and considers the proposed additional assessment criteria is unnecessary as the setbacks provided by the MDRS are considered appropriate to maintain safety.	Disallow
30 (KiwiRail Holdings Limited)	30.4	Section 4C - Amenity	General	General	New Rule	Support in part	The nature of railway operations means KiwiRail cannot fully internalise all its effects within the railway corridor boundaries. Environmental legislation and caselaw recognises the lawful emission of such effects. Increasing development around railway corridors consequentially means the introduction of more sensitive receivers to adverse effects of existing and lawful railway activities. With a likely increase in sensitive activities in proximity to the railway corridor as a result of Plan Change 92, KiwiRail is concerned that the risk of adverse health and amenity effects impacting people locating in proximity to the railway corridor, and reverse sensitivity effects constraining our operations, is significantly elevated.	KiwiRail seek that noise controls requiring acoustic insulation apply to new and altered sensitive uses within 100m of the railway corridor, as follows...	Oppose	Kāinga Ora opposes the relief sought. Kāinga Ora does not consider the acoustic and vibration controls sought from KiwiRail to be a qualifying matter.	Disallow
30 (KiwiRail Holdings Limited)	30.5	Section 4C - Amenity	General	General	New Rule	Support in part		KiwiRail seek that vibration controls be included to apply to sensitive uses within 60m of the legal boundary of any railway boundary. KiwiRail seek that non-compliance with the permitted standards be assessed as a restricted discretionary activity with appropriate matters of discretion.	Oppose	Kāinga Ora opposes the relief sought. Kāinga Ora does not consider the acoustic and vibration controls sought from KiwiRail to be a qualifying matter.	Disallow
32 (New Zealand Housing Foundation)	32.4	Section 3 - Definitions	Definitions	"Building footprint" within the definition of "Building coverage"		Support in part	To be consistent with the existing definition of "building coverage".	Amend the definition of building coverage to allow exclusions similar to existing building coverage definition "Building Footprint" within the definition of "building coverage" when used in Section 14A (Ōmokoroa and Te Puke Medium Density Residential) means the total area of buildings at ground floor level together with the area of any section of any of those buildings that extends out beyond the ground floor level limits of the building and overhangs the ground, but excludes eaves or entrance canopies less than 1m wide.	Support	Kāinga Ora supports submission point 32.4 which seeks to provide alignment and consistency between terms defined in the plan.	Allow

32 (New Zealand Housing Foundation)	32.9	Section 14A - Ōmokoroa and Te Puke Medium Density Residential	14A.4.1.d Setbacks	General		Oppose	There is no evidence to demonstrate that a 10m yard is required for maintenance or use of the railway corridor. The other plan provisions in proposed Chapter 14A (objectives, policies, matters for discretion or assessment criteria) pertain to effects on the railway corridor.	Deletion of the standard, 14A.4.1.d. Setbacks ii.b. This standard does not apply to: b. site boundaries with a railway corridor or designation for railway purposes (for sites created by way of an application for subdivision consent approved after 1 January 2010) in which case all yards shall be 10m.	Support	Kāinga Ora supports submission point 32.9 in that it is consistent with the Kāinga Ora primary submission.	Allow
33 (PowerCo)	33.1	Section 14A - Ōmokoroa and Te Puke Medium Density Residential	14A.4.2 Other standards	General		Support in part	PC92 fails to give effect to the Enabling Housing Act by not adequately providing for Powerco's electricity distribution network as a 'qualifying matter'. Powerco wants to ensure that higher density housing activities are undertaken in a manner that is safe for developers and subcontractors. There are increasing instances where safety concerns are overlooked, and buildings (as well as scaffolding and mobile plant) do not meet the requirements of the New Zealand Electrical Code of Practice for Electrical Safe Distances - NZECP 34:2001 (ECP34). ECP34 sets minimum safe electrical distance requirements from overhead electric line installations to protect people and property from harm or damage from electrical hazards. A breach of ECP34 could potentially lead to accidental contact with live conductors (lines) leading to injury or death, costs to either modify the overhead asset or the building, or a requirement for the affected asset to be taken out of service until the situation is remedied. The illustrations (in the submitter's full submission) identify the potential implications associated with the provisions of the MDRS. Recognition of electricity distribution as a qualifying matter need not present a burdensome constraint. It would only result in activities that did not comply with the setback and notification requirements under ECP34 being identified at the planning stage. This would likely increase the efficiency and reduce the costs of higher density residential developments as it would avoid stop work orders, requirements to redesign, the demolition/deconstruction of non-compliant parts of works, and/or the undergrounding of the existing overhead network. Powerco submits that its distribution network falls into one or more of the following three section 771 (qualifying matter) categories. A matter required in order to give effect to a national policy statement	Powerco submits that the distribution network should properly be recognised under PC92 as a new qualifying matter. It is considered that non statutory maps could be included in the District Plan for the areas covered by PC92 that identify existing overhead electricity networks in the area. In conjunction with the non-statutory maps, it is submitted that a new standard could be inserted into Section 14A.4.2 (Other Standards) of the District Plan worded along the lines of the following: Where a site contains or adjoins (e.g. on legal road) an overhead electricity line identified on the [nonstatutory] planning maps, an assessment of the building(s) against the provisions of the New Zealand Electrical Code of Practice for Electrical Safe Distances - NZECP 34:2001 (ECP34) must be undertaken by a suitably qualified person with the report approved by the asset owner. If no report is provided, or a breach of ECP34 is identified, then resource consent is required for the development as a Restricted Discretionary Activity with the asset owner identified as an affected person.	Oppose	Kāinga Ora opposes submission point 33.1 as it is not a qualifying matter and should not be identified as a qualifying matter in the Plan Change. Kāinga Ora opposes the relief and changes sought.	Disallow
34 (Retirement Villages Association of New Zealand Incorporated)	34.6	Section 4C - Amenity	4C.1.3 Activity Performance Standards	i. For potentially noise sensitive activities		Support in part	The RVA acknowledges that acoustic insulation may be appropriate in some areas located within or adjacent to high noise areas with a purpose of providing protection / amenity to residents in such areas. The RVA considers however that such requirements should not apply to residential zones, and in zones where they do apply, need to be determined on a case-by-case basis, with consideration given to the distance of noise sensitive activities from high noise areas.	Amend 4C.1.3.2(c) to exclude its application to residential zones and for all other zones integrate consideration of individual site characteristics / circumstances, and the distance of noise sensitive activities from high noise areas.	Support in part	Kāinga Ora generally supports submission point 34.6 which seeks that the noise management provisions within the plan change are appropriate to the specific site and noise characteristics of any proposed development or activity.	Allow
34 (Retirement Villages Association of New Zealand Incorporated)	34.32	Section 14A - Ōmokoroa and Te Puke Medium Density Residential	14A.3.3 Restricted Discretionary Activities	d. Retirement villages		Oppose	The RVA opposes Rule 14A.3.3 Rule (d) as it does not recognise that retirement villages are residential activities that are encouraged and anticipated in residential zones. The RVA considers retirement villages as a land use activity must be provided for as a permitted activity (and the construction of retirement villages provided for as a restricted discretionary activity, as detailed in response to 14A.3.1 Rule (a)), recognising that retirement villages as a permitted activity provide substantial benefit in residential zones including enabling older people to remain in familiar community environments for longer (close to family and support networks), whilst also freeing up a number of dwellings located in surrounding suburbs.	The RVA seeks to delete 14A.3.3 Rule (d), and seeks the integration of a new rule as follows, to provide for retirement villages (as a land use activity) as a permitted activity.	Oppose	Kāinga Ora considers it appropriate that retirement villages should remain as a restricted discretionary activity in line with other larger scale residential development (which is proposed as a restricted discretionary activity).	Disallow

39 (Urban Taskforce for Tauranga)	39.19	Section 14A - Ōmokoroa and Te Puke Medium Density Residential	Policy 14A.2.2 Policies	17. Ensure developments in the Ōmokoroa Mixed Use		Support in part	The current wording of the policy fails to include Te Puke. The policy should refer to the New Zealand Urban Design Protocol to provide appropriate guidance on urban design outcomes.	Amend the policy as follows: Ensure developments in the Ōmokoroa and Te Puke medium density residential zone residential precinct are designed holistically with respect to surrounding land uses, buildings, and colour changes, positively connect with and contribute to the quality of public spaces and provided density of use of land to deliver the planned character of a vibrant complimentary mixed use destination adjacent to the town centre complies with the requirements of the New Zealand Urban Design Protocol.	Oppose	Kāinga Ora opposes submission point 39.19 as it is not appropriate for District Plan policies to require compliance with guidance documents which have been prepared outside Schedule 1 RMA processes.	Disallow
39 (Urban Taskforce for Tauranga)	39.2	Section 14A - Ōmokoroa and Te Puke Medium Density Residential	14A.3.3 Restricted Discretionary Activities	d. Retirement villages		Oppose	Retirement villages are currently a controlled activity under the Operative District Plan.	Delete reference to retirement villages as a restricted discretionary activity and provide for them as a controlled activity under Rule 14A.3.2.	Oppose	Kāinga Ora considers it appropriate that retirement villages should remain as a restricted discretionary development (which is proposed as a restricted discretionary activity).	Disallow
41 (Waka Kotahi)	41.2	Other - Not specified	General	General	High Density Section/Zone	Oppose	Waka Kotahi considers that high-density residential zones within walkable catchments surrounding the town centres of Ōmokoroa and Te Puke will be required to give effect to the intent of the NPS-UD. Such provision would need to be based on an accessibility study of these areas.	An accessibility study to assess/determine the extent of the walkable catchments surrounding the town centres of Ōmokoroa and Te Puke. If supported by the accessibility assessment, Waka Kotahi seeks that PC92 incorporates high-density residential zones within the walkable catchments surrounding these centres including, for example, within 400m of the edge of the town centre zones.	Support	Kāinga Ora supports submission point 41.2 as the relief sought is generally consistent with Kāinga Ora primary submission point 29.5.	Allow
41 (Waka Kotahi)	41.3	Section 12 - Subdivision and Development	12.4.11 Ōmokoroa Structure Plan	b.Roading		Support	PC92 in its current form does not make provision for the management of the adverse traffic safety and efficiency effects that future development within the peninsula will have on the intersection of Ōmokoroa Road and State Highway 2 (SH2) and the wider state highway network. Additional rules, supported by a comprehensive Integrated Transport Assessment, and imposition of controls on subdivision unless and until infrastructure upgrades are completed, are required.	Prepare an Integrated Transport Assessment to support PC 92 and based on that a rule(s) or performance standard(s) should be adopted in PC92 that: Affords non-complying activity status to subdivision/development within the Stage 3 structure plan area prior to the interim roundabout becoming operational; and Affords non-complying activity status to subdivision/development within the Stage 3 structure plan area post the capacity of the interim roundabout being reached (development trigger to be determined by SIDRA modelling) and prior to a future grade-separated interchange becoming operational. Objectives and policies supporting the rules should also be included in PC92. Waka Kotahi considers that inclusion of the intersection improvements (roundabout and interchange) as a qualifying matter would be appropriate in this instance.	Oppose	Kāinga Ora acknowledges the intent of the submission point in seeking to plan subdivision and development in conjunction with infrastructure upgrades. However Kāinga Ora is concerned around a 'blanket' approach to resource consent triggers as suggested given not all subdivision and development may result in adverse effects on the capacity and demand of the transport network to the extent that large scale infrastructure is required. Furthermore Kāinga Ora has concerns around the ability to monitor such a rule and the timing of the rule in respect to the roundabout or interchange being 'operational'. Kāinga Ora therefore opposes the relief sought and requests that they be involved in any discussions should new objectives/policies/rules be drafted.	Disallow

From: Nicholas Ali <nicholas.ali@russellmcveagh.com>
Sent: Monday, 14 November 2022 4:45 pm
To: District Plan
Cc: Lauren Rapley
Subject: Further Submission on the Western Bay of Plenty's Plan Change 92 on behalf of KiwiRail Holdings Limited
Attachments: Further Submission on WBOP Plan Change 92 on behalf of KiwiRail Holdings Limited.pdf

Good afternoon

We act for KiwiRail Holdings Limited ("**KiwiRail**").

Please find **attached** for filing, a further submission on submissions on Western Bay of Plenty's Plan Change 92 on behalf of KiwiRail.

Please confirm receipt of this submission by way of return email.

