



**Western  
Bay of Plenty**  
District Council



Plan Change 95  
Pencarrow Estate  
Pongakawa

Copies of Original  
Submissions

Numbered to match  
Summary of Submissions



# Submission Form



## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

01

### Use this form to submit your comments on District Plan Change 95

Council received and accepted a Private Plan Change application for rezoning of rural zone land and new structure plan to allow development on an approximately 12ha site at Arawa Road, Pongakawa.

The purpose of the Pencarrow Estate Pongakawa Structure Plan (1491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

For more information on Plan Change 95, please visit [westernbay.govt.nz/plan-changes](http://westernbay.govt.nz/plan-changes).

### Submission Form

You can hand in your submission to any of Council's Libraries or Service Centres, email it to [districtplan@westernbay.govt.nz](mailto:districtplan@westernbay.govt.nz), or mail it to:

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

### Submissions close 4.00pm on Friday 8 December 2023

Name: Craig Haggio - Principal Pongakawa School.

Address: Pongakawa School RD6 956 Old Coach Road Pongakawa Te Puke 3186


Phone 07 5333 731 or 027 286 8115

Email: [principal@pongakawa.school.nz](mailto:principal@pongakawa.school.nz)

I/We would like to speak in support of my/our submission at the Council hearing (please tick)

Yes   
No

Signed:

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

Date:

17-11-2023

Please use the reverse of this form for your submission



# 1.1

## 1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

As the long standing principal of Pongakawa School I feel comfortable supporting this application for several reasons.

1. School infrastructure is able to cope with the additional students the subdivision will create. There are huge grounds and a surrounding parcel of land which can also be developed for recreational and other purposes.

2. The school receives regular inquiries from people wanting to move to the area asking of housing or land availability.

3. Many of the older large dairy farms have now been converted to more intensive horticulture - kiwi fruit, avocado etc. The required labour units increase as a result. It is important that housing is available close by. This makes sense as it not only makes living more affordable for workers but also will lower emissions and congestion on roads etc.

4. I have worked alongside the developers over a number of years on a local committee and have found them to be honest, fair and genuinely interested in serving and helping the Pongakawa Community.

## 2. Decision sought

Give precise details of how you want the proposal changed.

I believe the adjustment to the plan by council should be supported. Further, that the developers of Pencarrow Estate be granted permission to begin as soon as they feel able to.

# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

02

### Use this form to submit your comments on District Plan Change 95

Council received and accepted a Private Plan Change application for rezoning of rural zone land and new structure plan to allow development on an approximately 12ha site at Arawa Road, Pongakawa.

The purpose of the Pencarrow Estate Pongakawa Structure Plan (1491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

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### Submissions close 4.00pm on Friday 8 December 2023

Name: MAKETU VOLUNTEER COASTGUARD  
Address: 1 TOWN POINT ROAD MAKETU  
BOP  
Phone: 0275392931  
Email: ~~80~~ maketu.admin@coastguard.nz

I/We would like to speak in support of my/our submission at the Council hearing (please tick)

Yes   
No

Signed: \_\_\_\_\_



Date: 27/11/23.

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

Please use the reverse of this form for your submission



1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

2.1

ON BEHALF OF THE MARKET VOLUNTEER  
COASTGUARD BOARD WE SUPPORT PLAN  
CHANGE 95 PENCARROW PONERAKAWA. THIS  
DEVELOPMENT IS HUGE AND MOST NEEDED FOR  
THE DISTRICT. GOOD AFFORDABLE RESIDENTIAL  
BUILDING LAND NEARBY IS IMPOSSIBLE TO  
FIND. THIS IS A GREAT CENTRAL LOCATION  
TO LIVE WORK AND PLAY, CLOSE TO MANY  
AMENITIES INCLUDING OUR BEACHES AND SEA,  
AN OPPORTUNITY FOR MORE PEOPLE TO BELONG  
TO OUR ORGANISATION. WE FULLY SUPPORT  
THIS PROPOSAL.

2. Decision sought

Give precise details of how you want the proposal changed.



# Submission Form



## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

03

### Use this form to submit your comments on District Plan Change 95

Council received and accepted a Private Plan Change application for rezoning of rural zone land and new structure plan to allow development on an approximately 12ha site at Arawa Road, Pongakawa.

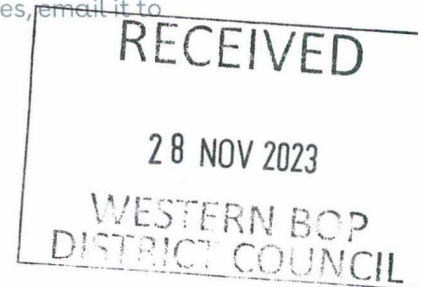
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Western Bay of Plenty District Council  
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### Submissions close 4.00pm on Friday 8 December 2023

Name: Shane Beech  
Address: 6 Hapimana Road  
Makefu  
Phone: 0275392930  
Email: bhp@extra.co.nz

I/We would like to speak in support of my/our submission at the Council hearing (please tick)

Yes   
No

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

Date: 25/11/23

Please use the reverse of this form for your submission





# Submission Form



## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

04

### Use this form to submit your comments on District Plan Change 95

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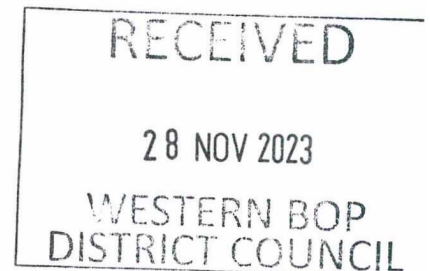
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Western Bay of Plenty District Council  
Private Bag 12803  
Tauranga Mail Centre 3143



### Submissions close 4.00pm on Friday 8 December 2023

Name: Maketo Volunteer Fire Brigade  
Address: 668 Wilson Road South  
Maketo  
Phone: 075332160  
Email: mfb@extra.co.nz

I/We would like to speak in support of my/our submission at the Council hearing (please tick)

Yes   
No

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

Date: 26-11-2023

Please use the reverse of this form for your submission



1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

4.1

Maketo Volunteer Fire Brigade supports the district plan change. In this day & age, its extremely difficult to get & retain volunteers. The thought of having more people move into this area means there's more chance of recruiting volunteers to help protect & look after our people & their property. We fully support this.

2. Decision sought

Give precise details of how you want the proposal changed.

# Submission Form

## District Plan Change 95 Pencarrow Estate Pongakawa



For office use only.

Submission No:

05

### Use this form to submit your comments on District Plan Change 95

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Tauranga Mail Centre 3143

### Submissions close 4.00pm on Friday 8 December 2023

Name: Dianne Boothby  
Address: 1525 State Highway 2  
R D 6, Pongakawa Te Puke 3186.  
Phone: 07 533 3419  
Email: boothby@xtia.co.nz

I/We would like to ~~submit~~ speak in support of my/our submission at the Council hearing (please tick)

Yes

No

Signed:

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

Date:

25/11/2023

Please use the reverse of this form for your submission



1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

5.1

We are in total support of plan change for rezoning

2. Decision sought

Give precise details of how you want the proposal changed.



# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

06

### Use this form to submit your comments on District Plan Change 95

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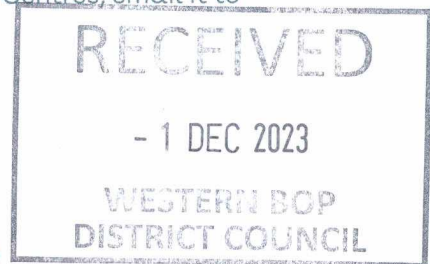
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Private Bag 12803  
Tauranga Mail Centre 3143



### Submissions close 4.00pm on Friday 8 December 2023

Name: Robert Allcard  
Address: 1521 State Highway 2, R.D6 Pongakawa,  
Te Puke 3186  
Phone: 075333566.  
Email: \_\_\_\_\_

I/We would like to speak in support of my/our submission at the Council hearing (please tick)

Yes   
No

Signed: R Allcard

Date: 28-11-2023

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

Please use the reverse of this form for your submission

1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

6.1

I support the plan.

2. Decision sought

Give precise details of how you want the proposal changed.

# Plan Change 95 - Pencarrow Estate Pongakawa

Submitter No: 7

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## Form 5 Submission on publicly notified proposal for policy statement or plan, change or variation

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To:** Western Bay of Plenty District Council/div>

**Date received:** 05/12/2023

**Submission Reference Number #7**

This is a submission on a change proposed to the following plan (the **proposal**): Plan Change 95 - Pencarrow Estate Pongakawa

**Address for service:**

54 Arawa Road Pongakawa Te Puke 3186

New Zealand

Email: juclay47@gmail.com

**Attachments:**

Arawa 2.jpg

Arawa 3.jpg

Arawa 1.jpg

Flood 1.jpg

Flood 2.jpg

Arawa 4.jpg

**I wish to be heard:** Yes

**I am willing to present a joint case:** Yes

Could you gain an advantage in trade competition in making this submission?

- **No**

Are you directly affected by an effect of the subject matter of the submission that

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- **Yes**

## Submission points

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## Point 7.1

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

### Submission

At present Arawa Road and Penelope Place make up a pleasant rural community of approx. 55 homes. It is a community my partner and I enjoy living in and are proud to be a part of. The reason we and many of the other residents choose to live here is because it is a small rural community and not a larger residential one, which suits our choice of lifestyle. If the Pencarrow Estate is allowed to go ahead it will more than triple the residency of the area and remove that rural aspect of the existing community and the enjoyment of living here. It is classed as a rural district, RD6 and should remain so. Therefore, I am strongly opposed to the development for this, and the following reasons

There is simply no need for this development outside of the developer's own desire.

### Relief sought

Reject the proposed development in full.

---

## Point 7.2

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.3 Pencarrow Estate Pongakawa Zoning

**Provision**

General

**Support/Oppose/Amend:** Oppose

### Submission

We are a rural community and do not wish to be part of a residential high density community. To allow this development would urbanise the area ruining its rural aspect and negatively impact the community. Part of the development is for high density housing which does not fit in with any rural environment and would be a blight on the landscape.

What proportion of the development will be allotted to state/public housing? Given the reports of antisocial behavior that seem to constantly flow from this type of housing I feel the existing community has the right to know the developer's intentions with regard to this. Are the local emergency services adequately resourced to cover the additional housing and population? This should have been considered in the development risk assessment and I feel the existing community has the right to know how this development might affect the availability of emergency help.

---

## Point 7.3

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

## Submission

Developing the Pencarrow Estate is outside the District Council's plan for urban growth, and does not fit in with the smart growth strategy, particularly as it is not a connected centre and will not fit into the plan of emissions reduction through connected centres. The geographic location, very limited availability of public transport and location of the main industrial and retail centres in relation to the development means that by nature the residents will have an almost 100% dependence on personal transport. Which will increase pollution and congestion at peak times. Or in the case of EVs may cause an excessive draw on the power grid. Either way, it's not possible to reach anywhere by a 15 minute walk or cycle ride so it's unlikely there will be many people using public transport, cycling, or walking to get about. Additionally, I feel it would be the first step in allowing the further development of Pongakawa which would ultimately transform it from a rural area to an urban one.

---

## Point 7.4

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

## Submission

The horticultural businesses in the area are already established meaning those that work there already have housing and the seasonal workers are usually either RSE scheme labour, backpackers or transient workers who aren't looking to purchase housing. This coupled with the fact current housing market listings are taking a long time to sell shows there isn't the demand for housing in this area and therefore, there isn't the need for this development.

---

## Point 7.5

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

## Submission

I understand there are other areas of land that have been marked for development in areas that better fit in with the smart growth strategy in that they are closer to the industrial and retail centres that have the infrastructure in place, or that can more easily be put in place. Which when developed will provide for the housing needs of those who choose to move to the area. Priority should be given to these as they are already in place and would be far more cost effective, reduce travel and possibly congestion.

---

## Point 7.6

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

## Submission

The junction between Highway 2 and Arawa Road would not be fit to handle the additional volume of traffic and would need significant alteration to make it so. Also, the curvature of the highway from the Whakatane direction limits visibility. This on its own with the increased volume of traffic will present a higher risk of collision, but coupled with the low sun during the winter months will significantly increase that risk. Also, Tainui Road and the junction between it and the highway would need significant upgrading to make them safe and usable if this were to be considered as an access/egress route for the development. In a nutshell, the existing road features, position of junctions, limited visibility and low sun in winter makes it unsuitable to introduce a higher volume of traffic.

Arawa Road itself would need significant upgrading to make it suitable for the heavy vehicles/buses that would need to enter the estate and farm. I understand that to remove the need for children to cross the highway it is proposed for school buses to enter the estate to pickup and drop off students. At a guess this could be eight buses a day, four in the morning, and four in the afternoon that would be using the road in addition to any other heavy vehicles. Given the vehicles that currently service the farm are damaging the road surface any additional vehicles are going to significantly increase that damage.

---

#### **Point 7.7**

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.1 Pencarrow Estate Pongakawa Structure Plan

**Provision**

General

**Support/Oppose/Amend:**

#### **Submission**

I have concerns over the siting and management of the waste water treatment plant. The low lying ground in the proposed development is prone to flooding when it rains. What safe guards are in place to prevent waste water escaping from the plant in adverse weather conditions, or times of flooding and getting in to, and contaminating water ways or bore water supplies? Also, how will any odors emitted from the plant be controlled? The area frequently has S/W winds which would carry any smell straight over the existing community.

---

#### **Point 7.8**

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

#### **Submission**

The majority of the properties on Arawa Road are on porous ground which removes the potential for flooding and water/sediment run off. I have not seen anything stating how water/sediment run off and pollution of the surrounding land and waterways will be prevented either during the construction phase or after. Any type of pollution from the development is likely to have a damaging effect on the biodiversity of the area.

---

#### **Point 7.9**

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose



## **Submission**

The upgrading or increase in services/utilities and infrastructure required to service this development will come at a cost. Unless those costs are going to be ringfenced to the development I imagine it will mean an increase in rates and service/utility charges would be inflicted on all residents in the area. Which means we would be forced to contribute towards a development we didn't want.

---

### **Point 7.10**

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

## **Submission**

The groundworks phase of the development is likely to create dust and vibration. Both of which have potential to cause damage to the existing properties. The usual process is for the developer to conduct a full dilapidation survey with the property owner to establish the current property condition so there can be no doubt over any damage caused by the construction work and the developers liability for it. I understand the developer currently does not see this as their responsibility.

---

### **Point 7.11**

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.3 Pencarrow Estate Pongakawa Zoning

**Provision**

General

**Support/Oppose/Amend:** Oppose

## **Submission**

My understanding is that the local medical centres are at capacity and are not resourced to cover the additional population.

---

### **Point 7.12**

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

## **Submission**

I also think allowing the development of this area of the farm to residential use goes against the National Policy Statement for highly productive land. As the area planned for development currently houses most of the farm's operational infrastructure and removes this area from being productive.

---

### **Point 7.13**

**Section:**

**Sub-section:**

**Support/Oppose/Amend:**











# Plan Change 95 - Pencarrow Estate Pongakawa

Submitter No: 8

## Form 5 Submission on publicly notified proposal for policy statement or plan, change or variation

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To:** Western Bay of Plenty District Council/div>

**Date received:** 06/12/2023

**Submission Reference Number #8**

This is a submission on a change proposed to the following plan (the **proposal**): Plan Change 95 - Pencarrow Estate Pongakawa

**Address for service:**

37 Arawa Road RD 6 Te Puke 3186

New Zealand

Email: kiwicbr6@kinect.co.nz

**Address for service:**

37 Arawa Road RD 6 Te Puke 3186

New Zealand

Email: kiwicbr6@gmail.com

**I wish to be heard:** No

**I am willing to present a joint case:** No

Could you gain an advantage in trade competition in making this submission?

- No

Are you directly affected by an effect of the subject matter of the submission that

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- Yes

## Submission points

### Point 8.1

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.3 Pencarrow Estate Pongakawa Zoning

**Provision**

General



**Support/Oppose/Amend:** Oppose

## **Submission**

### **Section sizes, especially Higher Density ~350m2 Sections**

While the aspiration to provide affordable housing is admirable, 350m2 sites are completely out of keeping with the surrounding residential properties on Arawa Road and Penelope Place, which are all in the region of 800-1000m2. This level of housing density also compounds other concerns around vehicle movement increases.

## **Relief sought**

We hope that the Council will show some assertiveness and decline this application to rezone to Residential based on this & other sections of our submission.

---

## **Point 8.2**

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

## **Submission**

**Extra traffic, especially exiting Arawa Road, from the subdivision onto SH2, especially during peak traffic times, significantly increasing the risk of accidents.**

There has been a marked increase in traffic flows on SH2 during peak traffic times, since we moved into Arawa Road 13 years ago. Long, continuous streams of traffic in both directions on SH2 making it challenging for current Arawa Road and Penelope Place residents to join the SH2 traffic flow safely, especially in the direction of Te Puke, the TEL road and Tauranga. We have observed repeated dangerous driving behaviours (most often overtaking) caused by impatient drivers stuck in these traffic flows, without knowledge of the SH2/Arawa Road/Pongakawa School Road intersection flush median strip purpose for vehicles entering both Arawa Road and Pongakawa School Road. We believe that the extra vehicles in a ~130 home residential subdivision are likely to be close to 2 x vehicles per household, and without current viable/realistic public transport options for your average worker (8am-5pm, out of the home) that an extra couple of hundred vehicles exiting and entering Arawa Road each day is an unacceptable increase in risk.

### **Bus Stop and Expected Public Transport Improvements**

We applaud the inclusion of an off-SH2 school bus stop and turning bay to service children safely getting to and from local schools, however the aspiration that the provision of such a bus stop will, by its existence, improve public transport options to mitigate resident vehicular movements is wishful thinking at best.

## **Relief sought**

We hope that the Council will show some assertiveness and decline this application to rezone to Residential based on this & other sections of our submission.

---

## **Point 8.3**

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.1 Pencarrow Estate Pongakawa Structure Plan

**Provision**

General

**Support/Oppose/Amend:** Oppose

## Submission

### The Rural "Island" of Properties Already Present on the West Side of Arawa Road

We have concerns for the unintended consequences of an "island" of rural properties on Arawa Road surrounded by a new, residential development. These properties all have septic tanks with an absorption/infiltration field likely to be at the rear of their properties, bounding the proposed subdivision. There is some uncertainty about what decisions WBOPDC might impose on these properties as the new development's waste water system is designed and implemented, with associated unforecast expenses imposed on the land owners.

---

## Point 8.4

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.3 Pencarrow Estate Pongakawa Zoning

**Provision**

General

**Support/Oppose/Amend:** Oppose

## Submission

We believe that Paengaroa is a much better serviced area for such a development: there are multiple entrance/egress points for vehicles, a school within walking distance, better public transport service options and better utility services in general. Paengaroa connects well to the Pongakawa kiwifruit industry via Old Coach Road as an alternative to SH2, and is within walking/cycling distance of the new Rangiuuru Business Park.

---

## Point 8.5

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

## Submission

### Kiwifruit Worker Accommodation Provision

This plan change relies heavily on the applicants view that provision of accommodation is in demand for non-seasonal workers who service the kiwifruit industry in the wider Te Puke/Paengaroa/Pongakawa area and projected staffing required at the under-development Rangiuuru Business Park. While that may or may not be true to a greater or lesser extent than the applicant perceives, we do not believe that rural Pongakawa is the place for a subdivision to service that need.

# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

09

Use this form to submit your comments on District Plan Change 95.

Council received and accepted a Private Plan Change application for rezoning of rural zone land and new structure plan to allow development on an approximately 12ha site at Arawa Road, Pongakawa.

The purpose of the Pencarrow Estate Pongakawa Structure Plan (1491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

For more information on Plan Change 95, please visit [westernbay.govt.nz/district-plan-change-95](https://www.westernbay.govt.nz/district-plan-change-95).

### Submission Form

You can hand in your submission to any of Council's Libraries or Service Centres, email it to [districtplan@westernbay.govt.nz](mailto:districtplan@westernbay.govt.nz), or mail it to:

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

Submissions close 4.00pm on Friday 8 December 2023

Name: Graeme Gillespie

Address: 5 Penelope Place  
Pongakawa

Phone: 021 451 248

Email: graerick@gmail.com

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed: [Signature] Date: 5 December 2023

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

Please use the reverse of this form for your submission



1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

See attached

2. Decision sought

Give precise details of how you want the proposal changed.

The Private Plan Change application is declined as it is contrary to the Regional Policy Statement and sound planning principles.

## SUBMISSION OF GRAEME RICHARD GILLESPIE DPH, LLB ON DISTRICT PLAN CHANGE 95 – PENCARROW ESTATE PONGAKAWA

9.1 I live with my wife Barbara Ellen Gillespie at 5 Penelope Place, Pongakawa. I am retired after over 40 years as a public health practitioner in New Zealand and Victoria, Australia.

9.2 From a personal perspective there are advantages and disadvantages from the proposed subdivision. On the positive side it will provide easy access to a convenience store and other community based activity and recreational space. This assumes a critical population to sustain such activity, which is not a given. There is a threat that the commercial facilities will remain vacant and subject to vandalism and graffiti. The commercial activity must also support community health and well-being – no bottle stores, vape shops or gambling facilities.

9.3 The negative aspects for us are the compromised access to SH 2 off Arawa Road through congestion at peak periods. The Arawa Road/SH 2 intersection is challenging turning right onto SH 2 due to the proximity of the bend to the east and volume and speed of traffic on SH 2. The increased population will create greater demand on the Arawa Road walkway, reducing the ability for unrestrained exercise of our dog. We acknowledge that this is somewhat selfish but does represent a loss of current privilege.

9.1 My most significant concerns are due to the disregard of sound planning principles, common sense and the potential consequential costs to council.

The following matters are considered relevant:

- 9.5 1. The proposal is contrary to the Bay of Plenty Regional Council's Regional Policy Statement (RPS). In order to maintain the integrity of the RPS the Regional Council would need to appeal any approval to the Environment Court creating unnecessary costs to both Council's.
- 9.3 2. The proposal is not supported by Waka Kotahi as other locations offer better integration between land use and transport.
- 9.6 3. To permit the establishment of small isolated housing developments within dairy farms to raise capital for farm infrastructure improvements, or whatever other reason, creates an unacceptable precedent. This creates a real risk that these pockets of housing without community supports will evolve into ghettos, with associated social issues.
- 9.7 4. The proposal creates a risk of reverse sensitivity in respect to the current dairying and horticultural activity. There are existing odour and noise issues with the dairying and kiwi fruit farming. The existing residents of Arawa Road and Penelope Place generally tolerate these 'nuisances' as part of moving into the environment. Further residential intensification will create a likelihood that people less tolerant of the environment will complain, creating cost to Council to investigate and resolve complaints. The ongoing operation of the dairy farm can not be assumed without costs to mitigate the odour. The impact on neighbouring kiwi fruit farms of noise abatement must also be recognised.

# Submission Form



## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

10

Use this form to submit your comments on District Plan Change 95

Council received and accepted a Private Plan Change application for rezoning of rural zone land and new structure plan to allow development on an approximately 12ha site at Arawa Road, Pongakawa.

The purpose of the Pencarrow Estate Pongakawa Structure Plan (1491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

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Environmental Planning Team

Western Bay of Plenty District Council

Private Bag 12803

Tauranga Mail Centre 3143

Submissions close 4.00pm on Friday 8 December 2023

Name: Robin Simmons

Address: 26 Arawa Rd Pongakawa

Phone: 027 6068635

Email: robsimmons54@gmail.com

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed: [Signature] Date: 4.12.23

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

Please use the reverse of this form for your submission



1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

- 10.1 A/ Bus stop: Amendment.
- 10.2 B/ Waste Water/ Sewage. Amendment.
- 10.3 C/ Road Width / off STREET PARKING / Amendment

2. Decision sought

Give precise details of how you want the proposal changed.

