Western
Bay of Plenty
District Council

Mā tō tātou takiwā For our District

Plan Change 92 Ōmokoroa and Te Puke Enabling Housing Supply and Other Supporting Matters

Section 32 Evaluation Report

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1 Introduction

1.1 Plan Change Overview

Western Bay of Plenty District Council is preparing a plan change in accordance with the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 to give effect to polices 3 and 4 of the National Policy Statement – Urban Development and enable the Medium Density Residential Standards (MDRS).

Council is also including related supporting and/or consequential provisions including objectives and policies which support or are consequential to the MDRS. Related provisions for this plan change include district-wide matters, earthworks, fencing, infrastructure, qualifying matters, stormwater management and subdivision.

Within the Western Bay of Plenty District Council area, the implementation of the MDRS is limited to the Ōmokoroa and Te Puke towns as these have a projected population of 10,000 or more residents and are therefore defined as being an "*urban environment*" under the Amendment Act.

In the context of Ōmokoroa the MDRS are supported by the wider Ōmokoroa urbanisation project which, in addition to providing for residential expansion also encompasses necessary supporting zoning and related activities to provide a well-functioning urban environment that enables people and communities to provide for their social, economic, and cultural wellbeing.

The locations of the project areas subject to this report are shown in Figure 1 below.

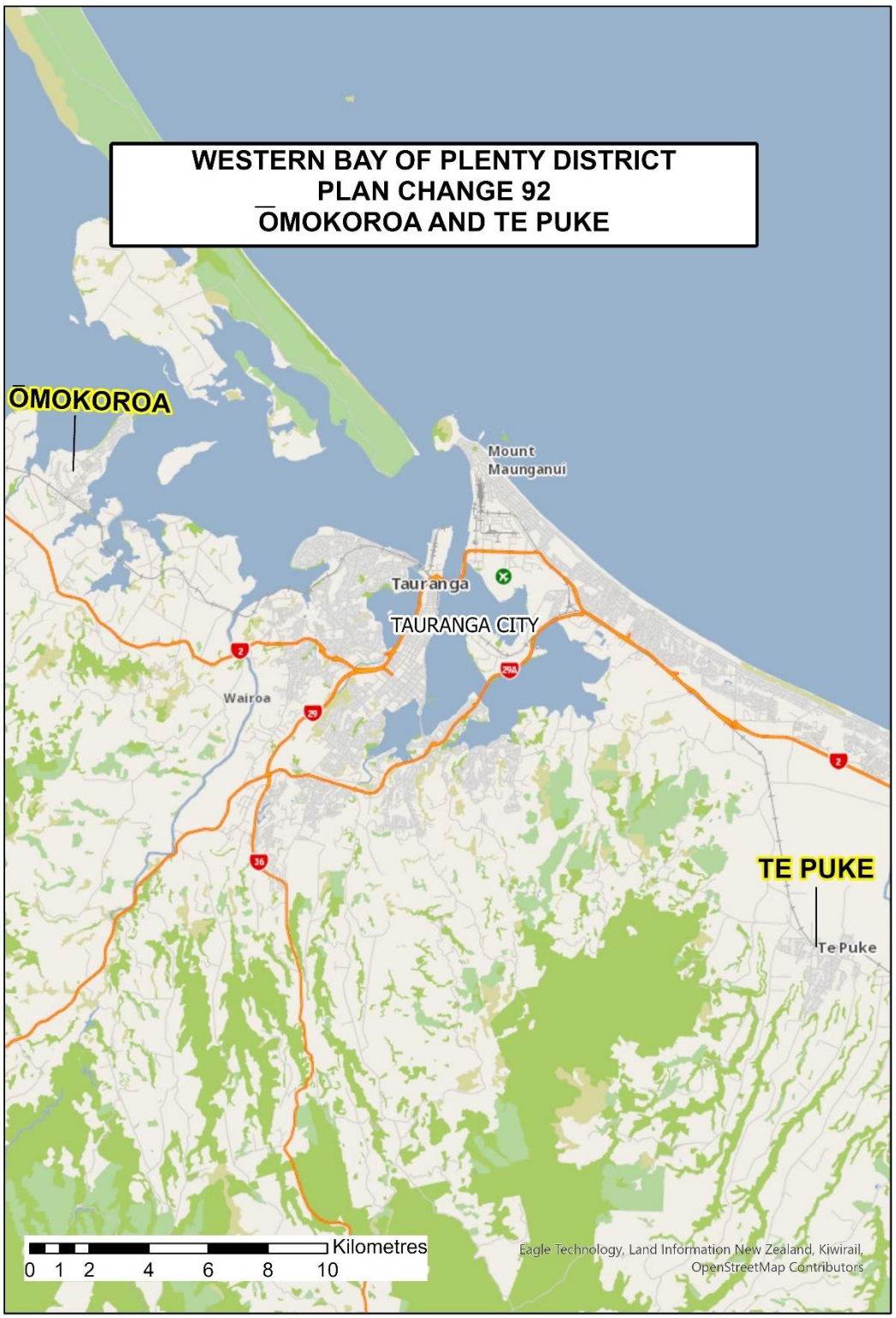

Figure 1: Location Plan of Study Areas - Ōmokoroa and Te Puke

1.2 Study Area- Ōmokoroa

Ōmokoroa Peninsula from Ōmokoroa Point to State Highway 2 is the area that is subject to this plan change. The area is shown in Figure 2 below.

The area is recognised as one of the main growth areas in the western Bay of Plenty sub-region. Based on 2018 Census data the population of Ōmokoroa was 3,504 which is approximately 1000 people more than the previous Census representing a 25 percent increase. The updated population estimate for 2022 is 4,947.

The area has been recognised as suitable for urban development since the 1970s. It grew in stages up to the 1990s however water pollution issues directly linked to on-site septic tank use slowed development until 2007. This is when the peninsula's wastewater was reticulated and a wastewater pipeline constructed that linked to the Tauranga City sewage treatment plant, resulting in septic tanks no longer being allowed.

This was the key to unlocking Ōmokoroa for growth. This significant investment in infrastructure ($30m) was committed to by Council on the basis that the State Highway 2 safety and efficiency issues would be resolved in accordance with the Notice of Requirement and the related Designation of land to provide for the four laning of the State Highway and intersection improvements.

At this time planning was instigated to urbanise the area between the Omokoroa Country Estate and the Railway. This was known as Stage 1 of Ōmokoroa's urban development planning. It included the already largely developed stages referred to as the "Existing Village" which incorporated the original residential development area at Ōmokoroa Point and the next wave of urbanisation including the existing commercial centre.

Stage 2 became effective in 2010 (Plan Change 69 to the previous Operative District Plan) and zoned the residential areas on the State Highway side of the Railway now under development (Harbour Ridge and Te Awanui Waters). The Ōmokoroa Industrial Zone was also established at this time and was the subject of a subsequent plan change (Plan Change 81) and a long appeal process resolved in March 2021. In addition, through the Housing Affordability and Special Housing Area Act process, an area that had been identified for largely commercial and light industrial activities was approved for residential development and is also now actively being transformed into residential use (Kaimai Views).

Population forecasts for Ōmokoroa for the period to 2028 predict a population of approximately 6,800 people with capacity of 12,000 – 13,000 people being reached in around 30 years. It is currently estimated that there is only six years supply within the Ōmokoroa urban area necessitating the need to undertake the rezoning and linked actions to support the provision of housing and related infrastructure.

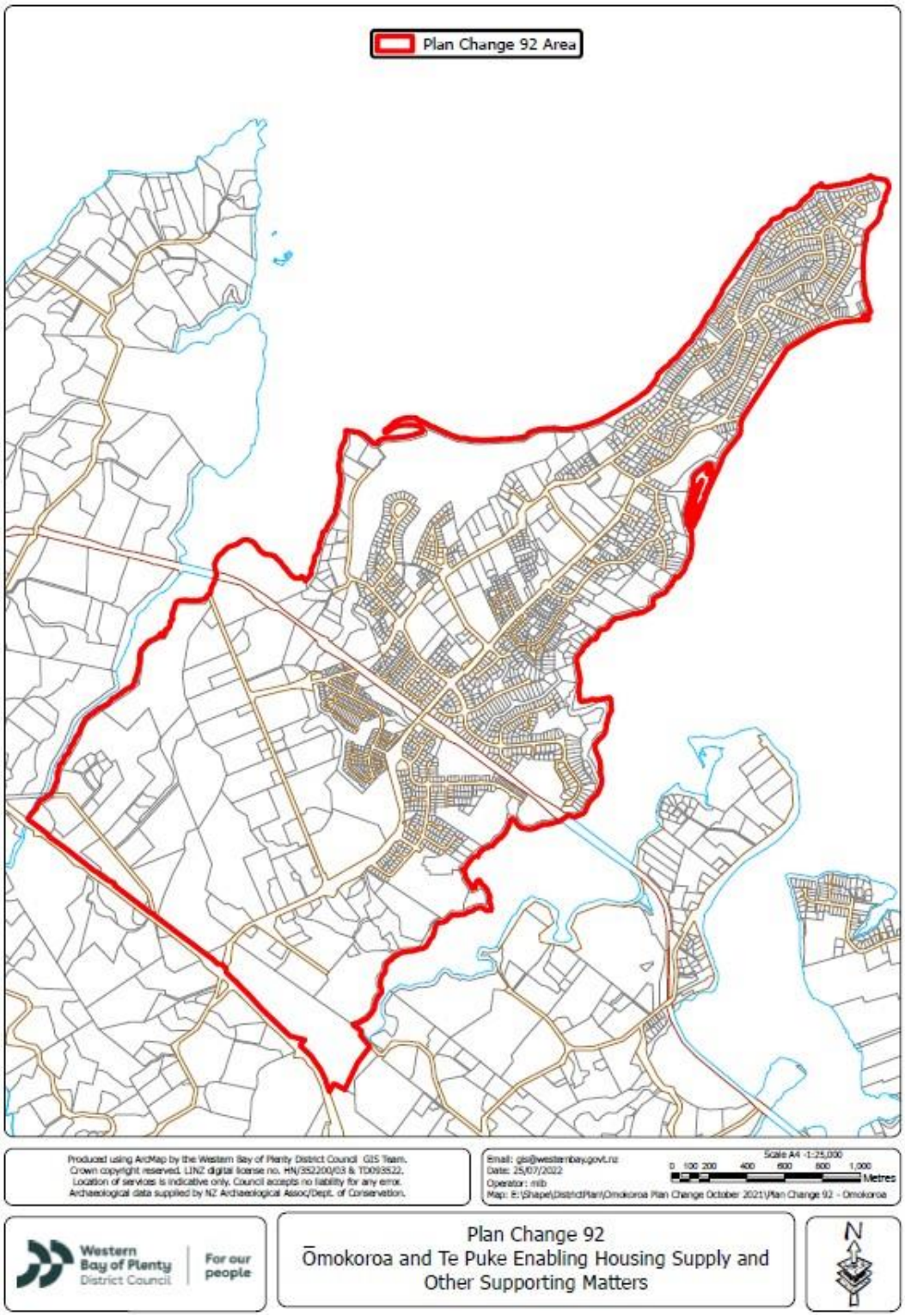

Figure 2: Ōmokoroa Enabling Housing Supply Plan Change Area (Source WBOPDC GIS)

1.3 Study Area – Te Puke

The primary study area for this plan change is the existing Te Puke urban area as shown in Figure 3 below. The plan change area includes all existing residentially zoned

land and discrete areas of Rural and Future Urban zoned land.

Te Puke is a town of approximately 9,700[1] people and 3,117 dwellings located 28 kilometres southeast of Tauranga in the Western Bay of Plenty District. It has developed over the past 130 years as a service centre for the surrounding rural area. Significant early industries in the vicinity included flax milling, timber milling and gold mining. The core economy of the area has changed over time from crop farming to dairy to horticulture. Many residents of Te Puke have been drawn to the town for the seasonal fruit growing, harvesting and manufacturing industries and the service businesses that support the horticultural and farming industries.

The town itself straddles Jellicoe Street (formerly State Highway 2) which bisects the central business district (CBD) with wide grassed medians planted with mature Puriri trees. The central town area is visually dominated by the Puriri trees and the double storey buildings located along Jellicoe Street.

Outside the CBD, the residential areas of Te Puke reflect the widely varying streetscape and character typical of a town that has developed over many decades. Some more recent infill and smaller-scale multi-dwelling comprehensive development has occurred in places; however, the predominant pattern of development to-date is generally detached housing with large front yards, mature tree plantings, and a low-density appearance.

[1] It is estimated that the population increased from 8,688 to approximately 9,700 and the number of dwellings from 2,964 to approximately 3,117 between the 2018 census and June 2021.

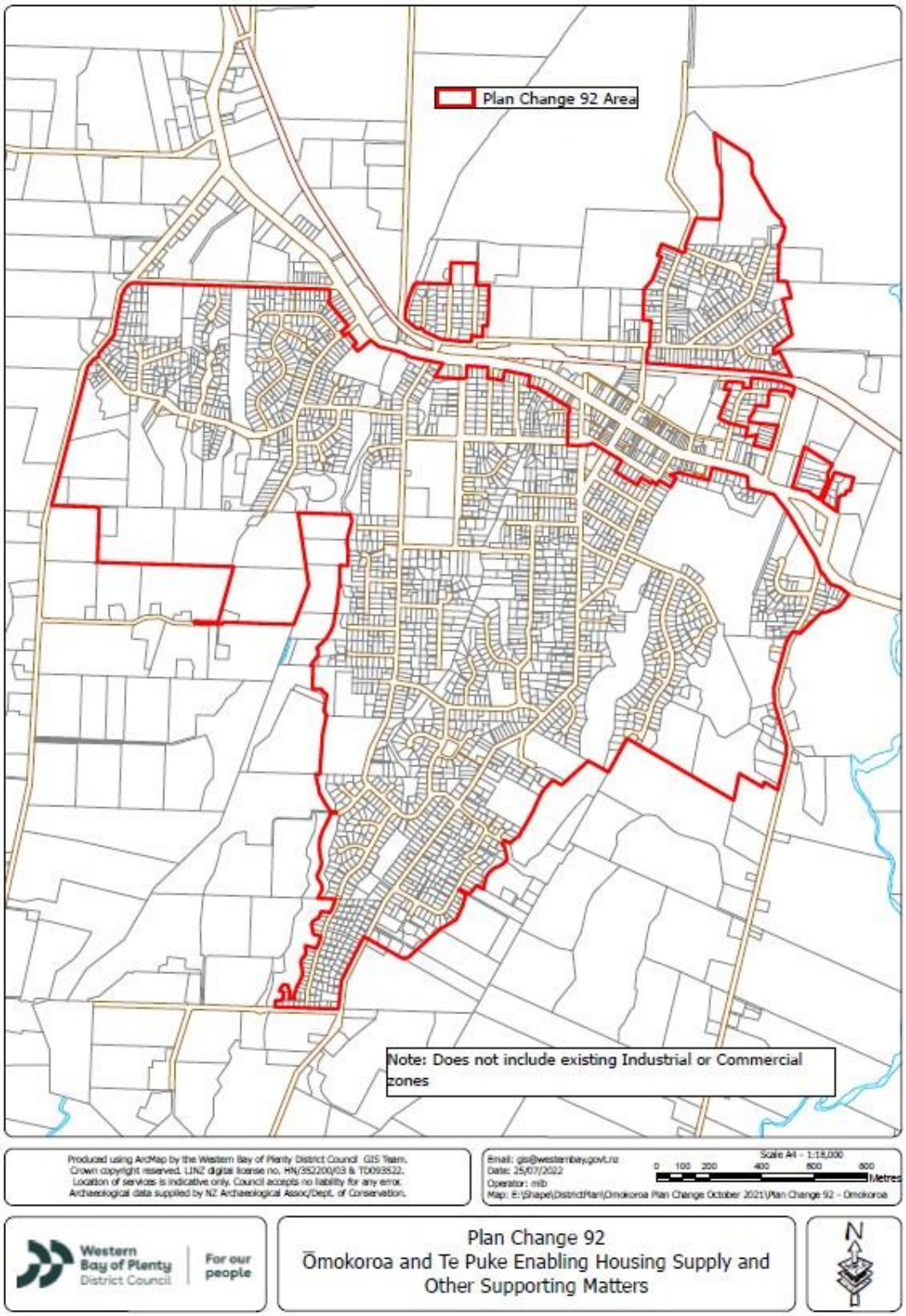

Figure 3: Te Puke Enabling Housing Supply Plan Change Area

Various strategic planning studies and documents including SmartGrowth and the Bay of Plenty Regional Policy Statement affirm the importance of Te Puke as an area with potential for some further urban development and growth, as a significant support centre for horticultural-related employment and industry, and as being well located to provide effective and efficient connections within the wider transportation network to

link with other urban centres.

Reflecting the growing need and demand for additional housing, residential greenfield development is currently underway (resource consented and in the process of being resource consented) on the south-western outskirts of the town within the Te Puke Area 3 Structure Plan area, and within the Future Urban zone south of this area.

In addition, Council continues to be involved in discussions with developers wishing to pursue private plan changes involving Rural zoned land being developed for residential purposes on the eastern boundary of the town. A private plan change has recently been lodged for a 7.4ha area of land at the end of Seddon Street which will provide approximately 150 residential dwelling units to the market.

1.4 Purpose of Report

The purpose of this project is to respond to Western Bay of Plenty District Council's (WBOPDC) need to meet the requirements of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (the Amendment Act) which was enacted on 16 December 2021. This legislation requires a change to the District Plan to introduce standards to enable residential intensification to be notified by 20 August 2022.

The statutory context for the plan change is explained in detail in Section 2 below. In summary, the Ōmokoroa and Te Puke towns have recently been recognised by the Amendment Act as "relevant residential zones" that must incorporate Medium Density Residential Standards (MDRS) and give effect to Policies 3 and 4 of the National Policy Statement on Urban Development (NPS-UD).

It is anticipated that the changes required by the Amendment Act will give people more choices about where they can live affordably in a wider variety of housing types that have good access to jobs, transport and community facilities. The changes will enable greater housing supply by providing for medium density developments subject to more permissive density standards than would normally be associated with traditional residential zones.

It is important to ensure that a range of housing types are delivered to cater for a diverse community in terms of income, age profile, culture and household size and to avoid dominance of one specific housing type which may not enable an inclusive community.