Kind regards

Nicholas

Nicholas Ali
Solicitor

Russell McVeagh, Vero Centre, 48 Shortland Street, PO Box 8, Auckland 1140, New Zealand
D +64 9 367 8234 F +64 9 367 8163

nicholas.ali@russellmcveagh.com

www.russellmcveagh.com

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14 November 2022

Western Bay of Plenty District Council
Private Bag 12803
Tauranga

By email: districtplan@westernbay.govt.nz

KIWIRAIL FURTHER SUBMISSION ON PLAN CHANGE 92 TO THE WESTERN BAY OF PLENTY DISTRICT PLAN

NAME OF SUBMITTER:

KiwiRail Holdings Limited (**KiwiRail**)

ADDRESS FOR SERVICE:

Level 1
Wellington Railway Station
Bunny Street
PO Box 593
WELLINGTON 6140

Attention: Michelle Grinlinton-Hancock

Email: Michelle.Grinlinton-Hancock@kiwirail.co.nz

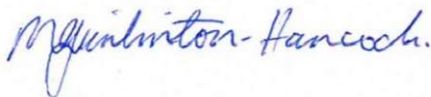
Background

1. KiwiRail made a submission on Plan Change 92 to the Western Bay of Plenty District Plan (**PC92**) (submitter 30).
2. KiwiRail makes the following further submission on submissions to PC92, as set out in the **attached** schedule.
3. For the submissions that KiwiRail supports, KiwiRail considers that the relief sought should be allowed because it:
 - (a) will promote the sustainable management of the natural and physical resources in the Western Bay of Plenty district, and is therefore consistent with Part 2 and other provisions of the Resource Management Act 1991 (**RMA**) and the Enabling Housing Supply Amendment Act 2021 (**Amendment Act**);
 - (b) is consistent with other relevant planning documents, including the Bay of Plenty Regional Policy Statement and National Policy Statement for Urban Development 2020;
 - (c) will meet the reasonably foreseeable needs of future generations;
 - (d) will avoid, remedy or mitigate actual and potential adverse effects on the environment;
 - (e) will enable the social, economic and cultural wellbeing of the people of the Western Bay of Plenty district; and



- (f) is the most appropriate way to achieve the objectives of PC92 in terms of section 32 of the RMA.
4. For the submissions that KiwiRail opposes, KiwiRail considers that the relief sought should be declined because it:
- (a) will not promote the sustainable management of the natural and physical resources in the Western Bay of Plenty district, and is therefore contrary to, or inconsistent with, Part 2 and other provisions of the RMA and the Amendment Act;
 - (b) is inconsistent with other relevant planning documents, including the Bay of Plenty Regional Policy Statement and National Policy Statement for Urban Development 2020;
 - (c) will not meet the reasonably foreseeable needs of future generations;
 - (d) will not avoid, remedy or mitigate actual and potential adverse effects on the environment;
 - (e) will not enable the social, economic and cultural wellbeing of people of the Western Bay of Plenty district; and
 - (f) is not the most appropriate way to achieve the objectives of PC92 in terms of section 32 of the RMA.
5. For those submissions that KiwiRail supports, KiwiRail seeks that they be allowed, and for those that are opposed, KiwiRail seeks that they be disallowed.
6. KiwiRail wishes to speak to its submission and further submission. KiwiRail could not gain an advantage in trade competition through this further submission.

Yours faithfully

A handwritten signature in blue ink that reads "Michelle Grinlinton-Hancock".

Michelle Grinlinton-Hancock

RMA Team Leader

KiwiRail Holdings Limited



SCHEDULE 1

Submitter and Submission ID	Submitter #	Relevant Provision	Original Submission Point	Support / Oppose	Reasons for Support or Opposition	Decision Sought
Western Bay of Plenty District Council	15	New Definition - Qualifying Matters	<p>Amendment sought:</p> <p><u>"Qualifying matter" means one or more of the following:</u></p> <ul style="list-style-type: none"> • <u>Ecological features listed in Appendix 1 (Schedule of Identified Significant Ecological Features) and identified on the District Plan Maps.</u> • <u>Natural features and landscapes listed in Appendix 2 (Schedule of Identified Significant Ecological Features) and identified on the District Plan Maps.</u> • <u>Cultural and built heritage features listed in Appendix 3 (Schedule of Identified Significant Historic Heritage Features) and identified on the District Plan Maps.</u> • <u>Proposed Esplanade Reserves, Esplanade Strips and Access Strips identified in Appendix 4 (Schedule of Proposed Esplanade Reserves and Strips) and identified on the District Plan Maps.</u> • <u>Designations listed in Appendix 5 – Schedule of Designations and identified on the District Plan Maps.</u> • <u>Reserves identified on the District Plan Maps.</u> • <u>Stability Areas – Landslip and General identified on the District Plan Maps.</u> • <u>Floodable Areas identified on the District Plan Maps.</u> • <u>Coastal Inundation Areas identified on the District Plan Maps.</u> • <u>Coastal Erosion Areas – Primary Risk and Secondary Risk identified on the District Plan Maps.</u> • <u>Land within 10m of a railway corridor or designation for railway purposes (for sites created by way of an application for subdivision consent approved after 1 January 2010).</u> • <u>Lot 601 DP 560118 and Lot 604 DP 560118 (Harbour Ridge) for new sites created from these which adjoin the esplanade reserve (directly south of the railway line in Ōmokoroa).</u> 	Support in Part	<p>KiwiRail supports the inclusion of a new definition of a qualifying matter so that it is clear for readers of the District Plan what constitutes a qualifying matter in the relevant provisions and to ensure consistency.</p> <p>In particular, KiwiRail supports express recognition in the definition of provisions that are necessary to support the ongoing efficient operation of the rail corridor as nationally significant infrastructure (as recognised in sections 77I and 77O of the RMA), such as setbacks from the rail corridor and related noise and vibration controls.</p>	Accept submission to the extent it is consistent with the relief sought in KiwiRail's submission.
Fire and Emergency New Zealand	18	14A.2.1 Objective 1	Support as notified.	Support	KiwiRail considers it is appropriate that the objectives of the District Plan give effect to the objectives of the NPS-UD, insofar that well-functioning urban environments are provided for, which includes adequately managing the interface between significant infrastructure and urban development.	Accept submission.

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Submitter and Submission ID	Submitter #	Relevant Provision	Original Submission Point	Support / Oppose	Reasons for Support or Opposition	Decision Sought
Kāinga Ora – Homes and Communities	29	PC92 as a whole – Plan Structure	Amendment sought: <ul style="list-style-type: none"> Amendments to the structure, alignment and integration of PC92 to address: <ul style="list-style-type: none"> structural issues / concerns with PC92 which lead to a continuing inconsistency of the District Plan framework with the National Planning Standards; the existence of two medium density residential zones ("MDRZ"); the incorrect application of issues, objectives, and policies of the existing Section 14 Residential provisions of the District Plan to the newly proposed Section 14A in which Kāinga Ora considers to be inappropriate and not suitable for the proposed new zones; and use of the non-complying and discretionary activity status for non-compliance with the structure plan, which should be amended to be a restricted discretionary activity with targeted matters for discretion. 	Support in Part	KiwiRail supports the amendment sought by Kāinga Ora, to the extent that any amendments made clarify the application of the District Plan's objectives, policies, and rules, and ensures the provisions are consistent with the National Planning Standards. However, KiwiRail is concerned to ensure that any amendments made are compatible with the provisions sought in KiwiRail's primary submission, including ensuring that any building setbacks and noise and vibration controls continue to apply in relevant zones adjoining the rail corridor.	Accept submission, to the extent it is consistent with the relief sought in KiwiRail's primary submission.
		Section 14 and Section 14A – MDRZ and OTP MDRZ	Amendment sought: <ul style="list-style-type: none"> Removal of duplication of zone names with respect to the MDRZ zones. 	Support in Part	KiwiRail supports the amendment sought by Kāinga Ora, to the extent that removal of duplicated zone names removes any ambiguity, confusion and inconsistencies from the District Plan. However, KiwiRail is concerned to ensure that any removal of any zones does not erode, impact or complicate the application of the provisions sought by KiwiRail in its primary submission.	Accept submission, to the extent it is consistent with the relief sought in KiwiRail's primary submission.
		3 - Definitions	Amendment sought: <ul style="list-style-type: none"> Delete repetitive definitions (relating to 'residential units', 'dwellings'); or Move all definitions specific to the OTP MDRZ to Section 14A [of the District Plan] until the Western Bay of Plenty District Council gives effect to the National Planning Standards in the District Plan. 	Support in Part	KiwiRail agrees that a consistent application of definitions is appropriate for clarity of the applicable provisions in the Ōmokoroa and Te Puke Medium Density Residential Zone section of the District Plan. KiwiRail supports the amendment sought by Kāinga Ora, to the extent that any amendments to those definitions are still workable and do not alter the intent of the provisions sought in KiwiRail's primary submission, including the definition of noise sensitive activity and buildings or structures.	Accept submission, to the extent it is consistent with the relief sought in KiwiRail's primary submission.
		14A.2.1 – Objective 8	Amendment sought: <p><i>8. A well-functioning high quality residential-led mixed use area within the Ōmokoroa Mixed Use Residential Precinct that actively and positively integrates and engages with the surrounding environment and is complementary to the function, viability and vitality of the neighbouring Commercial Zone, comprising daytime and night-time activities compatible with residential uses.</i></p>	Support in Part	KiwiRail supports in part the amendment sought by Kāinga Ora, to the extent that Objective 8 continues to promote well-functioning residential-led mixed use areas within the Ōmokoroa Mixed Use Residential Precinct and that development integrates with the surrounding environment and is complementary to its function, which includes integrating development with transport corridors and ensuring development does not affect their ongoing operation through the inclusion of appropriate planning provisions (such as noise and vibration controls).	Accept submission, to the extent it is consistent with the relief sought in KiwiRail's primary submission.
		14A.2.2 – Policy 17	Amendment sought: <p><i>Encourage Ensure developments in the Ōmokoroa Mixed Use Residential Precinct are to be designed holistically with respect to integrate with surrounding land uses, public spaces and natural features, buildings and contour changes, positively connect with and contribute to the quality of public spaces and provide developed at a density to of use of land to that deliver the planned</i></p>	Support in Part	KiwiRail supports in part the amendment sought by Kāinga Ora, to the extent that Policy 17 will continue to provide direction that developments in the Ōmokoroa Mixed Use Residential Precinct will be designed in such a way that integrates with surrounding land uses. KiwiRail considers that it is important that adequate steps are taken to ensure development is integrated in a way that requires compliance with the railway corridor setbacks and noise and vibration controls as sought by KiwiRail, where necessary.	Accept submission, to the extent it is consistent with the relief sought in KiwiRail's primary submission.

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Submitter and Submission ID	Submitter #	Relevant Provision	Original Submission Point	Support / Oppose	Reasons for Support or Opposition	Decision Sought
			<p><i>character of promote a vibrant, complementary mixed-use destination that complements and supports adjacent to the town centre.</i></p>			
		14A – Use of "structure" in Section 14A	<p>Amendment sought:</p> <ul style="list-style-type: none"> Delete reference to "structures" within Chapter 14A and retain reference to "buildings". 	Oppose in Part	<p>While KiwiRail supports a planning framework that is clear and unambiguous for plan readers, KiwiRail is concerned to ensure that any amendments to the definition does not erode or impact the provisions sought in its primary submission, including as the terms buildings and structures are used in the building setbacks relating to the rail corridor.</p>	<p>Reject the submission to the extent it is inconsistent with the relief sought in KiwiRail's primary submissions</p>
		Extent of MDRZ in Ōmokoroa and Te Puke and High Density Residential Zone	<p>Amendment sought:</p> <ul style="list-style-type: none"> Accept a new High Density Residential Zone in the District Plan. Rename Ōmokoroa Stage 3C area to a new 'High Density Residential Zone, instead of forming part of Section 14A and retaining spatial extent. Rezone parts of Te Puke as High Density Residential Zone typically within 400m walking catchment of the town centre. 	Support in Part	<p>KiwiRail generally supports intensification and development of well-functioning urban environments, including around transport nodes. However, KiwiRail considers that to provide for high health and amenity values, as well as well-functioning urban environments, the interface between effects emitting significant infrastructure (such as the railway corridor) and urban development needs to be appropriately managed, including through the imposition of setbacks and noise and vibration controls as sought in KiwiRail's primary submission.</p> <p>To the extent that a new High Density Residential Zone is included in the District Plan in and around the railway corridor, it is necessary to ensure that appropriate controls are in place to manage adverse safety, health and amenity effects and reverse sensitivity effects.</p> <p>Without the imposition of appropriate controls to manage adverse effects of infrastructure on residents and reverse sensitivity effects on infrastructure providers, KiwiRail considers this will enable poor planning outcomes inconsistent with those sought in the NPS-UD or the District Plan and will result in long-term adverse health and amenity effects on future residents.</p>	<p>Accept submission, to the extent it is consistent with the relief sought in KiwiRail's primary submission.</p>
		14A.5.1 – Notification Requirements	<p>Amendment sought:</p> <p><i>Requirements</i></p> <p>[...]</p> <p><i>b. Council shall not require:</i></p> <p><i>i. Public notification if the application is for the construction and use of one, two or three residential units that do not comply with one or more of the density standards in Rule 14A.4.1 (except for the standard IN 14A.4.1(a)) or the other standards in Rule 14A.4.2.</i></p> <p><i>ii. Public or limited notification of the application is for the construction and use of four or more residential units that comply with the density standards in Rule 14.A.4.1 (except for the standard in 14A.4.1(a)) or the other standards in Rule 14A.4.2.</i></p> <p><i>iii. Public or limited notification for the construction and use of four or more residential units that do not comply with one or more of the density standards in Rule 14A.4.1 (except for the standard in 14A.4.1(a)) or the other standards in Rule 14A.4.2, but complies with Rule 14A.4.1(b) – height and Rule 14A.4.1(e) – building coverage.</i></p>	Oppose	<p>KiwiRail opposes the inclusion of new rule 14A.5.1(b)(iii). KiwiRail does not consider it is appropriate for public or limited notification to be precluded for high density developments that do not comply with the prescribed density standards, particularly the railway corridor setbacks in Rule 14A.4.1(d). In certain instances, including where the rail corridor setback is infringed, it may be appropriate for limited notification to KiwiRail as the owner of the rail corridor to ensure developments are appropriately designed in such a way as to ensure any adverse effects of that non-compliance can be adequately mitigated and managed through the consenting process.</p>	<p>Reject the amendment sought and retain the notification requirements under 14A.5.1, as notified.</p>