- A/ I Think in REGARD to Bus stop that there seems to be no consideration of kids having to cross main Rd to catch or exit bus on Rail Rd side of Main Rd. High school students to TePuke High & Younger student coming home from Pongakawa school by Bus
- B/ Would like to see this put in before new housing goes in as a cost saving & no septic tanks to be used.
- C/ As this is a RURAL RESIDENTIAL AREA you need PUBLIC ACCESS UNIMPEDED ACCESS FOR FIRE EMERGENCY VEHICLES at all times.

# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

11

### Use this form to submit your comments on District Plan Change 95

Council received and accepted a Private Plan Change application for rezoning of rural zone land and new structure plan to allow development on an approximately 12ha site at Arawa Road, Pongakawa.

The purpose of the Pencarrow Estate Pongakawa Structure Plan (1491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

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

### Submissions close 4.00pm on Friday 8 December 2023

Name: Neville + Jill Marsh  
Address: 799 Old Coach Rd RD6  
Te Puke 3186  
Phone: 0274970315 (Neville) 0272943741 (Jill)  
Email: nev.jill.marsh@gmail.com

I/We would like to speak in support of my/our submission at the  
Council hearing (please tick)

Yes

No

Signed:

Neville Marsh Jill Marsh  
(Signature of person making submission or person authorised  
to sign on behalf of person making submission)

Date:

6/12/23

Please use the reverse of this form for your submission



1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

- 11.1 We support the submission for Plan Change 95. Pencarrow Estate has shown in their plan that all utilities have been covered a park area for all families of Arawa Rd, Penelope Place + Pencarrow Estate have an area to enjoy. The subdivision is not on swamp land and it is not taking a huge
- 11.2 area out of the farm platform. Some commercial sites will attract businesses with the community in mind. The pull off
- 11.3 areas to turn into Arawa Rd or onto SH2 will still allow SH2 road traffic to flow smoothly. Housing is in crisis so a
- 11.4 private developer trying to give families a home is commendable.

2. Decision sought

Give precise details of how you want the proposal changed.

Western BOP District Council needs to support & approve Plan Change 95, for Pencarrow Estate to proceed.  
There is nothing we want changed.



# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

12

Use this form to submit your comments on District Plan Change 95

Council received and accepted a Private Plan Change application for rezoning of rural zone land and new structure plan to allow development on an approximately 12ha site at Arawa Road, Pongakawa.

The purpose of the Pencarrow Estate Pongakawa Structure Plan (1491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

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

Submissions close 4.00pm on Friday 8 December 2023

Name: MIKE MAASSEN

Address: 25 Arawa Rd. Rd. 6. Pongakawa

Phone: 0274 955 284

Email: maassen@hotmail.co.nz

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed:  Date: 30/11/2022

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

Please use the reverse of this form for your submission



# Private plan Change 95

## Submission of Mike Maassen



# Private Plan Change 95 Submission of Mike Maassen

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# Private Plan Change 95 Submission of Mike Maassen

## 12.1 Introduction

### 12.1.2

My name is Mike Maassen . I have lived and worked in the Pongakawa area since 1974 and my wife Mapu and I built our first house at # 6 Arawa Rd in 1986 . We currently live at # 25 Arawa Rd adjoining the PPC land .

We enjoy living in this quiet rural settlement .

I have done some advocating for this settlement with WBOP District Council and we have seen some improvements here with the upgrade of the first half of Arawa Rd , the bus shelter , the 40kmph speed limit, the securing of the public's recreational access to the Paper Rd area at the end of Arawa Rd , the reinstatement of the walking track on the Paper Rd , the pumicing of that walking track and the Council's Recreation Plan for Arawa Rd .

I have worked with Council staff always with a positive and polite manner although it is a slow , difficult process and fraught with the challenges . However when improvements do come it is immensely satisfying to see the community benefiting .

There has been talk of a development at this location for many years . Initially it was for large lifestyle type sections with wide tree lined streets and covenants on the sections for everything from building type to fence heights . The plans have now morphed into a high density urban type development .

I sort of understand that intensive development in existing urban areas is a necessary evil to increase housing supply however I do have concerns as to whether this is an appropriate location for an intensive urban type development .

This PPC appears to be inconsistent and contrary to the various policy statements on housing supply developed collaboratively in recent years by local bodies in the Western Bay of Plenty and by Central Government . Policies designed to guide local authorities to ensure housing growth happens in a planned , appropriate manner and avoid plan changes that are ad hoc , haphazard , unguided and reactive .

Given my long association with Pongakawa and the Aroha I have the area I have been compelled to complete a rather detailed submission regarding this PPC .

## 12.2 Arawa Rd/Penelope Place Zoning .

The rural settlement of Arawa Rd/Penelope Place is a bit of an anomaly as a collection of residential sections in a rural location .

The question is often asked “how did this rural settlement get its residential zoning ?”

There was apparently a Dairy Factory planned for this location circa 1960 and the land was zoned residential at that time to provide homes for the factory staff . Obviously the Dairy Factory never eventuated but the residential zoning remained . The land of Penelope Place was not developed till more recently because NZTA would not allow those sections to access from SH2 and there was no access from Arawa Rd . It was not till the landowner purchased a property on Arawa Rd and subdivided off an access road for the Penelope Place land that development was possible . Kevin and Andrea Marsh subdivided off eight 2000sqm sections of their farmland adjoining Arawa Rd in the 1990’s and those eight sections remain zoned rural .

The settlement is classified by The Regional Council , The District Council and NZTA as a rural settlement and is not in any way an urban area .

The attraction for the residents who reside here is it’s rural nature and outlook . The road is relatively quiet with no through traffic . The section sizes are quite large in todays terms ranging from 800sqm to 2000sqm which is another attraction for those residing here .



# Private Plan Change 95 Submission of Mike Maassen

## Housing For Pongakawa Kiwifruit Industry Workers

- 12.3 The Regional Council appears to hold a position regarding this PPC that this proposal is not provided for in the BOP Regional Council Policy Statement for Urban and Rural Growth (RPS URG) and is not supported by the BOPRC RPS Policy UG5A .
- 12.4 The proposal is also beyond the scope of the National Policy Statement for Urban Development (NPS-UD) and misinterprets the purpose of the RPS Change 6 .
- 12.6 In fact the BOPRC's position is the proposal is 'Contrary' to the above Policy Statements . The BOPRC also advise that the PPC is again 'Contrary' to the National Policy Statement for
- 12.5 highly productive land and the Urban Form and Transport Initiative [UFTI) for the WBOP District does not identify Pongakawa as a potential urban growth location .
- 12.4 The PPC is also not provided for in any other relevant local authority urban growth plan or strategy .
- NZTA Waka Kotahi appear to hold a similar position as the BOPRC on the NPS-UD and the UFTI and have concerns any development here will be reliant on high vehicle kilometres travelled (VKT) by any future residents . It also appears that NZTA do not support meeting
- 12.5 housing demand through 'ad hoc' plan changes and developments or building houses 'for the sake of building houses' and NZTA prefer the connected centres approach with development in well functioning urban environments rather than in areas such as this PPC area without the range of services and amenities required to avoid substantial travel beyond the immediate locality .
- 12.4 Despite the applicants receiving this advice from these authorities they are determined to proceed with their application and are justifying their plans and seeking to get around the relevant Policy Statements by stating their development is aimed to meet the perceived demand for housing for the Pongakawa Horticulture Industry .
- 12.7 The applicants claim the Pongakawa horticulture industry is growing rapidly . Yes it has grown over the last 10yrs but that growth has now slowed considerably with Zespri slashing the number of hectares of Gold licence released and the industry facing headwinds of lower returns , higher costs and weather related impacts .
- Currently I know of no one residing in the current Arawa Rd settlement who works on local orchards . There are maybe one or two but I am not aware of any . Robin across the road from me works on an orchard in Welcome Bay , I don't think that counts as local . There are a few who work in packhouses but they are mostly in and around the Te Puke township . When houses in this settlement come on the market you would think , if there was the stated pent up demand , that they would be snapped up by local kiwifruit workers . That is absolutely not the case .

12.7 The residents of this settlement mostly travel some considerable kilometres to access employment , recreation , health , shopping and other requirements . I don't see that changing at all with any future residents of this planned development .

The orchard management structure has changed a lot in recent years . Take myself for example . I did manage an orchard locally for a grower for many years but on my retirement the grower has passed the management of that orchard to the packhouse which packs his fruit . Increasingly that has become the preferred approach for orchard management in the industry . The large developments that have happened in recent years around Pongakawa are also managed in this way .

The headquarters and offices of these packhouses and management companies are largely in and around Te Puke town and it is here that these companies orchard managers are based .

Much of the on orchard work is seasonal (there is not 12 months of the year work) and these companies source much of their labour requirements from seasonal workers and RSE worker schemes .

Some of these pack houses and management companies are now providing their own accommodation to meet the needs of their RSE workers and seasonal staff . For example one such company has a new complex at the start of Maniatutu Rd Pongakawa providing accommodation for their staff .

While it is possible some houses in any new development in this location may go to local orchard staff I would expect the vast majority would go to buyers outside the local horticulture industry which absolutely is the case in the current settlement . I don't see any evidence of that changing at all in the future .

In summary it would appear that the applicants claims of their development plans meeting pent up local industry housing demand are unfounded and their justification for the various Policy statements not to apply to their PPC not substantiated .



# Private Plan Change 95 Submission of Mike Maassen

## 12.5 Urban Form and Transport Initiative (UFTI)

The Urban Form and Transport Initiative (UFTI) was a collaborative project led by SmartGrowth and NZTA and involved WBOP District Council , Tauranga City Council , BOP Regional Council , Iwi and community leaders . They committed to a coordinated and aligned approach to housing , transport and urban development in the western Bay of Plenty and the final report was completed in 2020 .

The UFTI identified areas for and ways to increase housing supply with a Connected Centres programme and to avoid ad hoc plan changes and developments that are 'haphazard , unguided and reactive' .

The consequences of uncoordinated growth are additional costs to ratepayers for infrastructure and services , congestion and environmental degradation . By planning and delivering for the longer term , the SmartGrowth partners will avoid many of the negative consequences associated with growth .

The site of this PPC is not recognised in the Urban Form and Transport Initiative as a growth location and NZTA consider it to be unanticipated and out of sequence . In fact it would appear this PPC is exactly the sort of 'ad hoc' development that the UFTI project was set up for to avoid .

It would seem to me that all the hard work , planning and cooperation by the various partners that went into developing the Urban Form and Transport Initiative over several years would have been in vain if a PPC such as this was successful .

The applicants are trying to justify why their plans should ignore the principles and guidelines of the UFTI project but as I have elaborated elsewhere in this submission I believe their claims are unfounded and misleading .

The various local authorities need to follow the guidelines they diligently developed together or this will open the door to other inappropriate plan changes .



### 12.6 National Policy Statement for Highly Productive Land (NPS-HPL)

The government introduced the NPS-HPL in in 2022 to provide direction to local authorities to improve the way highly productive land is managed under the Resource Management Act. Highly productive land is recognised as a resource with finite characteristics and long term values both now and for future generations .

The land of this PPC is classified as highly productive land .

This PPC land is the 'guts' of this farm . The PPC land takes out all of the most productive land and all of the high ground with all of the farm infrastructure .

This land has been farmed as a highly productive dairy unit for I don't know how many years but probably generations . The applicants are hands on diligent farmers and their lives appear to revolve around maintaining the day to day high productivity of this farm .

Much of this farm is low lying flood plain so this high ground is vital to the future viability of this farming unit . The loss of this high ground will spell the end for this highly productive farming unit and will result in the fragmentation of a large and geographically cohesive area. Dairy farm units of this size that sustain comfortably a family are becoming increasingly rare as more and more farms are amalgamated into large enterprises managed by more corporate type farmers . I think it is important to retain farming units of this size for future generations of farmers .

Given that the applicants are diligent farmers it does surprise me somewhat that they would consider cutting up this farm which has been such an important part of their lives and could be for generations to come .

If this PPC gets the green light it will pave the way for other such rural developments and the Bay of Plenty's highly productive land could soon be interspersed with an ever expanding patchwork of small settlements of people who all need to drive to their jobs , schools , entertainment and supermarkets in the main centres . 'That'll be fun' .

Highly productive land is a precious and finite resource – once it's gone it's gone .

Local Authorities need to tread carefully and ensure that the solutions of today aren't fuelling the problems of tomorrow .

## 12.4 National Policy Statement for urban Development

The NPS-UD is about ensuring New Zealand towns and cities are well functioning urban environments . It removes overly restrictive barriers to allow growth to go up and out in urban locations that have good access to existing services , public transport networks and infrastructure .

The Arawa Rd/Penelope Place settlement is not an urban area and has limited existing services and no infrastructure .

As this location is rural and not an urban area it probably falls outside the scope of the NPS-UD

# Private Plan Change 95 Submission of Mike Maassen

## 12.8 Consultation with Residents

Eight 2000sqm sections on Arawa Rd , zoned rural , boundary directly onto the plan change land . In November 2022 the PPC applicants did consult with seven of these eight properties The eighth property being the applicants daughter at # 53 Arawa Rd . I was one of the seven.

The applicants did host us seven property owners at their house and provided a lavish supper . The applicants did invite us to include our properties in their Plan Change at no cost to us . It was suggested to us by the applicants that our properties would immediately jump in value by \$500,000 dollars if rezoned residential because of the subdivision potential of our properties . We were shown a rather basic map of their plans and asked for any feed back or concerns . There were two meetings and they were cordial .

I suspect the applicants thought with the '\$500,000' valuation increase carrot we would line up to sign in support of their PPC and be eternally grateful . However all seven of us declined their invitation to join the PPC . For myself (and I think the others as well) I prefer the rural nature of my property , have no desire to subdivide and believe my property has a price premium because of it's size .

There was no consultation , that I am aware of , with the wider Arawa Rd/Penelope Place community or indeed Barry and Elaine May who also boundary on to the PPC land .

This has concerned me as a planned development such this will have some impact to some degree on all residents of this rural settlement not just those directly adjoining the PPC land I do know that consultation with the wider community is regarded by Council to be 'Best practice' .

In summary yes the applicants did consult with seven property owners adjoining the PPC land who have all declined the offer to be part of the PPC .



# Private Plan Change 95 Submission of Mike Maassen

## Environmental Effects

The location of this PPC is centred in an area of rather sensitive and important aquatic environments all draining into the Waihi/Pukehina estuary .

The vibrant Puanene Stream runs along the western boundary of the PPC . Interestingly the PPC documents describe this important waterway as a 'drain' .

12.9 The Puanene Stream of Pongakawa meanders for many kilometres through farmland and scrub . The total catchment of the Puanene Stream from the Waihi estuary to the source is about 16 Kms . Farmers along some of this waterway have undertaken extensive native plantings along the streambanks to enhance the stream and improve water quality . The Puanene Stream runs into the Wharere Stream down to the estuary . The estuary is severely degraded and the subject of extensive rehabilitation work . Any efforts to improve the water quality of the Puanene Stream are beneficial to the health of the estuary and to be applauded .

The Puanene Stream's course through the applicants farm has been significantly altered through the course of the farms development . The streams original meandering course is now a more straight canal like course . Much like the course of the lower Wharere Stream . While it's course has been significantly altered it is still the Puanene Stream and should not be mistaken for or classified as a farm 'drain' .

It is likely the stream is home to , and an important migratory path for numerous fish and invertebrate species such as long and short finned eel , kokopu , inanga and koura .

12.10 The PPC also has a boundary of flood plain with farm drains running into the Wharere Stream . Flood plain that is subject to periodic flooding and surface run off to water ways . Within the PPC boundary and marked on natural hazard maps are 3 flood flow paths . You would expect these to be flow paths for stormwater from within the PPC land . The central

12.11 flow path within the PPC appears to have stormwater pond planned to manage stormwater but the other two are not referenced to at all in the PPC documents . All stormwater generated from within any new development here would need to be managed appropriately to mitigate risk of contamination of the nearby waterways .

My main concern with environmental risk arising from this PPC revolves around the sewage and waste water treatment facility proposed for in the PPC document . There is no detail in the plan as to how such a facility will operate . The document only states "the treatment system will result in acceptable end discharge effects restricted to the disposal area on the

12.12 applicants property only" . There is no detail as to how that can be achieved . I have serious concerns that this can be achieved given the applicants remaining land is mostly flood plain and prone to periodic flooding , surface run off to water ways and with a very high water table that can remain high for long periods of duration in times of high rainfall .

12.12 I can see that there is a high risk of treated effluent entering the adjacent waterways and down to the estuary . If that's not bad enough I fear that given the hydrology of this land and the flood risk it is even perceivable that a complete failure of such a facility is possible with untreated sewage escaping the facility and also into adjacent waterways . The consequences , fallout and damage to the environment of such a failure don't bear thinking about .

Given Maori sensitivity to any human effluent , treated or otherwise , entering waterways that run through traditional food gathering sites I expect the relevant Iwi and Hapu would also share these concerns .

The risk to waterways/drains in the vicinity and downstream to the estuary of environmental contamination from treated effluent , and in a system failure , environmental contamination from untreated sewage are high and it is hard to see how , in this location, that risk can be kept to an acceptable level or indeed if any risk is acceptable .



# Private Plan Change 95 Submission of Mike Maassen

## State Highway 2 / Arawa Rd Intersection

12.13

Arawa Rd intersects with State Highway 2 .

This intersection is regarded by local residents as dangerous and requires considerable care. SH2 is very busy especially between 6.30am - 9.00am and 3pm – 6pm .

The Puanene bridge/culvert is close , only 70 metres west of the intersection and the Pongakawa School Rd intersection less than 200 metres east .

Currently around 60 households access Arawa Rd at this intersection and some would say this is manageable . There have been no serious crashes here although the risk is still very high of a catastrophic smash so much care is needed .

This development could raise that number of households to 200 or more depending on the type of buildings constructed on the higher density areas within the PPC .

With a 200% increase in vehicles accessing the intersection the safety margin is unacceptably high and becomes unmanageable . You are playing around with peoples lives and their welfare .

In the PPC documents the applicants talk of improvements to the intersection but there is no detail and I suspect they will not go far enough .

In fact in an email in the PPC document from the planner to NZTA dated 13<sup>th</sup> May 2022 the planner is only proposing 'Minor upgrades to the intersection' . The applicants know full well the dangers posed on this stretch of road yet they seem prepared to construct an intensive residential development here and only commit to 'minor upgrades' to the intersection .

The safety of the intersection with SH2 has been the biggest concern of residents even back in 1986 when I first lived on Arawa Rd . Traffic volumes have grown considerably since then and continue to grow . For the people in our community the safety of this intersection continues to be a major concern and probably the major concern regarding this proposed development .

Nothing short of a major upgrade to the intersection would be acceptable . This would include widening both sides of the Puanene bridge , 150 metre long deceleration lane appropriate barriers and realigning SH2 to match the bridge widening .

Any chance of a reduction in speed limit on SH2 is looking more remote and a long way further into the future as the process for that is long and arduous . With the pressure around the country on NZTA resources I would expect any changes to speed limits here highly unlikely .

An upgrade to the intersection will be most welcome but it needs to be substantial otherwise the increased risk to residents of serious injury or death will be unacceptably high



## Private Plan Change 95 Submission of Mike Maassen

### Flood Risk .

12.14 I believe strongly that the land of the PPC is at some risk of flooding in a major weather event (1 in 100 yr flood) . I have witnessed myself , flooding here in I think it was 1988/1989 or thereabouts .

My wife and I were living at # 6 Arawa Rd at the time and after a night of steady but not particularly heavy rain we were shocked to look out the window in the morning and see flood waters lapping the tarseal on the Marsh's farm across the road from us . The undulating gullies on the Marsh's farm across from us and within the current PPC boundary were completely under water and it occurred to me if the water had come a bit higher and over the road we would definitely have been flooded .

I had to scratch my head and wonder where all that water had come from but found out later from a friend of mine , Raymond Daysh , who was logging in the forests in the hills behind Pongakawa , that the rain was so intense that night that piles of logs were washed off their log loading platforms and one gang further down the road had all their logs washed away and a log skidder (A big machine for hauling logs) washed away and ended up wrapped around a tree . The floodwaters had obviously come down from the hills behind Pongakawa .

I would have to question the applicants statement in the PPC document (Pg 32) that in 50 years they have not seen flooding to this extent on their land because I certainly saw it at that time and that was after only one nights very intense rain in the hills behind Pongakawa . I can only imagine what could have happened if that rain had continued for longer .

The devastation that Cyclone Gabriel wrought on parts of the North Islands East Coast earlier this year shows just how vitally important it is not to underestimate the risk of flooding when planning development at this or any other location . The Esk Valley as a vivid example was devastated by flooding in 1936 . Unfortunately these events fade from memory and development continues sometimes with disastrous consequences .

12.15 As a further note of caution , natural hazard maps appear to indicate that much of the PPC land falls within a liquefaction risk zone in the event of a major earthquake .