One of the key actions in developing the plan change has been to determine the capacity of the towns, particularly in relation to infrastructure capacity for wastewater treatment and stormwater management. The capacity calculation in turn, has determined maximum/optimum population numbers and the consequent development of a placemaking framework (set of planning rules) that is needed to support well-functioning towns.

Ōmokoroa is recognised as one of the main growth areas in the western Bay of Plenty sub-region with the new growth areas south of the railway line being identified as a key area for new medium-density housing development, town centre development and other business activities. Although located on a peninsula, the area expected to have the newest development is relatively free of physical natural constraints. The biggest constraint on development is in relation to infrastructure, particularly the need for improvement of the intersection with State Highway 2.

The landscape and associated natural hazards influence the types of land uses that can be established within the Te Puke town. Constraints on urban development include land known to be susceptible to flooding, and the gully systems which have limited development potential but could be suited for low density development or as natural open space to fulfil a stormwater management function as well as open space/reserve functions. When fully developed, Te Puke will provide for a population of approximately 13,000 people with supporting housing, business land and community infrastructure.

The specific legislative framework and timeframes set within the Amendment Act legislation places constraints on what can be achieved through this Enabling Housing Supply plan change project, hence the focus on settlement patterns, housing choice and medium density development standards, rather than broader socio-economic matters.

A wholesale review of broader matters, which include consideration of all other District Plan zones and related provisions will be comprehensively addressed in the District Plan Review to be undertaken over the next 2 to 3 years.

1.5 Project Background

Ōmokoroa has been recognised as one of the main growth areas in the western Bay of Plenty sub-region for some time with a significant area being zoned Future Urban. The Council in consultation with the community has been developing a structure plan for the new growth area and related provisions to provide the framework for the urbanisation of this area. After consultation with the Ministry for the Environment including the provision of a draft plan change, the Council formally applied to the Minister for the Environment ("the Minister") in 2021 to undertake the subject plan change utilising the Streamlined Planning Process (SPP). The basis for this was to fast-track the necessary planning process to enable the residential expansion of Ōmokoroa to assist in addressing the significant shortage of housing in the area. The proposed plan change was provided to the Minister in July 2021 with the expectation that the Minister would confirm the approach within three months.

In October 2021 the Government had introduced to Parliament the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill. The Bill introduced requirements for tier 1 territorial authorities that were in the process of preparing plan changes or variations to proposed plans to implement the NPS-UD

intensification policies, to adjust their proposed plans once this Bill was enacted. For this reason, the Bill required that proposed plans, or private plan changes accepted, must be withdrawn where it can be determined that the proposed plan change –

- intends to give effect to intensification policies of the NPS-UD
- proposes changes to a residential zone that will be subject to the MDRS
- creates a new relevant residential zone that does not incorporate the MDRS
- has been notified on or before the enactment of the Bill but a hearing under clause 8B of Schedule 1 is not completed on or before 20 February 2022.

The legislation was effectively fast-tracked and passed into law on 20 December 2021.

This affected the proposed Ōmokoroa Plan Change and a proposed private plan change for Seddon Street in Te Puke.

The Council eventually received a formal "draft direction" in regard to the proposed Ōmokoroa SPP from the Minister on 29 November 2021 and a further direction in March 2022.

Due to the need to redraft the proposed plan change and to also incorporate the Te Puke urban area, potential need to run duplicate processes and related efficiency and clarity issues, the decision was made to formally withdraw the SPP application in May 2022.

For Ōmokoroa the redrafting has included having to apply the MDRS across the whole of the current and proposed residential zones and ensuring other provisions supported the provision of housing in accordance with the Act.

As the Te Puke part of the project was effectively brand new, with the review of Te Puke provisions being scheduled to occur predominately through the District-wide plan review process, the initial course of action was identifying the scope of the project that could be managed in the set timeframe.

Initially, this project was identified as an opportunity to not only meet the Amendment Act minimum legislative requirements, but to also address a number of wider planning issues for the area including:

- extending the residential boundaries to include additional greenfield areas for development;
- considering areas previously earmarked for residential expansion that are within the urban limits but not zoned for such;
- increasing the amount of industrial land available;

- provision for papakainga:
- reviewing recreation reserve requirements;
- investigating options to address stormwater management issues and walking/cycling connectivity; and
- reviewing the capacity of the town's infrastructure, particularly the 3 waters.

As a result of understanding the extent of work required to achieve these things and the short timeline available, the ability of the project to successfully deliver on the initial scope by the required date was raised as a key risk by the project team early in the process.

Options in relation to delivering the scope of the changes required by the Amendment Act were therefore considered and a decision was made to implement the MDRS for Ōmokoroa and Te Puke as required by the Amendment Act and include the related supporting plan changes for Ōmokoroa based on the structure plan and related provisions being well advanced and highly consulted on. For Te Puke, due to the very tight timeframe the introduction of additional residential areas and other wider supporting provisions was limited to either those areas that had effectively had a de-facto plan change via a resource consent process or had been the subject of a private plan change process that had been affected by the Amendment Act. As the review of the comprehensive District Plan review process was scheduled to begin in 2022 it was decided to defer wider plan changes to this process with the acknowledgment that other interim plan changes could be actioned if required.

1.6 Report Content and Format

This document delivers the Evaluation Report required by section 32 of the Resource Management Act 1991 (RMA). Specifically, it provides an evaluation undertaken in the preparation of new District Plan provisions for the Ōmokoroa and Te Puke urban areas to meet the requirements of the Amendment Act and to implement the MDRS.

Section 32 of the RMA requires Councils to examine whether the proposed objectives are the most appropriate to achieve the purpose of the RMA, and whether the provisions (i.e., policies, rules and standards) are the most appropriate way to achieve the objectives. In addition, the s32 assessment must identify and assess environmental, economic, social, and cultural effects, benefits and costs anticipated from the implementation of the proposed provisions.

The Amendment Act includes additional s32 evaluation requirements where qualifying matters make higher density in any area in accordance with MDRS inappropriate. The additional information that needs to be included differs depending on the category of the qualifying matter (existing, new, or other). This context and the statutory requirements are explained in more detail in Section 2 of this report.

This report and supporting evaluations include the required details and assessment of the proposed changes to the District Plan, including:

- An evaluation of the options considered in incorporating the MDRS and associated supporting and/or consequential provisions for Ōmokoroa and Te Puke (related provisions include district-wide matters, earthworks, fencing, infrastructure, qualifying matters, stormwater management and subdivision);
- Related provisions including objectives and policies which support or are consequential to the MDRS;
- Natural hazards risk assessments and new maps and provisions;
- Financial contributions review for new development and new provisions;
- Consequential changes to other sections.

The required detail is set out in the following sections of this evaluation.

Section 1 – Introduction: Outlines the background, the study areas, context for and purpose of the project and this report.

Section 2 – Statutory Context: Provides the legal context and requirements relating to proposed Plan Change 92.

Section 3 – Strategic Context: Provides the strategic directions and summarises key strategic documents.

Sections 4 to 8 – Issues, Opportunities and Constraints: Provides an overview and a substantive examination of the key opportunities and constraints for the increased intensification of Ōmokoroa and Te Puke.

Section 9 – Options: Assesses the merits of various options. The evaluation report is included in Appendices to this report.

Section 10 – Statutory Assessment – RMA: Assesses the preferred proposals against the relevant higher order and related statutory assessment requirements.

Section 11 – Implementation Plan: Provides a summary of the Proposed Plan Change and Structure Plan based on the preferred option and related implementation initiatives. Plan Change 92 details are included in Appendices to this report.

Section 12 – Supporting Documents and Reference Materials: Provides a list of documents (not included in the Appendices) that helped inform this report and related analysis.

Appendices

Appendix 1: Detailed Section 32 Evaluation Report

Appendix 2: Proposed Plan Change 92

2 Statutory Context

2.1 Overview

The Ōmokoroa and Te Puke Enabling Housing Supply plan change project was established to enable WBOPDC to respond to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (enacted 16 December 2021).

The Amendment Act is designed to improve housing supply in New Zealand's tier 1 urban authorities (which includes the WBOPDC area) by speeding up implementation of the National Policy Statement on Urban Development (NPS-UD).

In conjunction with the NPS-UD, the Amendment Act requires that specific less restrictive planning rules be included in district plans for Tier 1 urban authority areas in New Zealand. This is to allow more houses to be built more easily in a shorter timeframe, and to enable intensification to occur in close proximity to community facilities, transportation, employment opportunities and other infrastructure. The provision of increased intensification of urban development is enabled through the provision of Medium Density Residential Standards (MDRS) which are outlined in the Amendment Act.

The amendments to the RMA mean that by 20 August 2022, Tier 1 councils are required to notify an intensification planning instrument (IPI) that gives effect to relevant policies from the NPS-UD and incorporates the MDRS for all relevant residential zones in their district or city.

An IPI is a plan change, but it will follow a slightly different process called the Intensification Streamlined Planning Process (ISPP) which is intended to mean that the proposed changes to district plans can come into effect more quickly.

Once IPI's are notified (no later than 20 August 2022) there will be immediate legal effect for any rules which allow, as a permitted activity, a residential unit in a relevant residential zone in accordance with the density standards. This will allow for significantly more permitted residential development, which will not require resource consent where development complies with the MDRS.

The implications of the Amendment Act include that the scope of plan changes authorised using the ISPP are quite narrow, and that to include matters that fall outside the ISPP requires the use of the 'standard' Schedule 1 plan change process.

In relation to this IPI Council has determined that the short legislative timeframe restricts consideration of plan change matters to those that fall within the MDRS legislative requirements. In the context of Ōmokoroa the MDRS are supported by the wider Ōmokoroa urbanisation project which, in addition to providing for residential

expansion, also encompasses necessary supporting zoning and related activities to provide a well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing.

The full District Plan review process to be completed within the next 2 to 3 years will consider all other matters that fall outside the confines of this ISPP. The option exists for a plan change to address the other issues discussed above for Te Puke.

2.2 Medium Density Residential Standards Explained

Appendix 13 to this report contains the Medium Density Residential Standards (MDRS) as contained in Schedule 3A of the RMA.

In summary, the density standards that must be incorporated for all relevant residential zones are as follows:

- No more than 3 residential units per site;
- Buildings must not exceed 11 metres in height, however the roof can exceed this height by 1 metre depending on the slope of the roof;
- The building coverage (including overhangs) must not exceed 50% of the net site area;
- Buildings must not project beyond a 60° recession plane (with a number of exceptions in specific circumstances) measured at 4 metres height at the boundary;
- Buildings must be set back from the relevant boundary: 1 metre from the side and rear boundaries, and 1.5 metres from the front boundary (this doesn't apply to adjoining properties which have common walls);
- A residential unit that faces the street must have a minimum of 20% of the street-facing façade in glazing in the form of windows or doors;
- A residential unit must have an outdoor living space which is required to have certain dimensions depending on whether it is a ground floor or upper floor unit;
- A residential unit must have an outlook space which has specific dimension and outlook requirements;
- A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants and can include the canopy of trees regardless of the ground treatment below them.

All residential zones must be included in the IPI, unless the relevant council considers that there is a 'qualifying matter' for specific areas meaning that some of or all of the MDRS are not appropriate.

Qualifying matters include:

- Matters of national importance;

- Areas where there is a need for open space for public use;
- Areas where there is a matter required to give effect to a national policy statement; or
- Where there is any other matter that makes higher density inappropriate in an area.

The Amendment Act requirements also mean that Councils are not able to include minimum lot sizes or size related requirements for residential subdivisions in residential zones, as long as it can be demonstrated that development proposed within the subdivision is compliant with the MDRS. Subdivisions which are compliant with the MDRS will be a Controlled Activity, meaning resource consent is required but cannot be refused by a council, only conditioned.

2.3 Intensification Streamlined Planning Process

The Amendment Act introduces a new planning process that supports Councils to implement the intensification policies from the NPS-UD. This is called the Intensification Streamlined Planning Process (ISPP).

The ISPP is based on the existing streamlined planning process under the RMA but is intended to be faster and easier for councils, and less costly over the medium to long-term. It provides participation opportunities for Māori and the public generally, but no appeal rights. The ISPP process is to enable the intensification outcomes of the NPS-UD to be achieved at least a year earlier than they would have been without the Amendment Act.

Tier 1 councils are required to use the ISPP to incorporate the MDRS into their plans and the MDRS notified through this process will have immediate legal effect (subject to a limited number of exemptions) on notification.

2.4 Intensification Planning Instrument

The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 requires (for Tier 1 Councils) that an Intensification Planning Instrument (IPI) be prepared that must incorporate the MDRS and give effect to intensification policies 3 and 4 of the NPS-UD. This instrument (IPI or plan change) must be notified by 20 August 2022.

The MDRS are outlined in Section 2.2 above.

Policies 3 and 4 of the NPS-UD are as follows.

> ***Policy 3:*** *In relation to tier 1 urban environments, regional policy statements and*

district plans enable:

a) *in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and*

b) *in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and*

c) *building heights of at least 6 storeys within at least a walkable catchment of the following*:

   (i) *existing and planned rapid transit stops*

   (ii) *the edge of city centre zones*

   (iii) *the edge of metropolitan centre zones; and*

d) *Within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and density of urban form commensurate with the level of commercial activity and community services.*

***Policy 4*:** *Regional policy statements and district plans applying to tier 1 urban environments modify the relevant building height or density requirements under Policy 3 only to the extent necessary (as specified in subpart 6) to accommodate a qualifying matter in that area.*

Urban environments are defined as areas having a population greater than 5,000 at the 2018 Census or are planned to grow to greater than 10,000 people. Ōmokoroa and Te Puke meet both criteria.

The IPI acting as a straight insertion of the MDRS to address Policies 3 and 4 from the NPS-UD was considered as an option to meet the minimum requirements of the Amendment Act. Instead, the opportunity to complete a more complete review of residential zone land and associated standards has been identified as a preferred approach that will not only meet the minimum statutory requirements but will also address pressing issues for Ōmokoroa and Te Puke including the provision of additional residential land by way of including Rural and Future Urban zoned land where development is imminent.

Related provisions have been incorporated and these include objectives and policies which support or are consequential to the MDRS, and provisions for district-wide matters such as earthworks, fencing, infrastructure, qualifying matters, stormwater management and subdivision.

While this approach will deliver a superior outcome in terms of ensuring that Ōmokoroa and Te Puke can meet the needs of their growing communities, the short timeframe to step through the project to be able to meet the 20 August 2022 deadline has been a significant constraint in developing the plan change.

2.5 Requirements for Preparing Evaluation Reports

2.5.1 Introduction

Before a proposed plan change can be publicly notified the Council is required under section 32 of the Resource Management Act (s.32) to carry out an evaluation of alternatives, costs and benefits of the proposal.

In addition, additional evaluation is required by Amendment Act Sections 77J, 77K and 77L. These evaluation matters relate to provisions which implement the MDRS, and the inclusion of any qualifying matters in relation to preparation of an IPI to introduce intensification provisions.

The requirement to complete a s32 evaluation is met by the preparation of this report which provides a detailed assessment of the MDRS provisions as required by s32 including additional evaluation requirements specified by sections 77J, 77K and 77L of the RMA.

2.5.2 Section 32 Resource Management Act

With regard to Council's assessment of the proposed plan change, s.32 requires the following.

32 Requirements for preparing and publishing evaluation reports

(1) An evaluation report required under this Act must—

(a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and

(b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—

(i) identifying other reasonably practicable options for achieving the objectives; and

(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and

(iii) summarising the reasons for deciding on the provisions; and

(c) contain a level of detail that corresponds to the scale and significance of

the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

(2) An assessment under subsection (1)(b)(ii) must—

(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—

(i) economic growth that are anticipated to be provided or reduced; and

(ii) employment that are anticipated to be provided or reduced; and

(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and

(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

(3) If the proposal (an amending proposal) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—

(a) the provisions and objectives of the amending proposal; and

(b) the objectives of the existing proposal to the extent that those objectives—

(i) are relevant to the objectives of the amending proposal; and

(ii) would remain if the amending proposal were to take effect.

(4) If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.

(4A) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—

(a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and

(b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.

(5) The person who must have particular regard to the evaluation report must make

the report available for public inspection—

(a) as soon as practicable after the proposal is made (in the case of a standard, regulation, national policy statement, or New Zealand coastal policy statement); or

(b) at the same time as the proposal is notified.

(6) In this section,—

***objectives** means,—*

(a) for a proposal that contains or states objectives, those objectives:

(b) for all other proposals, the purpose of the proposal

***proposal** means a proposed standard, statement, national planning standard, regulation, plan, or change for which an evaluation report must be prepared under this Act*

***provisions** means,—*

(a) for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change:

(b) for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.

2.5.3 Sections 77J, 77K and 77L of the Resource Management Act

The additional requirements in relation to the s32 evaluation report for implementing the intensification requirements (MDRS) in residential zones, and in relation to the inclusion of qualifying matters are set out in sections 77J, 77K and 77L of the RMA as follows.

77J Requirements in relation to evaluation report

(1) This section applies if a territorial authority is amending its district plan (as provided for in section 77G).

(2) The evaluation report from the specified territorial authority referred to in section 32 must, in addition to the matters in that section, consider the matters in subsections (3) and (4).

(3) The evaluation report must, in relation to the proposed amendment to accommodate a qualifying matter,—

(a) *demonstrate* why *the* territorial authority considers—

(i) that the area is subject to a qualifying matter; and

(ii) that the qualifying matter is incompatible with the level of development

permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 for that area; and

(b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and

(c) assess the costs and broader impacts of imposing those limits.

(4) The evaluation report must include, in relation to the provisions implementing the MDRS,—

(a) a description of how the provisions of the district plan allow the same or a greater level of development than the MDRS:

(b) a description of how modifications to the MDRS as applied to the relevant residential zones are limited to only those modifications necessary to accommodate qualifying matters and, in particular, how they apply to any spatial layers relating to overlays, precincts, specific controls, and development areas, including—

(i) any operative district plan spatial layers; and

(ii) any new spatial layers proposed for the district plan.

(5) The requirements set out in subsection (3)(a) apply only in the area for which the territorial authority is proposing to make an allowance for a qualifying matter.

(6) The evaluation report may for the purposes of subsection (4) describe any modifications to the requirements of section 32 necessary to achieve the development objectives of the MDRS.