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Submitter and Submission ID	Submitter #	Relevant Provision	Original Submission Point	Support / Oppose	Reasons for Support or Opposition	Decision Sought
New Zealand Housing Foundation	32	Standard 14A.4.1.d	Amendment sought: <i>ii. This standard does not apply to:</i> [...] <i>b-site boundaries with a railway corridor or designation for railway purposes (for sites created by way of an application for subdivision consent approved after 1 January 2010) in which case all yards shall be 10m.</i> [...]	Oppose	Health, safety and amenity are key concerns for KiwiRail. KiwiRail considers that setbacks from the railway corridor is one of several essential planning tools (the others being noise and vibration controls) available for managing the interface between urban development and nationally significant infrastructure. Without appropriate setbacks for development in proximity to the railway corridor, residents' health, safety and amenity will be significantly compromised (due to increased exposure to adverse effects of railway operations), as well as increasing the risk of reverse sensitivity effects on KiwiRail and its operations. Setbacks are integral for managing those effects, as well as protecting the public from interfering with railway operations, which could lead to serious injury or death (if that risk is not appropriately managed / mitigated). The amendment sought by the New Zealand Housing Foundation will not promote safe, healthy or well-functioning urban environments and is therefore inconsistent with the objectives and policies of the NPS-UD and the District Plan.	Reject amendment sought and retain the setback standard for site boundaries that adjoin the rail corridor.
Retirement Villages Association of New Zealand Incorporated	34	14A.2.2 – Policy 2	Amendment sought: <ul style="list-style-type: none"> Amend 14A.2.2 Policy 2 to clarify where qualifying matters have been identified and which density standards apply instead of the MDRS in each qualifying matter area. 	Support in Part	KiwiRail supports a clarification to Policy 2, specifying where qualifying matters have been identified and which density standards apply in each qualifying matter area, particularly where those areas subject to the railway corridor qualifying matters.	Accept submission, to the extent it is consistent with the relief sought in KiwiRail's primary submission.
		14A Explanatory Statement	Amendment sought: [...] <i>Four or more residential units on a site can be applied for through resource consent. These larger medium density developments must be designed comprehensively to achieve high quality and well-functioning urban environments, including consistency with activity performance standards, and structure plans and good urban design outcomes.</i>	Oppose	KiwiRail supports intensified residential development in the appropriate Medium Density Residential zoning, which occurs in a way that is compatible with the surrounding environment and does not compromise existing lawfully established infrastructure. KiwiRail considers that in order to achieve well-functioning urban environments, especially where these developments are proposed in proximity to the railway corridor, it is critical that these developments are designed consistently with specified activity performance standards, including the railway corridor setbacks and noise and vibration controls sought in KiwiRail's submission.	Reject amendment sought and retain the explanatory statement for Section 14A as notified.
		14A.2.1. Objective 1	Amendment sought: <ul style="list-style-type: none"> Retain 14A.2.1. Objective 1 as notified. 	Support	KiwiRail considers that it is important that the objectives of the District Plan align with those of the NPS-UD, in that well-functioning urban environments are provided for, including the need integrate development in a manner that is consistent with the ongoing operation of significant infrastructure necessary to service these developments.	Accept submission.
Waka Kotahi NZ Transport Agency	41	New Zoning – Rural Residential Zone	Amendment sought: <ul style="list-style-type: none"> Create a new Rural Residential zone adjacent to the existing Waka Kotahi Designation D181. To ensure noise reverse sensitivity effects are avoided, an area of influence may be necessary, within which noise-sensitive activities require resource consent unless compliance with standard internal noise thresholds is demonstrated. 	Support	KiwiRail supports the inclusion of appropriate controls to manage reverse sensitivity effects on significant infrastructure, including provisions whereby noise-sensitive activities will require resource consent unless compliance with prescribed internal noise thresholds is demonstrated (such as, the noise and vibration controls as sought by KiwiRail for developments in proximity to the railway corridor). KiwiRail considers that the amendments sought by Waka Kotahi are necessary to manage the interface between urban development and significant infrastructure, mitigate and avoid reverse sensitivity effects, as well as provide for an adequate level of health and amenity for residents.	Accept submission.

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From: Tom Watts <tom@mpad.co.nz>
Sent: Monday, 14 November 2022 4:18 pm
To: District Plan
Cc: Richard
Subject: Plan Change 92 Submission
Attachments: Plan Change 92 - Further Submission Form - Word document.pdf

Tom Watts

Urban Designer | Planner
L.Arch

021 442 521
136 Willow Street, Tauranga 3110
tom@mpad.co.nz
www.mpad.co.nz





District Plan Change 92

Further Submission Form

You can deliver your submission to the Katikati, Te Puke, Ōmokoroa or Waihi Beach Library and Service Centre, Main Council Office at Barks Corner, email it to districtplan@westernbay.govt.nz, or mail it to:

District Plan Changes
Western Bay of Plenty District Council
Private Bag 12803
Tauranga Mail Centre
Tauranga 3143

A copy of your further submission must be served on the original submitter within 5 working days after it is served on Council

Please note: All the information you provide in your feedback form (including personal details) will become public documents.

Submissions close 5.00pm on Monday 14 November 2022

Name:	Momentum Planning and Design	
Organisation (only if submitting on behalf)		
Address for Service:	Level 1, 136 Willow Street Tauranga	
		Post Code: 3110
E-mail Address:	tom@mpad.co.nz	
	021 442 521	
Telephone Number:	021 442 52100 (home)	

(work)

I am (please tick the one applicable to you)

- a person representing a relevant aspect of the public interest
- a person that has an interest in the plan change greater than the interest that the general public has
- the local authority itself.

Please specify the grounds for saying that you come within one of these categories:

I/We would like to speak in support of my/our submission at the Council hearing.

Yes No Please tick



Signed: _____ **Date:** 14 November 2022

(Signature of person making submission or person authorised to sign on behalf of person making submissions)



Privacy Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.

Submitters Name and Address who you are further submitting on	Submission Ref. No. and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Example: Joe Bloggs, 19 Bloggs Street, Tauranga	Example: 45 & 45.1	Example: S	Example: Support the provision of medium density housing in identified areas but seek the addition of a specific medium density area for Te Puke to give certainty to Te Puke residents that this area will be used for medium density development.	Example: Add to the District Plan Maps for Te Puke an area for higher density development.
12 Queen Palms Road, Te Puke	43 & 43.1	S	<p>This submission notes that the flood modelling for 12 Queen Palms Road, Te Puke. Does not take into consideration the flooding mitigations and stormwater re-direction that have occurred as part of the land development process.</p> <p>Likewise, the flood modelling over the accessway associated with 50 Macloughlin Drive has increased, and does not reflect the proposed up stream stormwater mitigation, including stormwater pond (Te Puke_A3_3), which will ultimately manage and reduce the level of flooding across the accessway at 50 Macloughlin Drive.</p>	That the flood modelling be reconsidered in light of the upstream flood mitigations and stormwater re-direction that is proposed.

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Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:*
- it discloses no reasonable or relevant case:*
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:*
- it contains offensive language:*
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.*

From: Ila Daniels <ila@campbellbrown.co.nz>
Sent: Monday, 14 November 2022 1:53 pm
To: District Plan
Cc: Michael Campbell; Dominic Foote; Nicolas Giraldo; Aidan Craig
Subject: Further Submission - Plan Change 92, WBOPDC Plan Review
Attachments: Plan Change 92 - Further Submission Form - NZHF.pdf

Kia Ora,

Please find **attached** a further submission on Plan Change 92 in Ōmokoroa on behalf of the NZ Housing Foundation.

I can confirm that we will separately serve this further submission on the original submitter(s).

Any queries on the above, let us know.

Nga mihi

Ila Daniels | [Principal Planner](#)

Campbell Brown Planning Limited

Level 2, 46 Brown Street, Ponsonby | PO Box 147001, Ponsonby, Auckland 1144

Phone: 09 394 1695 or 021 147 9681 | ila@campbellbrown.co.nz | www.campbellbrown.co.nz



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Please consider the environment before printing this email.

District Plan Change 92

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District Plan Changes
Western Bay of Plenty District Council
Private Bag 12803
Tauranga Mail Centre
Tauranga 3143

A copy of your further submission must be served on the original submitter within 5 working days after it is served on Council

Please note: All the information you provide in your feedback form (including personal details) will become public documents.

Submissions close 5.00pm on Monday 14 November 2022

Name:	<u>Ila Daniels of Campbell Brown Planning Ltd</u>	
Organisation (only if submitting on behalf)	<u>New Zealand Housing Foundation</u>	
Address for Service:	<u>PO Box 147001, Ponsonby, Auckland 1144</u>	Post Code: <u>1144</u>
E-mail Address:	<u>ila@campbellbrown.co.nz</u>	
Telephone Number:	<u>021 147 9681</u> (home)	

I am (please tick the one applicable to you)

- a person representing a relevant aspect of the public interest
- person that has an interest in the plan change greater than the interest that the general public has
- the local authority itself.

Please specify the grounds for saying that you come within one of these categories:

We are a landowner in the land subject to the plan change.

We would like to speak in support of our submission at the Council hearing.

Yes No Please tick



Signed: _____ **Date:** 14th November 2022
(Signature of person making submission or person authorised to sign on behalf of person making submissions)



Privacy Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.

Submitters Name and Address who you are further submitting on	Submission Ref. No. and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Kainga Ora	29.42	Support	Provision of an even greater minimum density is supported in terms of the efficient use of land.	Standard is revised as identified in the primary submission.
Kiwirail	30.2	Oppose	New Zealand Housing Foundation opposes the proposed amendment as it is inconsistent with its primary submission identified as 32.9.	The amendment sought is not accepted.
Kiwirail	30.3	Oppose	New Zealand Housing Foundation opposes the proposed amendment as it is inconsistent with its primary submission identified as 32.9.	The amendment sought is not accepted.
Kiwirail	30.4	Oppose	New Zealand Housing Foundation opposes the proposed amendment as it is inconsistent with its primary submission identified as 32.9.	The amendment sought is not accepted.
Kiwirail	30.5	Oppose	New Zealand Housing Foundation opposes the proposed amendment as it is inconsistent with its primary submission identified as 32.9.	The amendment sought is not accepted.
Kiwirail	30.6	Oppose	New Zealand Housing Foundation opposes the proposed amendment as it is inconsistent with its primary submission identified as 32.9.	The amendment sought is not accepted.
Western Bay of Plenty District Council	15.1	Oppose in part	New Zealand Housing Foundation opposes the proposed amendment in relation to the railway corridor as it is inconsistent with its primary submission identified as 32.9.	That any definition for a qualifying matter is amended to exclude <i>"Land within 10m of a railway corridor or designation for railway purposes (for sites created by way of an application for subdivision consent approved after 1 January 2010)."</i>

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From: Abby Hughes <abby@haysonknell.co.nz>
Sent: Monday, 14 November 2022 3:04 pm
To: District Plan
Subject: Further Submission form for Plan Change 92
Attachments: KWL-1020067-12-113-V3-Further Submission.pdf

Tēnā Koe,

Please find attached our Further Submission Form for District Plan Change 92.
Please advise if you require any further information.