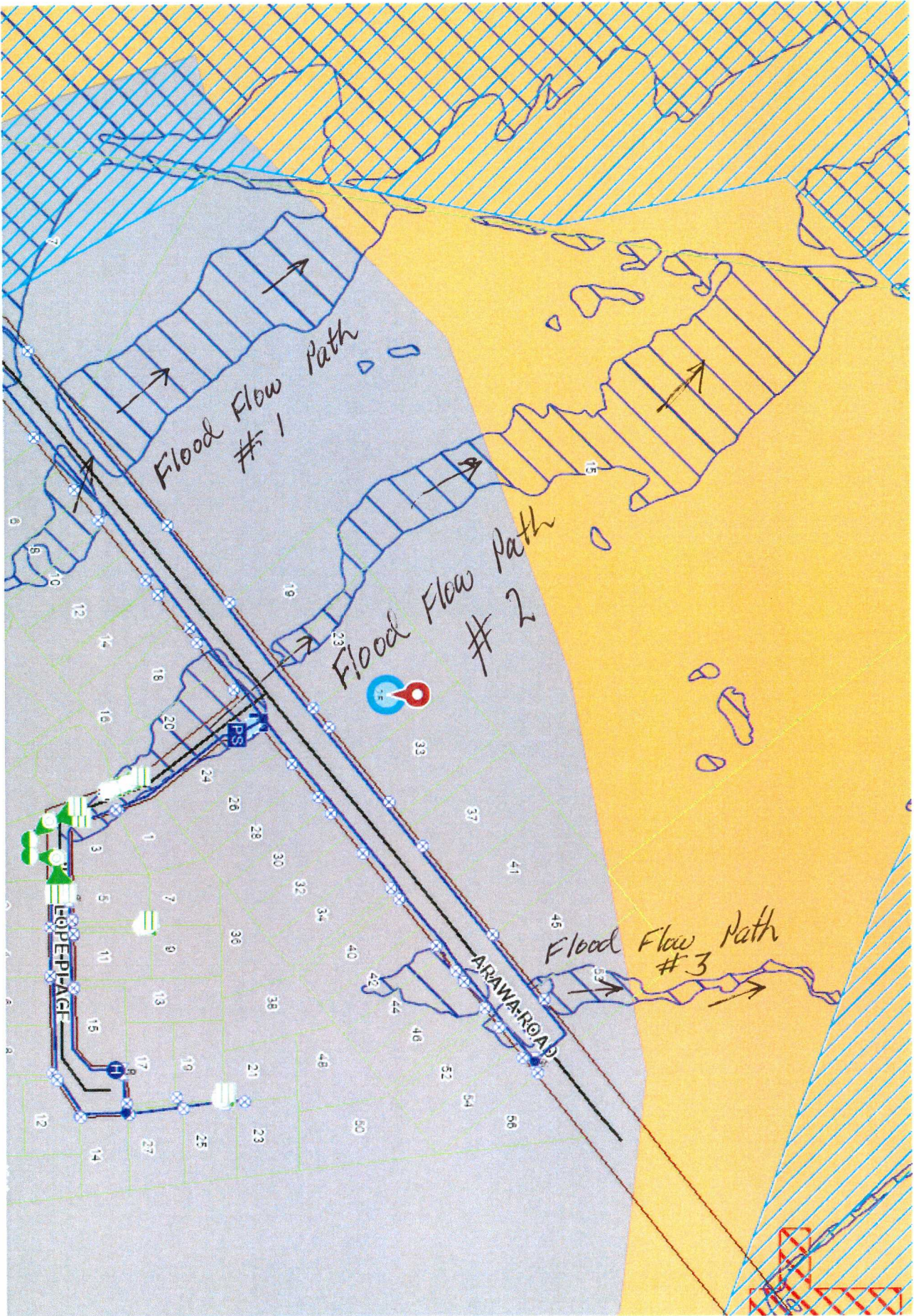
## Flood Flow Paths

- 12.14 There are three flood flow paths within the PPC land and clearly shown on Council natural hazard maps . Two connect to the Puanene stream and one to the flood plain . These natural flood flow paths are essential to protecting the existing residents of Arawa Rd from flooding risk and to ensure there is a pathway for floodwater in a major weather event . These flood flow paths can not be compromised in any way in the developers plans . We have seen all too often in recent years the devastation and massive losses that can occur in developments where in the past planning has been inadequate and natural hazards ignored or underestimated .
- I am concerned that the current plans of the PPC do not go far enough to protect these flood flow paths , in fact alter them substantially . Two of the flood flow paths are not addressed at all in the PPC plans and the one that flows from Penelope Place to the Puanene Stream appears to be altered substantially in the plans . In the PPC plans the proposed commercial area covers the entire flood flow path in that location and the flood flow path at # 53 Arawa Rd to the flood plain has residential sections covering it . The culvert that runs under Arawa Rd from Penelope Place needs to connect directly to the flood flow path and not into a sump as it currently does . (See the section on storm water for more detail) .
- The applicants and the planner did consult with the residents directly adjoining the PPC land in November 2022 . The plans shown us at that time had no reference to the flood flow paths that run through the PPC land . Particularly the flood flow path that runs from Penelope Place , through my neighbour Rachel Sexton's property and across the PPC land to the Puanene Stream . I made the point to the applicants that there is a flood flow path through this land . Kevin Marsh replied "Not any more there ain't!" but he did not elaborate on that comment . That comment has stuck with me and concerned me at the time and perhaps indicated that the applicants were prepared to disregard these natural hazards in their planning .
- These natural , free and open flood flow paths are essential to the future viability and security of this settlement by mitigating flood risk . Any development in this area will need to carefully manage these flood flow pathways to avoid potential future flood damage and costly remediation work . Costs that would undoubtedly fall on Council and Ratepayers .



Flood Flow Paths. Arawa Rd 1. 2 & 3.

12.14





# Private Plan Change 95 Submission of Mike Maassen

## Arawa Road Storm Water .

- 12.11 Arawa Road Stormwater has to be addressed in this Private Plan Change Request .
- There are 4 stormwater culverts under Arawa Rd which connect to flood flow paths which run through the land of this PPC .
- The landowner of the farm adjoining Arawa Road and the subject of this plan change has absolutely refused to allow stormwater from Arawa Road to flow onto his land in spite of there being flood flow paths clearly marked on natural hazard maps of this land .
- This refusal has resulted in costly adjustments having to be made by Council in the recent widening and curb and channelling of the first half of Arawa Road and stormwater management for the Penelope Place subdivision some years ago .
- Earlier this year , 2023, Council widened , curb and channelled and installed a footpath on the first section of Arawa Rd from SH2 to Penelope Place .
- A culvert and flow path for stormwater had to be constructed on Arawa Rd about 100 metres from SH2 . Kevin Marsh refused to allow this stormwater to flow onto his land at this point . Council had to install at extra cost an extra 75 metres of culvert to take this stormwater to a drain running through the property of Barry and Elaine May .
- Fortunately Barry and Elaine whose property is on the left at the start of Arawa Rd were more accommodating and community minded and allowed Council to divert the stormwater 75 metres through a culvert to a drain on their property and into the Puanene Stream . However this is far from ideal as there is very little fall for the water along the culvert .
- With this plan change request that refusal to allow stormwater to flow where it would naturally flow needs to stop and there needs to be an accommodation for Arawa Rd stormwater at all locations and in all the developers plans .
- If this development were ever to go ahead and houses constructed down the end of Arawa Road , as on the plan , this would result in considerably more vehicle movements on the lower section of Arawa Road . This section of road is quite narrow with no footpath and no curb and channel . This section of Arawa Rd would need to be widened , curb and channelled and footpath installed to the same standard as the first section of Arawa Rd. (The developer of course will have to contribute to the cost of this upgrade) Curb and channelling means stormwater so there will need to be plans in place in the PPC for somewhere for this water to go . There is a flood flow path indicated on hazard maps for the PPC land at the end of Arawa Road and this needs to be secured so the stormwater from any future upgrade of this section of Arawa Rd has somewhere to flow . There is already a culvert installed by Council under Arawa Rd and through the property of # 53 Arawa Rd and onto the PPC land . This would appear to be the obvious location to take away this storm water .

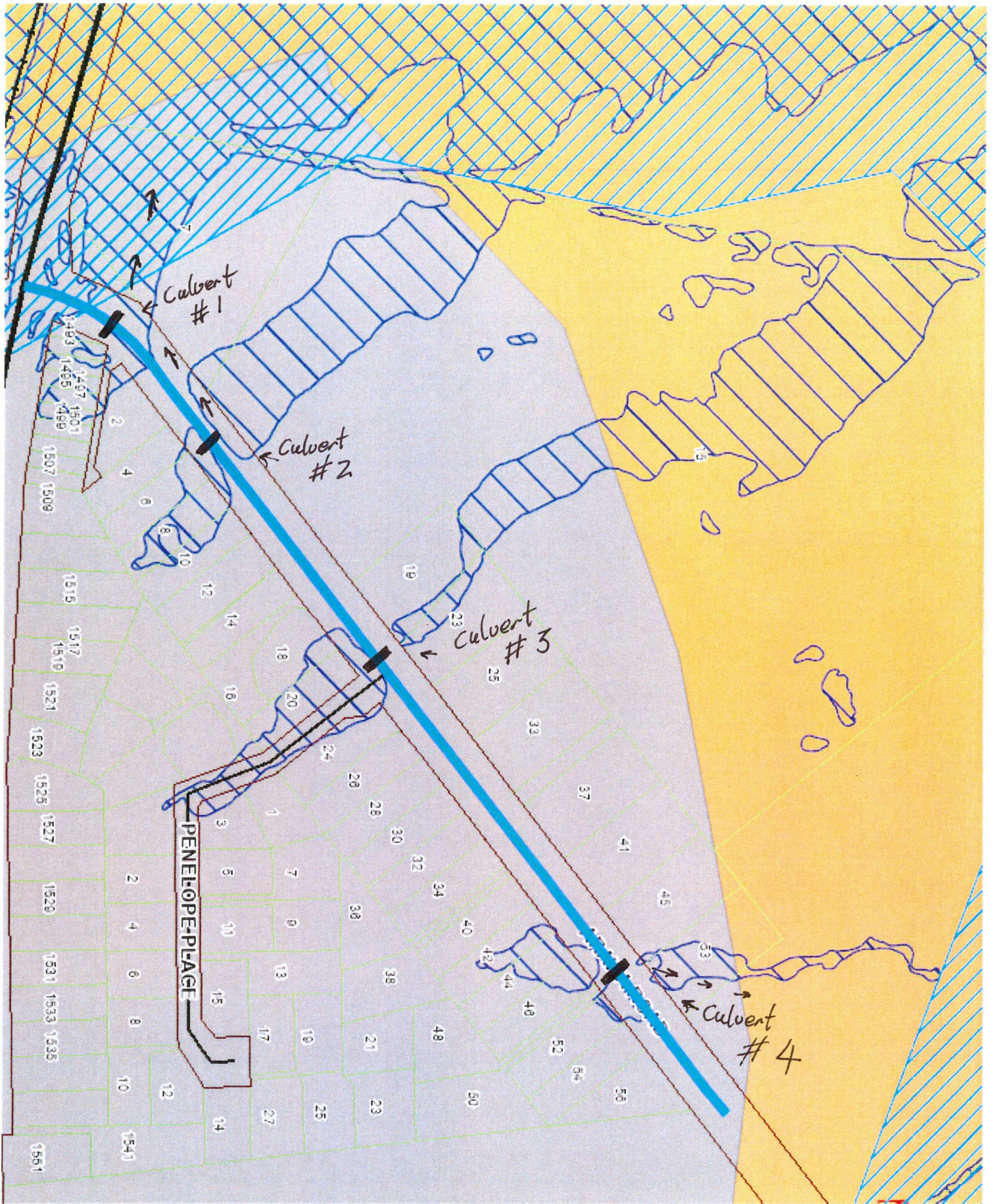
## 12.11

The Penelope Place subdivision road where it joins Arawa Rd is a natural flood flow path also marked on hazard maps that runs thru the plan change land to the Puanene stream . It is essential that this flood flow path be secured . When the Penelope Place subdivision was being constructed the developers and Council wanted to install a release culvert for a one in one hundred year stormwater event under Arawa Rd to link onto the flood flow path . Kevin Marsh refused to allow this and a sump had to be constructed to take this water instead of releasing to the flood flow path . This has put the property at 20 Arawa Rd at unacceptable risk of inundation in a major flooding event . These flood flow paths are marked on titles and purchasers and landowners are obviously aware of them . They are there for good reason and it is essential they are kept open in the event of major weather events which may only happen once in every 100 years but they do happen and we have graphically seen all too often the devastation when these natural flood flow paths have been compromised in the past .

I can not stress enough the importance of maintaining these flood flow paths and ensuring stormwater from Arawa Rd has somewhere to go in the developers plans . Particularly stormwater from the upgrade of the first section of Arawa Rd , stormwater from a future upgrade of the lower section of Arawa Rd and stormwater from Penelope Place in the event of a major weather event .

Please find attached a map showing the 4 culverts under Arawa Rd .







# Private Plan Change 95 Submission of Mike Maassen

## Waste Water Sewage Treatment .

12.12

A waste water sewage treatment scheme is proposed for the Plan Change Area .

I do have concerns regarding the viability of such a scheme at this location .

The treatment scheme and effluent disposal field are located very close to the flood plain , farm drains and the Puanene Stream . This flood plain is called a flood plain for obvious reason . It is prone to flooding and in fact with all the rain in the last 18 months has been under water several times . I fail to see how a disposal field can work efficiently on land with this hydrology .

The risk of failure of such a scheme at this location is unacceptably high and the financial fallout of rectifying such a failure does not bear thinking about .

The Puanene Stream and farm drains flow into the Wharere Stream and down to the Waihi estuary . This estuary is severely degraded from silt , nutrient loads and faecal coliforms that flow into the estuary from mostly farming and some forestry sources . The BOP Regional Council and local groups such as Wai Kokopu have for some years been working very hard to improve the health of the estuary . Probably the last thing this estuary needs is another source of nutrient rich water inflow or worse the risk of untreated human effluent finding it's way into the estuary .

I do note that in the record of consultation with local iwi by the PPC applicants that all iwi express concerns that waste water/treated effluent disposal would have to be carefully managed . That does not surprise me and I would suggest that any risk of failure of such a scheme at this location would be abhorrent to local Maori and completely unacceptable given their sensitivity to any form of human effluent , treated or otherwise , entering waterways and kaimoana gathering sites .

In the PPC documents I did read that treated effluent could be sprayed onto the applicants remaining farmland . I am not sure if that is a viable option given that much of the remaining farm is actually very low lying floodplain and prone to surface run off . Run off of treated effluent from this land and into the water ways and the estuary in rain events would be unacceptable and probably rule this option out .

Any Sewage/waste water scheme in this location would have to be carefully managed to eliminate risk and the PPC document as it currently stands is lacking in any detail as to how that can be achieved .

# Private Plan Change 95 Submission of Mike Maassen

## Arawa Rd Upgrade

### 12.13

Arawa Rd from SH2 to the Penelope Place intersection was upgraded earlier this year in 2023 by Council following consultation with residents . The road was widened , curb and channelled down one side and footpaths installed all to a high standard . A much welcome improvement for the community .

The lower section of Arawa Rd from Penelope Place to the end of the seal is currently quite narrow with no footpath although some would say adequate for the current traffic volumes . The PPC documents show a large area of land in the PPC boundary at the end of Arawa Rd marked for residential development with a right of way off Arawa Rd presumably servicing sections in the plan for this area . Any such development at the end of Arawa Rd will result in more vehicle movements for this section of road . This increase in traffic volumes will change the road status from adequate to inadequate and necessitate the upgrade of this lower section of Arawa Rd to the same standard as the new first section of Arawa Rd . Curb and channelling of this section brings with it the need to dispose of stormwater . This need to divert stormwater from any future road upgrade as a result of this PPC and Development , will need to be addressed in the PPC plans as detailed in the Stormwater section of this submission .

The increase in vehicle movements in this lower section of Arawa Rd will require an upgrade of this section of road . There needs to be a substantial contribution from the developers to cover this cost . The full burden of cost should not be met by ratepayers .



## Private Plan Change 95 . Submission of Mike Maassen .

### Water Supply .

12.16

There is a reticulated Council owned and maintained water supply from the Maniatutu Rd water supply that runs along State Highway 2 and services Pongakawa . This supply is at capacity and any future development such as this PPC will require an upgrade of the existing water supply from Maniatutu Rd . (ie; Larger diameter water line) The current line was installed in 2002 and paid for with a targeted rate by the residents of Arawa Rd . Council staff have informed me it was installed to Council standard at the time to meet the existing needs at the time . User pays in action if you like . The Penelope Place subdivision got around this by installing reservoirs to service the development. That was feasible with only 22 sections . This PPC is on a far grander scale with 130 sections envisaged . Nothing less than a new water line from Maniatutu Rd would be acceptable . A development of this scale also brings with it a need for a supply capable of providing water for firefighting purposes . At present there is no firefighting supply close to this PPC . This need to cater for firefighting purposes needs to be factored into any upgrade of the waterline from Maniatutu Rd . This upgrade of the water supply to meet the needs of any future development here absolutely needs to be funded by the developers just as the existing line was funded on a user pays basis by the residents back then . It would be totally unfair on ratepayers if the needs of this Development were funded in any way by ratepayers .

# Private Plan Change 95 . Submission of Mike Maassen

## Social Infrastructure

- 12.17 There is no social infrastructure at the rural settlement of Arawa Rd . The infrastructure at the Pongakawa School is almost 2 kilometres away across a busy SH2 and up Pongakawa School Rd with no footpath or cycle way making it virtually out of safe reach of the settlement other than by car . This is a rural settlement and that is how we like it . I see no current demand for a 'country store' and I doubt if the development will bring a scale large enough to support a 'health hub/doctors surgery/dental service' such as claimed in the PPC documents .
- Medical staff are stretched as it is and it is hard to imagine medical and dental staff extending their services to Pongakawa .
- If we really need a bottle of milk or a loaf of bread the BP Pongakawa gas station is a short drive but mostly the community source their provisions at a more competitive price from the supermarkets in Te Puke and Papamoa . I doubt a 'country store' at this location will change residents shopping habits much other than maybe the occasional bottle of milk or an ice block or two .
- Currently residents travel out of Pongakawa some distances for social infrastructure such as shopping , recreation , health needs etc and I envisage the residents of a development such as this PPC in this location would do likewise .
- 12.2 It makes far more sense to develop new housing stock closer to existing social infrastructure



## Recreational Infrastructure

12.18

The applicants of the Plan Change place significant emphasis in their request on providing and enhancing recreational infrastructure for the Arawa Rd/Penelope Pl community by way of recreational facilities such as walkways , park and village green . See page 15 Of the Plan Change Documents .

Any additional facilities such as these are of course most welcome .

There is already a recreational plan in place and voted for and approved by Council for the Arawa Rd community centred around the Council owned Paper Rd areas at the end of Arawa Rd and along the Wharere Stream stop bank . In that recreation plan there is a proposal to create walking and cycling access across drains at the end of the paper road to allow public walking access along the Council owned paper road that runs along the stop bank of the Wharere Stream and cycling access to the quiet rural Wharere Rd . Wharere Rd runs down to the Pukehina ecological reserve and there has been identified a potential connectivity of a cycleway from Arawa Rd down Wharere Rd and linking with the planned Pukehina cycleway . Wouldn't that be absolutely awesome !!

On page 15 of the PPC documents is the comment from the planner that the paper road corridor 'is a narrow corridor with open drains on both sides which may be a safety hazard if not fenced' .

This is false and scaremongering . This area of paper road has been used by local residents from the time that residents first established here without incident . In fact recreational areas such as this all over New Zealand follow and cross water ways . It is part of the attraction of these areas . The paper road areas at the end of Arawa Rd are in fact a real gem for this community and widely used and treasured by the community . The Council's plans for this area are to extend and enhance the recreational opportunities for this area . It needs to be said that local residents have been in conflict with the Marsh's over access to these paper road areas since the Marsh's brought land down there in 2013 . It also needs to be said that the Marsh's are opponents of the Council's Recreation Plan for this area particularly the publics desire to regain walking access to the public land along the stop bank of the Wharere Stream . What I would like to see in this PPC Request is a change in the applicants position on that and that they support 100% all the Councils plans , and residents hopes , for this area .

While I fully expect the applicants to gloss this over with their own version of events I urge any one making a judgement on this to get both sides of the story before making that judgement .

If the applicants are sincere in their dedication to providing recreational facilities for the community then they need to show they support the Council's and the residents hopes and plans for these paper road areas in the PPC Request . Anything less than that , then I would have to question their sincerity to providing benefits to the community .

# Private Plan Change 95 . Submission of Mike Maassen

## Summary

12.1

In summary I would say given the advice to the applicants and their planner from the various local authorities that this PPC is inconsistent with and in fact some say contrary to the many Policy Statements and the Urban form and Transport Initiative and the PPC location not identified by any local authority as an area suitable for any future growth and is considered by some to be ad hoc , unanticipated , out of sequence , haphazard , unguided and reactive you have to wonder how it has been allowed to progress this far .

The applicant Kevin Marsh has served a long tenure as a WBOP District Councillor . A tenure characterised by steadfast opposition to many past Plan Change Requests (particularly locally) and intensification of housing in urban areas . It now seems almost a bit incongruous that he would now be pursuing a PPC Request that appears to ignore natural , environmental and road safety hazards and all the Policy Statements that the Council he worked with has to operate under .

I certainly believe that if this PPC were ever successful it would be an ongoing headache for Council and has all the hallmarks of being an absolute disaster .

Thank you for the opportunity to submit on this important matter and I definitely would like to present this submission in person .

Nga mihi

Mike Maassen



# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

13

### Use this form to submit your comments on District Plan Change 95

Council received and accepted a Private Plan Change application for rezoning of rural zone land and new structure plan to allow development on an approximately 12ha site at Arawa Road, Pongakawa.

The purpose of the Pencarrow Estate Pongakawa Structure Plan (1491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

For more information on Plan Change 95, please visit [westernbay.govt.nz/plan-changes](https://westernbay.govt.nz/plan-changes).

### Submission Form

You can hand in your submission to any of Council's Libraries or Service Centres, email it to [districtplan@westernbay.govt.nz](mailto:districtplan@westernbay.govt.nz), or mail it to:

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

### Submissions close 4.00pm on Friday 8 December 2023

Name: Mark Boyle, Te Puke Economic Development Group

Address: Jellicoe St, Te Puke

Phone: 027 5736772

Email: markboyle@me.com

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed:  Date: 7/12/23

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

### Please use the reverse of this form for your submission

1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

Submission in support, sent by email on 6/12/22 and acknowledged as received by Anna Price by email on 7/12/22 @ 9.41am.

This document is a detailed 3 page submission.

2. Decision sought

Give precise details of how you want the proposal changed.

As per 3 page submission sent by email. We urge the Plan Change is approved.

Thank you.



6 December 2023

## SUBMISSION

### District Plan Change 95 - Pencarrow Estate, Pongakawa

By email [districtplan@westernbay.govt.nz](mailto:districtplan@westernbay.govt.nz)

We write in **support** of the Plan Change.

## BACKGROUND

### The Te Puke region - Connected Communities



## 13.1 Te Puke is defined as the geographic region from the Papamoa Hills east to Otamarakau.

Te Puke has significant economic drivers and has developed extraordinary capability to grow and prosper. Through changing economic cycles it has built resilience and an enviable reputation for progress and outstanding achievements across multi disciplines on the world stage.

Te Puke, the Kiwifruit Capital of the World, has 6000ha of orchards and sophisticated post harvest facilities. Dairy farming, beef and sheep farming, forestry, wood processing, manufacturing and service industries round out a strong economy. Growth projections are positive.

The Te Puke region has well established and connected communities, all with their own identity, social infrastructure and a history of economic and social progress. Schools, community halls, sports and recreation facilities, primary produce, kiwifruit and support businesses are the norm. Centrally located, it has proximity and easy connection to the Bay of Plenty's 3 cities.

With a population of 20000 approx. and GDP in excess of \$2b, our contribution to the national economic effort is both important and impressive. **Pongakawa**, with a population of 3000, is a well established and highly regarded community within the Te Puke region. It makes a significant contribution to our economic output and social wellbeing. This output will continue to grow. More housing is needed to support economic growth.

## 13.2 Engagement with Smart Growth leaders

In 2018 we made submissions to the Smart Growth Future Development Strategy to encourage and endorse new housing developments across the Te Puke region. This housing is needed to support our economic growth.

Over the last 6 years we have led tours across the Te Puke region for various leaders to acquaint them with the breadth of our communities and our economic growth. This has included Smart Growth leaders and managers, Regional Councillors, District Councillors, Tauranga City Commissioners and Senior officials from Housing and Urban Development, Waka Kotahi, Internal Affairs and Kainga Ora.

We have hosted Cabinet Ministers and MP's regularly and have highlighted the need for new housing to support economic growth.

**13.3** We identified **Pongakawa** as a strategically located community ideal for increased housing. A good example of **HUB and SPOKE** - The Te Puke township as a Hub service centre and Pongakawa as a critical Spoke. Ultimately, a vision has developed for rural residential growth, described as Rural Hamlets, connected to the Te Puke township and service centre and part of the wider Bay of Plenty region.

In these 6 years of regular engagement with key decision makers we have never received any push back in finding sensible new housing solutions for the already well established communities in the Te Puke region.

The emergence of a long term vision to create a new township in the vicinity of Paengaroa/ Maketu, with a population of 15000 people, should not be interpreted as an immediate solution to our housing shortage. We also need to accelerate rural residential housing and take a common sense approach to delivering sensible short term solutions.

## **SUPPORTING FACTORS FOR DEVELOPMENT OF PENCARROW ESTATE**

**13.4** **Strong Economic Drivers and a need for new housing**

New kiwifruit plantings east of Te Puke at approx. 250ha per annum are sustainable and profitable. With global marketing and distribution from Zespri, science and technology backing from Plant and Food NZ based in Te Puke and a high volume sophisticated post harvest industry, the Kiwifruit Industry is recognised as world leading, healthy and sustainable.