77KAlternative process for existing qualifying matters

(1) A specified territorial authority may, when considering existing qualifying matters, instead of undertaking the evaluation process described in section 77J, do all the following things:

(a) identify by location (for example, by mapping) where an existing qualifying matter applies:

(b) specify the alternative density standards proposed for those areas identified under paragraph (a):

(c) identify in the report prepared under section 32 why the territorial authority considers that 1 or more existing qualifying matters apply to those areas identified under paragraph (a):

(d) describe in general terms for a typical site in those areas identified under paragraph (a) the level of development that would be prevented by

accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3:

(e) notify the existing qualifying matters in the IPI.

(2) To avoid doubt, existing qualifying matters included in the IPI—

(a) do not have immediate legal effect on notification of the IPI; but

(b) continue to have effect as part of the operative plan.

(3) In this section, an existing qualifying matter is a qualifying matter referred to in section 77I(a) to (i) that is operative in the relevant district plan when the IPI is notified.

77LFurther requirement about application of section 77I(j)

A matter is not a qualifying matter under section 77I(j) *in relation to an area unless the evaluation report referred to in* section 32 *also—*

(a) identifies the specific characteristic that makes the level of development provided by the MDRS (as specified in Schedule 3A *or as provided for by policy 3) inappropriate in the area; and*

(b) justifies why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and

(c) includes a site-specific analysis that—

(i) identifies the site to which the matter relates; and

(ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and

(iii) evaluates an appropriate range of options to achieve the greatest heights and densities permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 while managing the specific characteristics.

2.6 Resource Management Act 1991 - Purpose

The purpose of the Resource Management Act 1991 (RMA) under which this IPI is being prepared is to promote the sustainable management of natural and physical resources.

Sustainable management is defined in the RMA as:

> *managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their*

social, economic, and cultural wellbeing and for their health and safety while-

a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and

c) Avoiding remedying or mitigating any adverse effects of activities on the environment.

In achieving the purpose of the RMA, all persons exercising functions and powers under it, shall:

- Recognise and provide for matters of national importance as detailed in Part 2, Section 6 of the RMA;
- Have particular regard to other matters as detailed in Part 2 Section 7 of the RMA; and
- Take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) (Part 2 Section 8 of the RMA).

This proposed IPI has been developed in accordance with the ISPP identified in the Act. An assessment of how this IPI is in accordance with the purpose of the Act has been made and is included in Section 10 of this report.

3 Strategic Context

3.1 Introduction

The Western Bay of Plenty District Plan has a wider relationship with the SmartGrowth Strategy and Settlement Pattern, Future Development Strategy (FDS) and the Urban Form and Transport Initiative (UFTI) which, in addition to National Policy Statements and the Bay of Plenty Regional Council's Regional Policy Statement (RPS), provide a complex series of national, regional and sub-regional direction for urban development.

In addition, and at a more local level, Council's Long Term Plan, Community and Town Centre Plans, Built Environment Strategies and similar local-level documents can also provide relevant strategic context.

3.2 SmartGrowth, Future Development

Strategy, and Urban Form & Transport Initiative

3.2.1 SmartGrowth

SmartGrowth is a partnership between Bay of Plenty Regional Council, Western Bay of Plenty District Council, Tauranga City Council and tangata whenua supported by key Government agencies, particularly Waka Kotahi NZ Transport Agency, and from July 2020 also by the Ministry of Housing and Urban Development, Department of Internal Affairs, Treasury, Kainga Ora and Ministry of Transport.

This joint partnership approach is designed to ensure Councils and Government are aligned and working together to best manage growth, with a shared understanding of the region's needs including housing, transport, access to education and environmental matters.

SmartGrowth's central focus is on integrated planning and growth management for the western Bay of Plenty sub-region.

It provides a unified vision, direction and voice for the future of the Tauranga and Western Bay of Plenty local authority areas. The SmartGrowth Leadership Group is responsible for implementing the SmartGrowth Strategy and Implementation Plan on behalf of ratepayers in the Tauranga City, Western Bay of Plenty District, and Bay of Plenty Regional Council areas.

The Settlement Pattern in the SmartGrowth Strategy is described as a 'blueprint' that sets out how, where and when development will occur within the western Bay of Plenty sub region. The Strategy identifies Ōmokoroa and Te Puke as growth areas. Ōmokoroa forms part of the "northern corridor" and Te Puke forms part of the "eastern corridor". They are areas identified to accommodate new business and residential development.

As a coordinated collaborative development strategy there is an expectation that all partners play their part in providing the required input to deliver the SmartGrowth Strategy.

3.2.2 Future Development Strategy

To respond to the requirements of the National Policy Statement on Urban Development Capacity (NPS-UDC), SmartGrowth embarked on the development of a Future Development Strategy (FDS) to ensure that the Councils in the western Bay of Plenty sub region were able to provide sufficient development capacity to meet the requirements of the NPS-UDC. This process included community consultation and targeted consultation with iwi.

As part of this, Ōmokoroa was identified as a "*Critical Medium Term Growth Area*". As stated in the Proposed Strategy "*The proposed large greenfield areas of Te Tumu, Tauriko West and Ōmokoroa will provide capacity for most new homes for at least the next 10-15 years. These areas must be rezoned and enabled for development as soon as possible because development capacity is running out*."

The target year for completing the rezoning of Stage 3 Ōmokoroa was 2021, however due to changes in Central Government legislation the drafted and proposed plan change for Ōmokoroa had to be delayed to take into account the new legislation and to also incorporate Te Puke. Combined with Stage 2 there is an identified potential yield of 2,400 homes. A key risk to the delivery of the urbanisation of the area identified in the FDS was the upgrade of the transportation network, primarily State Highway 2.

While not identified as a growth area within the proposed FDS, Te Puke was identified specifically in relation to its significance within the horticultural industry (essentially kiwifruit) as a major employer, and consumer of both business land and of housing for both permanent and seasonal workers. The proposed FDS noted that the local horticultural industry is projected to grow significantly over the next decade, both in the number of hectares dedicated to growing produce, and in revenue. Consequently, it was observed that this would have significant implications in terms of the facilities required to process horticultural produce, and accommodation for permanent and seasonal workers. It was clearly documented that the situation would need to be regularly monitored to ensure that enough housing and business land to meet needs was able to be made available.

With the enactment of the NPS-UD in 2020 (replacing the NPS-UDC) the requirement for future development strategies has been further broadened and strengthened.

A new FDS must be prepared every six years with a stated purpose as follows:

(a) to promote long-term strategic planning by setting out how a local authority intends to:

(i) achieve well-functioning urban environments in its existing and future urban areas; and

(ii) provide at least sufficient development capacity, over the next 30 years to meet expected demand; and

(b) assist the integration of planning decisions under the Act with infrastructure planning and funding decisions.

The following map identifies the Ōmokoroa project area as one of the main medium-term growth areas within the sub-region, and the Te Puke project area as a long-term growth area.

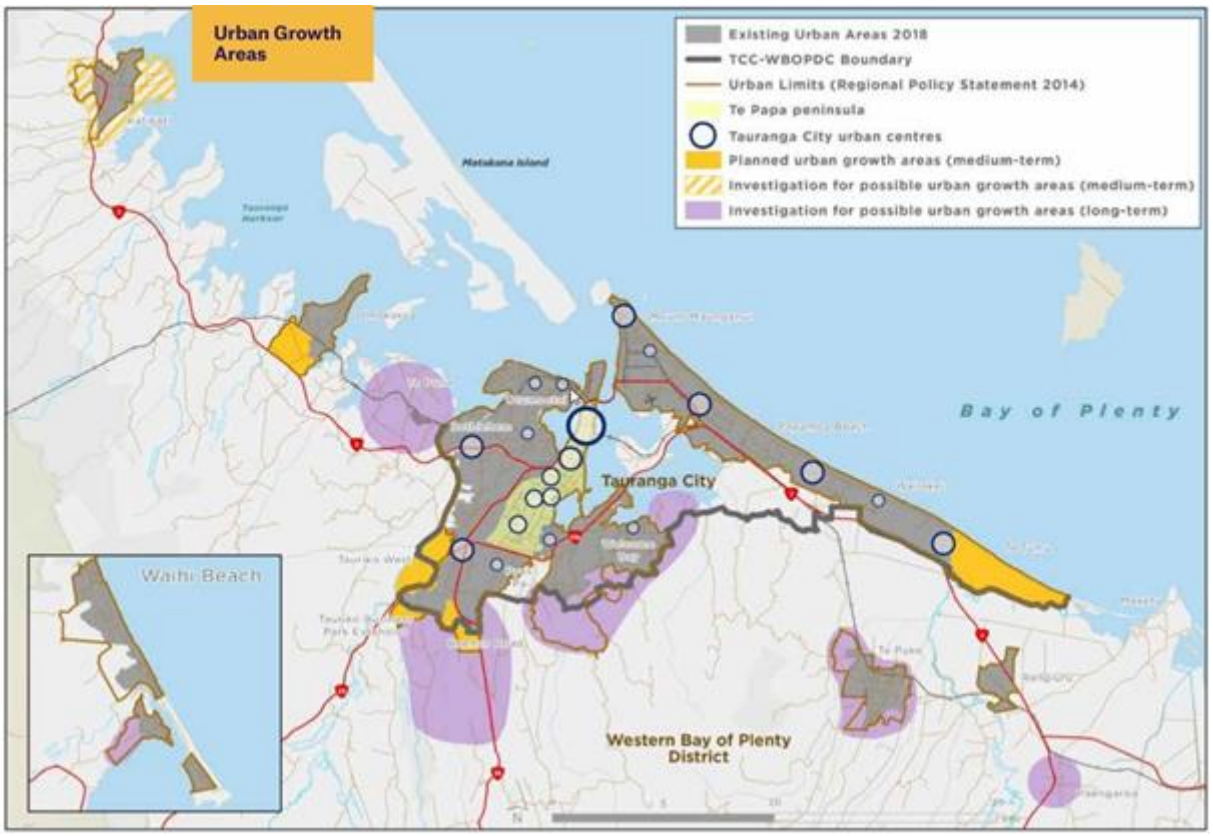

Figure 4: Urban Growth Areas (Source: Proposed SmartGrowth Future Development Strategy 2018)

The proposed FDS was notified in 2018 and has not been finalised because the process was overtaken by the Urban Form and Transport Initiative.

3.2.3 Urban Form and Transport Initiative

The Urban Form and Transport Initiative (UFTI) was a collaboration formed in 2019 between SmartGrowth and Waka Kotahi NZ Transport Agency.

UFTI was a project that was initiated to provide a targeted response to the requirements of the new Government. It was closely related to other SmartGrowth projects and followed on from the proposed FDS to focus on providing an integrated urban form and strategic approach to transportation needs. Specifically, it was aimed at unlocking much-needed capacity for housing development and resolving transport issues in the western Bay of Plenty sub-region.

The fundamental task of UFTI was to develop a long-term, integrated masterplan for urban development and transport, fully aligned with the Government's transport policy statement and urban growth agenda.

In the context of the WBOPDC area, the UFTI project reaffirmed the importance of the Ōmokoroa Stage 3 area as being a key next area for urban development and the need for an effective and efficient transport network to service it. The project also identified

that there were smaller areas of additional urban capacity that could be provided in towns such as Te Puke. It was noted at the time that Te Puke may also present short-term opportunities for the delivery of affordable housing.

The release of the Connected Centres programme in July 2020 was received by all SmartGrowth partners, Waka Kotahi, Kainga Ora and the Ministry of Housing and Urban Development and concluded the work of UFTI. This programme, which increases the number of houses in existing urban and new growth areas and enables people to more easily access social and economic opportunities, was chosen. It offers the best outcome for people to live and move around the sub-region and connect to the upper North Island in the future.

The Connected Centres programme is to be integrated into SmartGrowth via a joint spatial plan and revised FDS and delivered over time via the partner councils' Long-Term Plans, the Regional Land Transport Plan, and the National Land Transport Programme, along with land use planning initiatives.

3.3 WBOPDC Long Term Plan

The Long Term Plan (LTP) provides the Council's direction, key priorities and financial strategy for the forthcoming 10 years. It is updated every three years. The current LTP covers the 2021-2031 period.

The decision to commence a District Plan Review was made by Council in September 2021. The project funding for the District Plan Review was approved through the 2021-31 LTP with the project anticipated to be undertaken in four phases commencing with scoping and developing the process in July 2021 to notifying a proposed District Plan in December 2024. It was highlighted to Council that the timeline would be influenced by wider resource management reform processes, and consequently the phasing and overall timeframes may need to change or be reprioritised to adapt to changes and reduce wasted effort. The development of the Stage 3 Ōmokoroa Structure Plan and related plan change is provided for in the LTP however, this IPI project was not anticipated or provided for within the District Plan Review business case approved by Council at that time.

3.4 Ōmokoroa Built Environment Strategy

The Ōmokoroa Built Environment Strategy is now dated, being published in December 2008. It provided a summary of development issues and related good design outcomes for the peninsula. It has provided a base document from which other strategies and plans have evolved including the Ōmokoroa Community Plan.

3.5 Ōmokoroa Community Plan

The 2017 Ōmokoroa Community Plan "expresses the aspirations of the growing community of Ōmokoroa for the next 10 years. Key concepts include evoking pride and community spirit in Ōmokoroa to be achieved in part by developing a theme for the town centre and detailing the overall look and feel of the peninsula.

The plan recognises the importance of social infrastructure developing in pace with residential and commercial growth. The plan supports a range of employment opportunities subject to safeguarding the amenity values of the area. Other key themes include encouraging commercial development so people can work, shop and play locally with support for a village green concept for commercial areas, and managing residential development to provide a range of housing typologies. Ensuring that the harbour and estuaries are healthy and protecting the related ecological values is also a key outcome. Successful transportation networks are identified as being a major issue to ensure safe and efficient access to services and facilities.

The Ōmokoroa Stage 3 Structure Plan process is recognised as a key means of facilitating many of the outcomes sought.

3.6 Te Puke Community Plan

The 20-Year Te Puke Development Plan (Community Plan) was initially collated in 2004 to signal the direction the community wished to take to ensure that Te Puke remained "*one of the best places to live, learn, work and play in the Western Bay of Plenty*".

A review of the Plan undertaken in 2016 was the result of community-wide consultation that sought comments and suggestions to further progress the 20-year plan's key aspirations that were identified as most important for the community. The Plan details actions needed to achieve the goals identified in the Plan.

This current Te Puke (enabling housing supply) IPI process is recognised as a means of facilitating a limited number of the outcomes identified and sought by the Te Puke Community Plan, particularly in relation to ensuring that the District Plan supports and encourages greenfields development while acknowledging and balancing productive land values, providing the opportunity for a mix of residential housing typologies, and ensuring that existing and future development can be serviced appropriately with safe, efficient and successful roading networks, public transport options, and 3-waters infrastructure.

The District Plan review which has begun and will continue over the next 2 to 3 years will be the primary mechanism to consider and address goals the Te Puke community has identified as important in the Community Plan.

3.7 Te Puke Town Centre Plan

In developing the Town Centre Plan (2006), the strategy was to integrate the principles expressed in the Te Puke 20-Year Development Plan and ensure consistency with SmartGrowth principles, balancing economic, social, cultural and environmental values.

Key outcomes of the Te Puke Town Centre Plan include the desired mixed-use development (with a focus on amenity and liveability), and community accessibility via both vehicles and alternative forms of transport like walking and cycling.

This current Te Puke enabling housing supply plan change project, requiring the MDRS to be inserted into the District Plan, is significant as a key method available to provide residential intensification around the town centre and an increased range of housing types for the community.

However, the narrow scope of provisions enabled by the ISPP and IPI processes combined with the short timeframe available within which to complete it means that it is not anticipated that the current project will directly facilitate the outcomes identified and sought by the Te Puke Town Centre Plan because the focus within this plan change project is predominantly residential outcomes within relevant residential zones. The full District Plan review process to be undertaken in the next 2 to 3 years will provide the opportunity for consideration and inclusion of a framework to consider desired Town Centre Plan outcomes.

3.8 Te Puke Built Environment Strategy

The 2008 Te Puke Built Environment Strategy acknowledges that the most successful and attractive towns are those where the community takes ownership to create an environment in which people of all ages want to live, invest and retire. It is recognised that Council can (and does) provide guidelines and rules in the District Plan to achieve specific outcomes, but that the quality of the built environment generally depends on individual developers, landowners and/or community groups.

This IPI, which, in the Te Puke context, is essentially to incorporate the MDRS standards, provides limited potential for specific statutory provisions to positively influence the Te Puke built environment in line with the expectations of the community as expressed in the Built Environment Strategy. There is the potential for provisions which support or are consequential to the MDRS to be included within the IPI. These include objectives, policies and other means which include district-wide matters, earthworks, fencing, infrastructure, qualifying matters, stormwater management and subdivision.

4 Issues, Opportunities & Constraints Overview

4.1 Context

Providing for a growing population and increased residential intensification as required by the MDRS, requires not only the enabling of increased densification of existing residentially zoned land (i.e., infill via brownfields residential intensification or re-development), but also the expansion of urban boundaries into currently non-urbanised land.

Consequent to this, enabling an increased housing supply requires consideration of whether adequate infrastructure can be provided to service the supply of housing, and whether it is appropriate for all residentially zoned land to be available to accommodate additional residential units.

The residential zone provisions in the operative District Plan currently provide a framework for enabling residential development. Existing urban areas and dwellings within these areas comprise a wide range of non-family and family groupings, age groups and cultures. These varying households have different needs and affordability levels.

The recent RMA Amendment Act provisions recognise the residential zones of Ōmokoroa and Te Puke as "relevant residential zones" that must incorporate MDRS to enable greater housing supply and typology. This will be achieved by providing for medium density developments subject to more permissive density standards than would normally be associated with traditional residential areas. Achieving desirable outcomes for Ōmokoroa and Te Puke requires consideration of the considerable opportunities presented by the Amendment Act, in the context of the opportunities and constraints that exist in the project areas.