Kind regards,

Abby Hughes | Project Administrator | Hayson Knell Ltd
T: +64 7 577 1996 | E: abby@haysonknell.co.nz
PO Box 14085 Tauranga Mail Centre 3143
www.haysonknell.co.nz

My office hours are Monday – Friday, 10:00am – 3:00pm



Hayson Knell

Formerly Wasley Knell Consultants Ltd

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District Plan Change 92

Further Submission Form

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Western Bay of Plenty District Council
Private Bag 12803
Tauranga Mail Centre
Tauranga 3143

A copy of your further submission must be served on the original submitter within 5 working days after it is served on Council

Please note: All the information you provide in your feedback form (including personal details) will become public documents.

Submissions close 5.00pm on Monday 14 November 2022

Name:	<u>Ōmokoroa Country Club Limited (OCC)</u>	
Organisation (only if submitting on behalf)	<u>C/- Hayson Knell</u>	
Address for Service:	<u>PO Box 14085</u>	
	<u>Tauranga Mail Centre</u>	Post Code: 3143
E-mail Address:	<u>abby@haysonknell.co.nz</u>	
	<u>07 577 1996</u>	
Telephone Number:	<u>(home)</u>	

(work)

I am (please tick the one applicable to you)

- a person representing a relevant aspect of the public interest
- a person that has an interest in the plan change greater than the interest that the general public has
- the local authority itself.

Please specify the grounds for saying that you come within one of these categories:

Retirement village operator; land owner within Ōmokoroa Structure Plan area.

I/We would like to speak in support of my/our submission at the Council hearing.

Yes No Please tick

Signed: *Creg Kelly*

Date: 14/11/2022

Submitters Name and Address who you are further submitting on	Submission Ref. No, and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Example: Joe Bloggs, 19 Bloggs Street, Tauranga	Example: 45 & 45.1	Example: S	Example: Support the provision of medium density housing in identified areas but seek the addition of a specific medium density area for Te Puke to give certainty to Te Puke residents that this area will be used for medium density development.	Example: Add to the District Plan Maps for Te Puke an area for higher density development.
Western Bay of Plenty District Council	15 & 15.10	S	Support the clarification of Rule 11.5.5, but seek that financial contributions are not calculated on a per hectare basis.	Amend Rule 11.5.5 so that financial contribution no longer applies to mean that when less density is delivered, the financial contribution increases.
Western Bay of District Regional Council	15 & 15.11	S	Support the correction of the drafting error to provide clarification regarding yarding issues.	Amend Rule 14A.4.1 to allow written approval from owners of immediately adjoining properties to only apply to those in respect of side and rear yards, not front (road) boundary.
Fire and Emergency New Zealand	18 & 18.21	S	Support inclusion of an advice note referring to the Building Code.	Amend Rule 14A.4.1 to include an advice note that directs plan users to the requirements of the New Zealand Building Code.
Classic Group	26 & 26.1 Definition of "developable area"	S	Support amendments to definition of "developable area" to exclude: -local purpose stormwater and neighbourhood reserves to be vested. -Pedestrian accessways to be vested.	Adopt submission; however do not necessarily confine amendments to reserves <i>to be vested</i> . As the submitter says, all forms of reserves should be excluded from the calculation of developable area when calculating financial contributions.
Classic Group	26 & 26.22 Rule 14A.2.1 Objective 4	O	Oppose amendment to Objective 4 to delete "private and public" with respect to amenity outcomes. Both private and public amenity is important and should be stated to ensure a comprehensive approach and avoid watering down the intent of the plan.	Reject the following amendment to Rule 14A.2.1, Objective 4: <i>An urban form providing positive private and public amenity outcomes.</i>

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Submitters Name and Address who you are further submitting on	Submission Ref. No, and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Classic Group	26 & 26.24 Rule 14A.2.2.7	O	Oppose deletion of "high quality" for urban design outcomes.	Retain "high quality" in Rule 14A.2.2.7.
Classic Group	26 & 26.26 Rule 14A.2.2.17	O	Oppose the deletion of existing text (the inclusion of the New Zealand Urban Design Protocol can be supported).	<p>Reject the following amendment to Rule 14A.2.2.17 as per Classic Group's suggested relief (except that reference to the New Zealand Urban Design Protocol is acceptable and should be included).</p> <p>Ensure developments in the Omokoroa and Te Puke medium density residential zone residential precinct are designed holistically with respect to surrounding land uses, buildings, and colour changes, positively connect with and contribute to the quality of public spaces and provided density of use of land to deliver the planned character of a vibrant complimentary mixed use destination adjacent to the town centre complies with the requirements of the New Zealand Urban Design Protocol.</p>
Classic Group	26 & 26.27 Rule 14A.3.3.d	S	Supporting the deletion of reference to retirement villages as a restricted discretionary activity and provide for them as a controlled activity under Rule 14A.3.2.	Amend Rule 14A.3.3.d to remove d and include as controlled activity.
Classic Group	26 & 26.39 Rule 14A.7.1	O	OCC opposes the deletion or redraft of Rule 14A.7.1. Although OCC has made some suggestions regarding the improvement of Rule 14A.7.1, it is important that it be retained to ensure high quality built form.	<p>Retain Rule 14A.7.1 and amend to address OCC's original submission e.g. by including specialist design assessments such as:</p> <ul style="list-style-type: none"> a. Reflectivity and colour considerations; b. Material palette considerations; c. High level of building articulation and varied form;

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Submitters Name and Address who you are further submitting on	Submission Ref. No, and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
				d. High level of visual interest; e. Having a positive relationship with neighbouring properties; and f. Avoidance of blank walls or facades.
Kainga Ora – Homes and Communities	29 & 29.9	S	Support amendment to Rule 11.5.3 to apply to all additional residential units or lots on a site. This would aid in clarifying financial contributions.	Amend Rule 11.5.3 to apply to all additional residential units or lots.
Kainga Ora – Homes and Communities	29 & 29.11	S	Support the deletion of Rule 11.5.5 in its entirety and replace it with Rule 11.5.3.	Deletion of Rule 11.5.5 and replacing it with Rule 11.5.3 means that financial contribution would no longer apply to mean that when less density is delivered, the financial contribution increases (what Rule 11.5.5 currently imposes).
Kainga Ora – Homes and Communities	29 & 29.12	O	Oppose clarification of Rule 12.4.4.4.c as sought by Kainga Ora.	This relief could lead to multiple uncoordinated accesses which is not in the interests of the structure plan.
Kainga Ora – Homes and Communities	29 & 29.29	O	Although OCC suggested amending 14A.2.2 (Policy 10), OCC wants any amendments that ensure quality built outcomes. These amendments do not achieve that.	Reject the amendments to Policy 10 suggested by Kainga Ora.
Kainga Ora – Homes and Communities	29 & 29.42	O	Oppose increasing the proposed residential unit yield requirements.	Retain (or reduce) the residential yields within Plan Change 92; do not increase them.
Kainga Ora – Homes and Communities	29 & 29.55	O	OCC opposes the deletion or redraft of Rule 14A.7.1. Although OCC has made some suggestions regarding the improvement of Rule 14A.7.1, it is	Retail rule 14A.7.1 and amend to address OCC’s original submission e.g. by including specialist design assessments such as:

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Submitters Name and Address who you are further submitting on	Submission Ref. No, and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
			important that it be retained to ensure high quality built form.	a. Reflectivity and colour considerations; b. Material palette considerations; c. High level of building articulation and varied form; d. High level of visual interest; e. Having a positive relationship with neighbouring properties; and f. Avoidance of blank walls or facades.
Retirement Villages Association of New Zealand Incorporated (RVA)	34 & 34.3 Definitions – Retirement Village	S	Support RVA's suggested relief that the definition of 'Retirement Village' is amended. This would ensure that the definition aligns with relevant standards and policies.	Amend the definition of "retirement village" as per the National Planning Standards: Retirement village means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities.
RVA	34 & 34.4 Definitions – Retirement Village Dwelling	S	Support RVA's suggestion to delete 'Retirement Village Dwelling' and replace it with 'Retirement Unit'. OCC believes it is important that the distinct nature of retirement activities is acknowledged.	If OCC's relief is not accepted, adopt RVA relief. Retirement Unit means any unit within a retirement village that is used or designed to be used for a residential activity (whether or not it includes cooking, bathing, and toilet facilities). A retirement unit is not a residential unit.

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Submitters Name and Address who you are further submitting on	Submission Ref. No, and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
RVA	34 & 34.5 Definitions – Retirement Village Independent Apartment	S	Support RVA’s suggestion to delete the definition ‘Retirement Village Independent Apartment’.	If OCC’s relief is not accepted, adopt RVA relief.
RVA	34 & 34.7 Financial Contributions – 11.5.5 and 11.5.7	S	Support RVA’s submission opposing the financial contributions being paid on the basis of hectares of developable area for Rule 11.5.5. The current wording of Rule 11.5.5 disadvantages Retirement Villages and does not reflect their lower occupancy and lower demand on infrastructure.	Amend Rule 11.5.5 so that the financial contributions regime recognises the lower demand profile of retirement development compared to standard residential.
RVA	34 & 34.22 Ōmokoroa and Te Puke Medium Density Residential Zone – 14.2.2 Policy 6	S (New Policy 14A.2.2 Px)	Support the inclusion of a new policy to recognise the provision of housing for an ageing population.	Adopt RVA Policy 14A.2.2 Px: 14A.2.2 Px Provision of housing for an ageing population <i>1. Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older persons in [add] zone, such as retirement villages.</i> <i>2. Recognise the functional and operational needs of retirement villages, including that they:</i> <i>a. May require greater density than the planned urban built character to enable efficient provision of services.</i> <i>b. Have unique layout and internal amenity needs to cater for the requirements of residents as they age.</i>
RVA	34 & 34.24 Ōmokoroa and Te Puke Medium	S	Support RVA opposition to Policy 8 – that the expectations for the Ōmokoroa and Te Puke Medium Density Residential Zone should only reflect those set out in the Enabling Housing Act.	Delete 14A.2.2 Policy 8.

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Submitters Name and Address who you are further submitting on	Submission Ref. No, and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
	Density Residential Zone – 14A.2.2 Policy 8			
RVA	34 & 34.25 Ōmokoroa and Te Puke Medium Density Residential Zone – 14A.2.2 Policy 9	O	Oppose RVA’s submission to delete Policy 9 as it would mean that there would be no policy to ensure quality built outcomes.	Retain and amend Policy 9 so that it is directive enough to ensure quality built outcomes for residential development.
RVA	34 & 34.26 Ōmokoroa and Te Puke Medium Density Residential Zone – 14A.2.2 Policy 10	O	Oppose RVA’s submission to delete Policy 10 as it would mean that there would be no policy to ensure quality built outcomes.	Retain and amend Policy 10 so that it is directive enough to ensure quality built outcomes.
RVA	34 & 34.27 Ōmokoroa and Te Puke Medium Density Residential Zone – 14A.2.2 Policy 11	O	Oppose RVA’s submission to delete Policy 11 as it would mean that there would be no policy to ensure quality built outcomes.	Retain and amend Policy 11 so that it is directive enough to ensure quality built outcomes.
RVA	34 & 34.31	S	Support RVA’s submission providing for retirement villages as a restricted discretionary activity, and that	Adopt RVA relief to include a new rule that provides for the construction of retirement villages as a restricted

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Submitters Name and Address who you are further submitting on	Submission Ref. No, and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
	Ōmokoroa and Te Puke Medium Density Residential Zone – Activity Lists – 14A.3.1 Rule (a) and 14A.3.3 Rule (a)		the construction of retirement villages should have their own set of focused matters of discretion. These matters of discretion will acknowledge the differences that retirement villages have from other residential activities.	discretionary activity, with a specific set of retirement village matters of discretion.
RVA	34 & 34.32 Ōmokoroa and Te Puke Medium Density Residential Zone – Activity Lists – 14A.3.3.d	S	Support the RVA request to provide for retirement villages as a land use permitted activity.	Provide for retirement villages as a land use as a permitted activity. 14A.3.1 Permitted Activities ... m. Retirement villages.
RVA	34 & 34.43 Ōmokoroa and Te Puke Medium Density Residential Zone – 14A.5.1 Notification Requirements	S in part	Support the amendment to exclude retirement villages from public notification. However, OCC believes the same should apply to limited notification regardless of whether the construction of the retirement village complies with density standards or not.	Amend 14A.5.1 as per RVA's relief sought (with the deletion shown (and highlighted)). 4A.5 Notification 14A.5.1 Requirements (a) ... (b) Council shall not require: i. ... ii. ... iii. ... iv. ...