These new plantings east of Te Puke create 2.5 new jobs per ha. Housing demand will continue to grow for people coming to work **full time** in the kiwifruit industry. Housing in close proximity to these jobs is critical.

**13.1** **Social Infrastructure**

Pongakawa includes and is surrounded by excellent social infrastructure.

- A successful Years 1-8 school with excellent facilities including a regional 'Action Centre' with auditorium, indoor sports facilities, squash courts and swimming pool.
- A Community Hall regularly used by community and business.
- A modern automotive service centre with fuel, repairs and maintenance and general supplies.
- Rural farm service businesses.
- A Heritage society.
- A safe and efficient rural roading network, broadband connectivity, stable electricity supply.
- Ambulance and Fire Services minutes away.
- Two beaches, Pukehina and Maketu within 12 minutes driving time, both with community facilities including restaurants, cafes and recreational facilities.
- Paengaroa and various services a 10 minute drive.
- Te Puke, a full service town with medical facilities, professional services, supermarkets, a retail precinct with international brands, community support groups and a wealth of industrial and commercial businesses is a 15 minute drive.
- Tauranga, Whakatane, Rotorua and the lakes are all within a 50 minute drive.



### 13.3 **Necessary Land conversion**

With continuing land conversion to kiwifruit in particular, we need new housing to allow people to live close to work. Allowing smaller rural residential developments is not at the expense of productive land. Rather, it is in support of meeting medium term housing demand over the next 10 years. Continuing Kiwifruit growth of 250ha p.a and the nearby upcoming Rangiuru Business Park with potential for 4000 new jobs are real.

#### **An extension of an existing residential area**

The proposed development at Pencarrow Estate is immediately adjacent to the existing settlement in Arawa Road, Penelope Place and houses on State Highway 2 in Pongakawa. It fits naturally with the existing settlement of 100 homes. Pencarrow Estate will add considerably to the important community aspiration of being Safe, Serviced, Sustainable and Satisfied.

#### **Good placemaking**

Pencarrow Estate will offer high quality, healthy housing.

13.5 The proposed commercial zone for professional services and retail will add considerable value for existing Pongakawa residents.

13.6 The addition of recreational facilities will support social wellbeing.

#### **Aligned to National Policy Statement**

13.7 Delivery of up to 130 new houses is aligned to the National Policy Statement.

It contributes to the national vision that everyone in NZ lives in a home and a community that meets their needs and aspirations.

It is an accessible place connected to employment, education, social and cultural opportunities.

Pencarrow Estate will deliver homes that are warm, dry, safe, stable and affordable.

This land use change with addition of infrastructure and housing is responsive to demand, is well planned and will add considerable value.

#### **Political appetite**

13.1 The new Government is very clear on the importance of new housing.

The Prime Minister has said "I think we have got the MDRS (Medium Density Residential Standard) wrong. We prefer to see a much greater focus on greenfields developments, which means converting farmland into suburbs"

The case for approval of the plan change is compelling. Superb location, well planned, high quality, strong economic drivers, excellent social infrastructure, satisfies housing demand, good placemaking, value addition to a successful community, is aligned with the National Policy Statement and is in sync with the vision of the new Government.

We urge you to approve the plan change.

Sincerely,



Mark Boyle

# Plan Change 95 - Pencarrow Estate Pongakawa

Submitter No 14

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## Form 5 Submission on publicly notified proposal for policy statement or plan, change or variation

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To:** Western Bay of Plenty District Council/div>

**Date received:** 08/12/2023

**Submission Reference Number #14**

This is a submission on a change proposed to the following plan (the **proposal**): Plan Change 95 - Pencarrow Estate Pongakawa

**Address for service:**

23 Arawa Road Pongakawa 3186

New Zealand

Email: fil6tn@gmail.com

**Attachments:**

IMG\_1685.jpg

**I wish to be heard:** No

**I am willing to present a joint case:** No

Could you gain an advantage in trade competition in making this submission?

- **No**

Are you directly affected by an effect of the subject matter of the submission that

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- **Yes**

## Submission points

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**Point 14.1**

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.3 Pencarrow Estate Pongakawa Zoning

**Support/Oppose/Amend:** Oppose

**Submission**



I oppose the rezoning and consequent development of Pencarrow estate.

This is a small rural community that supports a number of families with children. currently the children and young people are able to roam and play in our community in safety from cars and non residents coming in. we as a community are all fully aware that our children are out and about and are careful as we come and go. this can be maintained with the small number of residents that we have here. We also don't have any shops, which is actually a good thing. this also saves any non residents and potential undesirable elements coming into our neighbourhood the likes of vaping etc and fast cars. Its is much safer for those families that have chosen to live further away from Te Puke and Paengaroa for these reasons and also knowing that our children can't leave this area without us is a safer way to live in our current climate for our young people.

Road access. The road access onto the main highway is very treacherous. There is very little turning left area coming off the highway from Te Puke direction, and iff the school buss in dropping off or picking up children, then the bus stops in the turn off area, so you are forced to sit behind the bus on the highway. When coming from the Whakatane direction and turning right into the road, there is a turning bay, however again if someone else is turning left into Arawa Rd or the bus is there, you can't see past them around the corner, and oncoming traffic often pull out towards the centre of the highway to pass the left turning traffic, unaware of the vehicle sitting waiting to turn right in the centre turning area. And that's only trying to get into Arawa Road, it is difficult getting in and out of the road anytime of the day. This is unsafe enough with the number of residents here at the moment , let alone adding up to 130 more residents, potentially 260 or more new vehicles trying to turn in and out. The school bus stop is also a joke. We have had our bus stop updated for our children to use when waiting for the bus, but this is on the other side of Arawa Road to where the bus stops. so if it is rain and the children are in it, as the bus comes down the road, they all run across the road( very close to the highway intersection) to get to the bus, and some of these children are vey small and have no road sense or the ability to judge oncoming vehicle speed.

I am all for progress and I do understand people need somewhere to live, but this should be done in the best place that will be able to cater to the needs of a growing community. We have no community facilities here. The Pongakawa school, community Hall and sports centre is too far away to be of any use for our young people to use. its on the other side of the highway down a long road that is also unsafe to walk or bike down, with may large trucks that use it. So to say that these are close by is a joke. There is no public transport here, and no where safe for it to stop if there was.

We also don't have very good water pressure here, a this concerns me with having more residents needing to tap into it. It is also my understanding that we don't have a fire water hydrant here either.

I think you will find that most of the residents here are happy with the way things are currently, and we do not wish for change. Just maintaining what we have.

I would be a real shame to loose the rural character that this settlement has. most of us moved here to have a rural lifestyle and as for myself, a rural outlook across the farm, having moved here from another rural area. If I had wanted to be in a built up area I with shops etc, I would have moved to Te Puke or Paengaroa, but I chose this area as a safer option to raise my children.

The fact that it is contrary to the Regional Policy Statement Policies and the Nation Policy Statement for Highly productive land and this is outside the designated urban growth area seems to be being ignored. And the cost that is would take to improve the road intersection, when there are other communities with the correct infrastructure needed to accommodate such a development.

### **Relief sought**

I would like the council to reject the application for Pencarrow estate on the grounds that this is not the right place for this kind of subdivision given the lack of infrastructure and its proximity to the nearest town.

---

### **Point 14.2**

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

**Submission**

This is a small rural community that supports a number of families with children. currently the children and young people are able to roam and play in our community in safety from cars and non residents coming in. we as a community are all fully aware that our children are out and about and are careful as we come and go. this can be maintained with the small number of residents that we have here. I think you will find that most of the residents here are happy with the way things are currently, and we do not wish for change. Just maintaining what we have.

**Relief sought**

Decline the plan change

---

**Point 14.3**

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.3 Pencarrow Estate Pongakawa Zoning

**Provision**

General

**Support/Oppose/Amend:** Oppose

**Submission**

We also don't have any shops, which is actually a good thing. this also saves any non residents and potential undesirable elements coming into our neighbourhood the likes of vaping etc and fast cars. Its is much safer for those families that have chosen to live further away from Te Puke and Paengaroa for these reasons and also knowing that our children can't leave this area without us is a safer way to live in our current climate for our young people.

**Relief sought**

Decline the plan change

---

**Point 14.4**

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

**Submission**

Road access. The road access onto the main highway is very treacherous. There is very little turning left area coming off the highway from Te Puke direction, and if the school buss in dropping off or picking up children, then the bus stops in the turn off area, so you are forced to sit behind the bus on the highway. When coming from the Whakatane direction and turning right into the road, there is a turning bay, however again if someone else is turning left into Arawa Rd or the bus is there, you can't see past them around the corner, and oncoming traffic often pull out towards the centre of the highway to pass the left turning traffic,

unaware of the vehicle sitting waiting to turn right in the centre turning area. And that's only trying to get into Arawa Road, it is difficult getting in and out of the road anytime of the day. This is unsafe enough with the number of residents here at the moment, let alone adding up to 130 more residents, potentially 260 or more new vehicles trying to turn in and out. The school bus stop is also a joke. We have had our bus stop updated for our children to use when waiting for the bus, but this is on the other side of Arawa Road to where the bus stops. so if it is rain and the children are in it, as the bus comes down the road, they all run across the road( very close to the highway intersection) to get to the bus, and some of these children are very small and have no road sense or the ability to judge oncoming vehicle speed.

There is no public transport here, and no where safe for it to stop if there was.

And the cost that it would take to improve the road intersection, when there are other communities with the correct infrastructure needed to accommodate such a development.

### **Relief sought**

Decline the plan change

---

### **Point 14.5**

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.3 Pencarrow Estate Pongakawa Zoning

**Provision**

General

**Support/Oppose/Amend:** Oppose

### **Submission**

I am all for progress and I do understand people need somewhere to live, but this should be done in the best place that will be able to cater to the needs of a growing community.

### **Relief sought**

Decline the plan change

---

### **Point 14.6**

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.1 Pencarrow Estate Pongakawa Structure Plan

**Provision**

General

**Support/Oppose/Amend:** Oppose

### **Submission**

We have no community facilities here. The Pongakawa school, community Hall and sports centre is too far away to be of any use for our young people to use. its on the other side of the highway down a long road that is also unsafe to walk or bike down, with many large trucks that use it. So to say that these are close by is a joke.

### **Relief sought**

Decline the plan change

---

### **Point 14.7**



**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.1 Pencarrow Estate Pongakawa Structure Plan

**Provision**

General

**Support/Oppose/Amend:** Oppose

**Submission**

We also don't have very good water pressure here, a this concerns me with having more residents needing to tap into it. It is also my understanding that we don't have a fire water hydrant here either.

**Relief sought**

Decline the plan change

---

**Point 14.8**

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

**Submission**

The fact that it is contrary to the Regional Policy Statement Policies and the Nation Policy Statement for Highly productive land and this is outside the designated urban growth area seems to be being ignored.

**Relief sought**

Decline the plan change

---

**Point 14.9**

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

**Submission**

The fact that it is contrary to the Regional Policy Statement Policies and the Nation Policy Statement for Highly productive land and this is outside the designated urban growth area seems to be being ignored.

**Relief sought**

Decline the plan change

---

**Point 14.10**

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

**Submission**

The fact that it is contrary to the Regional Policy Statement Policies and the Nation Policy Statement for Highly productive land and this is outside the designated urban growth area seems to be being ignored.

**Relief sought**

Decline the plan change

# Plan Change 95 - Pencarrow Estate Pongakawa

Submitter No 15

## Form 5 Submission on publicly notified proposal for policy statement or plan, change or variation

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To:** Western Bay of Plenty District Council/div>

**Date received:** 08/12/2023

**Submission Reference Number #15**

This is a submission on a change proposed to the following plan (the **proposal**): Plan Change 95 - Pencarrow Estate Pongakawa

**Address for service:**

45 Arawa Rd Pongakawa RD6 , Te Puke 3186

New Zealand

Email: tcoreilly@xtra.co.nz

**I wish to be heard:** Yes

**I am willing to present a joint case:** Yes

Could you gain an advantage in trade competition in making this submission?

- No

Are you directly affected by an effect of the subject matter of the submission that

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- Yes

## Submission points

### Point 15.1

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

### Submission

We strongly oppose the proposed Pencarrow Estate plan change for development for the following reasons:



1) We chose to buy our property in Arawa Rd because it offered the lifestyle we wanted - Rural, views, spacious, generously sized sections and out of town.

If this development is to proceed it will take away the nice small safe rural community vibe we have and turn it into more of a town (suburb) environment which is not the reason we all live out in the country. If we wanted to live in a town environment we would have bought a residential property in town.

With this proposed development obviously means more people and with that no doubt brings an increased risk of crime, which this community has never had a problem with in the 18 years we have resided here.

It is unnecessary and unwanted by a majority of the immediate community.

### **Relief sought**

I would like to see the council reject the Pencarrow Estate plan change for rezoning and development of land.

---

### **Point 15.2**

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

### **Submission**

2) With this plan change and proposed development comes the obvious increase of vehicles. The public transport out here is very limited and in turn means people do have to use their own transport to go anywhere. Our Arawa Rd/ state highway2 intersection is dangerous enough now with the existing volume of traffic from Arawa/Penelope Place. We can be sitting waiting to get onto the main road for a few minutes as it is. We have limited visibility onto SH2 from the Whakatane direction when exiting Arawa Rd. We have very little room to pull over to the left of SH2 when turning into Arawa Rd and when turning right into Arawa Rd we have to sit in the middle of the road facing oncoming traffic doing 100km. Unless there are alterations done to widen SH2 and create safe turning bays into Arawa Rd this will undoubtedly increase the risk of major accidents happening.

3) Following on from the traffic volume and increase population I would also like to add my concern relating to the amount of kids this may potentially bring to the area and the mode of transport required to get them to school etc. Pongakawa school is not within walking distance from here due to the fact that there are no foot paths on Pongakawa school Rd and they would have to walk on side of the road (after crossing SH2) where cars are travelling at 100km.

Yes we have school buses and currently these buses stop on the edge of SH2 to drop pick up and drop off kids. This is not ideal as it exists but there is no other option as they have nowhere to turn around if they turn into Arawa Rd. The highschool kids have to cross SH2 to catch their bus into town. Once again this is an accident waiting to happen if this system was to stay status quo with likely triple the amount of kids waiting for buses by a main highway. I believe there is consideration to adding a turning bay for the buses at the entry of Pencarrow estate but I do not see any provisions for this noted on the plan.

There is no existing infrastructure out here apart from a fuel station, a school and a hall, all of which one needs a vehicle to get to. We have to use SH2 to go anywhere. It makes no sense to me to want to put a subdivision in an area like this.

### Relief sought

I would like to see the council reject the Pencarrow Estate plan change for rezoning and development of land.

---

### Point 15.3

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.1 Pencarrow Estate Pongakawa Structure Plan

**Provision**

General

**Support/Oppose/Amend:** Oppose

### Submission

We would consider that this would not be a very viable option/addition due to the fact that the area designated for this treatment plant is low lying and prone to flooding. Where does it go when the water table rises? The fact that the area is surrounded by waterways that feed into the Pukehina estuary baffles me as to why this would even be considered. And the smell? A lot of our winds often come from that direction. We all know these schemes come at a huge cost not only initially in the initial infrastructure but with the ongoing maintenance as well. We do not wish to have to contribute in any way for a utility that we do not want, or need nor do we want to have to face the prospect of being made to hook into and use the scheme later down the track.

### Relief sought

I would like to see the council reject the Pencarrow Estate plan change for rezoning and development of land.

---

### Point 15.4

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

### Submission

Another concern of ours is the dust, noise and vibration from earthworks to be carried out. I do shift work and the likelihood of getting any decent quality sleep with machinery working close to the back of our house (where our bedroom is situated) will be nil. This would in turn affect my ability to do my job affectively. The dust that the earthworks will create is also an issue as once again a lot of our wind blows from that direction.

### Relief sought

I would like to see the council reject the Pencarrow Estate plan change for rezoning and development of land.

---

### Point 15.5

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.3 Pencarrow Estate Pongakawa Zoning

**Provision**

General

**Support/Oppose/Amend:** Oppose

**Submission**

There is no demand for houses out here as the ones that have been or are currently listed for sale are not selling quickly if at all so that in itself tells me that the demand for housing out here is not high. There was an suggestion that houses were needed for kiwifruit workers. As we know most of our kiwifruit workers are RSEs or others on their OE. As they are only seasonal workers they are not eligible to buy in NZ and their employer often supplies their accommodation or they stay in backpackers.

**Relief sought**

I would like to see the council reject the Pencarrow Estate plan change for rezoning and development of land.

---

**Point 15.6**

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.1 Pencarrow Estate Pongakawa Structure Plan

**Provision**

General

**Support/Oppose/Amend:** Oppose

**Submission**

We don't even have a fire hydrant on our road due to not enough water pressure I believe so how is adding 100+ more houses going to affect our water pressure?

**Relief sought**

I would like to see the council reject the Pencarrow Estate plan change for rezoning and development of land.



# Plan Change 95 - Pencarrow Estate Pongakawa

Submitter No 16

## Form 5 Submission on publicly notified proposal for policy statement or plan, change or variation

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To:** Western Bay of Plenty District Council/div>

**Date received:** 08/12/2023

**Submission Reference Number #16**

This is a submission on a change proposed to the following plan (the **proposal**): Plan Change 95 - Pencarrow Estate Pongakawa

**Address for service:**

19 Arawa Road Pongakawa 3186

New Zealand

Email: jordan.omalley@hotmail.com

**Address for service:**

19 Arawa Road Pongakawa 3186

New Zealand

Email: ian.omalley@hotmail.com

**Attachments:**

Dec 2022.jpg

June 2023.jpg

Appendix 2 Structure Plan Drawings.pdf

Dec 2022.jpg

June 2023.jpg

**I wish to be heard:** Yes

**I am willing to present a joint case:** Yes

Could you gain an advantage in trade competition in making this submission?

- **No**

Are you directly affected by an effect of the subject matter of the submission that

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- **N/A**

## Submission points

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### Point 16.1

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

#### Submission

This part of our submission relates to Pencarrow Estate's planning maps.

We oppose this part of the plan change because of the observed flooding that occurs in the paddocks behind 19 Arawa Road with heavy and prolonged rainfall (see attached photos as evidence of flooding in the areas that are proposed to have low-density and high-density housing). The photos are taken from the back boundary of 19 Arawa Road looking out over the paddocks which are proposed to be included in the "Pencarrow Estate" plan change. These photos depict two examples of this flooding. We have lived in this area for nearly 8 years and this flooding occurs usually between 1 and 4 times a year when there is heavy and prolonged rainfall in this area. The dates that these photos were taken are as follows:

June 2023 (in this photo you will see the flooding in the paddock bordering 19 Arawa Road and also the flooding in the paddock in the distance where the higher density housing is proposed).

December 2022 (in this photo you will see flooding in the paddock bordering 19 Arawa Road).

We have read the notification documents which detail the possibility of infilling these flood zones to build on and also to have grassed channels. Lysaght recommended in their report that "infilling on site may need to be undertaken to raise road and building pad levels above adjacent flood levels to ensure sufficient freeboard is achieved." These approaches could help minimise the flooding on the Pencarrow Estate properties, but we are concerned that infilling the Pencarrow Estate properties will increase the flooding risk to the upstream properties (19 Arawa Road and 23 Arawa Road) and that the grassed channels will not be able to channel enough excess water to keep the upstream properties from flooding.

#### Relief sought

The decision we seek from the Western Bay of Plenty District Council is to oppose the planning map changes.

---

### Point 16.2

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

#### Submission

This part of our submission relates to Pencarrow Estate planning maps.

We oppose this part of the plan change because of the risk of adding more private motor vehicles to the number of vehicles using intersection of SH2 and Arawa Road. We use this intersection multiple times a day, approaching it from the East and from

the West. It is such a dangerous intersection and we have had many near-miss accidents even though we are using this intersection as safely as we can.

There is a median strip to use when turning right into Arawa Road; however, one end of the median strip is used for vehicles turning into Arawa Road and the other end is used for vehicles turning into Pongakawa School Road. Vehicles should be pulling into these median strips in close proximity to the road that they wish to turn into, but this is not what happens in reality. We have witnessed many drivers using the median strip from the start to the end, whereby vehicle A is driving into the median strip from the East and vehicle B, driving from the West, pulls into the median strip in front of Vehicle A before pulling out again to avoid a collision (while head-on accidents have been so far avoided in this particular location, it seems that it is only a matter of time before it happens). One of the reasons that this seems to occur is that a vehicle will slow down to turn left into Arawa Road (driving from the West), a vehicle behind them will pull around them and into the median strip without being able to see clearly if there is a vehicle already driving towards them in the median strip or if there is a vehicle stopped waiting in the median strip to turn right into Arawa Road.

This risk could be minimised by creating a turning bay that vehicles can actually fit in rather than have half of the width of their vehicle still in the 100m road while turning into Arawa Road when travelling from the West. The length of this turning bay would need to be longer than it currently is because people need more time to slow down and turn safely, without running the risk of a vehicle crashing into the rear of their vehicle. Even with ample indicating to turn and slowing while still on the bridge, cars behind still decide that they need to go around the turning vehicles, therefore putting them on the wrong side of the road and into the median strip.

More private vehicles will use this intersection if this subdivision and development goes ahead. That is a very scary thought for us and the risks involved seem to be very understated in the assessment conducted by Harrison Transportation.

### **Relief sought**

The decision we seek from the Western Bay of Plenty District Council is to oppose the planning map changes of Pencarrow Estate. If it is not opposed then we would want to see that adequate roading changes are put in place to minimise the risk of collisions at the intersection of Arawa Road and SH2. A reduction in the speed limit would help and also creating a turning bay that is longer than the length of road between Arawa Road and the current bridge.







# Plan Change 95 - Pencarrow Estate Pongakawa

Submitter No 17

## Form 5 Submission on publicly notified proposal for policy statement or plan, change or variation

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To:** Western Bay of Plenty District Council/div>

**Date received:** 07/12/2023

**Submission Reference Number #17**

This is a submission on a change proposed to the following plan (the **proposal**): Plan Change 95 - Pencarrow Estate Pongakawa

**Address for service:**

56 Arawa Road Pongakawa 3186

New Zealand

Email: victorialp1991@gmail.com

**I wish to be heard:** Yes

**I am willing to present a joint case:** Yes

Could you gain an advantage in trade competition in making this submission?

- No

Are you directly affected by an effect of the subject matter of the submission that

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- Yes

## Submission points

### Point 17.1

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

### Submission

My wife and I are against this subdivision going through for several reasons:

1. The intersection into Arawa from the highway is not fit to handle a higher volume of traffic. It is already a dangerous intersection to get in and out of and would almost definitely result in an increased amount of crashes.

2. We have concern this will increase further congestion in the area due to insufficient public transport options available. This will result in the need for a high percentage of residents to be reliant on their own personal transport.

### **Relief sought**

We urge council to listen to the existing residents in the area and stop any further progress in favour of the developer.

---

### **Point 17.2**

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.1 Pencarrow Estate Pongakawa Structure Plan

**Provision**

General

**Support/Oppose/Amend:** Oppose

### **Submission**

The wastewater treatment plan is largely concerning and what that will mean in times of flooding.

### **Relief sought**

We strongly urge council to consider how the existing residents feel towards this development and oppose any further progress in favour of the developer.

---

### **Point 17.3**

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

### **Submission**

Will the cost of this development increase rates?

---

### **Point 17.4**

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.1 Pencarrow Estate Pongakawa Structure Plan

**Provision**

General



**Support/Oppose/Amend:** Oppose

**Submission**

Are local schools, medical centres and emergency services resourced to handle the additional population?