Development rules are good at setting bottom-line standards but do not necessarily achieve excellence or the outcomes that a community desires. Residential development can be undertaken by developers (both private and public), and it is desirable that this achieves positive commercial, environmental and community outcomes. The more prescriptive that rules are, the less design flair and creativity is enabled. In the current context, the MDRS (that must be introduced) considerably frees-up standards for density of development and bulk and location on urban sites in Ōmokoroa and Te Puke. The challenge for Council and the community is to embrace the MDRS which creates opportunities for medium density development alongside a supporting set of related provisions which, it is hoped, will enable creative responses to development.

In addition to housing there is a need for employment opportunities and social and community infrastructure. SmartGrowth principles of live, learn, work and play, cannot be fully applied in this project because of its narrow scope and the short timeframe provided under the Amendment Act legislation to complete the process. Accordingly, the upcoming District Plan review will provide the opportunity for a fulsome integrated consideration of the live, learn, work and play principles while ensuring good connections to elements external to the Ōmokoroa and Te Puke urban areas.

In incorporating the MDRS as well as other related provisions (including objectives, policies, rules, standards and zones) that support or are consequential to the MDRS or the NPS-UD policies and objectives relating to intensification, there is a need to work within the context of the constraints and opportunities that exist in the project area.

Sections 5 and 6 below describe the environmental, physical, social, and cultural environment that defines the Ōmokoroa and Te Puke "relevant residential zones" within which the MDRS must be applied.

4.2 Study Areas Overview

Ōmokoroa has a projected 2022 population of 4,947 residents. Population forecasts for the period to 2028 predict a population of approximately 6,800 people with 13,000 people forecast by 2050.

The current population of Te Puke is estimated as being approximately 9,700. Population forecasts for the period to the year 2032 predict a population of approximately 12,500 people.

Ōmokoroa and Te Puke have both grown as urban areas over a long period of time and accordingly different areas of each town have diverse and differing ages of housing stock, with distinctive characteristics and associated values. Both towns have limited land for practical expansion for new residential areas.

There is well-established infrastructure servicing current Ōmokoroa and Te Puke's urban land-uses. New growth areas will require the extension of new infrastructure. To support the development of Ōmokoroa significant infrastructure expansion will be required.

Ōmokoroa being located on a harbour peninsula with a variety of landforms and coastal influences has limitations on urban intensification and expansion. The older areas of development include areas on undulating and elevated land with known stability issues along some coastal margins. This limits the ability to provide more infill housing in these areas. The town has been expanding towards State Highway 2 and the full urbanisation of Ōmokoroa has been under assessment for some time with an expectation that the undeveloped area between the railway line and the State Highway will be developed.

The Te Puke town area has a natural landform which varies between relatively level terraced areas and an extensive (roughly) north-south oriented gully system which separates urban areas and can make vehicle and pedestrian connectivity between areas difficult. In addition, there are some natural hazards that create some constraints for development.

As opposed to a greenfields development scenario, enabling higher density infill of existing urbanised areas creates some challenges to the provision of a well-planned, higher density, integrated urban community. Some areas of the Ōmokoroa and Te Puke towns contain predominantly older housing stock which present opportunities for re-development.

Although the focus of this plan change is on housing intensification requirements under the RMA Amendment Act, for Ōmokoroa planning for additional land for urban use has been well advanced and can be progressed to support the provision of new housing opportunities. This is based on the SmartGrowth principles of live, learn, work and play which relate to employment opportunities and social/community infrastructure. Due to time constraints the ability to undertake an equivalent assessment for Te Puke has been very limited and accordingly only limited new residential areas have been identified and fully assessed. The full District Plan Review planned to take place within the next two to three years, or an earlier plan change, will however provide opportunities for these elements to be assessed and incorporated in an integrated manner.

An assessment of the full range of opportunities and constraints within the study area is necessary to be able to develop and address, where possible, issues arising from the need to provide more intensive and varied housing stock under the MDRS and the NPS-UD. This assessment will, in turn, inform the development and assessment of options for the IPI.

As discussed above in the context of Ōmokoroa the vast majority of new housing development is expected and planned to be in the new growth area between the railway line and the State Highway. This is generally known as Stage 3 and this terminology is used for this analysis. For this reason, the following opportunities and constraints assessment for Ōmokoroa concentrates on this area.

5 Ōmokoroa: Issues, Opportunities & Constraints

5.1 Demographic & Housing Context

5.1.1 Demographic Snapshot

The Ōmokoroa population as at the last census (2018) was 3,304 and the total number of dwellings was 1680. Ōmokoroa has an estimated 2022 population of 4,947 residents, with a current actual of 2,364 dwellings.

In 10 years, Ōmokoroa is projected to have a resident population of 8,943 and the number of dwellings is expected to have risen to 3972 dwellings.

The 2018 census highlighted the age-sex structure of Ōmokoroa to have a higher proportion of seniors and elders in the town, but there is also a growing age group of 5–9 year olds and 10-14 year olds. In future years, it is expected that the age-sex structure will change dynamics due to the growing younger population.

Ninety-five percent (95%) of people in Ōmokoroa identify as European and 10.3% identify as having Maori descent.

Ōmokoroa's median household income was around $63,600 in 2018 compared to $71,000 for the Western Bay of Plenty generally.

5.1.2 Current Housing Context

Higher population growth is expected in the short/ medium term for WBOPD due to the housing shortfall constraints in Tauranga City while there will be sufficient capacity in the Western Bay urban areas (Ōmokoroa and Te Puke) for the projected growth.

Ōmokoroa contains a relatively large area of greenfield land available for housing development (compared to the rest of the District's urban areas). Land has been set aside for future development for several years represented by the existing 'Future Urban zone' in the District Plan. Ōmokoroa is being relied upon to deliver sufficient housing for the Western Bay of Plenty District. The continued growth of Ōmokoroa accounts for approximately 70% of available development capacity.

The 2018 census recorded household composition in Ōmokoroa and found that nearly 50% of occupied dwellings in Ōmokoroa were couples, 20% of the remaining dwellings were occupied by couples with child/ren and a further 19% of those dwellings were one-person households. The 2013 and 2018 census highlighted that couples with children increased by 34%, indicating that the household and family type is changing,

and those family orientated households are expected to increase.

The 2013 and 2018 census data highlighted that the existing housing stock in Ōmokoroa is predominately 3 and 4 bedroomed homes. One bedroom dwellings increased in Ōmokoroa from 18 dwellings in 2013 to 51 dwellings in 2018, providing a significant increase.

Differences between Ōmokoroa and other parts of Western Bay in relation to household compositions is demonstrated below in Figure 5.

	One Person HH*	Couple Only	2-parent families 1-2 children	2-parent families 3+ children	One parent family	Multi Family HH	Non-Family HH
WB-Bowentown/ Athenree	28%	44%	16%	3%	6%	1%	2%
Katikati	27%	37%	14%	4%	10%	3%	4%
Ōmokoroa	20%	49%	19%	5%	5%	1%	1%
Te Puke	22%	25%	19%	8%	13%	7%	6%
All Rural	17%	38%	24%	7%	7%	4%	2%

Figure 5: Household Type – Western Bay of Plenty (Source, SmartGrowth Housing Capacity Assessment, July 2021).

While this current project (IPI) cannot ensure that housing provided will meet identified housing needs, it is likely that the more enabling planning framework provided will create more of an opportunity for a variety of housing to be provided to meet the needs of the community, for example:

- More one and two-bedroom dwelling typologies;
- More affordable housing; and
- More housing that caters for multi-family living arrangements.

5.2 Physical Overlays

5.2.1 Landscape

Stage 3 is within an area characterised generally by four distinct borders being the East Coast Main Trunk Railway to the north, State Highway 2 to the south, Tauranga Harbour (Mangawai Estuary) to the east, and the Waipapa River to the west. Within this same area there are also areas identified as Ōmokoroa Stage 2. This incorporates residential land to the east of Ōmokoroa Road and adjacent to the railway and an area of Industrial land also to the east of Ōmokoroa Road and in proximity of the State highway.

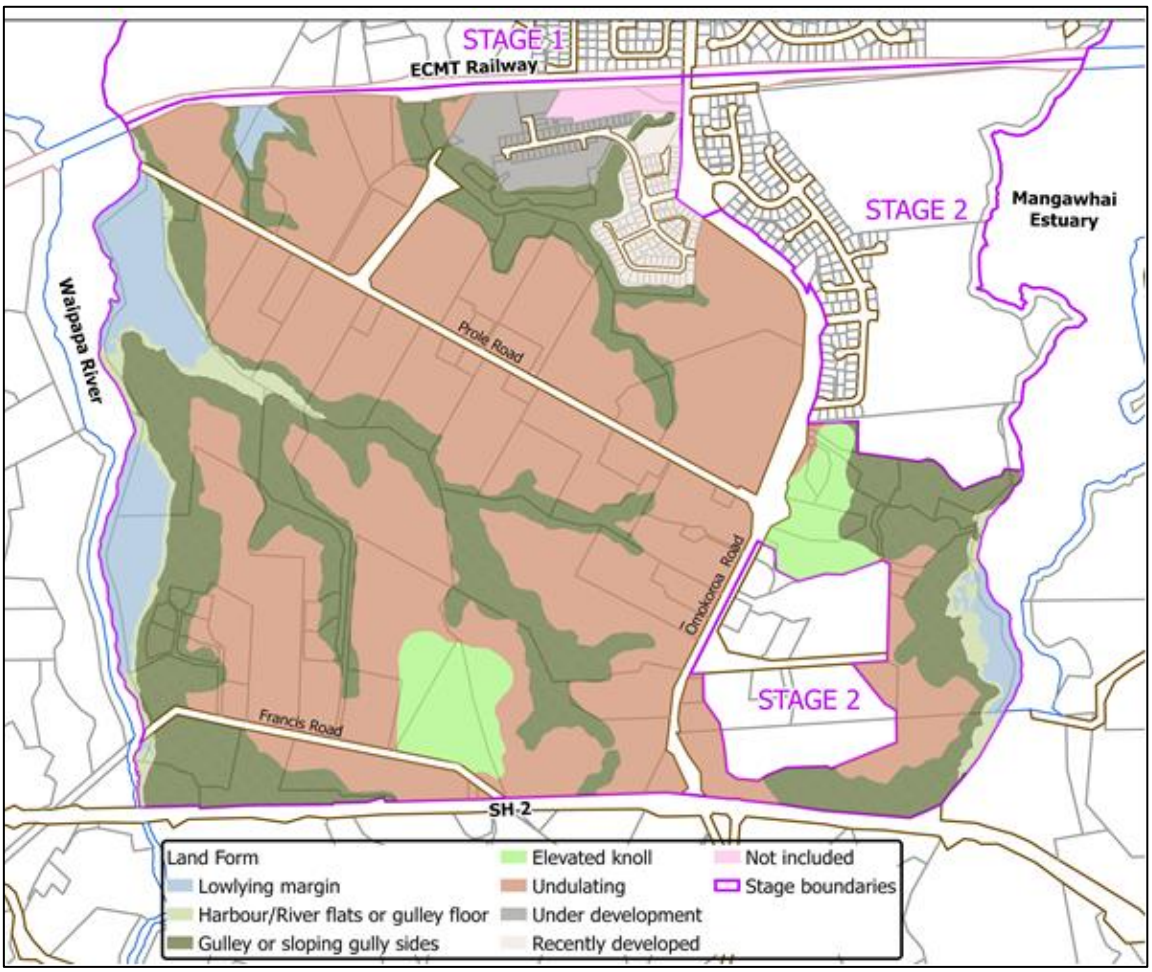

Figure 6: Land Form (Source: WBOPDC GIS)

The subject area is bisected by Ōmokoroa Road which provides the transportation link between the existing urbanised area and State Highway 2. Prole Road extends largely across the study area providing road access to that rural catchment. Francis Road to the south of the study area provides a similar function.

The area is predominantly used for horticulture with avocados and kiwifruit being the main crops. As part of the horticultural use of the land the area is characterised by well-established shelterbelts. Other agricultural operations are generally rural lifestyle based and include small scale beef, and sheep farming.

The north-eastern part of the study area is currently largely being developed for housing as part of a Special Housing Area process. In proximity to this area and adjacent to the railway is the Ōmokoroa Settlers Hall and a wastewater pumpstation.

The existing land use is illustrated in the following map.

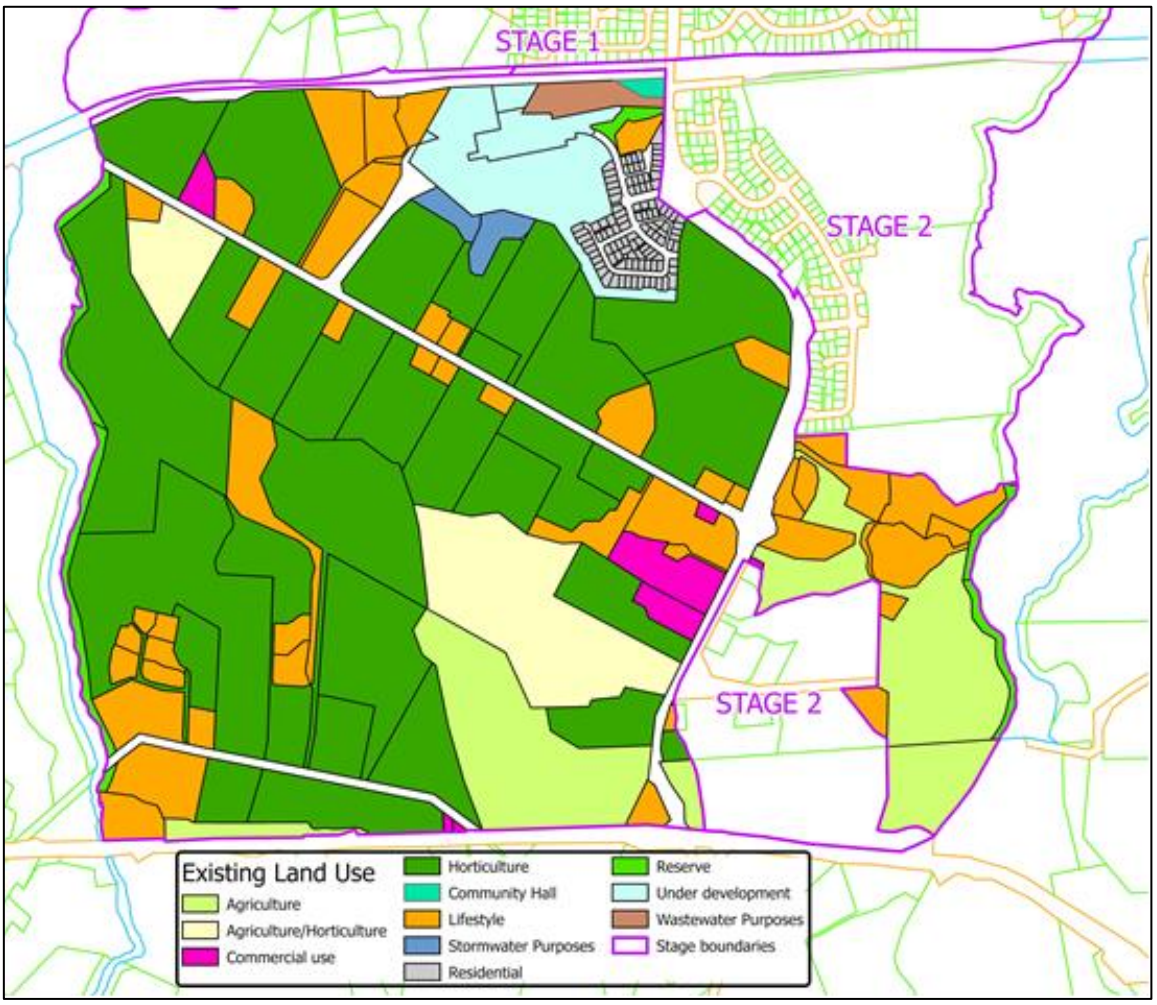

Figure 7: Current Land Use (Source: WBOPDC GIS)

The area is of a varied contour with areas of gently undulating terraces separated by gully systems and some areas of higher land. The site elevations range from 0 m RL adjacent to the harbour, to 75m RL (relative to Moturiki Vertical Datum (MVD1959)) in the middle of the site. The sides of the stream gullies are steep in places, but the slope angles decrease within the gully floors.

Published geology (Briggs et al., 1996) indicates that the site is underlain by three different geological units (refer Figure 8 following). Terrace deposits of the Matua Subgroup make up the majority of the study area. The Matua Subgroup comprises sands, gravels, and lignite's. Borehole data available for other parts of Ōmokoroa reasonably close to the study area indicate that the local geology is variable both laterally and vertically but show that that area is mostly underlain by clayey and sandy sediments. This geology is typical of the Tauranga Area.