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Submitters Name and Address who you are further submitting on	Submission Ref. No, and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
				<p>v. Public notification if the application is for the construction of a retirement village.</p> <p>vi. Limited notification if the application is for the construction of a retirement village that complies with density standards 14A.4.1(b) – (e).</p>
RVA	34 & 34.44 Ōmokoroa and Te Puke Medium Density Residential Zone – 14A.7.1 Matters of Discretion	S	Support the amendment to Rule 14A.7.1 removing the retirement villages from the Matters of Discretion, and the creation of a new proposed rule for the construction of retirement villages. This allows for Retirement Villages to provide quality built outcomes.	<p>Amend the 14A.7.1 as per RVA’s relief sought.</p> <p>14.7 Matters of Discretion 14A.7.1 Restricted Discretionary Activities – Four or More Residential Units on a Site, Comprehensive Mixed Use Developments, Retirement Villages and Rest Homes</p>
Urban Taskforce for Tauranga	39 & 39.2 Definition of “developable area”	S	<p>Support amendments to definition of “developable area” to exclude:</p> <ul style="list-style-type: none"> -local purpose stormwater and neighbourhood reserves to be vested. -Pedestrian accessways to be vested. 	Adopt submission; however do not necessarily confine amendments to reserves <i>to be vested</i> . As the submitter says, all forms of reserves should be excluded from the calculation of developable area when calculating financial contributions.
Urban Taskforce for Tauranga	39 & 39.20 Rule 14A.3.3.d	S	Support the deletion of the reference to retirement villages as a restricted discretionary activity and instead providing for them as a controlled activity under Rule 14A.3.2. This is in line with what is under the Operative District Plan – that Retirement Village activities are controlled activities.	Amend Rule 14A.3.3.d to remove d and include as controlled activity.

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Submitters Name and Address who you are further submitting on	Submission Ref. No, and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Urban Taskforce for Tauranga	39 & 39.29 Rule 14A.7.1	O	OCC opposes the deletion or redraft of Rule 14A.7.1. Although OCC has made some suggestions regarding the improvement of Rule 14A.7.1, it is important that it be retained to ensure high quality built form. The amendments proposed by Urban Taskforce for Tauranga do not support good design outcomes.	Retain Rule 14A.7.1 and amend to address OCC's original submission.
Vercoe Holdings Limited	40 & 40.12 Rule 14A.3.3.d	S	Supporting the deletion of reference to retirement villages as a restricted discretionary activity and provide for them as a controlled activity under Rule 14A.3.2. This is in line with what is under the Operative District Plan – that Retirement Village activities are controlled activities.	Amend Rule 14A.3.3.d to remove d and include as controlled activity.
The New Zealand Transport Agency (Waka Kotahi)	41 & 41.3	O	Oppose the inclusion of a rule or performance standard that: <ul style="list-style-type: none"> • affords non-complying activity status to subdivision/development within the Stage 3 structure plan area prior to the interim roundabout becoming operational; and • affords non-complying activity status to subdivision/development within the Stage 3 structure plan area post the capacity of the roundabout being reached (development trigger to be determined by SIDRA modelling) and prior to a future grade-separated interchange becoming operational. 	Reject submission.

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Submitters Name and Address who you are further submitting on	Submission Ref. No, and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Brian Goldstone	42 & 42.2 Rule 14A.4.2.b	O	OCC opposes the deletion of the residential unit typologies as this is likely to lead to poor urban design outcomes.	Retail Rule 14A.4.2.b.
Brian Goldstone	42 & 42.13 Rule 14A.7.1	O	OCC opposes the deletion or redraft of Rule 14A.7.1. Although OCC has made some suggestions regarding the improvement of Rule 14A.7.1, it is important that it be retained to ensure high quality built form. The proposed amendment by Brian Goldston does not encourage a good design outcome.	Retain rule 14A.7.1 and amend to address OCC's original submission.
The North Twelve Limited Partnership	47 & 47.4 11.5.5 – Financial Contribution	O	Oppose the deletion of the entirety of Rule 11.5.5, however OCC supports amendments to Rule 11.5.5 to reflect retirement villages lower occupancy rate and lower demand on infrastructure.	Amend Rule 11.5.5 in accordance with OCC's original submission.
Jace Investments & Kiwi Green New Zealand Ltd	58 & 58.17 Financial contributions	O	The submitter supports the per hectare financial contributions for development which is opposed by OCC.	Reject the submission; amend financial contributions regime as sought by OCC and the RVA.

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Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

From: RMA Policy Planning <planning@powerco.co.nz>
Sent: Monday, 14 November 2022 11:41 am
To: District Plan
Cc: Natalie Rutland
Subject: Further Submission from Powerco on Plan Change 92
Attachments: 2022.11.14 WBoPDC PC92 Powerco Further Submission.pdf

Our privacy policy is [here](#). It tells you how we may collect, hold, use and share personal information.

Kia ora

Please find **attached** a further submission from Powerco Limited on Plan Change 92 (Omokoroa and Te Puke Enabling Housing Supply and Other Supporting Matters) to the Western Bay of Plenty District Plan.

Do not hesitate to contact me with any queries.

Ngā mihi
Gary Scholfield
Environmental Planner
Ext 5659 | 027 598 4145 | +64 7 928 5659
Level 2, 152 Devonport Road, Tauranga 3110 | PO Box 13 075, Tauranga 3141
www.powerco.co.nz



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FURTHER SUBMISSION BY POWERCO LIMITED ON PLAN CHANGE 92 TO THE WESTERN BAY OF PLENTY DISTRICT PLAN

To: Environmental Planning Team
Western Bay of Plenty District Council
Private Bag 12803
Tauranga Mail Centre 3143

Via email: districtplan@westernbay.govt.nz

Name of submitter: Powerco Limited
Private Bag 2061
New Plymouth 4340
(Note that this is not the address for service.)

1. This is a further submission by Powerco Limited (*Powerco*) on Plan Change 92 (Omokoroa and Te Puke Enabling Housing Supply and Other Supporting Matters) to the Western Bay of Plenty District Plan.
2. Powerco has an interest greater than the general public as we own and operate the electricity distribution networks across the district.
3. The specific details of the submissions supported or opposed, along with the reasons and decisions sought are detailed in the attached schedule (Schedule 1). Powerco seeks that the decisions sought as set out in the attached schedule are adopted, or any other such relief and/or consequential amendments that achieves an equivalent outcome.
4. Powerco wishes to be heard in support of this submission.
5. If others make a similar submission, Powerco would be prepared to consider presenting a joint case at any hearing.

Signature of person authorised to sign on behalf of Powerco Limited:



Gary Scholfield
Environmental Planner

POWERCO

Dated at Tauranga this 14th day of November 2022.



Address for Service: Powerco Limited
PO Box 13 075
Tauranga 3141
Attention: Gary Scholfield

Phone: (07) 928 5659
Email: planning@powerco.co.nz

Schedule 1 – Further Submission by Powerco

Powerco support / oppose the submission of	Sub Number / Point Number	Support or Oppose	Reason for Support or Opposition	Decision Sought (additions <u>underlined</u> , deletions struck through)
Western Bay of Plenty District Council	15, 15.1	Oppose in Part	This submission point seeks a new definition of “qualifying matter” be inserted. Powerco agrees this would aid in administration of the District Plan, however the list of qualifying matters does not include the overhead electricity distribution network, which Powerco sought in its submission.	<p>Amend the definition to include the following:</p> <p><i>“Qualifying matter” means one or more of the following: ...</i></p> <ul style="list-style-type: none"> • <i><u>The overhead electricity distribution networks identified on the [non-statutory] planning maps.</u></i> <p>...</p>

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From: Marika Williams <Marika.Williams@chapmantripp.com>
Sent: Monday, 14 November 2022 4:58 pm
To: District Plan
Cc: Alice Hall; Luke Hinchey
Subject: RVA - Further submission on Plan Change 92
Attachments: Further Submission PC92 - Retirement Villages Association.pdf

Good afternoon

Please find **attached** a further submission from the Retirement Villages Association of New Zealand Incorporated on Plan Change 92.

Kind regards

Marika

MARIKA WILLIAMS (she/her)

SOLICITOR

Chapman Tripp

D: +64 9 358 9847

LEGAL ADMINISTRATOR: Paula Norman | D: +64 9 357 2732

www.chapmantripp.com

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District Plan Change 92

Further Submission Form

You can deliver your submission to the Katikati, Te Puke, Ōmokoroa or Waihi Beach Library and Service Centre, Main Council Office at Barks Corner, email it to districtplan@westernbay.govt.nz, or mail it to:

District Plan Changes
Western Bay of Plenty District Council
Private Bag 12803
Tauranga Mail Centre
Tauranga 3143

A copy of your further submission must be served on the original submitter within 5 working days after it is served on Council

Please note: All the information you provide in your feedback form (including personal details) will become public documents.

Submissions close 5.00pm on Monday 14 November 2022

Name:	<u>Luke Hinchey</u>	
Organisation (only if submitting on behalf)	<u>On behalf of the Retirement Villages Association of New Zealand Incorporated</u>	
Address for Service:	<u>c/o Chapman Tripp, Level 34, 15 Customs Street West, PO Box 2206, Auckland</u>	Post Code: <u>1140</u>
E-mail Address:	<u>Luke.hinchey@chapmantripp.com / marika.williams@chapmantripp.com / hannah.okane@mitchelldaysh.co.nz</u>	
Telephone Number:	<u>+6493572709</u>	

(home) (work)

I am (please tick the one applicable to you)

- a person representing a relevant aspect of the public interest
 a person that has an interest in the plan change greater than the interest that the general public has
 the local authority itself.

Please specify the grounds for saying that you come within one of these categories:

The RVA represents a relevant aspect of the public interest and has an interest in Plan Change 92 greater than the general public for a number of reasons, including (without limitation):

- a. The RVA represents the interests of the owners, developers and managers of retirement villages throughout the Western Bay of Plenty. The RVA, on behalf of its members, has a significant interest in how the Western Bay of Plenty District Plan (District Plan), including the amendments proposed by Plan Change 92, provides for retirement village and aged care provision in the Western Bay of Plenty, given the existing and predicted demand by our members for such accommodation.
- b. Retirement villages make a substantial contribution to housing and healthcare for older people in the region, providing for the social and economic wellbeing of communities. The ability of RVA members to provide villages that contribute to the social and economic wellbeing of the Western Bay of Plenty will depend on the reasonableness and appropriateness of the District Plan provisions, including amendments proposed by Plan Change 92.
- c. Given the RVA's broad membership, history and representation in the Western Bay of Plenty, the RVA has specialist experience and expertise relevant to determining the merits of the District Plan provisions, including amendments proposed by Plan Change 92.

The RVA made a submission on Plan Change 92.

I/We would like to speak in support of my/our submission at the Council hearing.

Yes No Please tick

Signed: _____

Date: 14/11/2022

(Signature of person making submission or person authorised to sign on behalf of person making submissions)



Privacy

Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.

Submitters Name and Address who you are further submitting on	Submission No. and Point No.	Ref. Sub	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Section 3 - Definitions					
Ara Poutama Aotearoa the Department of corrections andrea.millar@corrections.govt.nz	24.4		Oppose in part	The RVA opposes the relief sought in this submission to the extent that it is inconsistent with the RVA's primary submission seeking that Retirement Units be removed from the definition.	Disallow the submission to the extent it is inconsistent with the RVA's primary submission.
Kiwirail Holdings Limited hancock@kiwirail.co.nz	30.6		Oppose	The RVA opposes this submission because it goes beyond the scope of the plan change and/or is not necessary or appropriate.	Disallow the submission.
Section 4B – Transportation Access and Parking and Section 4C - Amenity					
Kiwirail Holdings Limited hancock@kiwirail.co.nz	30.4		Oppose in part	The RVA acknowledges that acoustic insulation may be appropriate in some areas located within or adjacent to high noise areas with a purpose of providing protection / amenity to residents in such areas. The RVA considers however that such requirements need to be determined on a case-by-case basis, with consideration given to the distance of noise sensitive activities from high noise areas.	Disallow the submission.
Kiwirail Holdings Limited hancock@kiwirail.co.nz	30.5		Oppose in part	The RVA acknowledges that acoustic insulation may be appropriate in some areas located within or adjacent to high noise areas with a purpose of providing protection / amenity to residents in such areas. The RVA considers however that such requirements need to be determined on a case-by-case basis, with consideration given to the distance of noise sensitive activities from high noise areas.	Disallow the submission.
Section 11 - Financial Contributions					
Omokoroa Country Club Ltd abby@haysonknell.co.nz	56.3		Support in part, oppose in part	The RVA supports points 2 and 3 of the relief sought to the extent that it is consistent with the RVA's primary submission seeking a bespoke financial contributions regime for retirement villages. However on point 1, the RVA seeks lower HUE charges for retirement villages than the proposed 0.5 multiplier, which does not fully account for the lower impacts on council services of retirement villages.	Allow the submission to the extent it is consistent with the RVA submission and otherwise disallow it.
Section 12 – Subdivision and Development					
Classic Group libby.godling@classicdevelopments.co.nz	26.10		Support	The RVA supports the relief sought in this submission point for the reasons outlined by the submitter and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Urban Taskforce for Tauranga aaron@collierconsultants.co.nz	39.6		Support	The RVA supports the relief sought in this submission point for the reasons outlined by the submitter and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.