**Relief sought**

We strongly urge council to consider how the existing residents feel towards this development and oppose any further progress in favour of the developer.

---

**Point 17.5**

**Section:** Other - Not Specified

**Sub-section:** General

**Provision**

General

**Support/Oppose/Amend:** Oppose

**Submission**

Construction damage to properties through ground vibrations, wear and tear on an already under maintained road and a drawn out disturbance to the peaceful rural neighbourhood.

**Relief sought**

We strongly urge council to consider how the existing residents feel towards this development and oppose any further progress in favour of the developer.

---

**Point 17.6**

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.3 Pencarrow Estate Pongakawa Zoning

**Provision**

General

**Support/Oppose/Amend:** Oppose

**Submission**

Having a commercial block will also encourage more traffic from non-residents resulting in further congestion and risks to the already dangerous intersection.

**Relief sought**

We strongly urge council to consider how the existing residents feel towards this development and oppose any further progress in favour of the developer.

---

**Point 17.7**

**Section:** Section 13: Pencarrow Estate Pongakawa

**Sub-section:** 13.3 Pencarrow Estate Pongakawa Zoning

**Provision**

General

**Support/Oppose/Amend:** Oppose

**Submission**

We personally bought in this area as we wanted a rural setting for our family. After discussing with other residents on this street we believe this to be the case for most home owners here. A high density subdivision does not fit the characteristics of this area and is an unnecessary development with negative impacts on the local community.

**Relief sought**

We strongly urge council to consider how the existing residents feel towards this development and oppose any further progress in favour of the developer.

# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

18

Use this form to submit your comments on District Plan Change 95

Council received and accepted a Private Plan Change application for rezoning of rural zone land and new structure plan to allow development on an approximately 12ha site at Arawa Road, Pongakawa.

The purpose of the Pencarrow Estate Pongakawa Structure Plan (I491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

For more information on Plan Change 95, please visit [westernbay.govt.nz/plan-changes](http://westernbay.govt.nz/plan-changes).

### Submission Form

You can hand in your submission to any of Council's Libraries or Service Centres, email it to [districtplan@westernbay.govt.nz](mailto:districtplan@westernbay.govt.nz), or mail it to:

Environmental Planning Team

Western Bay of Plenty District Council

Private Bag 12803

Tauranga Mail Centre 3143

Submissions close 4.00pm on Friday 8 December 2023

Name: Jurgen Delaere

Address: 33 ARAWA ROAD, PONGAKAWA RDG TEPUKI

Phone 027 2797484

Email: Jurgend@Uq1.co.nz

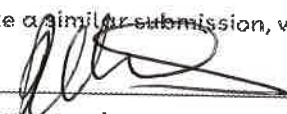
I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed:

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

Date: 5/12/2023

Please use the reverse of this form for your submission



**1. Submission**

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

I Oppose the planed Pencarrow estate plan for the following reasons.

- 18.1 I bought a lifestyle block in the country to be in the country not look out over 135 packed in houses reported to be built. This rezoning was not in any regional or council long term plan. My original LIM report indicated that a possible 6 house could possibly be built on this land but final subdivision for this was never completed.
- 18.2 Safety concerns. Accesses to Arawa Road from North and South off SH2 is extremely dangerous, my family and I have had several close encounter over the the years and more so recently with the remapping of the paintwork on the road by the transport agency. Access onto SH2 from Arawa Road can take up to 5 minutes waiting for traffic to pass and get safe access. Arawa Road does not have the capabilities to endure another 100 plus vehicles daily and there is no public transport in this area.
- 18.3 Water supply to the current houses on Arawa Road was paid for by the residence who all paid 12K over 10 years for this privilege. The pipe capacity was only big enough to deliver water to Arawa Road and some how the recent Penelopy Place development was given access to this at no cost by council. This was also contested by the Pencarrow applicant at the time to council. The water supply will not have the capacity to deliver water to another residential development with out a major infrastructure upgrade.
- 18.4 Consultation process was only with direct boundary properties not the region and more an informal discussion to try include our 8 rural properties as part of this purposed rezoning. Not a discusslon of how the neighbouring property owners felt about this application. Discussion have not been minuted and original decision discussed were retracted at a 2<sup>nd</sup> meeting where the applicants land development consultant attended and could not answer any questions satisfactory addressed to him. He also did not get back to me as he indicated.

**2. Decision sought**

Give precise details of how you want the proposal changed.

The proposal should declined by council on the bases the infrastructure in the area to develop this land does not exist and is not in the long term regional growth plan. Other local residents in the area that use Arawa road where not consulted.

- 18.5 Further more if this rezoning does get approved I do not want to be forced to be rezoned residential or pay rate
- 18.2 Increases for any future infrastructure required to develop this land. The Arawa Road to SH2 Intersection will need major development to ensure it is safe to exit and enter and the speed limit on SH2 dropped in the area. Property sections should not be under 800 square meters and a 30 meter building enforcement from the rural property
- 18.1 boundaries. No triple storey buildings or any high density apartment complexes.

# Submission Form



## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

19

### Use this form to submit your comments on District Plan Change 95

Council received and accepted a Private Plan Change application for rezoning of rural zone land and new structure plan to allow development on an approximately 12ha site at Arawa Road, Pongakawa.

The purpose of the Pencarrow Estate Pongakawa Structure Plan (1491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

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Environmental Planning Team

Western Bay of Plenty District Council

Private Bag 12803

Tauranga Mail Centre 3143

### Submissions close 4.00pm on Friday 8 December 2023

Name: ALAN & PATRICIA BURLEY

Address: 1 PRINCE AVE Mount Maunganui

Phone 0274 928 528

Email: alanburley@gmail.com

I/We would like to speak in support of my/our submission at the Council hearing (please tick)

Yes



No



Signed:

Alan Burley

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

Date:

7/12/23

Please use the reverse of this form for your submission

1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

We oppose:

19.1

1. No consultation prior to this application

19.2

2 We have a horticulture property nearby with requirements to notify house owners of any spray. We need to know how many more houses we have to notify

19.3

3 We are concerned about the vehicle pressure on the main highway 2 having only 1 access and exit.

19.4

4 What infrastructure or services will be planned for

19.4

5. How can we be guaranteed that no sewer <sup>contamination</sup> of our water supply will occur as a result of this subdivision

19.5

6 No number of houses to be built are in the plan. It looks like as many as there is now.

2. Decision sought

Give precise details of how you want the proposal changed.

We don't agree with the proposal

The removal of option 3



# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

20

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Western Bay of Plenty District Council

Private Bag 12803

Tauranga Mail Centre 3143

### Submissions close 4.00pm on Friday 8 December 2023

Name: HAMISH G. M. HENDERSON

Address: 2155 S. HY 2  
R.D. 6 TE PUKE.

Phone: 0274500448.

Email: hamlyn3279@gmail.com.

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed:  Date: 4.12.2023.

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

### Please use the reverse of this form for your submission

## **SUBMISSION**

**H G Henderson**

### **Waste and Storm Water Treatment and Detrimental Effect on Ecology**

20.1 The Waihi estuary the destination of all discharges from this development is highly polluted. The tract of land across which these discharges flow to the estuary was called Kawa Swamp. It is now highly modified with little ecological value.

20.2 The discharges from Pencarrow Estate are from 2 sources : waste water from the household effluent system and run off from rooves and impervious surfaces. Both receive a level of treatment, but still carry pollutants.

Excess rainfall events overwhelm these treatment systems elevating pollutants in the discharge water.

20.1 The ecological report recognises that little of the original flora remains. The conclusion states the mitigating measures required in the report being wastewater and run-off treatment and cessation of dairying minimise the adverse ecological effects.

Surely we need to make significant improvements. This is an opportunity, but there is nothing in the report advocating this.

Simply minimizing the adverse effects is a totally inadequate aim.

### **Loss of Rural Land with a Land Use Classification of 2 and Increase of Traffic on State Highway 2**

20.3 A town plan is a document with the aim of shielding rural land and especially land with a high use classification from urban expansion, maintaining an area's rural character.

This proposal erodes this district and the country of 12 hectares of not just rural land but of land with a Use Classification of 2, which is very fertile and productive land.

20.4 Low traffic volumes is part of the appeal of rural land. State Highway 2 is the access road. Already a busy road with a high proportion of log trucks. This development will add more cars to this already busy road.

Primary School: access is along Pongakawa School road.. Travelling this involves crossing the busy State Highway 2 and the parallel railway. This is a significant risk even for a dedicated bus service. Hazards associated with the railway alone are of concern.

The loss of valuable rural land and with the building of 130 new houses increasing the traffic volume on what is already a very busy highway, is justification enough to not approve this proposal.

### **DECISION SOUGHT**

I believe the proposal should be declined. Adding to the pollution in the Waihi Estuary, loss of fertile and adaptable rural land and the traffic implications are adequate reasons to decline the proposal.

20.1 The Ecological report acknowledges that the area of this proposed development, fringing the old Kawa Swamp is now highly modified with little ecological value and polluted waterways.

The nationwide movement to correct this situation by removing stock from the land and planting appropriate vegetation, if adopted here on an adequate scale could encourage me to reverse this opposition.

This would require planting an area at least as large as that in this proposal. I am unimpressed with the extent and form of the "mitigating effects" listed in the ecological report which are minor.



# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

21

### Use this form to submit your comments on District Plan Change 95

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The purpose of the Pencarrow Estate Pongakawa Structure Plan (1491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

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

### Submissions close 4.00pm on Friday 8 December 2023

Name: PAENGAROA COMMUNITY ASSOCIATION (CHRIS FURSLY - CHAIRMAN)

Address: C/- POST OFFICE PAENGAROA 3189

Phone: 0274 844025

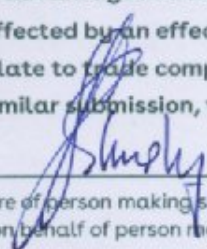
Email: chrisfursly@gmail.com

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed:  Date: 8/12/2023

Signature of person making submission or person authorised to sign on behalf of person making submission

Please use the reverse of this form for your submission



1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

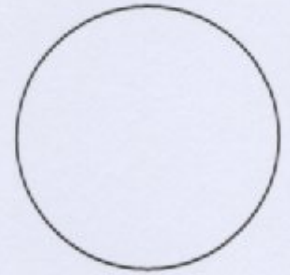
THE ASSOCIATION WISHES TO SUPPORT THE PROPOSED DISTRICT PLAN  
CHANGE 95 - PENCARROW ESTATE POUKAKAWA.  
(SEE ATTACHED SUBMISSION)

2. Decision sought

Give precise details of how you want the proposal changed.

ALLOW PENCARROW ESTATE TO BUILD HOMES, GROW  
AND DEVELOP MORE RESIDENTIAL AND COMMERCIAL LAND

## Paengaroa Community Association Incorporated



C/- New Zealand Post  
PAENGAROA 3189.

6 December 2023

Consents Chair  
Western Bay of Plenty District Council  
Private Bag 12803  
Tauranga Mail Centre  
TAURANGA. 3143.

Email: districtplan@westernbay.govt.nz

Dear Sir/Madam,

**The Paengaroa Community Association supports the District Plan Change 95 - Pencarrow Estate, Pongakawa**

- 21.1 The Paengaroa Community Association have read the document for the proposed Pencarrow Estate development and we fully endorse the proposed District Plan Change 95. We strongly believe for our local rural communities to remain vibrant we need to future proof more housing stock.
- 21.1 The John Dohnt development in Paengaroa has had a huge positive impact within our community. The voluntary and business sectors in our Paengaroa community were strengthened along with an increased attendance at the local schools and we believe the Pencarrow Estate development should be given the same opportunity to make a positive contribution to the Pongakawa community.
- 21.2 Pencarrow Estate proposes to build homes that are affordable, safe, warm, and dry and our communities needs this through this structure plan change and this community also needs more
- 21.3 commercial land for professional services and retail for the existing Pongakawa, Pukehina and Otamarakau residents similar to the Paengaroa community.



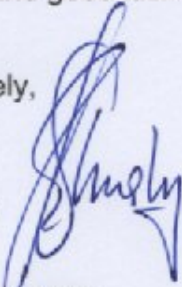


- 21.2 Paengaroa Community Association supports this Pencarrow Estate development to provide our rural communities with housing to meet the needs of the huge amount of proposed development within the kiwi fruit industry and the with development of Rangiuru industrial park and existing agricultural and horticultural development. We need housing to support these crucial developments to our region.
- 21.2 The proposed development at Pencarrow Estate is immediately adjacent to the existing settlement in Arawa Road, Penelope Place and houses on State Highway 2 in Pongakawa. This development mirrors the existing settlement of around 100 homes and this helps mitigate the transfer of rural productive land to provide valuable housing stock to this community.

In conclusion we wish to reiterate we strongly support District Plan Change 95 - Pencarrow Estate, Pongakawa and good luck with your deliberations.

Yours sincerely,

Chris Elmsly,  
(Chair).



Mobile: 0274844025

Email: [chriselemsly@gmail.com](mailto:chriselemsly@gmail.com)



  
Paengaroa  
a hive of activity  Fife region





# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

22

### Use this form to submit your comments on District Plan Change 95

Council received and accepted a Private Plan Change application for rezoning of rural zone land and new structure plan to allow development on an approximately 12ha site at Arawa Road, Pongakawa.

The purpose of the Pencarrow Estate Pongakawa Structure Plan (1491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

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

### Submissions close 4.00pm on Friday 8 December 2023

Name: Peter Cooney

Address: 11 Manganui Road

Phone 021977934

Email: [peter.cooney@classic-group.co.nz](mailto:peter.cooney@classic-group.co.nz)

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed:



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

Date: 8/12/23

### Please use the reverse of this form for your submission

**1. Submission**

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

22.1 There is a significant housing shortage in the Bay of Plenty and, in particular, the western BOP subregion.

This is reflected in the latest HBA report for the subregion. This housing shortage results in increased urban land costs which in turn contributes to higher housing costs and reduces affordability.

22.2 The implementation of greenfield residential areas is also significantly constrained due to transport corridor constraints and the provision of infrastructure. Plan Change 95 will help provide additional housing capacity in the eastern area of Western Bay of Plenty that has seen very little greenfield residential development over last three decades (Papamoa excluded). Pongakawa is located close to areas of significant horticultural

development (kiwifruit) which generates significant employment. We understand the Rangiuru Business Park will also create jobs for approximately 4000 people once fully developed. RBP Stage 1 is near completion and the flyover enabling earthworks is already underway with the assistance of a significant government grant.

22.3 We have met with the Plan Change applicants and believe that their vision to enhance Pongakawa is one that will have positive social and economic effects for the community and surrounding rural area, while enhancing the supply of housing. The applicants long term association with the land, since the early 1970's I believe, has meant that they have tried to create a Plan Change that will provide housing capacity while resulting in long lasting positive effects for the community.

Classics support the plan change and the efforts the applicants have made in develop a robust structure plan that will create varied housing price points while respectful the existing Pongakawa urban area and surrounding environment.

**2. Decision sought**

Give precise details of how you want the proposal changed.

We support the plan change as notified.



# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

23

### Use this form to submit your comments on District Plan Change 95

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

### Submissions close 4.00pm on Friday 8 December 2023

Name: Karen Summerhays & Nicola Cooke  
Address: 4- 3/9 Orava St Te Tuke  
Phone: 021 0437858  
Email: Karen@peopleandplace.co.nz

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed: [Signature] Date: 8. Dec. 2023.  
Signature of person making submission or person authorised to sign on behalf of person making submission)

Please use the reverse of this form for your submission



## Submission to District Plan, Pongakawa Change 95 – Pencarrow Estate

Name: Karen Summerhays and Nicola Cooke

Address: 3/9 Oroua Street, Te Puke

Phone: +64210437858

Email: [karen@peopleandplace.co.nz](mailto:karen@peopleandplace.co.nz)

I am a former Regional Councillor and worked for Smartgrowth as the Wellbeings Implementation Advisor for a number of years. Presently I am a Te Puke Community Board Member and a Community Development Specialist with a particular interest in Placemaking and Place Shaping. Nicola is an experienced real estate professional who has substantial knowledge of peri-urban and rural real estate. Together, we feel we have more than the average knowledge of the impacts of development scenarios.

Our Submission:

The submission points below are general in nature (as we are not planning professionals) to raise our concerns regarding the proposed change.

### 23.1 Overall, we support the objections raised by both the Bay of Plenty Regional Council and Waka Kotahi, in particular their concerns about:

- Stormwater management and onsite effluent treatment on low lying land and the pressures on the receiving environment.
- The high flood risk in a global warming environment / extreme weather events situation which are likely to result in future retreat or protection demands in the future.
- Access to the SH2 on a corner in a 100km speed zone. The road is already struggling with traffic and safety issues especially in the kiwifruit season.
- Protection of our productive land.

### 23.2 Other considerations:

- This proposal is yet another pressure on resources to move the focus for social infrastructure development away from Te Puke and Paengaroa, where it has been acknowledged by Council that there is substantial investment required.
- The Spatial Plan of Te Puke is yet to be developed and the impacts of growth on our water supplies and transportation links and community services is yet to be determined. The requirements of the Rangiuru Business Park will have a major impact on our natural resources and impacts on the receiving environments.

- 23.2 • Unfortunately, this proposal, if approved, will set a precedence for other parcels of productive land to also develop small housing areas. We do not want to return to the days of Councils having to respond to random plan change requests and so diverting their work away from areas with more substantial outcomes.
- 23.3 • We acknowledge access to the TEL may cater for transportation concerns to Tauranga but in all likelihood the people living there will come to Te Puke for their local shopping. The traffic entering Te Puke from the east is already identified as a large issue so we don't want to add to that until viable solutions can be found.
- 23.4 • If development is to occur in that general area, we believe Paengaroa is better placed to accommodate growth as identified in the UFTI plans. That said, the UFTI Hamlets concept is just a distraction from good urban form and the proposed yield from them is not worth the investment.
- 23.5 • The residents of the development will utilise the social infrastructure of the surrounding towns so will they be required to contribute to the targeted rates that maintains them? E.g. sports fields/ halls/ libraries.
- The economies of scale to provide social infrastructure, and maintain it, is not sustainable for a settlement of this size. The residents of the Te Puke / Maketu Ward should not have to bear the brunt of the future costs of this private development.
- 23.3 • There will be pressure to provide public transport to this small rural community when we are already struggling to maintain a low level of service in the Te Puke and surrounds and there will be serious safety issues of buses (school and public) accessing the highway and safe stops.
- 23.2 • There will be added pressure and costs on our already stretched emergency and other social services (health, home care etc) to deliver to this rural area.
- The ongoing affordability of the proposed housing is a myth and any of these proposals to provide affordable housing only ever exists for the first purchaser and then subsequently the market corrects the price for any future sales.
  - The affordability of the future residents to live there also needs to be considered such as: high insurance costs due to flooding risk (if they can get insurance in the future at all), the likelihood of very high rates contribution to the ongoing infrastructure costs (effluent and stormwater).
  - The housing typologies likely to be built in this subdivision will not necessarily deliver the housing we need e.g. 1 & 2 bedroom and multigenerational houses with Universal Design and accommodation for workers to support our kiwifruit industry.

**Outcome sought:** That the proposed Plan Change 95 – Pencarrow Estate - Pongakawa be declined.

Thank you for receiving our submission

Ngā mihi

Karen and Nicola

# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

24

### Use this form to submit your comments on District Plan Change 95

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

### Submissions close 4.00pm on Friday 8 December 2023

Name: David Hamilton

Address: 112 Youngson Road RD8 Tauranga 3180

021 982 311

Phone

Email: [dave@dpcl.co.nz](mailto:dave@dpcl.co.nz)

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

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

### Please use the reverse of this form for your submission



**1. Submission**

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

We support the plan change to create more houses in Pongakawa.

24.1

These houses will go a small way towards helping shortage of housing supply in the area and help the local horticultural and agricultural businesses in the area with their staff shortages

As a local property developer of 6 houses in Pongakawa we see this proposed plan change as highly beneficial to Pongakawa and the economic growth in this region

24.1

**2. Decision sought**

Give precise details of how you want the proposal changed.

# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

25

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

### Submissions close 4.00pm on Friday 8 December 2023

Name: Kirsten Jefferson

Address: 32 Arawa Rd, Pongakawa

Phone \_\_\_\_\_

Email: kirsten.jefferson@hotmail.com

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed: 

Date: 8/12/23

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

### Please use the reverse of this form for your submission

**1. Submission**

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

I would like to see amendments to the plan taking in the following concerns

- 25.2 1.Road Access into and out of Arawa Road - I feel it is unsafe currently let alone having an extra 135 households using it as an entrance/exit road.
- 25.1 2. Security of the area with a lot of low density housing. And lack of police services to support it.
- 25.1 3. The amount of proposed housing. The current services/facilities can not support the volume of proposed homes/people
- 25.3 4. The current water supply is to small to handle another residential development. Penelope Development struggle.

**2. Decision sought**

Give precise details of how you want the proposal changed.

Alternative access to sub division, not Arawa Rd

Less houses, larger sections

Improved infrastructure - Road, Water, Amenities first to support a development.

- 25.4 NOTE: I support development and growth, but I feel that a development of this size is unsustainable with the current infrastructure, amenities and facilities currently available.





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**SUBMISSION FROM WAKA KOTAHI TO PROPOSED PRIVATE PLAN CHANGE 95 – PENCARROW ESTATE PONGAKAWA UNDER SCHEDULE 1 RESOURCE MANAGEMENT ACT 1991**

8 December 2023

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

Email: [districtplan@westernbay.govt.nz](mailto:districtplan@westernbay.govt.nz)

**Name of submitter: The New Zealand Transport Agency (Waka Kotahi)**

This is a submission on Proposed Private Plan Change 95 – Pencarrow Estate (**PC 95 or the PC**), which seeks to rezone approximately 12ha of land currently zoned *Rural*, to primarily *Residential* with provision for *Commercial* zoning and associated reserves, located at 1491 State Highway 2 (SH 2) and 53 Arawa Road, Pongakawa.

The Transport Agency wishes to be heard in support of this submission.

If others make a similar submission, the Transport Agency may consider submitting a joint case.

The Transport Agency could not gain a trade advantage through this submission.

**NZ Transport Agency role and responsibilities**

Waka Kotahi is a Crown Entity established by Section 93 of the Land Transport Management Act 2003 (**LTMA**). The objective of Waka Kotahi is to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest. Waka Kotahi roles and responsibilities include:

- Managing the state highway system, including planning, funding, designing, supervising, constructing, maintaining and operating the system.
- Managing funding of the land transport system, including auditing the performance of organisations receiving land transport funding.
- Managing regulatory requirements for transport on land and incidents involving transport on land.
- Issuing guidelines for and monitoring the development of regional land transport plans.

26.3

26.1

Waka Kotahi has a role in the delivery of the Emission Reduction Plan / Te hau mārohi ki anamata (ERP) and the National Adaptation Plan (Urutau, ka taurikura: Kia tū pakari a Aotearoa i ngā huringa āhuarangi). Within these plans are several key policies and targets for adapting to and mitigating the effects of Climate Change. The integration of land use and transport will be key in reducing emissions and ensuring the transport system is resilient.

26.3

Waka Kotahi interest in this proposal stems from its role as:

- A transport investor to maximise effective, efficient and strategic returns for New Zealand;

- A planner of the land transport network to integrate one effective and resilient network for customers;
- Provider of access to and use of the land transport system to shape smart efficient, safe and responsible transport choices; and
- The manager of the State Highway system and its responsibility to deliver efficient, safe and responsible highway solutions for customers.