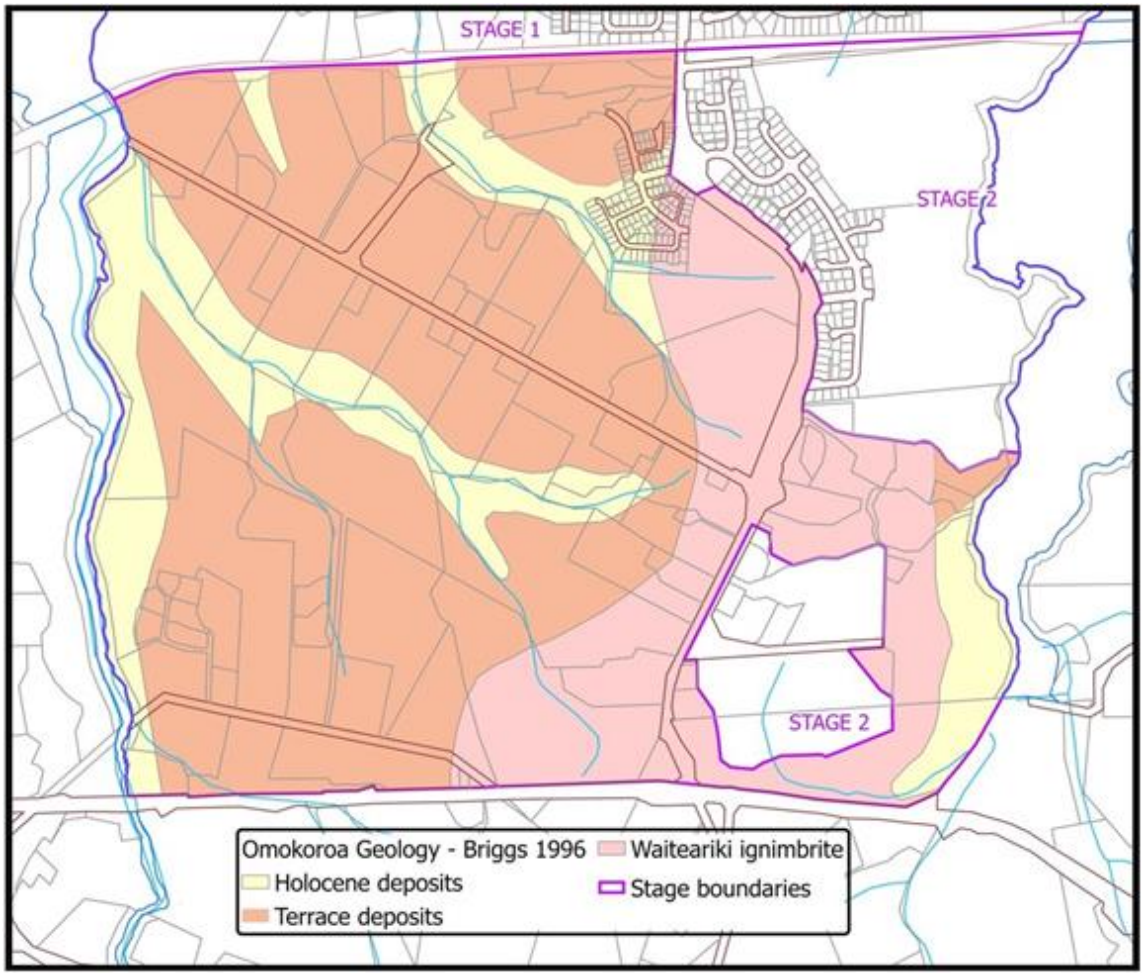

Figure 8: Ōmokoroa Geology (Source: Adapted from Briggs et. al., 1996)

The landscape and associated natural hazards (refer following) influence the type of land uses that can best be established within the area. For example, the gully system and coastal margins have very limited "development" potential and are characterised as "natural open space" while areas with a gentle contour and away from natural hazards have more potential for playing fields and residential, commercial or industrial use. In between these areas are areas with limited development potential which are best suited for low density development such as rural-residential.

5.2.2 Natural Hazards – Ōmokoroa

Introduction

Under the RMA the management of significant risks from natural hazards is a matter of national importance (Section 6). The RPS also requires Council, through objectives and policies, to take a risk management approach with respect to the management of natural hazards. In summary, this requires the identification of areas susceptible to natural hazards, classifying the level or risk according to the likelihood of natural hazards occurring and their potential consequences and employing risk mitigation measures to achieve a low level of natural hazard risk. Mitigation measures could include limiting or avoiding development in certain areas.

Council has given effect to the natural hazard risk management requirements in the RPS for "new residential zones". Council is not however required to meet the natural hazard risk management requirements in the RPS for "relevant residential zones" i.e., those which are already zoned residential. This is because the RMA Amendment Act (Section 77G (8)) directs Council to incorporate the MDRS into "relevant residential zones" irrespective of any inconsistent objective or policy in a regional policy statement. Council had already completed a RPS natural hazards risk assessment for Ōmokoroa Stage 3 as part of a plan change which was previously being prepared prior to the RMA Amendment Act. This risk assessment is still applicable for Plan Change 92 and is detailed in Appendix 14.

In addition to the above, an IPI may also contain "related provisions" including objectives, policies, rules, standards, and zones, that support or are consequential on the MDRS (s80E (1)(b) and 2 of the RMA Amendment Act). This includes the management of natural hazards.

For the IPI to address the management of risk from natural hazards as required and allowed for by the RMA, and to assist with the specific risk assessment mentioned above, it required Council to investigate all relevant natural hazards. An introduction to each of the natural hazards investigated for Ōmokoroa is provided below.

Coastal erosion

Coastal erosion is the loss of land due to coastal processes such as waves, currents and tides wearing away that land suddenly or overtime.

Coastal erosion was investigated for Ōmokoroa as part of a wider study for the Tauranga Harbour ("Tauranga Harbour Coastal Hazards Study" Tonkin + Taylor – July 2019). Only those parts of Ōmokoroa considered to be susceptible to coastal erosion were investigated in detail and mapped. The modelling identifies the possible extent of coastal erosion in a number of scenarios. The proposed District Plan Maps for Ōmokoroa only show the scenarios that Council consider most relevant for managing subdivision and land use. These are explained further below.

The proposed maps identify the possible extent of coastal erosion by the years 2080 and 2130 (shown as red and green lines respectively). These scenarios estimate a 66% chance of the predicted coastal erosion extents (shown by the lines) being reached or exceeded by those timeframes when taking into account the possible effects of climate change. This includes 0.6m of sea level rise by 2080 (Scenario 4) and 1.25m of sea level rise by 2130 (Scenario 7). These scenarios are shown on page 36 of the Tonkin + Taylor report. The probability of 66% has been selected as this reflects "likely" erosion over these periods. The year 2130 has been selected to meet the requirements of the NZ Coastal Policy Statement (NZCPS) and RPS Policy Statement. The climate change scenario used for the year 2130 is the Intergovernmental Panel on Climate Change's (IPCC's) Representative Concentration Pathway (RCP) 8.5. This is a conservative

scenario which assumes that greenhouse gas emissions continue to growth without effective climate change mitigation policies. It equates to 1.25m of sea level rise in the year 2130.

Most of the areas potentially susceptible to coastal erosion are identified at the northern part of the Peninsula where there are steep slopes / cliffs adjoining and exposed to the Harbour. Ōmokoroa Stage 3 was one of the areas not considered susceptible to coastal erosion. The Tonkin + Taylor report explains that the land south of the railway bridge is a very sheltered environment with minimal wave exposure and no historic erosion of the shoreline position. It was therefore considered unlikely that there is a coastal erosion hazard in this area.

Coastal inundation

Coastal inundation is flooding from the sea (the combination of storm tide, wave set up and sea level rise).

The coastal inundation modelling for Ōmokoroa was done as part of a wider study for the Tauranga Harbour ("Tauranga Harbour Inundation Modelling" NIWA - June 2019). The modelling identifies the possible extent of coastal inundation in a number of scenarios. The proposed District Plan maps for Ōmokoroa only show the scenario that Council consider most relevant for managing subdivision and land use. This is further explained below and named scenario 14 in the NIWA report.

The proposed maps identify the possible extent of coastal inundation that may occur if a 1% Annual Exceedance Probability (AEP) event was to happen in the year 2130. A 1% AEP event is something that only has a 1% chance of occurring in any year. This means it is expected to occur on average once every 100 years, however it could happen at any time. A 1% AEP event has been chosen as it is considered best practice and is also used by the Regional Council. The year 2130 has been selected to meet the requirements of the NZ Coastal Policy Statement (NZCPS) and RPS Policy Statement. The climate change scenario used for the year 2130 is the Intergovernmental Panel on Climate Change's (IPCC's) Representative Concentration Pathway (RCP) 8.5. This is a conservative scenario which assumes that greenhouse gas emissions continue to growth without effective climate change mitigation policies. It equates to 1.25m of sea level rise in the year 2130.

Coastal inundation is identified within the lower-lying areas of Ōmokoroa including within the area of Ōmokoroa Stage 3 proposed as a natural open space zone within which residential development is to be avoided.

Flooding

Flooding is the covering of normally dry land as the result of extreme rainfall. Flood modelling was carried out for Ōmokoroa as a whole and identifies the possible extent of flooding in a number of scenarios. The proposed District Plan maps for Ōmokoroa

only show the scenario considered most relevant for managing subdivision and land use. This is the same scenario as explained for coastal inundation above. This scenario is entitled "100 Year ARI + 2130 CC" within the "Ōmokoroa Stormwater Model - Model Build Update and System Performance Report" (Beca Limited - May 2020).

Flooding is identified within the lower-lying areas of Ōmokoroa adjoining the Harbour including within the area of Ōmokoroa Stage 3 proposed as a natural open space zone within which residential development is to be avoided. There are also a number of areas where overland flowpaths or localised ponding areas have been identified.

Land instability (landslide)

A high-level study for Ōmokoroa Stage 3 was prepared specifically for the risk assessment and is within the report entitled "Ōmokoroa Structure Plan Stage 3 - High-Level Slope Stability Hazard and Risk Assessment" (Tonkin + Taylor – June 2020).

Liquefaction

Liquefaction can occur when some saturated soils (typically silts and sands) lose strength and stiffness (temporarily behaving as a liquid rather than a solid) in response to earthquake shaking. Liquefaction was investigated specifically for the Ōmokoroa Stage 3 Structure Plan Area for the natural hazards risk assessment. A subsequent investigation for the remainder of Ōmokoroa was carried out as part of a region wide study. Tonkin + Taylor completed these in accordance with the Ministry for the Environment and Ministry of Business, Innovation and Employment "Planning and Engineering Guidance for Potentially Liquefaction Prone Land" (2017). For Ōmokoroa Stage 3, which is a large area proposed to be rezoned from future urban to medium density to allow for significant residential growth, this was done to a Level B (calibrated desktop) level of detail. This level of assessment included consideration of data collected from geotechnical investigations and groundwater monitoring undertaken within the study area boundary.

The liquefaction vulnerability categories recommended for use are shown in the following figure.

Figure 9: Liquefaction Vulnerability Categories - Planning and Engineering Guidance for Potentially Liquefaction Prone Land (2017)

Under the Level B level of assessment for Ōmokoroa Stage 3, only two categories were considered being "liquefaction damage is unlikely" and "liquefaction damage is possible". The results generally show that "liquefaction damage is unlikely" on the elevated terraces and that "liquefaction damage is possible" within the lower-lying areas where development is not provided for. The study took into account the effects of sea level rise in the lower-lying areas.

Under the Level A level of assessment for the remainder of Ōmokoroa, all three categories were considered, but only two categories were identified being "liquefaction damage is possible" and "liquefaction category is undetermined". The results show that "liquefaction damage is possible" within the lower-lying areas and that the "liquefaction category is undetermined" in more elevated areas. The study took into account the effects of sea level rise in the lower-lying areas. Further investigation would be required at subdivision or development stage to determine areas where "liquefaction damage is unlikely".

The maps for Ōmokoroa Stage 3 can be viewed in the "Ōmokoroa Stage 3 Structure Plan – Supplementary Level B Liquefaction Assessment" (Tonkin + Taylor – May 2020). The maps for the remainder of Ōmokoroa can be viewed in the "Bay of Plenty Liquefaction Vulnerability Assessment" (Tonkin + Taylor – April 2021).

Tsunami

A tsunami is a series of waves generated when a large volume of water in the sea is rapidly displaced. A tsunami can be caused by large sub-marine or coastal earthquakes, underwater landslides or volcanic eruptions beneath or near the sea. The

tsunami modelling for Ōmokoroa is currently being finalised as part of a wider study for the Tauranga Harbour. However, it is not proposed to add tsunami to the District Plan Maps. The most extreme event from this modelling exercise will be shown on Council's online MAPI and in the District Plan (ePlan) when it is available. This will show land which would potentially be inundated in an extreme tsunami event caused by a large earthquake along the Kermadec Trench (magnitude Mw 9.2). This tsunami is very unlikely and has a 0.04% Annual Exceedance Probability (AEP). A 0.04% AEP event is something that only has a 0.04% chance of occurring in any year. This means it is expected to occur on average once every 2,500 years, however it could happen at any time. The modelling is taking into account the possible effects of climate change in the year 2130 including 1.25m of sea level rise.

Active faults

A high-level desktop exercise was carried about by GNS Science for Ōmokoroa Stage 3 in 2018. No visible evidence was found of geomorphological features that can be classified as an active fault within the study area. GNS Science were requested to undertake a similar exercise for the remainder of Ōmokoroa in 2022. However, given the amount of existing development and associated changes to contour within the area, an assessment based on the identification of geomorphological features was not feasible.

The map below shows the identified natural hazards as described above:

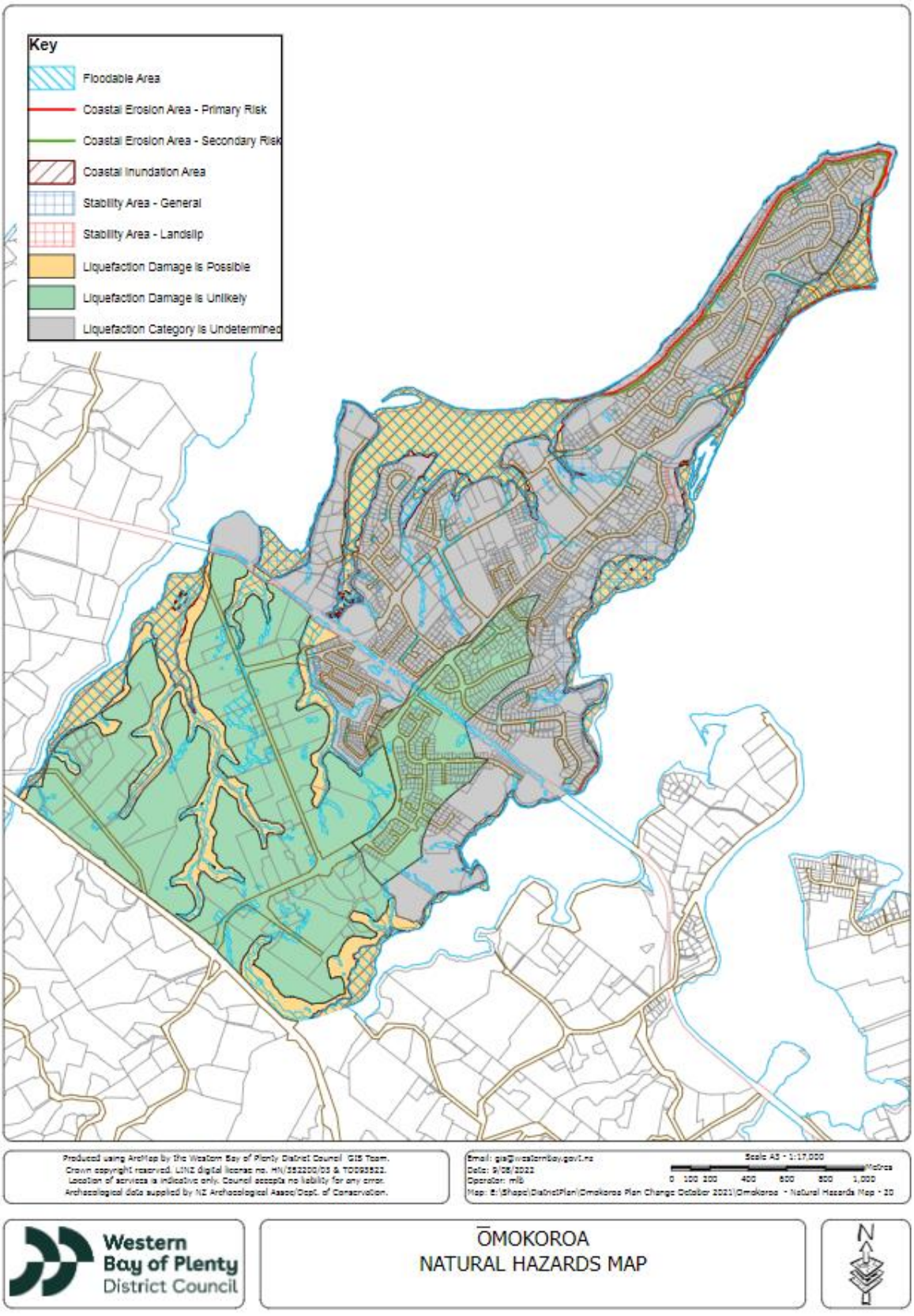

Figure 10: Ōmokoroa Natural Hazards (Source: WBOPDC GIS)

5.2.3 Drainage Systems

Apart from the recently developed residential areas there is little existing stormwater infrastructure within the structure plan area. The residential areas are serviced by a traditional stormwater reticulation network and kerbed roads. An engineered stormwater pond has been constructed to service this area which provides attenuation, water quality treatment and detention.

For the reminder of the area the predominant conveyance mechanism for stormwater runoff is overland flow into the stream gullies. The major roads within the site (Ōmokoroa Road (in part), Prole Road and Francis Road) are currently not kerbed and are drained with grassed roadside swales. Culverts are located where driveways cross the swales.

There are several man-made ponds and storage areas within the subject area which provide some stormwater functionality. Within the area, centrally located in the proximity of Prole Road, is a large natural depression that acts as a water detention area. There are a number of spring fed watercourses within the area with the majority being valley-based streams. Figure 11 below illustrates key existing water networks.