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Veroe Holdings Limited aaron@collierconsultants.co.nz	40.5	Support	The RVA supports the relief sought in this submission point for the reasons outlined by the submitter and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Fire and Emergency New Zealand alec.duncan@beca.com	18.10	Oppose	The RVA opposes the relief sought in this submission as it is appropriate that the consent process enable a case by case assessment of design and the provisions should not duplicate or alter requirements of the Building Code.	Disallow the submission
Fire and Emergency New Zealand alec.duncan@beca.com	18.9	Oppose	The RVA opposes the relief sought in this submission as the Building Act provides the framework for considering access to sites for fire-fighting purposes. The plan provisions should not duplicate or alter requirements of the Building Code.	Disallow the submission
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.15	Support	The RVA supports the relief sought in this submission point for the reasons outlined by the submitter and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Section 14A – Omokoroa and Te Puke Medium Density Residential				
Omokoroa Country Club Limited abby@haysonknell.co.nz	56.5	Support in part, Oppose in part	The RVA supports part of the relief sought in this submission point as it does provide for the benefits of retirement villages or recognise their functional and operational needs. However, with regard to the submission where robust urban design processes are recommended to be included, the RVA opposes this point.	Allow the portion of the submission that seeks for objectives and policies and rules relating to retirement villages to be included with a more permissive activity status, and otherwise disallow the remainder of the submission.
Fire and Emergency New Zealand alec.duncan@beca.com	18.19	Oppose	The RVA opposes the relief seeking a new policy 14A.2.2(19) as it is considered unnecessary and there is a rule already providing for consideration of access requirements.	Disallow the submission.
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.36	Support	The RVA supports part of the relief sought in this submission point for the reasons outlined by the submitter and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.20	Support	The RVA supports part of the relief sought in this submission point for the reasons outlined by the submitter and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Classic Group libby.godling@classicdevelopments.co.nz	26.22	Oppose	The RVA supports the reasoning but opposes the relief sought in this submission as it is inconsistent with the RVA's primary submission.	Disallow the submission.
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.24	Support	The RVA supports part of the relief sought in this submission point for the reasons outlined by the submitter and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.

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Classic Group libby.godling@classicdevelopments.co.nz	26.23	Support	The RVA supports the relief sought in this submission to delete objective 14A.2.1.6 as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Urban Taskforce for Tauranga aaron@collierconsultants.co.nz	39.15	Support	The RVA supports the relief sought in this submission to delete objective 14A.2.1.6 as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Brian Goldstone aaron@collierconsultants.co.nz	42.6	Support	The RVA supports the relief sought in this submission to delete objective 14A.2.1.6 as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Vercoe Holdings Limited aaron@collierconsultants.co.nz	40.9	Support	The RVA supports the relief sought in this submission to delete objective 14A.2.1.6 as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Bay of Plenty Regional Council Sharlene.Pardy@boprc.govt.nz	25.43	Oppose	The RVA opposes the relief sought in this submission point as it does not provide for the benefits of retirement villages or recognise their functional and operational needs.	Disallow the submission.
Urban Taskforce for Tauranga aaron@collierconsultants.co.nz	39.19	Oppose	The RVA opposes the relief sought in this submission point as it is inconsistent with the Enabling Housing Act.	Disallow the submission.
Classic Group libby.godling@classicdevelopments.co.nz	26.26	Oppose	The RVA opposes the relief sought in this submission point as it is inconsistent with the Enabling Housing Act.	Disallow the submission.
Brian Goldstone aaron@collierconsultants.co.nz	42.8	Oppose	The RVA opposes the relief sought in this submission point as it is inconsistent with the Enabling Housing Act.	Disallow the submission.
Vercoe Holdings Limited aaron@collierconsultants.co.nz	40.11	Oppose	The RVA opposes the relief sought in this submission point as it is inconsistent with the Enabling Housing Act.	Disallow the submission.
Fire and Emergency New Zealand alec.duncan@beca.com	18.21	Oppose	The RVA opposes the relief sought in this submission as advice notes referring to other legislation are unnecessary and redundant.	Disallow the submission.
Fire and Emergency New Zealand alec.duncan@beca.com	18.22	Oppose	The RVA opposes the relief sought in this submission as advice notes referring to other legislation are unnecessary and redundant.	Disallow the submission.
Fire and Emergency New Zealand alec.duncan@beca.com	18.23	Oppose	The RVA opposes the relief sought in this submission as the standards as notified are considered appropriate and the relief sought does not provide for the functional or operational needs of retirement villages.	Disallow the submission.
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.53	Support in part.	The RVA supports the request for more permissive notification standards for four or more dwellings to the extent that it is consistent with RVA's original submission.	Allow the submission point to the extent that it seeks more permissive notification standards for four or more dwellings

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Urban Taskforce for Tauranga aaron@collierconsultants.co.nz	39.29	Oppose in part	The RVA supports the request for the assessment criteria for development (which includes retirement villages) to be redrafted in accordance with the MDRS and NPS-UD, but opposes including reference to the NZ Urban Design Protocol as it is inconsistent with the RVA's primary submission.	Disallow the submission where reference to the NZ Urban Design Protocol is included.	31
Classic Group libby.godling@classicdevelopments.co.nz	26.39	Oppose in part	The RVA supports the request for the assessment criteria for development (which includes retirement villages) to be redrafted in accordance with the MDRS and NPS-UD, but opposes including reference to the NZ Urban Design Protocol as it is inconsistent with the RVA's primary submission.	Disallow the submission where reference to the NZ Urban Design Protocol is included.	32
Omokoroa Country Club Ltd abby@haysonknell.co.nz	56.10	Oppose in part	The RVA opposes in part the specific relief regarding design assessments sought in this submission as it is inconsistent with the RVA's primary submission.	Disallow the submission where it refers to design assessments.	33
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.55	Oppose in part	The RVA opposes in part the specific relief regarding urban design assessments sought in this submission as it is inconsistent with the RVA's primary submission.	Disallow the submission where it refers to specific urban design assessments for retirement villages.	34
Brian Goldstone aaron@collierconsultants.co.nz	42.13	Oppose in part	The RVA supports the request for the assessment criteria for development (which includes retirement villages) to be redrafted in accordance with the MDRS and NPS-UD, but opposes including reference to the NZ Urban Design Protocol as it is inconsistent with the RVA's primary submission.	Disallow the submission where reference to the NZ Urban Design Protocol is included.	35
Vercoe Holdings Limited aaron@collierconsultants.co.nz	40.17	Oppose in part	The RVA supports the request for the assessment criteria for development (which includes retirement villages) to be redrafted in accordance with the MDRS and NPS-UD, but opposes including reference to the NZ Urban Design Protocol as it is inconsistent with the RVA's primary submission.	Disallow the submission where reference to the NZ Urban Design Protocol is included.	36
Peter Musk Petermusk7@gmail.com	14.1	Oppose in part	The RVA opposes in part the specific relief regarding Residential Design Outcomes sought in this submission as it is inconsistent with the RVA's primary submission.	Disallow the submission where it refers to Residential Design Outcomes.	37
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.55	Oppose in part	The RVA supports the reasoning sought in this submission but opposes the relief to the extent it would apply to retirement villages as it is inconsistent with the RVA's primary submission.	Disallow the submission to the extent that it is inconsistent with the RVA's submission.	*
Peter Musk Petermusk7@gmail.com	14.1	Oppose	The RVA opposes the relief sought in this submission as it is inconsistent with the RVA's primary submission regarding reference to Residential Design Outcomes.	Disallow the submission.	*
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.56	Oppose	The RVA opposes the request to combine the matters of discretion within 14A7.2 and 14A7.3 as it does not provide for the benefits of retirement villages or recognise their functional and operational needs and is inconsistent with the RVA's primary submission.	Disallow the submission.	38
New Zealand Housing Foundation ila@campbellbrown.co.nz	32.13	Oppose	The RVA opposes the relief sought in this submission point as it does not provide for the benefits of retirement	Disallow the submission.	39

*Further submitter has been contacted and has confirmed that this further submission point has been withdrawn

			villages or recognise their functional and operational needs and is inconsistent with the RVA's primary submission.		39
Pete Linde pete@blackridge-group.com	19.18	Oppose	The RVA opposes the relief sought in this submission point as it does not provide for the benefits of retirement villages or recognise their functional and operational needs and is inconsistent with the RVA's primary submission.	Disallow the submission.	40
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.57	Support	The RVA supports the relief sought in this submission point for the reasons outlined and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.	41
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.58	Support	The RVA supports the relief sought in this submission point as it does provide for the benefits of retirement villages or recognise their functional and operational needs.	Allow the submission.	42
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.59	Support	The RVA supports the relief sought in this submission point for the reasons outlined and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.	43
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.63	Support	The RVA supports the relief sought in this submission point for the reasons outlined and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.	44
Section 19 - Commercial					
Bay of Plenty Regional Council Sharlene.Pardy@boprc.govt.nz	25.21	Oppose	The RVA opposes the relief sought in this submission point as it does not provide for the benefits of retirement villages or recognise their functional and operational needs.	Disallow the submission.	45
Other – Not Specified					
Fire and Emergency New Zealand alec.duncan@beca.com	18.30	Oppose	The RVA opposes the specific relief regarding Residential Design Outcomes sought in this submission as it is inconsistent with the RVA's primary submission.	Disallow the submission.	46

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

From: Marika Williams <Marika.Williams@chapmantripp.com>
Sent: Monday, 14 November 2022 4:59 pm
To: District Plan
Cc: Alice Hall; Luke Hinchey
Subject: Ryman Healthcare - Further submission on Plan Change 92
Attachments: Further submission PC92 - Ryman.pdf

Good afternoon

Please find **attached** a further submission from Ryman Healthcare Limited on Plan Change 92.

Kind regards

Marika

MARIKA WILLIAMS (she/her)

SOLICITOR

Chapman Tripp

D: +64 9 358 9847

LEGAL ADMINISTRATOR: Paula Norman | D: +64 9 357 2732

www.chapmantripp.com

Disclaimer

This email is intended solely for the use of the addressee and may contain information that is confidential or subject to legal professional privilege. If you receive this email in error please immediately notify the sender and delete the email.



District Plan Change 92

Further Submission Form

You can deliver your submission to the Katikati, Te Puke, Ōmokoroa or Waihi Beach Library and Service Centre, Main Council Office at Barkes Corner, email it to districtplan@westernbay.govt.nz, or mail it to:

District Plan Changes
Western Bay of Plenty District Council
Private Bag 12803
Tauranga Mail Centre
Tauranga 3143

A copy of your further submission must be served on the original submitter within 5 working days after it is served on Council

Please note: All the information you provide in your feedback form (including personal details) will become public documents.

Submissions close 5.00pm on Monday 14 November 2022

Name: Luke Hinchey

Organisation
(only if submitting on behalf)

On behalf of Ryman Healthcare Limited

Address for Service: c/o Chapman Tripp, Level 34, 15 Customs Street West, PO Box 2206, Auckland

Post Code: 1140

E-mail Address: Luke.hinchey@chapmantripp.com / marika.williams@chapmantripp.com / hannah.okane@mitchelldaysh.co.nz

Telephone Number:

+6493572709

(home)

(work)

I am (please tick the one applicable to you)

- a person representing a relevant aspect of the public interest
 a person that has an interest in the plan change greater than the interest that the general public has
 the local authority itself.

Please specify the grounds for saying that you come within one of these categories:

Ryman represents a relevant aspect of the public interest and has an interest in Plan Change 92 greater than the general public for a number of reasons, including (without limitation):

- a. Ryman has a significant interest in how the Western Bay of Plenty District Plan (*District Plan*), including the amendments proposed by Plan Change 92, provides for retirement village and aged care provision in the Western Bay of Plenty, given the existing and predicted demand for such accommodation in the region.
- b. Ryman wishes to ensure that the District Plan, and the amendments proposed by Plan Change 92, appropriately provide for retirement villages and all related activities so that the Plan enables proportionate, flexible, efficient and effective consenting processes.
- c. Retirement villages make a substantial contribution to housing and healthcare for older people in the region, providing for the social and economic wellbeing of communities. Ryman's ability to provide villages that contribute to the social and economic wellbeing of the Western Bay of Plenty will depend on the reasonableness and appropriateness of the District Plan provisions, including amendments proposed by Plan Change 92.
- d. Given Ryman's history, operations and current activities, Ryman has specialist experience and expertise relevant to determining the merits of the District Plan provisions, including amendments proposed by Plan Change 92.