## 26.2 Government Policy Statement on Land Transport

Waka Kotahi also has a role in giving effect to the Government Policy Statement on Land Transport (GPS). The GPS is required under the LTMA and outlines the Government's strategy to guide land transport investment over the next 10 years. The four strategic priorities of the GPS 2021 are safety, better travel options, climate change and improving freight connections. A key theme of the GPS is integrating land use, transport planning and delivery. Land use planning has a significant impact on transport policy, infrastructure and services provision, and vice versa. Once development has happened, it has a long-term impact on transport. Changes in land use can affect the demand for travel, creating both pressures and opportunities for investment in transport infrastructure and services, or for demand management.

To deliver on Government Outcomes (including NPS-UD, GPS), Waka Kotahi has developed and is developing a number of strategies and plans relevant to achieving integrated planning outcomes, including Arataki – our 30-year Plan, Toitū Te Taiao – Our Sustainability Action Plan, and our Urban development Position Statement.

### NZ Transport Agency view on the Proposal

## 26.4 National Policy Statement on Urban Development & Local Growth Initiatives

Waka Kotahi supports the intent of the National Policy Statement on Urban Development (NPS-UD). This Policy Statement recognises the national significance of having well-functioning urban environments that enable people and communities to provide for their social, economic and cultural well-being, and for their health and safety. The NPS-UD has a strong focus on ensuring that increased densities are provided in the most accessible parts of urban areas, where communities are able to access 'opportunities' such as services, education, employment and recreation by way of active and public transport choices.

While we acknowledge that the proposal is consistent with elements of the NPS-UD, Waka Kotahi considers that the proposal is inconsistent in some key respects, as set out below:

- Policy 1(c) of the NPS-UD states that urban environments should as a minimum "*have good accessibility from people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport*". Waka Kotahi considers that:
  - The settlement would be heavily reliant on private motor vehicles, with limited public transport and active transport options available.
  - The settlement would not have a population base sufficiently high to support the range of local services and amenities required to avoid substantial private vehicle travel beyond the immediate locality.
  - While PC 95 includes some commercial zoning to provide services, which could reduce the need for existing and new residents to travel further afield, residents will still need to travel to reach a wider range of services and employment that would not be provided by the development or in the neighbouring local community. This is an existing occurrence, which would be exacerbated by further development.
- Objective 1 of the NPS-UD seeks that "*New Zealand has well-functioning environments that enable all people and communities to provide for their social, economic, and cultural wellbeing...*".
  - Connectivity via public transport and/or active transport is a key component of a well-functioning environment. The plan change indicates that the dwellings enabled would provide accommodation for local horticultural workers, but also indicates that residents may work in the Rangiu business park, approximately 9km west which would likely be dependent on private vehicles. The scale of development is unlikely to generate public transport opportunities, and the distances and nature of the route to services and employment are unlikely to encourage walking and cycling.
- Section 3.8 of the NPS-UD makes provision for out of sequence plan changes provided that they facilitate significant development capacity, contribute to a well-functioning urban environment, and enable development that is well-connected along transport corridors.

- Development in this location is considered to be out of sequence as it is not identified as a growth location in any relevant planning documents, or the Urban Form and Transport Initiative (UFTI). For the reasons outlined above, it is not clear that the plan change will facilitate a well-functioning urban environment in all respects. While future development in the plan change area will have good vehicular access to the State Highway 2 (SH2) transport corridors, transport choice options will be very limited.

**26.5** As mentioned above, the plan change is consistent with some key principles of the NPS-UD, namely those seeking to achieve sufficient development capacity to meet expected demand for housing. There is a critical need for housing in the Western Bay of Plenty as identified in the most recent Housing and Business Development Capacity Assessment. While Waka Kotahi appreciates this constraint, other opportunities could exist to meet housing needs and achieve better integration between land use and transport choice where there is better potential for public transport, access to wider services and walking and cycling outcomes. Meeting housing needs through improvised plan changes and developments could undermine opportunities for development at scale with the critical mass to support the connected centres approach set out in UFTI and well-functioning urban environments.

## **26.6** Traffic Safety and Operation

Waka Kotahi acknowledges the applicant's efforts in engaging with us prior to public notification of PC 95. In undertaking preliminary conversations with the applicant, Waka Kotahi has provided initial comments to the proposed intersection treatment upgrade of the Arawa Road/SH 2 Intersection.

In terms of next steps, Waka Kotahi requests that the applicant engage further with us on the proposed design solution. At a high-level, we consider the proposed upgrades to be appropriate to achieve a safe and efficient outcome, subject to some amendments. To this end, Waka Kotahi also requests:

- A completed Safe System Audit for review and approval; and
- A 10-year intersection capacity assessment

**26.7** Waka Kotahi notes that the applicant proposes to undertake upgrades to SH2 as a prerequisite to Stage 1. The upgrades would be required prior to the issuance of a certificate pursuant to Section 224(c) of the Resource Management Act 1991 or, prior to any land use or building consent activity being established on the site. For the avoidance of doubt, Waka Kotahi seeks that the improvements be made a prerequisite to any stage of the proposal (whichever stage occurs first), whether it be Stage 1, 2, 3 etc.

## **26.3** Relief Sought

On balance, Waka Kotahi is **neutral** with regard to Proposed Plan Change 95.

Safe and efficient vehicular access to SH2 can be achieved with network upgrades broadly in line with those proposed. However, further information and some amendments are sought in this regard. From a strategic policy perspective, the proposal is considered to be inconsistent with some key provisions of the NPS-UD due to car-centric transport outcomes, with limited provision for public transport and transport choice. Waka Kotahi seeks all consequential changes necessary to give effect to its relief sought. To discuss this submission, please contact Ashleigh Peti at [ashleigh.peti@nzta.govt.nz](mailto:ashleigh.peti@nzta.govt.nz).

Signature of the person authorised to sign on behalf of the submitter:



Ashleigh Peti  
Planner – Poutiaki Taiao / Environmental Planning

Address for service:

NZ Transport Agency, Waka Kotahi

Contact Person: Ashleigh Peti

Email: [ashleigh.peti@nzta.govt.nz](mailto:ashleigh.peti@nzta.govt.nz)



# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

27

### Use this form to submit your comments on District Plan Change 95

Council received and accepted a Private Plan Change application for rezoning of rural zone land and new structure plan to allow development on an approximately 12ha site at Arawa Road, Pongakawa.

The purpose of the Pencarrow Estate Pongakawa Structure Plan (1491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

For more information on Plan Change 95, please visit [westernbay.govt.nz/plan-changes](https://westernbay.govt.nz/plan-changes).

### Submission Form

You can hand in your submission to any of Council's Libraries or Service Centres, email it to [districtplan@westernbay.govt.nz](mailto:districtplan@westernbay.govt.nz), or mail it to:

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

### Submissions close 4.00pm on Friday 8 December 2023

**Name:** Bay of Plenty Regional Council

**Address:** PO Box 364, Whakatane 3158

**Phone:** 0800 884 880

**Email:** [Sharlene.Pardy@boprc.govt.nz](mailto:Sharlene.Pardy@boprc.govt.nz) and [lucy.holden@boprc.govt.nz](mailto:lucy.holden@boprc.govt.nz)

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

**Signed:** \_\_\_\_\_

**Date:** 8 December 2023

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

Please use the reverse of this form for your submission

**Bay of Plenty Regional Council submission on Proposed Plan Change 95 (Pencarrow Estate) to the Western Bay of Plenty District Plan**

Bay of Plenty Regional Council's submission separates the issues identified with the proposed plan change into strategic and technical matters. The strategic issues with the proposed plan change are as follows:

27.1

Strategic matters: reference or subject	Position	Reason	Relief sought
PPC95 is not anticipated in SmartGrowth and UFTI	Oppose	<p>Bay of Plenty Regional Council (Regional Council) does not support Proposed Plan Change 95 (PPC95) because it is not assessed or anticipated in the SmartGrowth Strategy and represents ad hoc development and inefficient development and use of infrastructure. While development of this type appears attractive in the short term (providing housing), it leads to a sporadic, non-strategic growth pattern and decentralised infrastructure that is costly to maintain in the long term.</p> <p>Significant planning has been undertaken by the SmartGrowth partners to support the preferred urban form, through previous iterations of the SmartGrowth Strategy and the Urban Form and Transport Initiative 2020 (UFTI). UFTI was approved by all SmartGrowth partners, which include central and local government representatives and tāngata whenua, in July 2020.</p> <p>UFTI does not identify any short, medium, or long term greenfield residential development in the Pongakawa/PPC95 vicinity.</p>	Decline Proposed Plan Change 95
PPC95 is not anticipated in the updated SmartGrowth Strategy 2023-2053	Oppose	<p>Regional Council does not agree with the applicant's assertion that PPC95 is suitably consistent with the direction of UFTI and SmartGrowth (section 9.4 of the application<sup>1</sup>). The Strategy does not identify any short, medium, or long term greenfield residential development in the Pongakawa/PPC95 vicinity.</p> <p>The draft SmartGrowth Strategy 2023 includes the Future Development Strategy 2023-2053, which has statutory weight on planning decisions in the resource management system. Hearings on the draft SmartGrowth Strategy 2023 have concluded and a decision is expected in early 2024.</p> <p>SmartGrowth Strategy 2023 does not allocate residential or commercial growth to Pongakawa/the PPC95 area. It identifies the following growth areas consistent with the UFTI connected centres settlement pattern:</p>	Decline Proposed Plan Change 95

<sup>1</sup> Momentum Planning and Design, 9 November 2023. Application for plan change rural to residential, Arawa Road, Pongakawa

Strategic matters: reference or subject	Position	Reason	Relief sought
		<ul style="list-style-type: none"> <li>• existing growth areas, where land is already zoned</li> <li>• planned growth areas, where investigations have been completed, and</li> <li>• potential long-term growth areas.</li> </ul> <p>These allocations cover the period 2024-2054 and were informed by the latest housing and business capacity assessment and draft long-term plans of the local authorities in the region. The 2023 connected centres settlement pattern does not allocate residential or commercial growth to Pongakawa, the PPC95 area.</p>	
27.2 PPC95 is not enabled by the NPS-UD or RPS PC6	Oppose	<p>Regional Council does not agree with the applicant's assertion that PPC95 is clearly consistent with the relevant direction of the National Policy Statement for Urban Development (section 9.2.1 of the application<sup>2</sup>) and that PPC95 is provided for in Proposed Change 6 to the Regional Policy Statement (RPS PC6) (section 9.1 of the application).</p> <p>The objective of the NPS-UD and RPS PC6 (to give effect to the NPS-UD) is to soften the edges of existing urban environments, not to enable satellite expansion or an ad-hoc growth pattern such as proposed by PPC95.</p> <p>The applicant's planning framework assessment (section 9 of the application) misinterprets the purpose of RPS PC6 (to give effect to the NPS-UD). The assessment concludes that RPS PC6 will remove the urban limits and therefore enable PPC95. However, the NPS-UD and RPS PC6 enable out of sequence development <i>only in urban environments</i>. Pongakawa is not defined as an urban environment under the NPS-UD<sup>3</sup>. As such, the NPS-UD and RPS PC6 <i>do not enable PPC 95</i>.</p>	Decline Proposed Plan Change 95
27.3 PPC95 is contrary to key RPS objectives and policies	Oppose	<p>Regional Council considers PPC 95 to be contrary to RPS Objective 25 and Policies UG 5A, UG 6A, 7A, UG 10B and UG 14B which relate to sequencing growth within defined urban limits for the following reasons:</p> <ul style="list-style-type: none"> <li>• The PPC 95 area is not within or near an existing defined urban management or growth area in RPS Appendix E, nor any urban environment as defined by the NPS-UD: the adjacent existing residential area is a rural settlement, without reticulated wastewater or</li> </ul>	Decline Proposed Plan Change 95

<sup>2</sup> Momentum Planning and Design, 9 November 2023. Application for plan change rural to residential, Arawa Road, Pongakawa

<sup>3</sup> any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

- is, or is intended to be, predominantly urban in character; and
- is, or is intended to be, part of a housing and labour market of at least 10,000 people.



27.3

Strategic matters: reference or subject	Position	Reason	Relief sought
		<p>stormwater services. On this basis Regional Council disagrees with the applicant that <i>'development enabled in this location is not sporadic or isolated – rather, an existing urban area would be consolidated.'</i></p> <ul style="list-style-type: none"> <li>• The proposed development area is not identified as an area with demand for growth<sup>4</sup>. While the Housing and Business Capacity Assessment 2022 (HBA) reports (as quoted by the applicant) that there is an urgent need to investigate future growth areas in the Eastern Corridor, this refers to Te Puke and the future eastern town of Te Kainga, not the broader Eastern Corridor or Pongakawa specifically. It is also noted that more intensification capacity has been provided by the Medium Density Residential Standard plan changes than was anticipated by UFTI, and so less greenfield land is required than originally anticipated.</li> <li>• PPC95 does not integrate with local authority long term planning and funding mechanisms or respond to strategic growth plans.</li> <li>• The PPC95 area does not achieve strategic integration of infrastructure services because the area has no existing reticulated wastewater services. The engineering report acknowledges that a new reservoir and pump system will be required. Issue 2.8.1(2) of the RPS identifies that inefficient patterns of land use and ad hoc development are difficult and costly to service and maintain.</li> </ul>	
PPC95 is contrary to key RPS objectives and policies	Oppose	<p>Regional Council disagrees with the applicant (section 9.1 of the application) that PPC95 is consistent with RPS Objective 26, which aims to sustain the productive potential of the region's rural land resource and the growth and efficient operation of rural production activities.</p> <p>Issue 2.8.1(2) of the RPS identifies that unplanned growth and inefficient land use have the potential to adversely affect rural production activities and to reduce the ability of versatile land to be used for a range of productive purposes. Regional Council believes the application to be contrary to RPS Objective 26 and policies UG 18B, IR 1B and IR 5B for the following reasons:</p> <ul style="list-style-type: none"> <li>• PPC95 will result in versatile land being used for non-productive purposes outside existing and planned urban-zoned areas, and is not for regionally significant infrastructure which has a functional, technical, or locational need to be located there, and</li> <li>• PPC95 will result in a loss of rural productivity and versatile land, which is a finite resource, and will reduce the potential for food/other primary production.</li> </ul>	Decline Proposed Plan Change 95

<sup>4</sup> Phizacklea Consulting, July 2022. *Housing development capacity assessment for Tauranga and the Western Bay of Plenty 2022*

	Strategic matters: reference or subject	Position	Reason	Relief sought
27.3	PPC95 is contrary to key RPS objectives and policies	Oppose	<p>Regional Council disagrees with the applicant (section 9.1 of the application) that PPC95 is consistent with RPS Objectives 10, 11 and 29 and their relevant policies (which aim to appropriately manage cumulative effects of new activities and integrate resource management). The applicant's assessment concludes that PPC95 is consistent with these provisions because cumulative effects are not considered to result in any unacceptable impacts on the receiving environment.</p> <p>Regional Council considers PPC95 to be <i>contrary</i> to RPS Objectives 10, 11 and 29 and their policies for the following reasons:</p> <ul style="list-style-type: none"> <li>• PPC95 will result in irreversible adverse effects of versatile land being used for non-productive purposes outside existing and planned urban-zoned areas, and</li> <li>• PPC95 will result in cumulative effects from inefficient use of space associated with sporadic new subdivision.</li> <li>• PPC95 does not integrate with local authority long term planning and funding mechanisms or respond to strategic growth plans.</li> <li>• PPC95 does not sustainably manage growth because it is not coordinated, sequenced, or serviced in an efficient and integrated manner.</li> </ul>	Decline Proposed Plan Change 95
27.3	PPC95 is contrary to key RPS objectives and policies	Oppose	<p>Regional Council disagrees with the applicant (section 9.1 of the application) that PPC95 is consistent with RPS Objectives 23 and 24 and their relevant policies, which direct a sustainable urban form that efficiently accommodates the region's urban growth, and an efficient, sustainable, safe, and affordable transport network, integrated with the region's land use patterns. While the development meets the 5 hectare large scale threshold, it does not support multi modal transport options (RPS Policy UG 13B).</p>	Decline Proposed Plan Change 95
27.4	PPC95 is contrary to the NPS-HPL	Oppose	<p>Regional Council considers PPC95 to be contrary to the relevant National Policy Statement for Highly Productive Land (NPS-HPL) objective and policies. The NPS-HPL directs urban development and urban rezoning away from highly productive land by preventing inappropriate rezoning, subdivision, and use of highly productive land, with few exceptions.</p> <p>The entire PPC95 area is highly productive land under the NPS-HPL. The PPC95 site is zoned rural and is not identified for future urban development. As such, Regional Council considers PPC95 contrary to all relevant NPS-HPL provisions:</p> <ul style="list-style-type: none"> <li>• Objective: highly productive land is protected for use in land-based primary production, both now and for future generations.</li> </ul>	Decline Proposed Plan Change 95

27.4

27.4

Strategic matters: reference or subject	Position	Reason	Relief sought
		<ul style="list-style-type: none"> <li>• Policy 4: the use of highly productive land for land based primary production is prioritised and supported.</li> <li>• Policy 5: urban rezoning of highly productive land is avoided except as provided for in the NPS-HPL.</li> <li>• Policy 7: subdivision of highly productive land is avoided, except as provided in the NPS-HPL.</li> <li>• Policy 8: highly productive land is protected from inappropriate use and development.</li> </ul>	
PPC95 does not meet NPS-HPL clause 3.6	Oppose	<p>Regional Council considers that PPC95 does not satisfy clause 3.6 of the NPS-HPL because there is no evidence of demand for housing in the Pongakawa area and capacity has already been enabled in more efficient locations. Regional Council acknowledges there is a housing shortage, but the applicant has not provided evidence of why housing in Pongakawa specifically is required. The applicant refers to the workforce increase needed to support horticultural land, however the HBA does not assess or identify Pongakawa as having a demand for additional development capacity. The HBA has identified demand in Te Puke, but PPC95 is 15km from Te Puke. The demand for Eastern Corridor capacity quoted throughout the PPC95 application refers to Te Puke and the proposed Te Kainga, not the broader Eastern Corridor or Pongakawa.</p> <p>Capacity has already been enabled in more efficient locations than Pongakawa. The nearest urban environment, as defined in the NPS-UD, is Te Puke approximately 16km west of the plan change site. Te Puke has an existing urban population of over 8,000 and a broad range of social and community infrastructure including all levels of schooling and public transport services. Significant capacity for further brownfield and greenfield growth of residential and business activity in and around Te Puke is already planned and/or enabled through the Western Bay of Plenty District Plan, notably Plan Change 92, and WBOPDC's long-term plan. Planning decisions for this growth of Te Puke will further contribute to it being a well-functioning urban environment as required by Policy 1 of the NPS-UD.</p> <p>NPS-HPL clause 3.6(1)(b) states that urban rezoning of highly productive land may be allowed if there are no other reasonably practicable and feasible options for providing at least sufficient development capacity 'within the same locality and market'. This means the PPC95 area must be close to where the HBA has identified demand for additional development capacity and the proposal is for the types of dwelling or business land in demand. The HBA does not identify a need for housing in/near the Pongakawa area and the PPC95 application does not justify why Pongakawa is required to meet the demand. If there is no evidence of housing demand in Pongakawa, consideration of the same locality and market is unnecessary.</p>	Decline Proposed Plan Change 95

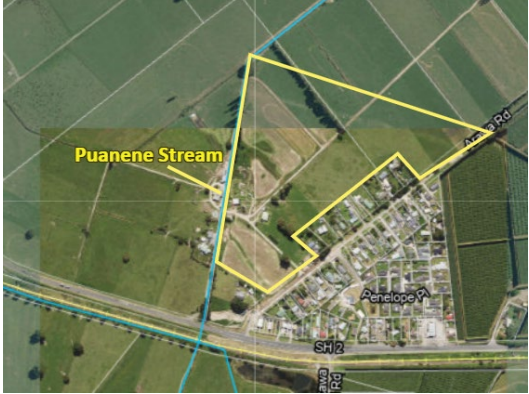


27.4

Strategic matters: reference or subject	Position	Reason	Relief sought
		<p>To meet subclause 3.6(1)(b), a range of reasonably practicable options for providing the required development capacity must be considered, including:</p> <ul style="list-style-type: none"> <li>a. greater intensification in existing urban areas; and</li> <li>b. rezoning land that is not highly productive land; and</li> <li>c. rezoning different highly productive land that has a relatively lower productive capacity.</li> </ul> <p>The other reasonably practical options for addressing the housing shortfall are greater intensification in existing urban area Te Puke, as enabled by Plan Change 92, which is in the final stages of the plan change process. The Te Puke Spatial Plan may result in rezoning of additional land, which is not highly productive, adjacent to Te Puke.</p>	

Should this plan change progress then the following technical matters should be considered:

27.5

Technical matters: reference or subject	Position	Reason	Relief sought
Puanene Stream classification	Oppose/ revise	<p>The Assessment of Ecological Effects (Wildlands Consultants Ltd, May 2022) identifies the watercourse flowing along the PPC95 western margin (Figure 1) as a drain. No supporting evidence for this classification was provided.</p>  <p><b>Figure 1: Puanene Stream (blue line)</b></p> <p>The following is evidence from a suitably qualified and experienced ecologist that this is the Puanene Stream.</p> <p>The Regional Natural Resources Plan (RNRP) classifies this stream as a 'modified watercourse with ecological values'. Regional Council mapping shows the upstream reach of the stream, which becomes less modified further up the catchment.</p> <p>The New Zealand topographic map identifies this as the Puanene Stream.</p>	<p>Reclassify the watercourse flowing along the western margin of the proposed plan change area as the Puanene Stream. Provide an assessment of the effects on the stream from the proposed plan change, in accordance with the RNRP and the NPS-FM.</p>

27.5

27.5

Technical matters: reference or subject	Position	Reason	Relief sought
		<p>The New Zealand River Environment Classification (REC) identifies this section of watercourse as a natural "river". It classifies this section as a middle-order stream (stream order 3 or 4), meaning that it has a moderate sized upstream catchment.</p> <p>Historic imagery from 1943 highlights the presence of a watercourse approximately within its current path. This imagery does not rule out the possibility of the watercourse being a deliberately dug drainage channel for the purpose of land drainage (as opposed to for the purpose of watercourse modification). However, the presence of what appears to be a natural headwater system is a strong indication that a natural watercourse would have existed in this general location before the stream was channelised and straightened.</p> <p>Overall, when considering the different lines of evidence, the Puanene Stream is a natural watercourse and should be considered a "modified watercourse" as described in the RNRP and is not a farm drain as described in the Wildlands report.</p> <p>The Puanene Stream will therefore be subject to the policies for river/stream management in the RNRP and the National Policy Statement for Freshwater Management (NPS-FM).</p>	
Puanene Stream mitigation	Revise	<p>As the Puanene Stream is a natural stream not a drain, it is subject to the objective and policies of the NPS-FM. Freshwater management within the site should be reconsidered and an appropriate setback from the stream should be applied allowing the stream riparian zone to be restored and to limit encroachment of future residential or commercial developments into this zone.</p> <p>Regional Council supports development setbacks from permanently flowing streams. A riparian margin can be fragmented by residential structures such as decks and patios. Allowing such structures and activities to encroach into the riparian margin results in less space for the stream and its floodplain, adverse effects on biodiversity and the ability of the system to cope with the increased pressure of residential development.</p>	Revise the structure plan to include a Conservation Zone 10 metres back from the top of the bank along the Puanene Stream as it passes next to the PPC95 site. The Conservation Zone should preclude subdivision and development and should be set aside for conservation, ecology, recreation and amenity. The Conservation Reserve should be planted with appropriate species of eco-sourced native plants.