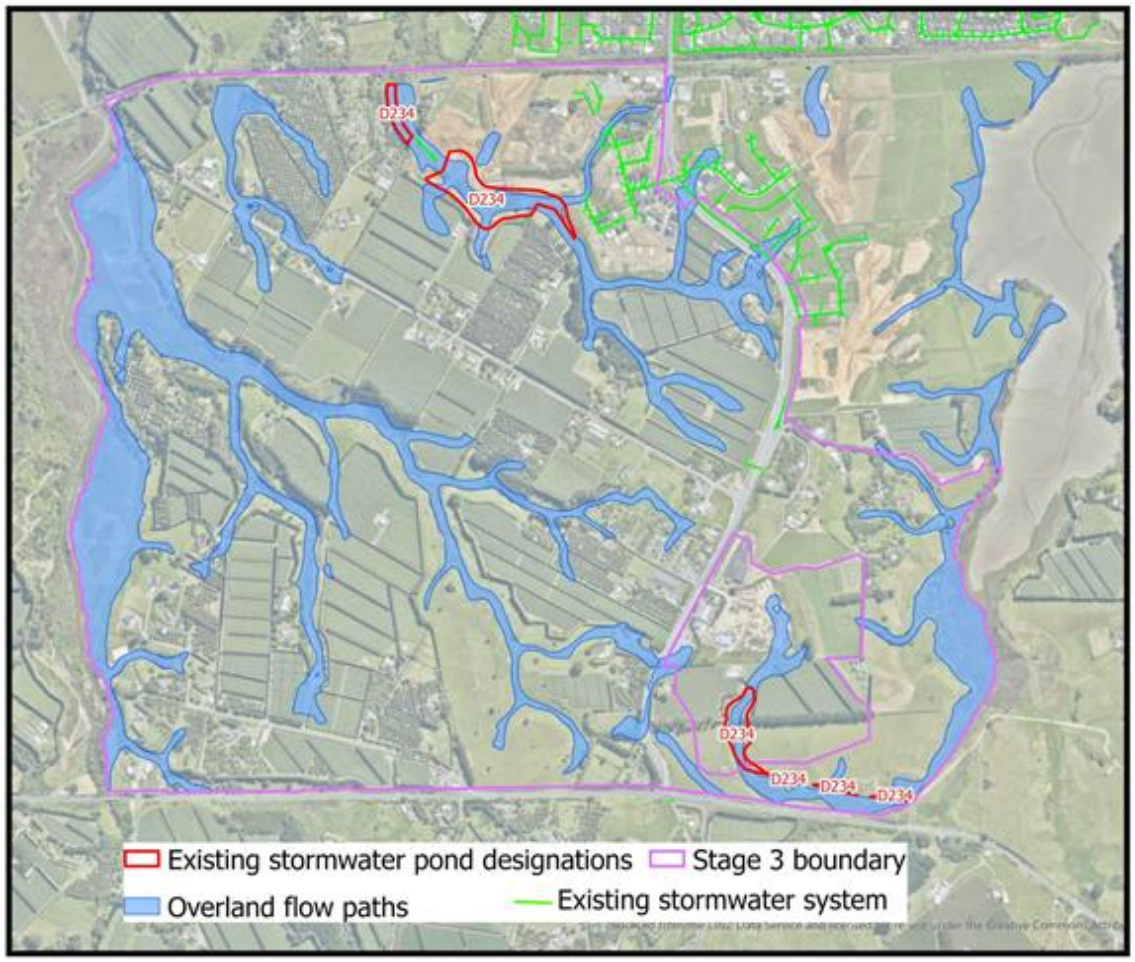

Figure 11: Existing Stormwater System

Through appropriate management there is a great opportunity to improve stormwater functionality and ecosystem values. Tonkin+Taylor Ltd have prepared a Conceptual Water Sensitive Design Plan for the Stage 3 Structure Plan area and related catchments, which details opportunities and constraints for water sensitive design in the Structure Plan area. Refer to Appendix 9 for the full report.

5.2.4 Contaminated Land

A significant part of the Stage 3 area is or has been used for horticultural activities. As these activities may typically utilise agrichemicals and/or pest control applications, there is a reasonable chance that such areas may be deemed to have some form of land contamination based on the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 and linked Hazardous Activities and Industries List (HAIL).

The fact that an activity or industry appears on the list does not mean that hazardous substances were used or stored on all sites occupied by that activity or industry, nor that a site of this sort will have hazardous substances present in the land. The list merely indicates that such activities and industries are more likely to use or store hazardous substances and therefore there is a greater probability of site contamination occurring than other uses or activities. Conversely, an activity or industry that does not appear on the list does not guarantee such a site will not be contaminated. The following map identifies known HAIL sites.

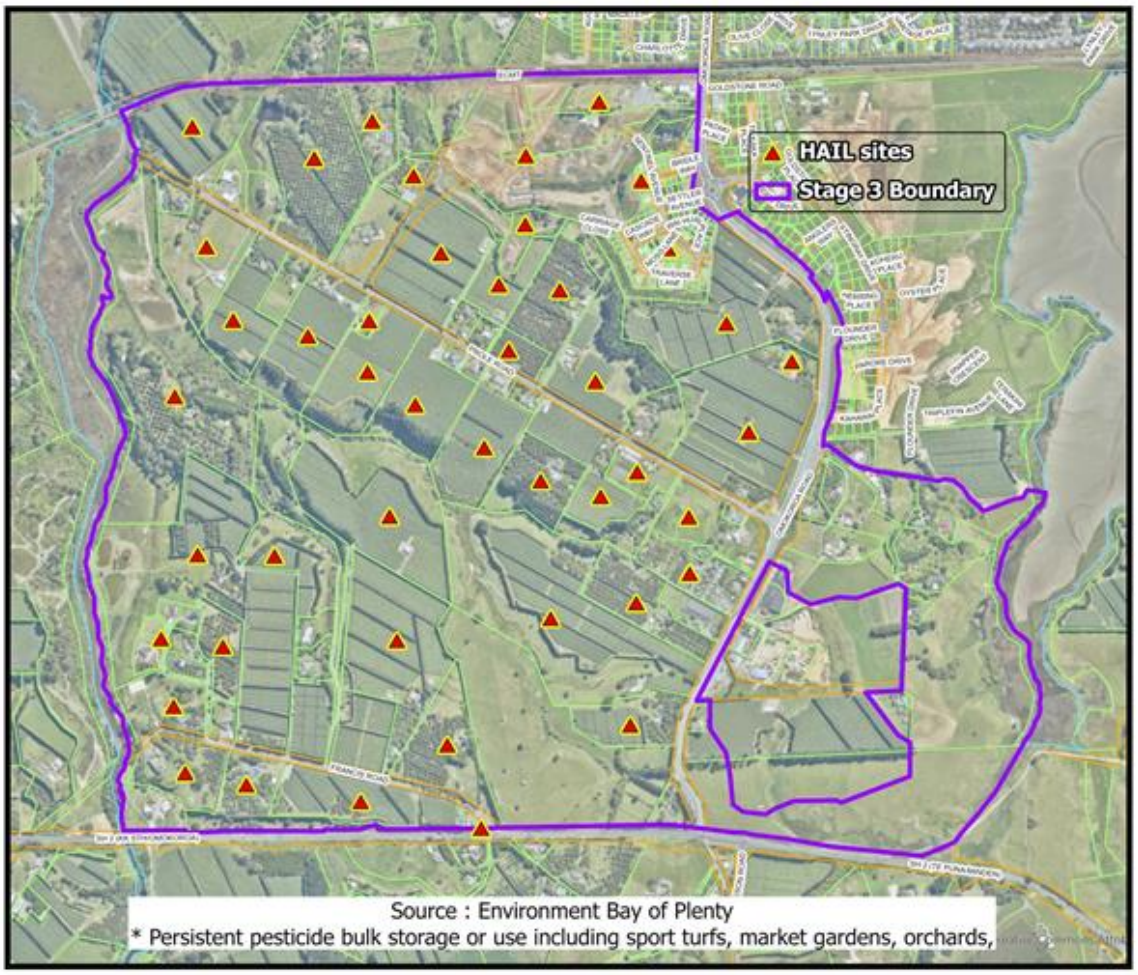

Figure 12: HAIL Sites (Source: WBOPDC GIS)

To ensure that any land areas to be urbanised are suitable for such purposes before any land change occurs, the requirements of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 must be satisfied.

5.2.5 Ecological

The subject area has a variety of ecological values with the coastal margins providing the highest values. Within the study area a Significant Ecological Feature (U14/135) is identified called "Mangawhai Bay Inlet" with an identified habitat of "Estuarine Vegetation". Similarly, on the western interface of the structure plan area is the Waipapa River and associated estuary which is also identified as a Significant Ecological Feature (U14/110). The Bay of Plenty Regional Coastal Environment Plan identifies Indigenous Biodiversity Areas to the west within the Waipapa Inlet (ref IBDA A19) and the Mangawhai Bay Inlet (ref. IBDA B10).

Tonkin+Taylor have undertaken a Rapid Habitat Assessment (RHA) to assess in-stream habitat and ecological values as part of the Ōmokoroa Stage 3 Structure Plan - Conceptual Water Sensitive Design Plan [Refer Appendix 9]. This assessment has found that "overall, the in-stream habitat and ecological value of all reaches

throughout the site was generally assessed as being Moderate (averaged RHA score of 38). Modifications of the headwater areas of all reaches have altered ecological character, through damming, bank modification, vegetation clearance, and livestock damage". It was noted that some headwater reaches have been fenced and planted with indigenous riparian vegetation.

The streams and wetland habitat vary from poor habitat with low ecological values to high habitat with high ecological values. The lower reaches of all sub-catchments also have high ecological value at the interface with estuaries, due to the presence of native fish spawning habitat, fewer human development/disturbance impacts, and a higher proportion of indigenous plant species. Mid-reaches and lower reaches have higher values owing to more varied instream habitat, more vegetation canopy coverage, more intact riparian margins, and fewer fish passage restrictions.

By appropriate management and the use of water sensitive design there are significant opportunities to improve the environmental and associated ecological values of the area.

5.2.6 Built Heritage / Archaeological

Within the Stage 3 area are three buildings listed as significant built heritage items within the Operative District Plan. These are the Ōmokoroa Settlers Hall and two buildings both located on the same property being the Francis family homestead (currently owned by Penny Hicks) located on Francis Road. The Ōmokoroa Settlers Hall is located on Ōmokoroa Road adjacent the railway line and has served as a community hall since 1950. It is associated with Cyril Gane and the construction of the ECMT railway in the 1920s.

The other buildings are the Francis Family Homestead, which is one of the last remaining farmhouses from the early part of the 20th century, and the Francis Family Cowshed which was the first milking shed in the area. The Francis family emigrated from Northern Ireland in 1900 and after first settling at what is now known as Plummers Point, bought over 500 acres (200 ha) on Ōmokoroa Road and developed a dairy farm.

The two main existing internal roads within Stage 3 are named after early European farming families in the area being Francis Road (see above) and Prole Road. The Prole family similarly had a dairy farm in the area for many years and were one of the first suppliers to the Tauranga Dairy factory.

The subject area has relatively few recorded archaeological sites. It can be expected that as land is urbanised and subject to more earthworks more archaeological sites well be discovered. These will largely be expected to be in relation to the area's historic occupation by Māori.

An archaeological survey and report were undertaken as part of the previous Ōmokoroa Stage 2 Structure Plan process which incorporated the subject area. In regard to the subject area only three sites were identified, all being shell based

middens. Two of the sites were in close proximity to each other in the vicinity of the north-eastern corner of the Ōmokoroa Road / State Highway Intersection. It can be noted that attempts to locate these sites at the time of the previous study were unsuccessful.

As part of the road improvements on Ōmokoroa Road additional sites were discovered. These areas consisted of pits and modified soils.

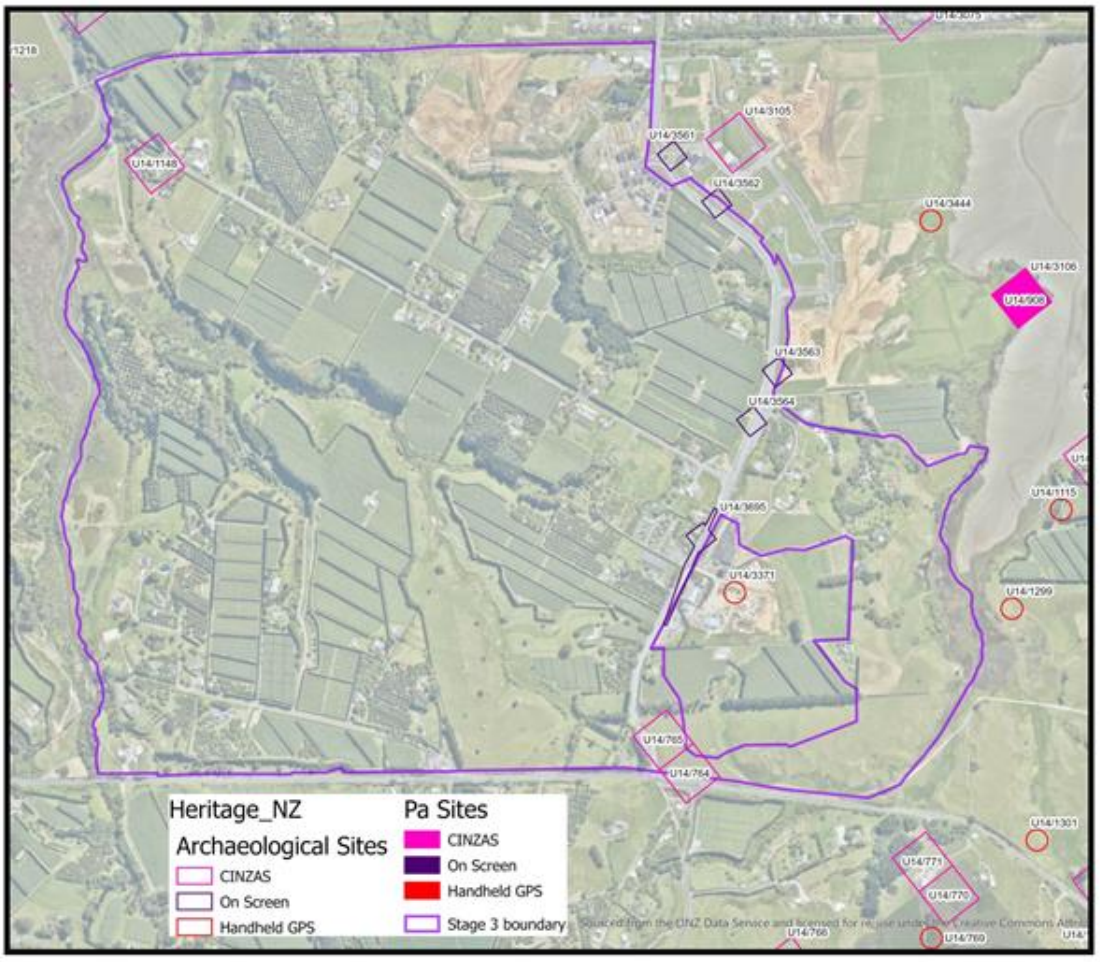

Figure 13: Recorded Archaeological Sites (Source: WBOPDC GIS)

5.2.7 Existing Infrastructure

The existing physical infrastructure consists of Ōmokoroa Road, Prole Road, Francis Road and recently developed roads as part of the Kaimai Views Special Housing Area residential development, and Harbour Ridge and Te Awanui Waters developments. In addition to providing physical roads for transportation purposes they also provide water supply infrastructure and wastewater infrastructure in regard to the three urbanised developments, and Ōmokoroa Road which includes the rising main. There is stormwater infrastructure within the urbanised area.

The Ōmokoroa Settlers Hall is located adjacent to the railway and Ōmokoroa Road. Behind the hall and adjacent the railway is the Council wastewater pump station and

emergency wastewater pond treatment area.

The subject area falls in part underneath the approach path to Tauranga Airport. Due to the distance between the runway and the subject area the height limitations associated with this will not adversely impact on the ability to fully urbanise the area.

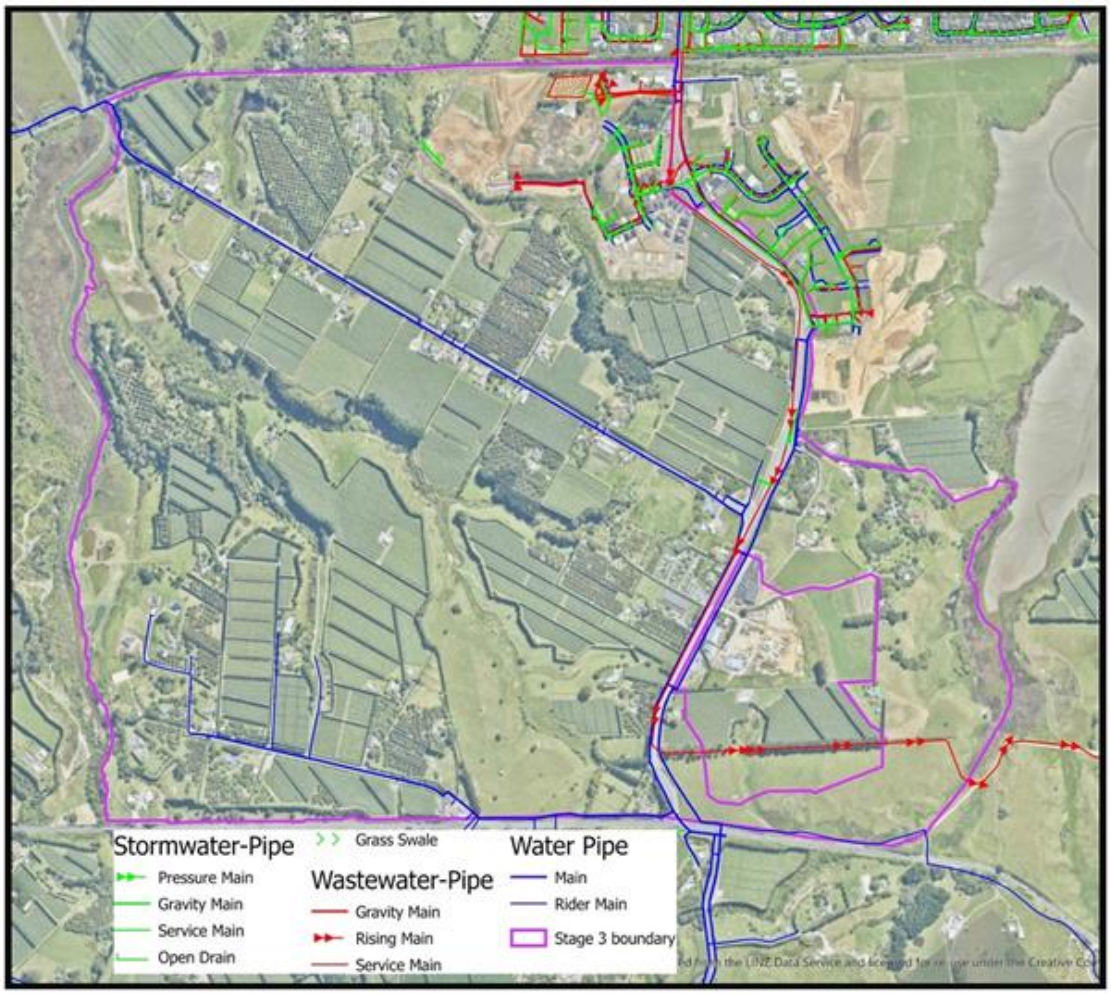

Figure 14: Existing Infrastructure (Source: WBOPDC GIS)

5.3 Cultural Overlays

5.3.1 Tangata Whenua / Cultural Values

Ōmokoroa is highly significant to Māori. Pirirakau are recognised as having mana whenua over the peninsula. Pirirakau are part of the wider Ngati Ranginui iwi. Other iwi/hapu who have well established interests in the area include Ngati Haua and Ngati Taka.