Ryman made a submission on Plan Change 92.

I/We would like to speak in support of my/our submission at the Council hearing.

Yes No Please tick

Signed: _____ **Date:** 14/11/22

(Signature of person making submission or person authorised to sign on behalf of person making submissions)



Privacy

Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.

Submitters Name and Address who you are further submitting on	Submission Ref. No. and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
Section 3 - Definitions				
Ara Poutama Aotearoa the Department of corrections andrea.millar@corrections.govt.nz	24.4	Oppose in part	Ryman opposes the relief sought in this submission to the extent that it is inconsistent with Ryman's primary submission seeking that Retirement Units be removed from the definition.	Disallow the submission to the extent it is inconsistent with Ryman's primary submission.
Kiwirail Holdings Limited hancock@kiwirail.co.nz	30.6	Oppose	Ryman opposes this submission because it goes beyond the scope of the plan change and/or is not necessary or appropriate.	Disallow the submission.
Section 4B – Transportation Access and Parking and Section 4C - Amenity				
Kiwirail Holdings Limited hancock@kiwirail.co.nz	30.4	Oppose in part	Ryman acknowledges that acoustic insulation may be appropriate in some areas located within or adjacent to high noise areas with a purpose of providing protection / amenity to residents in such areas. Ryman considers however that such requirements need to be determined on a case-by-case basis, with consideration given to the distance of noise sensitive activities from high noise areas.	Disallow the submission.
Kiwirail Holdings Limited hancock@kiwirail.co.nz	30.5	Oppose in part	Ryman acknowledges that acoustic insulation may be appropriate in some areas located within or adjacent to high noise areas with a purpose of providing protection / amenity to residents in such areas. Ryman considers however that such requirements need to be determined on a case-by-case basis, with consideration given to the distance of noise sensitive activities from high noise areas.	Disallow the submission.
Section 11 - Financial Contributions				
Omokoroa Country Club Ltd abby@haysonknell.co.nz	56.3	Support in part, oppose in part	Ryman supports points 2 and 3 of the relief sought to the extent that it is consistent with Ryman's primary submission seeking a bespoke financial contributions regime for retirement villages. However on point 1, Ryman seeks lower HUE charges for retirement villages than the proposed 0.5 multiplier, which does not fully account for the lower impacts on council services of retirement villages.	Allow the submission to the extent it is consistent with Ryman's primary submission and otherwise disallow it.
Section 12 – Subdivision and Development				
Classic Group libby.godling@classicdevelopments.co.nz	26.10	Support	Ryman supports the relief sought in this submission point for the reasons outlined by the submitter and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Urban Taskforce for Tauranga aaron@collierconsultants.co.nz	39.6	Support	Ryman supports the relief sought in this submission point for the reasons outlined by the submitter and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.

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Vercoe Holdings Limited aaron@collierconsultants.co.nz	40.5	Support	Ryman supports the relief sought in this submission point for the reasons outlined by the submitter and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Fire and Emergency New Zealand alec.duncan@beca.com	18.10	Oppose	Ryman opposes the relief sought in this submission as it is appropriate that the consent process enable a case by case assessment of design and the provisions should not duplicate or alter requirements of the Building Code.	Disallow the submission
Fire and Emergency New Zealand alec.duncan@beca.com	18.9	Oppose	Ryman opposes the relief sought in this submission as the Building Act provides the framework for considering access to sites for fire-fighting purposes. The plan provisions should not duplicate or alter requirements of the Building Code.	Disallow the submission
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.15	Support	Ryman supports the relief sought in this submission point for the reasons outlined by the submitter and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Section 14A – Omokoroa and Te Puke Medium Density Residential				
Omokoroa Country Club Limited abby@haysonknell.co.nz	56.5	Support in part, Oppose in part	Ryman supports part of the relief sought in this submission point as it does provide for the benefits of retirement villages or recognise their functional and operational needs. However, with regard to the submission where robust urban design processes are recommended to be included, Ryman opposes this point.	Allow the portion of the submission that seeks for objectives and policies and rules relating to retirement villages to be included with a more permissive activity status, and otherwise disallow the remainder of the submission.
Fire and Emergency New Zealand alec.duncan@beca.com	18.19	Oppose	Ryman opposes the relief seeking a new policy 14A.2.2(19) as it is considered unnecessary and there is a rule already providing for consideration of access requirements.	Disallow the submission.
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.36	Support	Ryman supports part of the relief sought in this submission point for the reasons outlined by the submitter and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.20	Support	Ryman supports part of the relief sought in this submission point for the reasons outlined by the submitter and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Classic Group libby.godling@classicdevelopments.co.nz	26.22	Oppose	Ryman supports the reasoning but opposes the relief sought in this submission as it is inconsistent with Ryman’s primary submission.	Disallow the submission.
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.24	Support	Ryman supports part of the relief sought in this submission point for the reasons outlined by the submitter and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.

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Classic Group libby.godling@classicdevelopments.co.nz	26.23	Support	Ryman supports the relief sought in this submission to delete objective 14A.2.1.6 as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Urban Taskforce for Tauranga aaron@collierconsultants.co.nz	39.15	Support	Ryman supports the relief sought in this submission to delete objective 14A.2.1.6 as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Brian Goldstone aaron@collierconsultants.co.nz	42.6	Support	Ryman supports the relief sought in this submission to delete objective 14A.2.1.6 as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Vercoc Holdings Limited aaron@collierconsultants.co.nz	40.9	Support	Ryman supports the relief sought in this submission to delete objective 14A.2.1.6 as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Bay of Plenty Regional Council Sharlene.Pardy@boprc.govt.nz	25.43	Oppose	Ryman opposes the relief sought in this submission point as it does not provide for the benefits of retirement villages or recognise their functional and operational needs.	Disallow the submission.
Urban Taskforce for Tauranga aaron@collierconsultants.co.nz	39.19	Oppose	Ryman opposes the relief sought in this submission point as it is inconsistent with the Enabling Housing Act.	Disallow the submission.
Classic Group libby.godling@classicdevelopments.co.nz	26.26	Oppose	Ryman opposes the relief sought in this submission point as it is inconsistent with the Enabling Housing Act.	Disallow the submission.
Brian Goldstone aaron@collierconsultants.co.nz	42.8	Oppose	Ryman opposes the relief sought in this submission point as it is inconsistent with the Enabling Housing Act.	Disallow the submission.
Vercoc Holdings Limited aaron@collierconsultants.co.nz	40.11	Oppose	Ryman opposes the relief sought in this submission point as it is inconsistent with the Enabling Housing Act.	Disallow the submission.
Fire and Emergency New Zealand alec.duncan@beca.com	18.21	Oppose	Ryman opposes the relief sought in this submission as advice notes referring to other legislation are unnecessary and redundant.	Disallow the submission.
Fire and Emergency New Zealand alec.duncan@beca.com	18.22	Oppose	Ryman opposes the relief sought in this submission as advice notes referring to other legislation are unnecessary and redundant.	Disallow the submission.
Fire and Emergency New Zealand alec.duncan@beca.com	18.23	Oppose	Ryman opposes the relief sought in this submission as the standards as notified are considered appropriate and the relief sought does not provide for the functional or operational needs of retirement villages.	Disallow the submission.
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.53	Support in part.	Ryman supports the request for more permissive notification standards for four or more dwellings to the extent that it is consistent with Ryman's original submission.	Allow the submission point to the extent that it seeks more permissive notification standards for four or more dwellings

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Urban Taskforce for Tauranga aaron@collierconsultants.co.nz	39.29	Oppose in part	Ryman supports the request for the assessment criteria for development (which includes retirement villages) to be redrafted in accordance with the MDRS and NPS-UD, but opposes including reference to the NZ Urban Design Protocol as it is inconsistent with Ryman's primary submission.	Disallow the submission where reference to the NZ Urban Design Protocol is included.	31
Classic Group libby.godling@classicdevelopments.co.nz	26.39	Oppose in part	Ryman supports the request for the assessment criteria for development (which includes retirement villages) to be redrafted in accordance with the MDRS and NPS-UD, but opposes including reference to the NZ Urban Design Protocol as it is inconsistent with Ryman's primary submission.	Disallow the submission where reference to the NZ Urban Design Protocol is included.	32
Omokoroa Country Club Ltd abby@haysonknell.co.nz	56.10	Oppose in part	Ryman opposes in part the specific relief regarding design assessments sought in this submission as it is inconsistent with Ryman's primary submission.	Disallow the submission where it refers to design assessments.	33
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.55	Oppose in part	Ryman opposes in part the specific relief regarding urban design assessments sought in this submission as it is inconsistent with Ryman's primary submission.	Disallow the submission where it refers to specific urban design assessments for retirement villages.	34
Brian Goldstone aaron@collierconsultants.co.nz	42.13	Oppose in part	Ryman supports the request for the assessment criteria for development (which includes retirement villages) to be redrafted in accordance with the MDRS and NPS-UD, but opposes including reference to the NZ Urban Design Protocol as it is inconsistent with Ryman's primary submission.	Disallow the submission where reference to the NZ Urban Design Protocol is included.	35
Vercoe Holdings Limited aaron@collierconsultants.co.nz	40.17	Oppose in part	Ryman supports the request for the assessment criteria for development (which includes retirement villages) to be redrafted in accordance with the MDRS and NPS-UD, but opposes including reference to the NZ Urban Design Protocol as it is inconsistent with Ryman's primary submission.	Disallow the submission where reference to the NZ Urban Design Protocol is included.	36
Peter Musk Petermusk7@gmail.com	14.1	Oppose in part	Ryman opposes in part the specific relief regarding Residential Design Outcomes sought in this submission as it is inconsistent with Ryman's primary submission.	Disallow the submission where it refers to Residential Design Outcomes.	37
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.55	Oppose in part	Ryman supports the reasoning sought in this submission but opposes the relief to the extent it would apply to retirement villages as it is inconsistent with Ryman's primary submission.	Disallow the submission to the extent that it is inconsistent with Ryman's submission.	*
Peter Musk Petermusk7@gmail.com	14.1	Oppose	Ryman opposes the relief sought in this submission as it is inconsistent with Ryman's primary submission regarding reference to Residential Design Outcomes.	Disallow the submission.	*
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.56	Oppose	Ryman opposes the request to combine the matters of discretion within 14A7.2 and 14A7.3 as it does not provide for the benefits of retirement villages or recognise their functional and operational needs and is inconsistent with Ryman's primary submission.	Disallow the submission.	38
New Zealand Housing Foundation ila@campbellbrown.co.nz	32.13	Oppose	Ryman opposes the relief sought in this submission point as it does not provide for the benefits of retirement	Disallow the submission.	39

***Further submitter has been contacted and has confirmed that this further submission point has been withdrawn**

			villages or recognise their functional and operational needs and is inconsistent with Ryman's primary submission.	
Pete Linde pete@blackridge-group.com	19.18	Oppose	Ryman opposes the relief sought in this submission point as it does not provide for the benefits of retirement villages or recognise their functional and operational needs and is inconsistent with Ryman's primary submission.	Disallow the submission.
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.57	Support	Ryman supports the relief sought in this submission point for the reasons outlined and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.58	Support	Ryman supports the relief sought in this submission point as it does provide for the benefits of retirement villages or recognise their functional and operational needs.	Allow the submission.
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.59	Support	Ryman supports the relief sought in this submission point for the reasons outlined and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Kainga Ora – Homes and Communities developmentplanning@kaingaora.govt.nz	29.63	Support	Ryman supports the relief sought in this submission point for the reasons outlined and as it better provides for the benefits of retirement villages or recognises their functional and operational needs.	Allow the submission.
Section 19 - Commercial				
Bay of Plenty Regional Council Sharlene.Pardy@boprc.govt.nz	25.21	Oppose	Ryman opposes the relief sought in this submission point as it does not provide for the benefits of retirement villages or recognise their functional and operational needs.	Disallow the submission.
Other – Not Specified				
Fire and Emergency New Zealand alec.duncan@beca.com	18.30	Oppose	Ryman opposes the specific relief regarding Residential Design Outcomes sought in this submission as it is inconsistent with Ryman's primary submission.	Disallow the submission.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious;
- it discloses no reasonable or relevant case;
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further;
- it contains offensive language;
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

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From: Shae Crossan <shae.crossan@stratum.nz>
Sent: Friday, 11 November 2022 8:24 am
To: District Plan
Subject: Further Submission to Plan Change 92 - The North Twelve Limited Partnership
Attachments: N12LP - Plan Change 92 - Further Submission.pdf

Dera Sir/Madam,

Please see attached further submissions on Plan Change 92 on behalf of The North Twelve Limited Partnership.