27.5

Technical matters: reference or subject	Position	Reason	Relief sought
		<p>Streams are dynamic systems that need space to meander and interact naturally with the floodplain. Streams provide important habitat for indigenous flora and fauna and are dynamic systems that need room to move. If adequate space is not allowed for these features, there can be unintended consequences on the adjacent built environment which may require hard engineering to protect buildings, to the detriment of the natural environment. Providing a setback provides protection for both the natural and built environment. The values of these waterbodies and freshwater ecosystems are to be protected under the NPS-FM.</p> <p>A vegetated riparian margin provides an even greater benefit and improves the level of protection afforded to water bodies. Vegetation in these areas not only improves filtration but also improves aquatic ecological values and water quality through increased shading, reducing sediment and contaminants reaching the waterbodies and improving water quality. Vegetation with appropriate species in riparian zones has been found to assist with slope and bank stability<sup>5</sup>.</p> <p>A development setback should be zoned under the structure plan of 10 metres from the top of the bank, or as defined by an appropriately qualified and experienced ecologist. The wider the vegetated margin the more effective it is at providing ecosystem services, protecting the adjacent waterbodies and instream fauna and improving water quality. A wider vegetated buffer is also better in terms of self-sustainability and a reduction in the risk of weed invasion and maintenance needs in the long term<sup>6,7</sup>.</p> <p>The structure plan should designate this riparian setback as Conservation Reserve. The Conservation Reserve should be planted with appropriate species of eco-sourced native plants.</p>	

<sup>5</sup> Marden M, Rowan D, Phillips C 2005. Stabilising characteristics of New Zealand indigenous riparian colonising plants. *Plant and Soil* 278:95-105

<sup>6</sup> Parkyn S; Shaw W; Eades P. 2004. Review of information on riparian buffer widths necessary to support sustainable vegetation and meet aquatic functions. NIWA Client Report ARC00262.

<sup>7</sup> Parkyn SM, Davies-Colley R, Halliday NJ, Costley KJ, Croker G.F. 2003. Planted riparian buffer zones in New Zealand: do they live up to expectations? *Restoration Ecology* 11: 436-447.

Parkyn, S.M.; Davies-Colley, R.; Halliday, N.J.; Costley, K.J.; Croker, G.F. (2003). Planted riparian buffer zones in New Zealand: do they live up to expectations? *Restoration Ecology* 11: 436-447.

27.6

Technical matters: reference or subject	Position	Reason	Relief sought
Stormwater management	Revise	<p>Regional Council recommends a stormwater management plan is provided for this plan change area to ensure the issues identified in the following submission points about stormwater are addressed in an integrated manner, as required by section 30(1)(a) of the Resource Management Act 1991, RPS Objective 11 and RPS Policy IR 3B.</p> <p>Land use and development decisions are closely connected to the health and wellbeing of water and the risks of water-related natural hazards to communities, and so catchment planning is needed at the land use decision stage. It is not appropriate to consider stormwater matters after the structure plan has been drafted – integrating land use and water planning is essential to protecting and enhancing the life supporting capacity of the region's waters and te mana o te wai.</p> <p>The stormwater discharge consent process under the regional plan is not the appropriate mechanism to manage stormwater effects of large developments for two main reasons:</p> <ol style="list-style-type: none"> <li>1. If the permanent stormwater discharge consent is applied for after the development is completed, there is little or no ability to consider alternative stormwater management options or ability to improve stormwater quality.</li> <li>2. It is difficult or impossible to consider catchment-wide cumulative effects from stormwater discharges under a resource consent process. Stormwater effects need to be considered collectively on a catchment or sub-catchment basis to enable cumulative effects to be assessed at the structure planning stage and implemented via provisions in the district/city plan.</li> </ol>	<p>Provide a stormwater management plan (SMP), which sets out the stormwater management for the proposed structure plan area. The SMP should:</p> <ol style="list-style-type: none"> <li>1. Set out the objectives for stormwater management and the receiving environment for the proposed structure plan area.</li> <li>2. Demonstrate how the proposed stormwater management is the best practicable option (BPO), taking into account the existing site features.</li> <li>3. Set out how stormwater quality and quantity will be managed in an integrated way.</li> <li>4. Outline draft planning provisions to manage stormwater in the structure plan area, to be incorporated into the plan change.</li> </ol>
Stormwater management	Revise	<p>Regional Council supports onsite soakage to discharge stormwater from individual lot areas (roofs, paved areas, driveways) where possible. However, based on the Geotechnical Investigation Report (CMW Geosciences, 11/02/2022, TGA2021-0096AC Rev 0), a high groundwater table may preclude the use of soakage in the lower lying areas.</p>	<p>The conceptual stormwater design should check there is sufficient capacity in the stormwater pond/wetland to provide treatment <u>and</u> attenuation of stormwater from those areas (if needed).</p>
Stormwater management	Clarify	<p>The Engineering Servicing Report (Lysaght, 12/12/2022, Revision 5) states that stormwater from roads will be collected in catchpits and piped</p>	<p>Clarify at structure plan stage if swales or pipes will be used to drain the roads. Regional Council</p>

27.7

27.8

	Technical matters: reference or subject	Position	Reason	Relief sought
27.8			to the stormwater detention pond. The structure plan states that roadside swales will drain the roads.	supports grassed swales to provide water quality treatment before discharging to the receiving environment. If swales are proposed, they must be appropriately sized and designed.
27.9	Stormwater quality	Clarify	The Assessment of Ecological Effects (Wildlands, May 2022, Contract Report No. 6334) recommends the stormwater detention area is planted with wetland plants. The Engineering Servicing Report (Lysaght, 12/12/2022, Revision 5) and proposed planning map (Private Plan Change 95 Pencarrow Estate – Pongakawa, proposed Planning Map) refer mainly to a stormwater pond.	Clarify if a stormwater wetland or stormwater pond will be used.  Regional Council's <a href="#">Stormwater Management Guidelines</a> (page 161) favour constructed wetlands over ponds because they provide better filtration of contaminants, including dissolved contaminants, due to densities of wetland plants, incorporation of contaminants in soils, adsorption, plant uptake, and biological microbial decomposition. In addition, wetlands, being shallow water bodies, do not have the safety issues associated with deeper ponds. Constructed wetlands must have a spillway to carry the 1% AEP flood with a minimum of 0.5 metre embankment freeboard.
27.10	Stormwater quality and quantity	Revise	The design and sizing of the stormwater pond is based on using a 10mm/hr rainfall intensity. This approach is taken from GD01 in Auckland, which is not the appropriate guideline to use in the Bay of Plenty. The 10mm/hr was based on continuous simulation of Auckland rainfall to determine appropriate rainfall intensity criteria for sizing flow based on proprietary treatment devices such as stormfilters or upflo filters. Using the 10mm/hr rainfall intensity depth is likely to lead to the device being undersized.	Use the Stormwater Management Guidelines for the Bay of Plenty region (Bay of Plenty Regional Council Guidelines 2012/01) to determine water quality and detention volumes based on the 90 <sup>th</sup> percentile rainfall event, and the volumes needed to attenuate the relevant larger storms, such as the 2, 10 and 100 year ARI event). Feasibility for spacing requirements for the stormwater detention area should be redone based on BOPRC guidelines, not Auckland guidelines.
27.11	Stormwater quality	Revise	The stormwater treatment pond does not appear to achieve the correct length to width ratio to meet the treatment requirements in the Stormwater Management Guidelines for the Bay of Plenty Region (Bay of Plenty Regional Council Guideline 2012/01).	Provide size calculations that meet the Stormwater Management Guidelines for the Bay of Plenty Region (Bay of Plenty Regional Council Guideline 2012/01).



27.12

<b>Technical matters: reference or subject</b>	<b>Position</b>	<b>Reason</b>	<b>Relief sought</b>
Stormwater quality: water sensitive design	Revise	<p>The Puanene Stream on the northwest boundary of the site is a stream, not a drain. As such, extended detention is required for all impervious areas (except those discharging via soakage) that drain to the stream.</p> <p>Holding water back (detention) and releasing it slowly helps to reduce erosion. Ensuring that impervious surfaces do not flow directly into streams can clean dirty stormwater and better manage instream erosion, for example by using water sensitive design such as rain gardens and swales and providing extended stormwater detention.</p> <p>Water sensitive design (WSD) should be used for all developments five hectares or larger. WSD is consistent with the Stormwater Management Guidelines for the Bay of Plenty region and the NPS-FM.</p> <p>The most effective WSD method is a treatment train approach, which is a series of sequential stormwater treatments to maximise pollutant removal. This ensures that all stormwater runoff is treated at source or as close to the source as possible to maintain or improve stormwater quality post-development. This includes runoff from all roads, car parks, houses, and commercial areas.</p>	Revise the stormwater plans to include extended detention, including a treatment train approach, for all impervious areas draining to the treatment wetland/pond.
Stormwater discharge	Clarify	<p>The proposal states that stormwater attenuation will be provided. However, the Engineering Services Report (page 10) notes that the watercourse will need to be upgraded where the pond discharges to prevent erosion of the watercourse banks in large storm events.</p> <p>More stormwater flowing into streams as a result of residential development can cause erosion and destabilise stream channels and the ground. Holding water back (detention) and releasing it slowly helps to reduce erosion.</p>	<p>Clarify if post-development Puanene Stream flows will be erosive, or if this refers to localised erosion at the outlet which requires erosion protection.</p> <p>Avoiding the requirement for new erosion protection structures in rivers and streams as a result of increased flows from the development is consistent with Objective 1 and Policies 1, 3, and 7 of the NPS-FM.</p> <p>Stormwater discharges and any associated structures must be designed to avoid accelerated stream channel erosion and scour of any river/stream.</p>

27.13

	<b>Technical matters: reference or subject</b>	<b>Position</b>	<b>Reason</b>	<b>Relief sought</b>
27.13				Erosion protection of outlets, streams, channels and overland flowpaths must be consistent with the Stormwater Management Guidelines for the Bay of Plenty region (Bay of Plenty Regional Council Guideline 2012/01).
27.14	Effects on privately owned drainage scheme	Clarify	<p>The plan change area drains into an area currently managed by a privately owned drainage system (Little Waihi Drainage Scheme), which relies on conveyance through modified water courses (including drains, channels and pump stations). An increase in impervious areas will result in:</p> <ul style="list-style-type: none"> <li>• more stormwater discharging to the drainage scheme,</li> <li>• more stormwater volume pumped during storm events, and</li> <li>• associated increase in operational cost.</li> </ul> <p>The proposal fails to address the effect of increase in stormwater volume in relation to the drainage scheme design scenarios.</p>	Clarify the appropriate stormwater volume mitigation and effects on the Little Waihi Drainage Scheme.
27.15	Stormwater soakage ability	Clarify	<p>The proposal indicates that 50% of the site's stormwater runoff (e.g. from buildings and driveways) will be discharged via ground soakage for the 10 year 10 minute storm and as such assumes that peak flow rates will not increase.</p> <p>The geotechnical investigation was undertaken during summer after a year of low flow conditions. The report identified groundwater at depths ranging from 1.0m to 4.3m below ground level and concludes that shallow groundwater below the more low-lying areas and swales may preclude the use of ground soakage in these areas. In addition, it is expected that during prolonged phases of rain and following rain events beyond the design levels of the drainage scheme, these groundwater levels will be elevated, and soakage will become less effective.</p> <p>For the secondary events up to 1% AEP 2130, a stormwater pond is proposed to manage peak flows. The report provides for a pond volume but fails to indicate the required area; the likely shallow groundwater in this area will limit the available pond depth. Visually the area seems to be around 2000m<sup>2</sup>, which would require the pond to be around 2m deep.</p>	Clarify the required size of the stormwater pond/wetland. This information should be worked out at structure plan stage as the stormwater wetland/pond size may affect the structure plan layout.

	Technical matters: reference or subject	Position	Reason	Relief sought
27.16	Overland flow paths	Revise	<p>The proposal identifies three overland flow paths and proposes to maintain their capacity. Calculations were based on a 1% AEP 2040 climate change. To avoid an increase in upstream flood risk, the capacity must be based on 1% AEP RCP8.5 to 2130.</p> <p>The structure plan dated October 2023 does not show one of the overland flow paths (OLFP3). This is inconsistent with the Engineering Services Report.</p>	<p>Revise the calculations of the overland flow paths based on 1% AEP RCP8.5 to 2130.</p> <p>Revise the structure plan to show all overland flowpaths.</p>
27.17	Flooding: Wharere Canal catchment	Oppose/revise	<p>Regional Council does not have a flood model for this catchment (the Wharere Canal catchment). However, flood modelling results from WBOPDC's rural settlement model indicate that the Puanene Stream capacity is limited. In addition, the bridges underneath State Highway 2 and the Kiwirail embankment appear to be undersized, resulting in ponding and overtopping in the 1% AEP RCP8.5 2130 climate change adjusted event. To avoid failures of this nationally important infrastructure, these assets may need to be upgraded in the future, which could result in increased flood flows downstream through the plan change area.</p>	
27.18	Flooding: Wharere Canal catchment	Revise	<p>The proposal estimates some flood displacement for the 1% AEP through infilling, although this is not based on flood modelling. The applicant identifies this effect as negligible. However, the proposal fails to identify this effect as part of a cumulative effects assessment including increased stormwater volumes due to land use change. Flood modelling is recommended to identify cumulative effects for a variety of events (flood risk and system performance).</p>	<p>Assess cumulative effects of floodplain filling and land-use change, identify appropriate mitigation measures and revise the proposal accordingly.</p>
27.19	Natural hazards	Amend	<p>The application is supported by a natural hazard risk assessment undertaken in general accordance with the RPS natural hazard provisions (NH 9B and NH 4B) for liquefaction, active faults and coastal hazards. However, the risk assessment does not clearly state there will be no increase in risk offsite from flooding when the development is completed, including to lifeline infrastructure. This is a requirement of RPS Policy NH 4B and should be addressed.</p> <p>The following further information is required to assess flood risk:</p>	<p>As required by RPS Policy NH 4B:</p> <ol style="list-style-type: none"> <li>1. Amend the natural hazards flooding risk assessment for the <b>100 year ARI flood</b> to clearly identify how low risk can be achieved on site.</li> <li>2. Amend the natural hazards flooding risk assessment for the <b>500 year ARI flood</b> to confirm that the flood risk offsite is not</li> </ol>



27.19

27.20

Technical matters: reference or subject	Position	Reason	Relief sought
		<ul style="list-style-type: none"> <li>• Appropriate stormwater sizing and groundwater interaction to confirm low risk onsite is achieved.</li> <li>• Appropriate stormwater volume mitigation to confirm no increase in risk offsite is achieved.</li> <li>• Appropriate overland flow path sizing to confirm low risk is achieved on site and risk is not increased offsite.</li> <li>• Assess cumulative effects of floodplain infilling and land use change to confirm risk is not increased offsite.</li> </ul>	increased when the development is completed.
Wastewater discharge: flow calculation	Revise	<p>The high level calculations and designs of the wastewater treatment system must be revised to ensure the discharge area is appropriately sized. If the wastewater discharge area is undersized, wastewater may contaminate groundwater and/or surface water. This should be correctly calculated and designed at the structure plan stage because if the discharge area is undersized, the layout of the proposed development may need to change.</p> <p><b>Correct standard to use in the Bay of Plenty</b> The Engineering Services Report uses the Auckland Design Manual Wastewater code of practice to estimate the commercial design flow. This is the incorrect standard to calculate flows to the wastewater treatment system for the Bay of Plenty. The Bay of Plenty On-Site Effluent Treatment Regional Plan (OSET Plan) requires the Australian/New Zealand Standard 1547:2012 On-site domestic wastewater management to be used for on-site wastewater discharges in the Bay of Plenty.</p> <p>The Engineering Services Report (Lysaght, 12/12/2022, Revision 5) has calculated the residential flow incorrectly and should be revised to ensure the discharge area is sized correctly. This must be corrected at the structure plan stage because it is likely to affect the layout of the proposed development.</p> <p>The Engineering Services Report uses municipal methods to calculate the flows to the wastewater treatment system, which appears to have led to a significant underestimate of the discharge area required to service the proposed development. Decentralised on-site wastewater design is not subject to the same occupancy and per capita flow assessment methods</p>	<p>Revise the wastewater flow calculation using the Australian/New Zealand Standard 1547:2012 (AS/NZ1547:2012) On-site domestic wastewater management.</p> <p>Revise the residential flow calculation based on AS/NZ1547:2012 methodology for on-site wastewater treatment systems (rather than centralised municipal systems). Provide references for the residential flow calculation.</p> <p>Based on the revised/corrected wastewater flow calculation, revise and redesign the wastewater discharge area.</p>

	Technical matters: reference or subject	Position	Reason	Relief sought
27.20			<p>as developments served by municipal wastewater systems. Infiltration and peak wet weather flows are not applicable to the proposed STEP system because the network will comprise small diameter plastic pipework, which is not susceptible to infiltration.</p> <p>The Engineering Services Report does not provide references for the residential flow calculation. The report concludes a total design flow of 95.4m<sup>3</sup>/day, comprising a residential design flow of 85.8m<sup>3</sup>/day and a commercial flow allowance of 9.6m<sup>3</sup>/day, along with allowances for peak wet weather flows (caused by the infiltration of surface and groundwater into the reticulation network during high rainfall). This methodology is only relevant to development of subdivisions in areas served by a municipal reticulation network and large-scale sewage treatment plant (because they are more prone to infiltration and generally treat wastewater volumes from much larger scale populations).</p>	
27.21	Wastewater discharge: occupancy allowance for correct flow calculation	Revise	The Engineering Services Report incorrectly calculates the occupancy allowance of the proposed development. In the Bay of Plenty, Schedule 6 of the OSET Plan sets out the correct way to calculate the occupancy allowances. Average occupancy cannot be used for on-site systems because they must be designed for peak flows.	Revise the occupancy allowance – it should be calculated correctly using Schedule 6 of the Bay of Plenty Regional OSET Plan. The maximum occupancy, not the average, is relevant for onsite wastewater treatment systems.
27.22	Wastewater discharge: flow calculation	Revise	A 130 lot residential subdivision comprising 4 bedroom dwellings, occupied by 6 people each would equate to a population of 780 people. Using a per capita flow allowance of 200 litres/person/day (in accordance with AS/NZ1547:2012) equates to a residential design flow of 156,000 l/day (or 156 m <sup>3</sup> /day) for the full development (rather than the estimated residential flow of 85.8m <sup>3</sup> /day).	Revise the size of the discharge area using the correct wastewater flow calculations.
27.23	Wastewater discharge: flow calculation	Revise	Commercial wastewater production is very specific to the business involved and is difficult to estimate, but the applicant should at least estimate the total daily flow allowances. It appears that the preferred wastewater treatment system suppliers were not aware of the commercial component of the proposal and so have not included this in the high level design and the discharge area is likely to be undersized.	Revise the size of the discharge area using the correct wastewater flow calculations.

	<b>Technical matters: reference or subject</b>	<b>Position</b>	<b>Reason</b>	<b>Relief sought</b>
27.24	Wastewater treatment system: size of secondary treatment system	Revise	Innoflow Technologies Ltd determined the size of a proposed secondary treatment system based on a 105 lot subdivision with no commercial area. The design provided must be revised to include the additional lots and the commercial area.	Revise the size of the secondary treatment system using the correct number of lots and including the commercial component of the development. Confirm the expected treated effluent quality.
27.25	Wastewater discharge: geotechnical issues	Revise	The tanks may be subject to hydrostatic uplift and foundation concerns, given the highly compactable soils. The large concrete tanks represent significant weight (9 tonnes per tank plus 25 tonnes of wastewater) which will need to be appropriately supported. Hydrostatic uplift occurs when an empty or partially empty tank is lifted out of the ground due to the pore pressure of water in the surrounding soil under high groundwater table conditions. This can significantly damage a wastewater treatment system but can be addressed by appropriate geotechnical design. The large tanks may need to be installed above ground, depending on winter groundwater conditions.	Provide an assessment of potential geotechnical issues with installing the wastewater treatment system into peat soils with a high groundwater table, using the highest groundwater.
27.26	Wastewater discharge: depth to groundwater	Revise	The proposed discharge of significant volumes of treated wastewater into peat is not common practice (as areas underlain by peat are generally rural) but is acceptable if there is sufficient clearance with winter groundwater levels because peat is highly permeable.  Soakage rates in peat are high and this means that final treatment of wastewater may not occur before wastewater enters groundwater, so there must be sufficient depth of unsaturated soil below the disposal system. The application notes groundwater was intercepted at a depth of 1.2m, however this was assessed in January 2022. The soil type is known for fluctuating water tables, and an accurate winter groundwater table level is very important information to enable an accurate effects assessment. If winter groundwater levels encroach to within 600mm of the ground surface, the disposal area location may not be appropriate.	Include consideration of the highest groundwater before finalising the wastewater treatment system to ensure there is sufficient separation of wastewater and groundwater.
27.27	Wastewater discharge: reserve area	Revise	Policy 12 of the OSET Plan requires all systems to set aside an appropriately sized reserve area to provide for unanticipated operational problems and/or system failure. The area set aside must be consistent with the requirements of AS/NZ1547:2012 and be determined by a risk	Revise the structure plan to show a 50% wastewater discharge reserve area. This should be designed into the proposal because it may alter the layout of the proposed development.