Within the study area Ngati Haua retain a land holding of 4.2ha located adjacent to the railway and Waipapa River at the end of Prole Road. This land was gifted to them by Pirirakau in response to their long-standing relationship in pre-European times.

Pirirakau have developed an Ōmokoroa Urban Design Cultural Overlay to inform and influence the Stage 3 structure plan. Refer to Appendix 6. Pirirakau have developed a Hapu Management Plan which also provides insight into issues and cultural values. In specific regard to Ōmokoroa the Management Plan states: "*As Ōmokoroa has been designated for intensive urbanisation we seek appropriate infrastructure and waste management initiatives to support the peninsular and reassurance that capacity can be adequately managed*".

Significant concerns are expressed in regard to cultural sites being destroyed to accommodate housing projects, including the destruction of the natural character of cultural landscapes. A key issue is the need for appropriate consultation through resource consents and plan changes of Council to ensure absolute protection of remaining culturally significant sites.

The Hapu Management Plan and the Urban Design Cultural Overlay emphasise the importance of the protection and enhancement of the natural world. The Cultural Overlay highlights the opportunity for waterway restoration, flora and fauna preservation and enhancement and opportunities to strengthen connections to the land and water. This potentially could include waka launching areas, wetland restoration, Maara kai, road and reserve naming, and land form protection.

5.3.2 Social – Public Spaces, Buildings, Community Facilities

The only community facility currently within the Stage 3 study area is the Ōmokoroa Settlers Hall. A key component of the urbanisation of the area is to the provision of appropriate social infrastructure. The proposed town centre will provide the main hub of community infrastructure including a proposed Council administration satellite office. The central reserve area will also provide a range of sporting related community facilities potentially including an aquatic centre and indoor stadium which could have multiple community uses.

5.3.3 Amenity

The operation of both the railway and State Highway have adverse impacts upon the amenity values of property in close proximity primarily through noise generation. In the current development pattern, there is a dispersed population and large properties. Accordingly, the propensity for nuisance is limited. Similarly, the area is currently largely in productive rural land use, especially horticulture, and associated with these activities are noise and chemical use which can have a negative effect on amenity.

Overall, however the rural nature and associated vegetation and lack of hard infrastructure contributes to a pleasant rural amenity outcome.

With urbanisation, incompatibility of uses will result and careful management is required to ensure appropriate buffers and management processes are undertaken to

enable the protection of amenity values and the efficient operation of legitimate operations.

5.3.4 Education

There are no education facilities, excepting pre-schools, currently within the structure plan area. A key part of the structure plan is the identification of a school site. This land has now been purchased by the Ministry of Education and the land designated for "educational purposes". The intention is to provide both primary and secondary education facilities. This will provide significant benefits to the local community and environs by providing further primary school capacity and especially by providing a local secondary school opportunity.

5.3.5 Land Tenure

For the most part, land is held in private freehold land titles by individual owners. This includes an area of 4.2ha which is owned by Ngati Haua as Freehold Māori Title. There is an area that is part of the Kaimai Views development where land ownership is changing from WBOPDC to a private entity. The remaining land in the area includes land recently purchased by the Ministry of Education (8.7ha), Department of Conservation reserves along the coastal interface and land owned by Waka Kotahi NZ Transport Agency (Waka Kotahi NZTA) at the intersection of State Highway 2 and Ōmokoroa Road. WBOPDC land holdings include esplanade reserves, the Settlers Hall site, stormwater drainage reserves and a wastewater pump station site.

The following map illustrates the current land tenure:

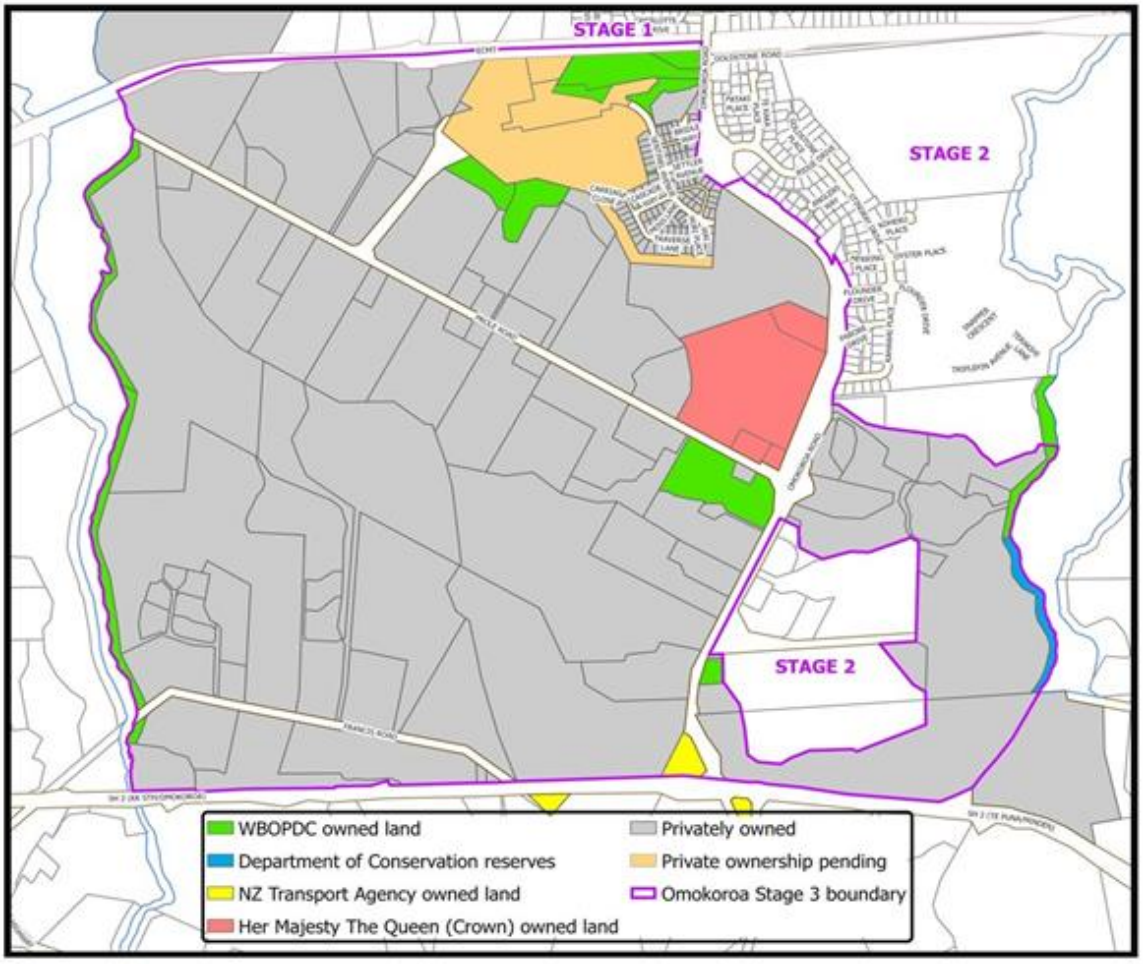

Figure 15: Land Tenure (Source: WBOPDC GIS)

5.4 Economic Overlay

5.4.1 Change of Use - Rural/Horticulture to Urban

Apart from the existing urbanised area and land which is currently being urbanised as a special housing area, the area is predominantly used for horticulture. The area is well suited for horticulture and as the urbanisation of the area occurs this will result in a loss of productive land. To ensure that the economic use of this land can be maintained as long as possible, the urbanisation of the area will be undertaken in stages.

5.4.2 Town Centre / Commercial

The subject area currently only has minimal commercial operations being a service station, light industrial/commercial services, storage units, childcare and a caravan park.

The wider peninsula contains three areas of commercial retail activity, being a general store at the Esplanade, a small local shopping area at Hamurana Road/McDonnell Street, and Tralee Street which provides the main area of commercial activity including

a supermarket and medical centre.

The area between the railway and State Highway 2 has been identified as being the location for a major future commercial centre for Ōmokoroa and local environs since Plan Change 69 (to the previous Operative District Plan). Due to the development of the special housing area which incorporated land with industrial and commercial zoning, a reassessment of required commercial and industrial areas and location has been undertaken.

The overall Council preferred location was at the intersection of Prole Road and Ōmokoroa Road opposite the new proposed schools site. As identified in the Operative District Plan, the proposed commercial area is located further north and on the western side of Ōmokoroa Road. Refer Figure 16 following.

Figure 16: Operative District Plan Zoning Map (Source: WBOPDC GIS)

To activate commercial development of this land a Commercial Area Master Plan is required. The Operative Plan provisions require:

A commercial area master plan for the Ōmokoroa Stage 2 Structure Plan area shall be prepared by Council prior to development of individual titles.

This plan shall define the compliance with the performance standards and criteria listed below and the location of buildings /structures, traffic and pedestrian cycle paths and parking areas and shall specify integration with the Commercial Zone and to the Industrial Zone and public reserve.

This site has now been the subject of a recent resource consent. The applicants JACE Investments Limited sought consent based on the existing commercial centre location for land use and subdivision incorporating a town centre masterplan, associated buildings and activities and associated development works. The requirement to assess the proposal on its merits resulted in a pause on the current plan change development to allow the resource consent to be processed. As the location of the commercial centre is a fundamental part of the plan change and has other implications such as potentially affecting the location of the proposed Active Reserve, it was necessary for the outcome of the resource consent process to be known to allow the completion of the plan change documentation and assessment.

The decision on this matter confirmed the location of this area. The proposal includes provision for a civic building and a community open space / market place area in addition to retail and other commercial activities. Figure 17 following illustrates the Master Plan concept.

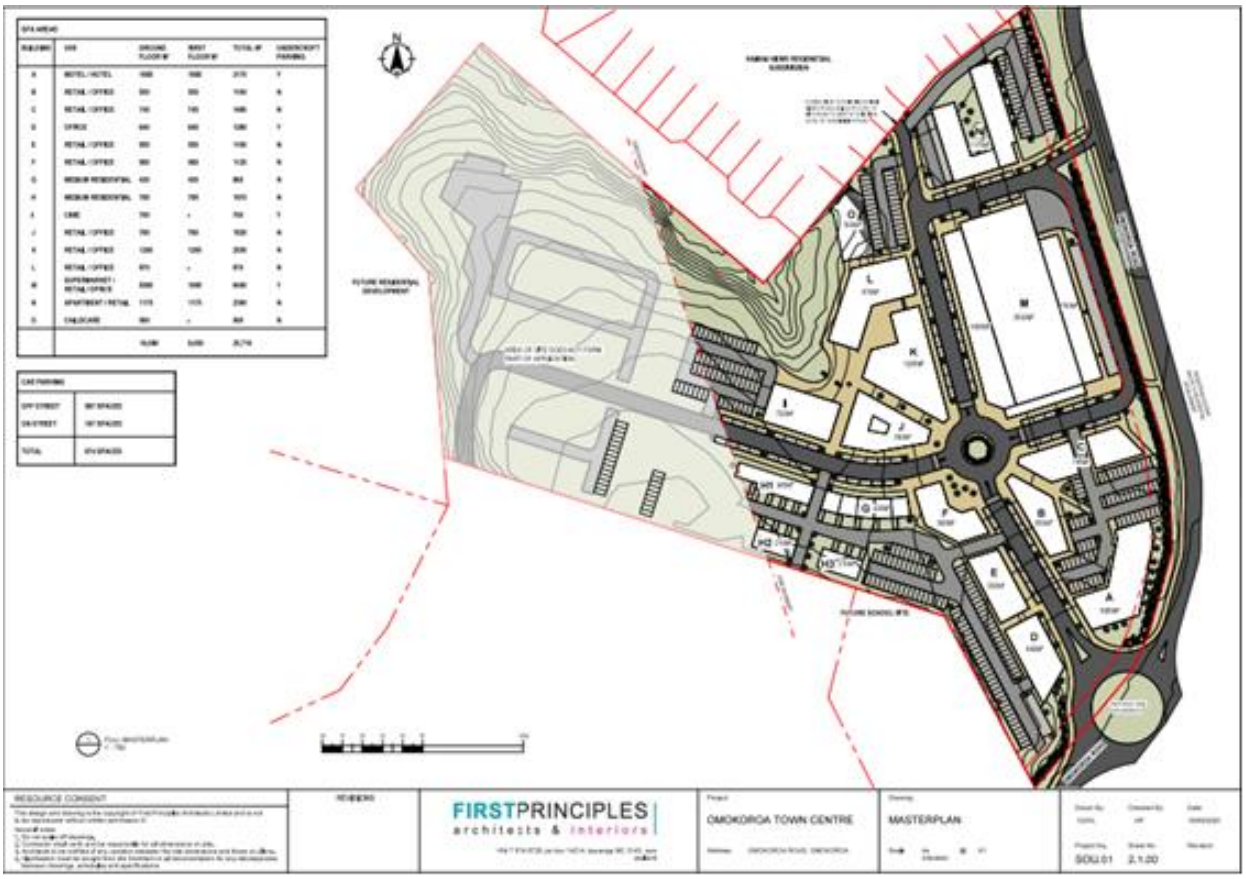

Figure 17: Ōmokoroa Town Centre Master Plan

The consented application was based on the current Commercial zoning. The current zone boundaries do not best represent the logical boundary taking into account the consented Master Plan and the loss of commercially zoned land for residential development on the Kaimai Views property. Accordingly, as part of this plan change the boundary is proposed to be changed. Related to this, the current plan provisions are very restrictive in regard to maximum height of buildings in the Commercial zone (11m). To enable a more active mixed use zone supporting a larger residential component and associated greater density of population a greater building height (e.g. up to 20m in height (6 levels) provides for this opportunity). This is consistent with proposals for the adjacent undeveloped land which is proposed to be rezoned medium density residential with a specific overlay that provided for the same height provisions as the adjacent commercial area.

The current District Plan provisions are focussed on the establishment of the Town Centre Master Plan. Now a Master Plan has been approved the District Plan provisions could be reassessed to provide for better direction to enable changes to the Master Plan to respond to variable development actions in the vicinity.

5.4.3 Industrial

The Stage 3 area currently only has minimal home-based light industrial operations such as plumbing, electrical, kitchen, hire, and flooring operations. As above with previously identified industrial land now being utilised for housing there has been a

requirement to provide additional industrial land. Outside the Stage 3 boundary, there is an existing Industrial Zone of 18ha on the south-eastern side of Ōmokoroa Road towards the State Highway. To supplement this and to provide a buffer between State Highway 2 and residential areas, an area of approximately 10.3ha has been identified for potential future industrial use. The provision of industrial land and utilisation for industrial purposes is essential to provide employment opportunities to the area. The final area available for industrial use will be influenced by the final alignment of the future State Highway 2 interchange. It is anticipated that when this occurs there may be land on the other side of the interchange which could be utilised for industrial purposes.

Due to the proximity to future residential areas the development of this area will require strict controls to ensure a high quality of amenity is maintained for the residential area. There are already "streetscene" controls in the District Plan that relate specifically to Ōmokoroa Industrial Zones having a boundary with Ōmokoroa Road, Hamurana Road and Francis Road. These control road boundary setbacks, location of loading/unloading and outdoor storage activities, exterior wall controls if facing the road, front entrance requirements, tree planting requirements, vehicle parking location controls and fencing height controls.

5.5 Infrastructure

5.5.1 General

The Council has already made significant investments in infrastructure including the wastewater pipeline to Tauranga ($30m), roading upgrades, stormwater management systems, water supply and recreation and social facilities. This significant investment in infrastructure was committed by Council on the basis that the State Highway 2 safety and efficiency issues would be resolved in accordance with the Designation providing for four laning and an interchange. The inclusion of the Takitimu Northern Link (including the Ōmokoroa intersection) into the 2020 New Zealand Upgrade Programme, gave Council confidence to continue with the growth plans for Ōmokoroa.

Most of the Council infrastructure investment to date has been funded by loans, to be recouped through financial contributions paid by all development expected to occur on the Peninsula. Stopping development now (or at any time) due to concerns about the capacity and safety of State Highway 2 will result in a substantial shortfall in funding, estimated to be well in excess of $53m. This shortfall could only be addressed by passing it on to the existing Ōmokoroa ratepayers which would be a significant burden.

5.5.2 Transportation

The current "internal" road network consists of Ōmokoroa Road, Prole Road, Francis Road and recently developed roads as part of the Kaimai Views development. The proposed roading network is identified in Figure 18 following. Ōmokoroa Road is the major road and is classified as a Secondary Arterial in the District Plan. Ōmokoroa

Road is currently a two-way single carriageway. The road between State Highway 2 and the railway has recently been upgraded and widened to a rural standard. This included the construction of a shared pedestrian and cycle pathway. Ōmokoroa Road will be upgraded to full urban standard, including four-laning Ōmokoroa Road from the town centre entrance to the State Highway, as part of the Crown Infrastructure Fund (in response to the Covid-19 recovery) over 2021/2023.

Prole Road is planned to be upgraded and urbanised in 2022/23. Prole Road will be classified as a "collector road" in the Council roading hierarchy with the intention of it becoming a Limited Access Road to ensure it functions as a safe and effective transportation and other services corridor. Prole Road will provide linkages to primary and secondary schools, active reserves including potentially an aquatic centre and indoor stadium, the Waipapa River and higher density residential areas.

The proposed structure plan includes a number of new structure plan roads. These are designed to ensure that key strategic links are provided. Indicative future roads are also identified generally with related requirements to ensure service of adjacent lots.

To provide the option of an alternative to Ōmokoroa Road in the future, the "Hamurana Road" extension links to Prole Road. This link is already designated and will be developed as a cycleway/walkway in the first instance. This includes the provision of an overpass which is programmed to be constructed in 2023. The existing designation includes land on the western side of Prole Road which will no longer be required and accordingly that part of the designation is proposed to be removed. Prole Road will include a direct link to Francis Road. Due to safety issues, it is desirable to close the direct link of State Highway 2 with Francis Road (subject to road closing procedures) as part of the Ōmokoroa/State Highway interchange upgrade. To improve the transportation networks resilience however, an emergency access from Francis Road to the State Highway should be provided.