We look forward to your confirmation of receipt.

Thanks & Regards,

Stratum **SHAE CROSSAN** BA, MRRP, MNZPI
CONSULTANTS Director | Planner
M 027 217 3345

Rydal House, 29 Grey Street, PO Box 13651, Tauranga 3141 P 07 571 4500 WWW.STRATUM.NZ

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District Plan Change 92

Further Submission Form

You can deliver your submission to the Katikati, Te Puke, Ōmokoroa or Waihi Beach Library and Service Centre, Main Council Office at Barks Corner, email it to districtplan@westernbay.govt.nz, or mail it to:

District Plan Changes
Western Bay of Plenty District Council
Private Bag 12803
Tauranga Mail Centre
Tauranga 3143

A copy of your further submission must be served on the original submitter within 5 working days after it is served on Council

Please note: All the information you provide in your feedback form (including personal details) will become public documents.

Submissions close 5.00pm on Monday 14 November 2022

Name:	<u>The North Twelve Limited Partnership</u>	
Organisation (only if submitting on behalf)	<u></u>	
Address for Service:	<u>C/- Shae Crossan, Stratum Consultants Limited</u>	
	<u>Po Box 13651, Tauranga</u>	Post Code: 3141
E-mail Address:	<u>shae.crossan@stratum.nz</u>	
Telephone Number:	<u>07 571 4500</u>	

I am (please tick the one applicable to you)

- a person representing a relevant aspect of the public interest
 a person that has an interest in the plan change greater than the interest that the general public has
 the local authority itself.

Please specify the grounds for saying that you come within one of these categories:

The North Twelve Limited Partnership holds significant medium density residential landholdings within the Te Puke Medium Density Residential Zone

I/We would like to speak in support of my/our submission at the Council hearing.

Yes No Please tick



Signed: _____ **Date:** 10 November 2022
(Signature of person making submission or person authorised to sign on behalf of person making submissions)

Privacy Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.

Submitters Name and Address who you are further submitting on	Submission Ref. No, and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
New Zealand Housing Foundation C/0 Campbell Brown Planning Limited Ila Daniels PO Box 147001 Ponsonby Auckland	32 & 32.4	S	Support the amendment to Building Footprint provision	Include amendment as proposed to building footprint definition by submitter
Urban Taskforce for Tauranga C/0 Aaron Collier Collier Consultants Limited PO Box 14371 Tauranga Mail Centre Tauranga 3112	39 & 39.3 *39.2	S	Support exclusion of stormwater reserves, neighbourhood reserves and pedestrian walkways from developable land area when calculating financial contributions	Include amendment as proposed by submitter
Classic Group C/o Libby Gosling 160 Seventeenth Avenue Tauranga South Tauranga 3110	26 & 26.2	S	Support amendment to "front boundary" definition to exclude access lot boundaries	Amend definition as proposed by submitter
Urban	39 & 39.3	S	Support amendment to remove swimming pools	Amend definition as proposed by submitter

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***Further submitter has been contacted and has confirmed change to submission point number**

Taskforce for Tauranga C/o Aaron Collier Collier Consultants Limited PO Box 14371 Tauranga Mail Centre Tauranga 3112			and compacted soils areas from Impervious Surface definition	
Classic Group C/o Libby Gosling 160 Seventeenth Avenue Tauranga South Tauranga 3110	26 & 26.3	S	Support amendment to paving description inclusion as proposed to impermeable surface definition	Amend definition as proposed by submitter
Pete Linde PO Box 15607 Tauranga 3110	19 & 19.16	S	Support amendment to stormwater management device description inclusion as proposed to impermeable surface definition	Amend definition as proposed by submitter
Bay of Plenty Regional Council C/o Sharlene Pardy 5 Quay Street Whakatane 3120	25 & 25.31	O	Oppose amendment to remove clauses a, b & c from nett site area definition	Decline changes as proposed
Classic Group C/o Libby Gosling 160 Seventeenth Avenue	26 & 26.4	S	Support amendment to nett site area definition as proposed	Amend definition as proposed by submitter

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Tauranga South Tauranga 3110				
Western Bay of Plenty District Council C/o Natalie Rutland 1484 Cameron Road Greerton 3112	15 & 15.1	S	Support inclusion of qualifying matter definition	Include new definition of qualifying matter definition, subject to any consequential changes to confirmed qualify matters
Fire & Emergency New Zealand C/0 Beca Alec Duncan PO Box 448 Hamilton 3110	18 & 18.3	O	Oppose inclusion of new matter of discretion as requested. It is impractical to provide onsite manoeuvring for emergency service vehicles on residential properties given their size. Access to and emergency services considerations including distances to fire hydrants a part of a development is a more appropriate consideration	Decline inclusion of new matter of discretion as requested
Western Bay of Plenty District Council C/o Natalie Rutland 1484 Cameron Road Greerton 3112	15 & 15.8	S	Generally, support flexibility for Financial Contributions for small residential subdivisions on a per ha basis, however provision for special assessment for each subdivision should be included so that lot size can effectively be considered	Support removal of current 11.5.4 provisions and include provision for special assessment for infill subdivision financial contributions
Fire & Emergency New Zealand C/0 Beca Alec Duncan PO Box 448 Hamilton 3110	18 & 18.9	O	Oppose inclusion of new accessway provisions. While it is accepted that adequate provision for emergency service access is necessary, this is better addressed through subdivision design to ensure there is adequate water supply and fire hydrants within proximity to a development along with sufficient clear area to access rear properties Widening accessways utilises residential land and	Decline inclusion of new accessway provisions

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			will not achieve the purpose of the residential intensification provisions.	
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Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:*
- it discloses no reasonable or relevant case:*
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:*
- it contains offensive language:*
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.*

From: Rodney Albertyn <Rodney.Albertyn@nzta.govt.nz>
Sent: Monday, 14 November 2022 2:46 pm
To: District Plan
Subject: District Plan Change 92 - Waka Kotahi Further Submission
Attachments: Plan Change 92 - Further Submission - Waka Kotahi NZTA.pdf

Good afternoon,

Please find Waka Kotahi's further submission on Plan Change 92 attached.

Kind regards,

Rodney Albertyn

Senior Planner, Poutiaki Taiao / Environmental Planning

Transport Services

Email: rodney.albertyn@nzta.govt.nz

Phone: DDI: +64 7 928 7918 M: +64 27 597 87 48

Waka Kotahi NZ Transport Agency

Tauranga, Level 3, Harrington House, 32 Harrington Street

PO Box 13055, Tauranga Central, Tauranga 3141, New Zealand



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District Plan Change 92

Further Submission Form

You can deliver your submission to the Katikati, Te Puke, Ōmokoroa or Waihi Beach Library and Service Centre, Main Council Office at Barkes Corner, email it to districtplan@westernbay.govt.nz, or mail it to:

District Plan Changes
Western Bay of Plenty District Council
Private Bag 12803
Tauranga Mail Centre
Tauranga 3143

A copy of your further submission must be served on the original submitter within 5 working days after it is served on Council

Please note: All the information you provide in your feedback form (including personal details) will become public documents.

Submissions close 5.00pm on Monday 14 November 2022

Name:	<u>Waka Kotahi New Zealand Transport Agency</u>	
Organisation (only if submitting on behalf)	<u></u>	
Address for Service:	<u>PO Box 13055, Tauranga Central, Tauranga, New Zealand (Attn: Rodney Albertyn)</u>	
		Post Code: <u>3141</u>
E-mail Address:	<u>Environmentalplanning@nzta.govt.nz & Rodney.albertyn@nzta.govt.nz</u>	
Telephone Number:	<u>+64 7 928 7918 M: +64 27 597 87 48</u>	

I am (please tick the one applicable to you)

- a person representing a relevant aspect of the public interest
 a person that has an interest in the plan change greater than the interest that the general public has
 the local authority itself.

Please specify the grounds for saying that you come within one of these categories:

Waka Kotahi NZTA is a Crown Agency

I/We would like to speak in support of my/our submission at the Council hearing.

Yes No Please tick

Signed:  **Date:** 10/11/2022
(Signature of person making submission or person authorised to sign on behalf of person making submissions)

Please use the reverse of this form for your submission

Privacy Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.

Submitters Name and Address who you are further submitting on	Submission Ref. No. and Sub Point No.	Support (S) or Oppose (O)	Reason for Support or Opposition	Decision Sought (Give precise details)
<p>N and M Bruning</p> <p>C/O Aaron Collier, Collier Consultants Ltd Po Box 14371 Tauranga Mail Centre Tauranga 3112</p>	<p>Submitter Ref: 31</p> <p>Submission Points 31.3 & 31.4</p>	<p>Support</p>	<p>The submitter notes that much of the land affected by the proposed Natural Open Space zone has been identified as required for roading and state highway purposes and not reserve or open space. Any land not needed to be taken for roading designation is expected to be offered back to the original landowner under the Public Works Act.</p> <p>Waka Kotahi considers that the Natural Open Space zone is designed for land that is generally unsuitable for urban development and has significant open space, natural character, ecological and cultural values. This underlying zoning is incompatible with the urban infrastructure of a grade-separated interchange and may hinder Waka Kotahi in its ability to construct the intersection.</p>	<p>Waka Kotahi seeks that the proposed Natural Open Space zoning within the footprint of designation D181 is removed. Retention of the existing Rural zoning is supported.</p>
<p>N and M Bruning</p> <p>C/O Aaron Collier, Collier Consultants Ltd Po Box 14371 Tauranga Mail Centre Tauranga 3112</p>	<p>Submitter Ref: 31</p> <p>Submission Point 31.2</p>	<p>Oppose in part</p>	<p>The submitter seeks removal of the Rural Residential zone within the Omokoroa Structure plan area, and that it be replacement by a Residential zone. This would result in the Residential zone extending to the boundary of Waka Kotahi designation D181, potentially leading to more significant reverse sensitivity noise effects than those associated with the Rural Residential zone.</p>	<p>To ensure that noise reverse sensitivity effects are avoided, an area of influence may be necessary within which noise-sensitive activities require resource consent unless compliance with standard internal noise thresholds is demonstrated.</p>

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<p>Western Bay of Plenty District Council</p> <p>C/O Natalie Rutland 1484 Cameron Road Greerton 3112</p>	<p>Submitter Ref: 15</p> <p>Submission Point 15.1</p>	<p>Support</p>	<p>A new definition of 'qualifying matter' is proposed. The new definition includes 'Designations listed in Appendix 5'. This includes Waka Kotahi designation D181.</p> <p>Designated future state highway infrastructure is required to support development within the Omokoroa peninsula. Waka Kotahi considers that inclusion of these designations as a qualifying matter is appropriate in this instance.</p>	<p>That the proposed definition of 'qualifying matter' be adopted.</p>
<p>Jace Orchards Limited and Kiwi Green New Zealand Limited</p> <p>C/O Momentum Planning and Design Richard Coles Level 1 138 Willow Street Tauranga 3110</p>	<p>Submitter Ref: 59</p> <p>Submission Point 59.4</p>	<p>Oppose in part</p>	<p>The footprint of the future grade-separated interchange at the Ōmokoroa Road / SH2 intersection is shown on the Ōmokoroa Stage 3 Structure Plan. The submission by Jace Orchards and Kiwi Green seeks that the indicative footprint of the interchange be removed from 21 Francis Road.</p>	<p>Waka Kotahi considers that before a decision is made in this regard there should be clarity in terms of the practical implications of this inclusion in terms of:</p> <ol style="list-style-type: none"> 1. future consenting requirements for the Takitimu Northern Link Stage 2 project and Ōmokoroa/SH2 intersection upgrade; and 2. future development on land within, adjacent to and surrounding the footprint.
<p>Retirement Villages Association of New Zealand Incorporated</p> <p>C/O Chapman Tripp Luke</p>	<p>Submitter Ref: 34</p> <p>Submission Point 34.9</p>	<p>Oppose</p>	<p>The RVA considers that the MDRS must be applied to Residential Zoned areas at Katikati and Waihi Beach.</p> <p>Waka Kotahi considers that due to factors including location, population base, existing development typologies and community infrastructure, higher density development within</p>	<p>Waka Kotahi does not support extending MDRS zoning to the residentially zoned areas of Katikati and Waihi Beach.</p>

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Hinchey Level 34, PWC Tower 15 Customs Street West Po Box 2206 Shortland Street Auckland 1010			the residential areas of Katikati and Waihi Beach would be conducive to a sustainable transport system supported by the ability of residents to live, learn, play and work locally.	
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