	<b>Technical matters: reference or subject</b>	<b>Position</b>	<b>Reason</b>	<b>Relief sought</b>
27.27			assessment. The reserve area must be shown on the structure plan and must not be used for permanent structures, including buildings and impervious surfaces. In this case, provision of a 50% reserve area is appropriate (i.e. 50% of the size of the discharge area).  Regional Council has concerns that adding a reserve area as required by the OSET Plan may take up a larger portion of highly productive land.	
27.28	Wastewater discharge: separation from Puanene Stream	Clarify	The application does not identify the appropriate separation distance of the wastewater discharge from the Puanene Stream. This should be calculated based on Table R2 of AS/NZ1547:2012.	Provide a risk assessment of the potential effects of contaminants (including biological oxygen demand, total suspended solids, nutrients and pathogens) entering the stream.
27.29	Wastewater discharge: effects on soils and groundwater	Clarify	The discharge of treated wastewater can have adverse effects on groundwater quality.	Provide an assessment of the effects of the nutrient loads on the underlying soils and groundwater from the discharge, and how these align with baseline activities such as farming.
27.30	Wastewater discharge: public health assessment	Clarify	UV disinfection is expected to address public health concerns from pathogens in the wastewater discharge but does not remove public health effects from the nitrogen discharge.	Provide a public health assessment.
27.31	Wastewater treatment system: management and maintenance	Clarify	The applicant has not provided a description of how the wastewater system will be managed into the future. The plan change application should specify which legal body will be the consent holder (for the wastewater discharge), and how the responsibility for installation of the future stages of the system and ongoing maintenance will be managed.  If the wastewater system is intended to be vested to council, the applicant should include a discussion of the ongoing cost burden of the proposal. Likewise, confirmation that Western Bay of Plenty District Council will take over the management and maintenance of the system and the discharge consent, is crucial.	The application should specify: <ol style="list-style-type: none"> <li>1. Which legal body will be the consent holder for the wastewater discharge.</li> <li>2. How responsibility for the installation of future stages of the wastewater system and ongoing maintenance will be managed.</li> <li>3. If the wastewater system is intended to be vested to council.</li> <li>4. The ongoing cost burden of the wastewater system.</li> <li>5. Confirmation that council will take over the management and maintenance of the system and the discharge consent.</li> </ol>



27.32

27.33

Technical matters: reference or subject	Position	Reason	Relief sought
WBOPDP Chapter 12 12.4.24.3 Pencarrow Estate Pongakawa Structure Plan – Stage Prerequisites	Revise	Reference to the Engineering Service Report (Lysaght, reference 225216 Rev 2 dated 1/9/2022) in the proposed addition to the District Plan would lock in the wastewater treatment system design inaccuracies noted in earlier submission points.	A revised report should be referenced in the District Plan once the inaccuracies noted in our submission points are satisfactorily corrected.
Traffic Impact Assessment	Revise	RPS Policy UG 3A promotes travel demand management across the region, including increasing public transport use, reducing use of private cars and ensuring adequate provision for and increased use of future public transport, walking, cycling networks and corridors, while providing for connectivity.	<p>PPC95 should be amended to provide for the following:</p> <ol style="list-style-type: none"> <li>1. The traffic impact assessment should provide information on multi-modal transport, notably public transport, walking and cycling.</li> <li>2. The development's internal road network should provide more detail about how it will support people to access dwellings by providing a low speed environment supported with internal walking connections.</li> <li>3. Provide bicycle parking in the vicinity of the development to encourage multi-modal travel.</li> <li>4. Provide an accessibility map (or appropriate further analysis) that clarifies how walking and cycling is supported through the development, and how it integrates with the wider network.</li> <li>5. Given the scale of the development, footpaths should also be provided along the frontage of the development to integrate to the wider network.</li> <li>6. Consider undertaking a safety assessment to understand whether pedestrian crossing facilities are needed to support safe movement.</li> <li>7. Recognise how the site could provide people with access to public transport, and services in the wider area.</li> </ol>



**Pukehina Ratepayers' & Residents' Association Inc.**  
pukehina.bra@gmail.com www.pukehinabeach.co.nz

**DISTRICT PLAN CHANGE 95**

1 December 2023

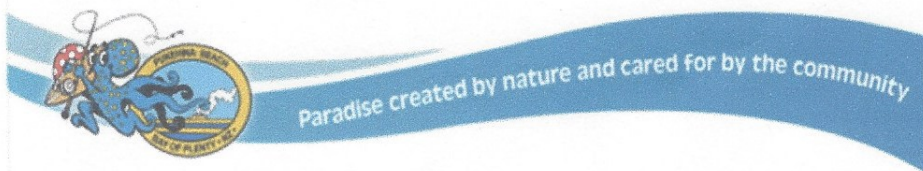
To Whom It May Concern

28.1

We are writing in support of the proposed Arawa Rd new building works development. We understand all too well that there is much more housing needed in the Western Bay area and this can certainly help covering a range of things for our area. We understand NZTA may need to make some adjustments at the main road and we think this is just part of the growth and it will just have to be done. While we have not been privy to a complete understanding of the project as a whole we do know enough to say we think it should proceed. To back a new development such as this is in keeping with growth for the area as a whole. Everyone agrees that farm land that isn't terribly productive is better to be used for something else that is constructive. All in all we feel this is a very well thought out independently resourced proposal.

Yours faithfully

Stu Mallasch  
Chairman  
0274 436 703



# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

29

### Use this form to submit your comments on District Plan Change 95

Council received and accepted a Private Plan Change application for rezoning of rural zone land and new structure plan to allow development on an approximately 12ha site at Arawa Road, Pongakawa.

The purpose of the Pencarrow Estate Pongakawa Structure Plan (1491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

For more information on Plan Change 95, please visit [westernbay.govt.nz/plan-changes](https://westernbay.govt.nz/plan-changes).

### Submission Form

You can hand in your submission to any of Council's Libraries or Service Centres, email it to [districtplan@westernbay.govt.nz](mailto:districtplan@westernbay.govt.nz), or mail it to:

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

### Submissions close 4.00pm on Friday 8 December 2023

Name: Tania Turner

Address: 1493 Hamurana Road, Mourea,  
Rotorua

Phone: 02041374781

Email: taniaturner2@gmail.com

I/We would like to speak in support of my/our submission at the Council hearing (please tick)

Yes

No

Signed:



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

Date: 5th December 2023

Please use the reverse of this form for your submission

1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

29.1 In summary, Ngati Whakahemo supports Planning Consent Application PC95 and emphasises the importance of comprehensive environmental protection

measures. Ngati Whakahemo advocate for the preservation and safeguarding of the water intake area, stormwater disposal, wastewater management, and monitoring.

Ngati Whakahemo support is contingent upon the implementation of robust

measures, strict adherence to regulations, and the use of sustainable practices. Ngati Whakahemo believe that these measures are crucial for the long-term

sustainability and integrity of our waterways and ecosystems.

2. Decision sought

Give precise details of how you want the proposal changed.

Ngati Whakahemo seeks the following changes to the proposal:

1. Incorporate comprehensive environmental protection measures around the water intake area to ensure the preservation and safeguarding of this vital resource.

2. Implement robust environmental protection measures for stormwater disposal, prioritizing the preservation and safeguarding of our waterways and ecosystems.

3. Implement stringent environmental protection measures for wastewater management, with a focus on preserving and safeguarding our waterways and ecosystems.

4. Implement comprehensive environmental protection measures in the monitoring of wastewater development and disposal, ensuring strict adherence to regulations and safeguarding the integrity of our waterways and ecosystems.



# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

30

Use this form to submit your comments on District Plan Change 95

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The purpose of the Pencarrow Estate Pongakawa Structure Plan (1491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

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Environmental Planning Team

Western Bay of Plenty District Council

Private Bag 12803

Tauranga Mail Centre 3143

Submissions close 4.00pm on Friday 8 December 2023

Name: PAUL HICKSON

Address: 66 PONGAKAWA SCHOOL ROAD  
RD6, TE PUKE

Phone: (07) 5333339


Email: paul@paulhickson.com

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed:  Date: 8 December 2023

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

Please use the reverse of this form for your submission



# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

31

Use this form to submit your comments on District Plan Change 95

Council received and accepted a Private Plan Change application for rezoning of rural zone land and new structure plan to allow development on an approximately 12ha site at Arawa Road, Pongakawa.

The purpose of the Pencarrow Estate Pongakawa Structure Plan (1491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

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

Submissions close 4.00pm on Friday 8 December 2023

Name: Rebecca & Cameron Black

Address: 119 Pongakawa Stn Rd, RD. 6  
Te Puke, 3186

Phone 027 5333542

Email: rebeccablack95@gmail.com

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed: R Black

Date: 8/12/2023

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

Please use the reverse of this form for your submission

Environmental Planning Team  
Western Bay of Plenty District Council  
Private Bag 12803  
Tauranga 3143

Dear Sir/Madam

## **SUBMISSION ON PRIVATE PLAN CHANGE 95**

### Background

- Local family
- Long term Pongakawa farmers

The submission opposes the application and seeks the refusal of Plan Change 95.  
The submitters do not wish to be heard.  
The submitters would consider joining with other submitters in presenting to a Hearing.

### Submission Reasons

#### **31.1 1. Urban sprawl and fragmentation of rural land**

Pongakawa has an entirely rural character with no existing urban environments, the proposal will compromise the visual quality and greenspace of the rural area. Urban expansion and land fragmentation reduce the availability of agricultural land, food production and food security for local populations.

Loss of agricultural land results in increased pressure to convert natural or semi-natural land to agricultural use. While the plan change report considers the loss of 12ha productive land as minor, it will contribute to the overall loss of production land in the district and increase the demand for conversion or more marginal land.

We consider urban development of the rural zone inappropriate and seek that the rural character and amenity be retained.

#### **31.2 2. Inadequate assessment of the objectives and policies**

##### **Regional Objectives and Policies**

We do not agree with the assessment that the proposal is consistent with objective 3. Objective 3 states that more people should be enabled to live in areas of an urban environment that are near a centre zone, serviced by public transport and where there is a demand for housing relative to other areas of the urban environment.



31.2 The site and surrounding area are zoned rural, the small pocket of dwellings existing of Arawa Road are not considered an urban environment. The nearest centre is located in Te Puke and we considered that development is best suited to occur within the existing township. While the horticultural and agricultural industries present employment opportunities, there is sufficient opportunity for housing and development around existing townships.

While it is important to meet the demand for housing in the Western Bay of Plenty District it should not be used to justify inappropriate development or the loss of highly productive land.

The site is not serviced by public transport and the proposed increase in residential area will not be sufficient to require the operation of more regular services.

31.3 We do not agree with the assessment that the proposal is consistent with objective 23.

*A compact, well designed and sustainable urban form that effectively and efficiently accommodates the region's urban growth.*

The plan change report considers the 'critical 'mass population' delivered will be sufficient to sustain local services. We disagree with this statement and expect the viability of businesses to be limited and that people will still have to travel further afield for services. Te Puke is considered sufficiently close to access services and development should be focussed here and in Paengaroa to utilise and enhance existing centres and facilitate more appropriate growth. The proposal will not introduce sustainable urban form, instead creating fragmentation of rural communities.

31.4 We note that the proposal is inconsistent with policies UG5A, UG6A, UG7B, and UG14B.

We do not agree with the assessment that the proposal is in accordance with objective 26. The application considers the residential development necessary to provide for the primary production use of surrounding farmland. This is unjustified, many farm workers are offered accommodation on the property, orchard workers are predominantly seasonal finding temporary accommodation in town or at RSE facilities, and other agricultural/horticultural staff have sufficient opportunity to access housing in Te Puke, Paengaroa, Pukehina or Maketu. Development on highly productive farmland is considered inappropriate and should be undertaken within existing townships.

### 31.5 **3. Inappropriate use of highly productive land**

We do not consider that appropriate weight is given to the intent and policies of the NPS-HPL, RPS, or District Plan where they concern highly productive land and use of rural zones. It is imperative that highly productive land be retained for agricultural purposes.

Section 3.6 of the NPS-HPL states tier 1 authorities may allow rezoning of highly productive land if there are no other reasonably practicable options for providing development

capacity. We disagree with the assessment in the plan change report that the proposal meets the tests of section 3.6.

The Te Puke Structure Plan identifies a substantial area south of MacLoughlin Drive and east of No.3 Road for residential development. The structure plan also identifies the town centre along Jellicoe Street for future urban development. These areas are considered to practicably provide development capacity in the same locality while providing a well-functioning urban environment. As such we consider the proposal in consistent with section 3.6.1b and the development of this highly productive land is inappropriate.

The plan change report justifies the loss of 12ha of productive land by suggesting it will provide for the changing needs of the horticulture industry. We consider this an incredibly flawed justification and are concerned that the proposed plan change will set a precedent for development and loss of highly productive land.

While the horticultural industry has been growing in recent years influencing the needs of the district, it cannot be used to justify inappropriate development when sufficient pathways are available to undertake development within urban limits as directed by the RPS. Both agricultural and horticultural industries are subject to regular change, the current growth and demand for housing is unlikely to be sustained. Development should be focused around established urban areas to avoid the loss of productive land and enhance existing communities.

31.6

#### **4. Reverse sensitivity**

The location is a rural area, as opposed to a residential zone or urban environment, which is not typically associated with residential or commercial activities. There may therefore be a limited tolerance by the proposed sensitive activity and its users for the day to day operation of the rural area thereby creating a potential conflict with rural property owners carrying out their lawful practices. A no complaints covenant is not considered to adequately address this potential reverse sensitivity effect on existing and future activities. The council has a role to ensure conflicts between members of the community are avoided.

Arawa Road is surrounded by farmland and orchards, the operation of which involves extended hours of work, use of machinery and chemicals. The proposal will introduce significant reverse sensitivity effects for adjacent farmers and is likely to cause future restraints on their operation. While the application states that milking in the adjacent shed will cease, this cannot be relied upon in future and may constrain future use of the farm infrastructure.

#### **5. Disagreement of mitigating factors provided.**

- a. Proximity to Rangiuru Business Park

31.1

The plan change report relies on the proximity to the business park as a supporting reason for the development. We consider this irrelevant as the existing towns of Paengaroa and Te Puke are closer. These towns provide a sufficient level of services and a well functioning urban environment. The Te Puke structure plan identifies two areas for future urban development and plan change 92 has introduced the medium density residential standards. The areas identified in the structure plan provide practicable capacity for development that will enhance the existing township and avoid the loss of highly productive land. The medium density provisions in Te Puke will increase the dwelling yield and will meet the housing demand.

b. Worker accommodation

The plan change report considers the development appropriate because it will provide accommodation for horticulture workers. We disagree and consider that low density lots in Pongakawa will provide no guaranteed increase in accommodation for kiwifruit workers. The need for kiwifruit accommodation should be addressed in a more structured manner, with developments specifically catering to RSE, temporary and seasonal workers.

Orchard workers, especially seasonal workers are unlikely to purchase these new lots. Furthermore, seasonal workers need to be located within a township where there is access to sufficient services. The proposed commercial lots will not be adequate to cater to all needs, will cause fragmentation of the rural zone and will undermine the functioning of existing town centres.

31.7

c. Traffic safety

We consider traffic safety a significant concern associated with the proposed development having access from State Highway 2. There is poor visibility in this location and an increase in traffic generation would compromise the safe and efficient functioning of the transport network. Section 5 of the road safety audit prepared by Abley recommends a reduction in speed limit on SH2 in the area of Arawa Road and an offset left turning lane for visibility. A reduction in the speed limit will disrupt traffic flows along this main arterial route. Section 5 also states that vehicle movements to and from the development would predominantly occur in the morning and evening with people going to work. This is assessed as reducing the potential risk of vehicle accidents. However, the variability of rural work is not sufficiently considered. It is reasonably assumed that a substantial proportion of residents will work on farms, an occupation requiring varied hours that will result in frequent vehicle movements throughout the day. The mitigation proposed is not considered sufficient to mitigate the potential adverse effects from development.

The applicant and agents have referred to the site as being adequately serviced by public transport. We consider this entirely inaccurate, with bus transport limited to 1 trip per day and the development will not introduce sufficient demand for increased operation of this route. The applicant has also referred to the proximity of the railway and anticipated future development of public trains. This will provide no solution in the short or medium term due to New Zealand's single track line which can in no way accommodate a passenger service.

Overall, the proposed development will introduce significant adverse effects on the safe and efficient operation of the transport network. The mitigation proposed is not considered sufficient and does not negate the unsuitability of the location for development.

**Resolution sought**

The submitters seek that the application for private plan change 95 be declined.

	<b>Cameron Black</b> <b>0275333545</b> <b>Cablaa@gmail.com</b>	<b>Rebecca Black</b> <b>0275333542</b> <b>rebeccablack95@gmail.com</b>
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# Submission Form



## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

32

### Use this form to submit your comments on District Plan Change 95

Council received and accepted a Private Plan Change application for rezoning of rural zone land and new structure plan to allow development on an approximately 12ha site at Arawa Road, Pongakawa.

The purpose of the Pencarrow Estate Pongakawa Structure Plan (1491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

For more information on Plan Change 95, please visit [westernbay.govt.nz/plan-changes](http://westernbay.govt.nz/plan-changes).

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

### Submissions close 4.00pm on Friday 8 December 2023

Name: Scott Adams

Address: Carvus Properties Ltd  
P O Box 345 Tauranga 3140

Phone: 021 481 910

Email: scott@carvus.co.nz

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed: [Signature] Date: 11/12/23

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

Please use the reverse of this form for your submission

# Private Plan Change 95

## Pencarrow Estate Pongakawa

1. **Submission State** in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons:
  - 32.1 a. There is significant employment being generated in the eastern portion of WBOP district as a result of new horticultural development and investment, and development of greenfield industrial land (Rangiuru Business Park).
  - 32.2 b. The latest Western Bay of Plenty Subregion - Housing and Business Capacity Assessment Report (HBA) indicates a shortfall of residential housing capacity, despite Te Puke urban growth area.
  - 32.1 c. The plan change will build residential housing capacity in Pongakawa that will services this area and potentially the Rangiuru Business Park, stage 1 of which is nearing completion.
  - 32.3 d. The plan change creates reserves and a small commercial area that will help Pongakawa to be more self-sufficient and provide passive recreational opportunities without driving to other destinations.
  - 32.1 e. Residential development in Pongakawa in recent times has been subdivided and developed within a very short period, showing there is a real demand for housing in this area (ZB Homes development is an example in Penelope Place) .
  
2. **Decision sought** Give precise details of how you want the proposal changed
  - a. The private plan change is supported by Carrus as this forward-thinking initiative is consistent with the NPS-Urban Development and will assist economic development in the subregion and the significant investment that has been made in horticultural development in the Pongakawa area.

# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

33

### Use this form to submit your comments on District Plan Change 95

Council received and accepted a Private Plan Change application for rezoning of rural zone land and new structure plan to allow development on an approximately 12ha site at Arawa Road, Pongakawa.

The purpose of the Pencarrow Estate Pongakawa Structure Plan (1491 SH 2 & 53 Arawa Road, Pongakawa) is to rezone the existing rural zone to predominantly residential, with provision for commercial zone and associated reserves. A Structure Plan has been developed for the site which proposes specific development requirements across three stages. Rule changes are proposed for the Structure Plan Area to allow for specific residential lot sizes and development controls in the Residential Zone, and some specific controls in the Commercial Zone.

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

### Submissions close 4.00pm on Friday 8 December 2023

Name: Gaye Allan

Address: 6 Penelope Pl.  
Pongakawa

Phone: 0273 946 296

Email: gayeallan52@gmail.com

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed: Gaye Allan Date: 5/12/2023

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

Please use the reverse of this form for your submission



1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

33.1

I am opposed to the proposed Pencarrow Estate, I feel the developers haven't thought through the impact of traffic on Arawa Rd, coming into and out of Arawa, with the 100km speed limit there will be no room for error coming into Arawa from Te Puke, with the bridge practically on the intersection, if two or more are entering Arawa, cars following will be stopped on that narrow bridge. At the moment the amount of cars from Arawa & Penelope is OK, add another 200 odd cars, not practical. I believe planned road upgrade into Arawa is minor, it needs to be major or no development.

2. Decision sought

Give precise details of how you want the proposal changed.

A change to proposed roading would be another exit onto SH2 or Tainui Rd, thus ~~eliminating~~ alleviating traffic congestion on Arawa.



# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

34

### Use this form to submit your comments on District Plan Change 95

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

### Submissions close 4.00pm on Friday 8 December 2023

Name: Jodi Ahfook  
Address: 23 Penelope Place Pongakawa  
Phone: 02040116416  
Email: allan.jodi@yahoo.co.nz

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed: Jodi Ahfook Date: 5/12/23

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

Please use the reverse of this form for your submission



1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

34.1

I am opposed to the new subdivision that is going to be built. My main concern is the amount of cars that will be entering and exiting onto Arana Road. Arana Road is 800 metre approximately and if there is 130 houses we are looking @ approximately 260 cars @ any given time on Arana, plus Penelope residents. The volume of traffic is going to be extreme @ peak hour. State H'way 2 to one of the most dangerous stretches of roads with many accidents yearly.

2. Decision sought

Give precise details of how you want the proposal changed.

There needs to be at least 2 ways of exiting the subdivision (not onto Arana). Tairua Road would be ideal as it's a long stretch of road that could also be used by Arana & Penelope residents. Possibly making the paper road a proper road going out to Wharewera Road would also be a good plan. Arana Road is just too short and small to cater to all that traffic.



# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

35

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Private Bag 12803  
Tauranga Mail Centre 3143

### Submissions close 4.00pm on Friday 8 December 2023

Name: Tai Ahfook

Address: 23 Penelope Place, Pongakawa

Phone 021 084 98479

Email: Tylaahfook@gmail.com

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed: [Signature] Date: 5/12/2023

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

### Please use the reverse of this form for your submission

1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

35.1

I am completely opposed to the new Sub division being implemented ~~to~~ near Arawa road. As a resident of Penelope place, the exit onto the main highway is already fairly busy as it is. Having an extra 130 houses added and only having one entry & exit will make matters worse, possibly making chaos during mornings due to a school down pongakawa school road across the train tracks. State highway 2 being a dangerous road as it is, having multiple ~~to~~ crashes a year, adding over 130 cars will make traffic at peak hour utter chaos. Possibly endangering the safety of current residents & future residents.

2. Decision sought

Give precise details of how you want the proposal changed.

having one entry & ~~exit~~ exit onto arawa road. isnt ideal. I would personally ~~not~~ propose having a road stretch out to ~~a~~ another existing road such as wharere road or Tainui road as well as Arawa. This way it will minimise traffic and create an easier way out for those needing to go in a rush.



# Submission Form

## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

36

### Use this form to submit your comments on District Plan Change 95

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

### Submissions close 4.00pm on Friday 8 December 2023

Name: Gina + David Brookes

Address: 21 Penelope Place

Phone 0276974300

Email: dave\_gina123@msn.com

We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed: [Signature]  
Signature of person making submission or person authorised to sign on behalf of person making submission)

Date: 5/12/23

Please use the reverse of this form for your submission

1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

36.1 We oppose this plan!!

there is one small road that will service (an extra potential) 260 cars/people. Getting on to the main road is hard enough now without extra cars being involved. Can you imagine all those cars heading to work between 7-9am and again coming home at night! We have only been on Penelope place for 5 years and already the road is getting excessive wear - when we are only going 20km max and needs repairing

→ There is enough crashes out this way as it is - more cars under pressure will make it worse!!

NOT STATED

2. Decision sought

Give precise details of how you want the proposal changed.

Do not build any more houses or a major up grade of the road would be necessary - more lanes, a turning bay off the main road - not in favour of this really - would rather less traffic to begin with!!



# Submission Form



## District Plan Change 95 - Pencarrow Estate Pongakawa

For office use only.

Submission No:

37

Use this form to submit your comments on District Plan Change 95

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

Submissions close 4.00pm on Friday 8 December 2023

Name: Jo Delaere

Address: 33 Arawa Road PD6 Te Puke  
3186

Phone 5333796 or 021 529 757

Email: delaerejo@gmail.com

I/We would like to speak in support of my/our submission at the Council hearing (please tick) Yes  No

Could you gain an advantage in trade competition in making this submission? Yes  No

Are you directly affected by an effect of the subject matter that a) adversely affects the environment; and b) does not relate to trade competition or the effects of trade competition? Yes  No

If others make a similar submission, will you consider presenting a joint case with them at the hearing? Yes  No

Signed: J Delaere

Date: 4.12.23

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

Please use the reverse of this form for your submission



1. Submission

State in summary what your submission is. Clearly indicate whether you support or oppose the Plan Change or you wish to have amendments made, giving reasons.

Strongly oppose Pencarrow Estate

37.1 Roading/transport - Arawa Road + intersection to SH2 is incredibly unsafe at the moment neither alone adding an extra 120 minimum cars to this scenario! There are no facilities here without having to get in vehicle to drive for anything including recreational (Pongakawa School is across SH2 + up a very busy country road - not safe for kids to walk to local pool, squash, etc), health, shops or employment - most horticulture work is seasonal + done by RSE schemes.

37.2 Management of water quality to ALL residents and having on site waste water treatment close to Puanene Stream, flood plains, etc having direct flow to estuary that locals have worked incredibly hard to restore + improve quality. Most wind direction means that most existing residents will smell

2. Decision sought

the waste treatment.  
Give precise details of how you want the proposal changed.

Every local who lives on both Arawa Road + Penelope Place strongly oppose this as it will have a direct impact on our lives

- 37.1 - transport
- 37.1 - transport/roading safety including drop off/pick up of kids on buses.
- 37.4 - water quality + water pressure
- 37.5 - security (especially due to high density housing which directly or indirectly can mean rentals - generally speaking people do not respect or care for property/their environment that they do not own.)
- 37.1 - these 2 roads (particularly Arawa) can not handle this level of people, vehicles + housing... it's not suitable at all!!