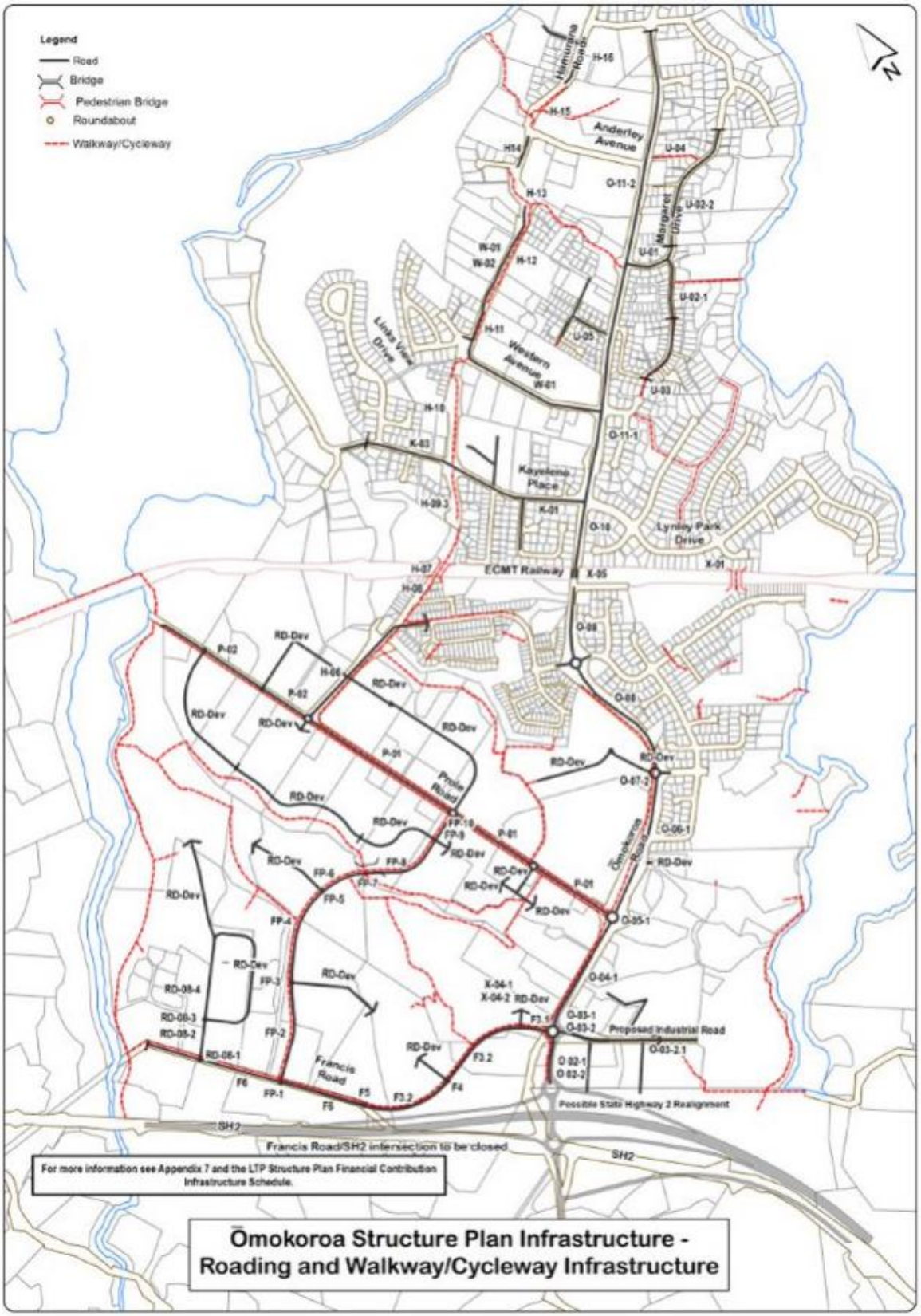

Figure 18: Proposed Roading Network (refer to Plan Change Maps for larger map)

Currently the area is served by very limited local bus services which operate between Tauranga and Ōmokoroa. This service operates during peak traffic times. There are

currently two existing small scale informal “park and ride” facilities located on Ōmokoroa Road. Additional services will be provided in response to growth. As part of the State Highway 2 upgrade dedicated lanes for bus priority will be provided.

As part of the structure plan, it is proposed to establish a larger purpose-built park and ride facility, adjacent the proposed Active Reserve.

In the longer term is the possibility of establishing a rail link based on the Settlers Hall location. As part of the UFTI it was also recognised that there is long term potential for a ferry service connecting to Tauranga/Mount Maunganui.

The Ōmokoroa to Tauranga cycle route has been recently completed in regard to the route within the Western Bay of Plenty District and will provide an alternative transport route between Ōmokoroa and Tauranga. The next stage linking Ōmokoroa to Katikati has now begun. The local cycleway network is planned to be expanded through cycle lanes on Ōmokoroa and Prole Roads and a cycleway/walkway network that utilises both the road network and a track system through the gully network.

A key constraint on the successful urbanisation of the area is the upgrading of State Highway 2, particularly the section between Ōmokoroa and Tauranga. Work is currently underway for the Takitimu Northern Link project (TNL) for the section from Tauranga to Te Puna.

There is an existing designation held by the Waka Kotahi NZTA (D181) which provides for the four laning of State Highway 2 from Ōmokoroa Road to Loop Road.

As part of the NZ Upgrade Programme a $455 million project to improve the State Highway between Te Puna and Ōmokoroa was planned which supported this proposed plan change. This was to provide a new 7km, four-lane corridor to carry two lanes of general traffic and provide two dedicated lanes for bus priority, freight and vehicles carrying multiple people. The project included a separated shared path for walking and cycling that runs along the entire length.

An interchange overbridge with ramps in each direction was to be built at the intersection with Ōmokoroa Road. Other overbridges will take local traffic over the highway helping improve safety.

Figure 19: State Highway Projects Tauranga - Ōmokoroa (Source: Waka Kotahi NZ Transport Agency)

The Waka Kotahi NZTA website stated that "*It is anticipated that the upgrade, which will include an interchange for Ōmokoroa, and the four laning of Ōmokoroa Road to Prole Road will be completed by 2027*". The project timeline follows:

Source: Waka Kotahi NZTA

The above timeline represented a feasible timeframe to undertake much needed improvements to address existing issues and to enable more urban development within the Ōmokoroa Peninsula.

In 2021 Waka Kotahi NZTA significantly changed the project from being a "live" deliverable project to being a "route protection" project. The updated project information stated the following:

"However, further work beyond route protection, including construction, will require funding through the National Land Transport Programme. This won't occur within the next three years and is unlikely within the next 10 years. The Government has decided to make the changes to meet climate change and housing objectives, as well as manage debt responsibly following COVID-19" (Waka Kotahi NZ Transport Agency).

Since this time there has been a lot of work undertaken to provide an acceptable interim design that dealt with safety issues and provided the necessary upgrades to support the urbanisation of the remainder of the Peninsula especially the provision of new areas of housing.

On 21 July 2022 an interim design for the intersection that met the project requirements of the various parties was given the green light. The upgrade will be supported by $38 million from the Kāinga Ora-led Infrastructure Acceleration Fund to upgrade the intersection. Waka Kotahi NZ Transport Agency will also contribute $5m to the project plus land worth $1.49m. Council will manage the project and contribute additional land worth $1.93m.

The upgrade will address the existing safety and capacity issues at the intersection and will support the enabling of new housing projects in Ōmokoroa.

The upgrade will see a new interim roundabout built at SH2 / Ōmokoroa Road, four-laning of Ōmokoroa Road from SH2 to Prole Road, and a second roundabout at the future Francis Road intersection to service the industrial area.

5.5.3 Water

WBOPDC is the public "Water Supply Services Provider" (WSSP) for water supply and has the responsibility for funding and carrying out this service to customers in the District. As a WSSP and owner of public water supply assets, Council is responsible for the provision of funding for affordable operations and maintenance, the development of assets for growth in demand and ultimately the disposal of assets at the end of their service lives.

The Council is also required to sustainably manage and protect the water sources for current and future generations. Through Council's Water Conservation Strategy and Asset Management Plan, initiatives are included to measure and manage the supply and reduce losses and demand on water sources. To this end, all water sources and customer connections are metered throughout the District. This gives Council the ability to accurately monitor and report on water usage and pro-actively plan for growth, future source, storage and reticulation infrastructure.

Ōmokoroa Stage 3 Structure Plan Area is within Councils Central Supply Zone (CSZ). The current total available consented water take is 27,216m3 /day. Council's forecasted water consumption for the central supply zone is 20,000m3/day, based on a total water consumption of 660 litres per household per day. Council has sufficient consents in place to accommodate growth in Ōmokoroa.

There is a current reticulated water supply that serves the Ōmokoroa community. The watermain is located adjacent to Ōmokoroa Road. A third production bore is currently being drilled at Youngson Road to support planned growth under the existing consent. Two more bores will be required to support growth in later years (and for resilience).

Due to difficulties in protecting the quality of water obtained from surface water supplies, Council made the decision to obtain all its reticulated water from secure underground aquifers. Whilst the District Council manages the development of secure ground water bores, the resource consenting processes associated with water resources are managed through the Regional Council and the water-take resource consents include conditions including abstraction limits to protect and sustainably manage the water sources.

Figure 20 following illustrates the location of the current and proposed water supply main.

5.5.4 Wastewater

Wastewater from the Ōmokoroa peninsula is treated and disposed of at Tauranga City Council's (TCC) wastewater treatment plant (WWTP) at Chapel Street. An agreement is in place between TCC and WBOPDC regarding the taking of wastewater sewerage from Ōmokoroa. WBOPDC has a restriction on the amount of sewerage that can be transported to and treated at the plant. The quantity is described as Average Daily Flow (ADF) and Peak Wet Weather flow (PWWF). The restriction has a maximum total ADF of 2,200m3/day and a PWWF of 6,600m3/day based on a total population of 10,000.

The flow rates were calculated based on a traditional gravity wastewater network and has allowances for water other than wastewater, such as stormwater and ground water entering the wastewater network system. This is referred to as inflow and infiltration. Inflow happens when groundwater and stormwater seep into the sanitary sewer system through private and public defects within the collection system. Infiltration is when groundwater enters the sanitary sewer system through faulty pipes or manholes. These pipes might have cracks or leaks that let the water in. This can happen because of age, design, installation or maintenance issues or other factors such as tree root intrusion.

Inflow and infiltration water are referred to as "clear water," distinguishing it from sanitary sewer water. When clear water gets into the wastewater system, it gets treated along with sewage wastewater. The intrusion of other clear water into the wastewater system incurs cost to treat, uses up capacity and hence speeds up the need for more treatment facilities. This leads to significant network inefficiencies which become costs to the ratepayers.

To reach a higher threshold of 12,000 – 13,000 people on the peninsula the wastewater infrastructure built within Stage 3 needs to be designed to ensure wastewater flows are kept to a minimum so that the capacity limitation is not breached.

Council staff have investigated a range of different options to achieve a lower wastewater flow per property. These are summarised in the table below:

Option	Description	Cost	Advantages	Disadvantages
Traditional gravity network (as per Council development Code)	Traditional wastewater system made of standard materials (such as PVC or concrete).	Low	• Lowest cost option. • No changes to development code required. • Standard approach across all Council's wastewater networks.	• Increased levels of inflow and infiltration. • Will require restrictions on the total future population of Ōmokoroa.
100% pressure network.	Each individual property will have a pump onsite. Wastewater system is completely sealed eliminating the potential for stormwater to enter into the network. Flows from each dwelling can be continuously monitored and managed.	High	• Essentially eliminates stormwater from being able to enter the Wastewater network • Enable a higher population on the peninsula	• High construction costs • High operational costs • Requires changes to the Development Code
Sealed smart network with approved materials.	Traditional gravity network but only approved material allowed in construction.	Med	• Most cost effective option • Lower levels of inflow and infiltration • Enables a higher population on the	• Higher construction costs than standard PVC wastewater systems. • Less effective at reducing inflow and infiltration

			peninsular	than pressure networks.

To ensure wastewater flows are kept to a minimum the most effective and efficient method is through specifically targeting inflow and infiltration at the initial construction stage. Completely sealed wastewater systems within the undeveloped areas of Ōmokoroa (including Stage 3) are a means of achieving this. For new development areas it is prudent to utilise materials that have the best lifecycle cost benefit.

In addition to a completely sealed wastewater system Council is proposing a smart network be implemented within the Ōmokoroa peninsula. Multiple monitoring devices such as flow meters, will be installed within the network at the construction phase. Monitoring devices will enable Council to identify any 'out of the ordinary' wastewater flows that may be caused due to faults in the network and to act quickly to address them. Specifics for design within the Ōmokoroa peninsula will be set out clearly in Council's Development Code. A robust and smart wastewater network, while more expensive initially, will ensure an overall lower flow per property enabling a larger population on the peninsula and for Council to meet a target population of 12,000 – 13,000 people.

Figure 20 following illustrates the core wastewater infrastructure which utilises current and proposed road alignments.

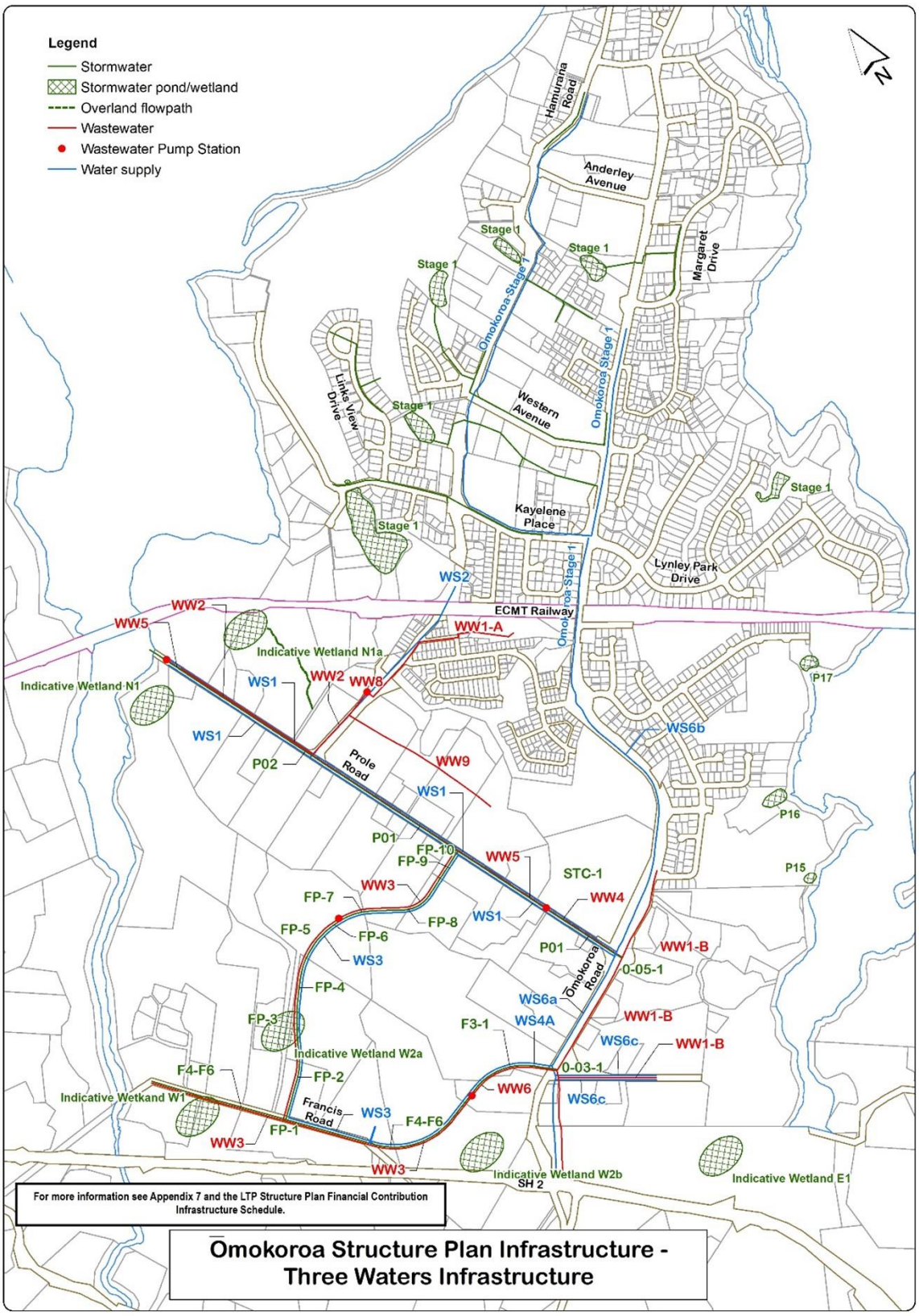

Figure 20: Proposed Ōmokoroa Three Waters Key Infrastructure (Source: WBOPDC GIS)

5.5.5 Stormwater

The Western Bay of Plenty District Council holds a Comprehensive Stormwater Consent (CSC) issued by the Bay of Plenty Regional Council. The Ōmokoroa CSC sets out the consent conditions for how stormwater shall be managed in Ōmokoroa. The Ōmokoroa CSC will be the subject of a renewal process in 2022/23 (the consent expires in 2023). The renewal will be expected to address water quality outcomes, controls for avoiding erosion of gully systems and habitat protection/restoration.

A stormwater management plan (SMP) was prepared for the Ōmokoroa Peninsula in 2002 and a subsequent addendum in 2017. The SMP is currently being reviewed. The SMP provided the basis for the CSC. The Ōmokoroa SMP encouraged the adoption of water sensitive urban design (WSUD) practices. This form of design aims to minimise hydrological and ecological impacts as a result of urbanisation. Water sensitive design seeks to protect and enhance natural freshwater systems and sustainably manage water resources. The key to successful WSUD is to base the design on natural processes to achieve enhanced outcomes for ecosystems and corresponding overall environmental benefits.

The implementation of such practices to date in the District has been limited. This has been implemented in the Structure Plan and related Plan provisions through the provision of swales as part of the Prole Road urbanisation project and planned development of wetlands and enhancement of the natural drainage system. Limits on the amount of impervious surfaces on individual sites are being introduced for residential development. The proposed provisions also include restrictions on earthworks and protection of overland flow paths.

Figure 20 above illustrates existing and proposed stormwater infrastructure. The latter is subject to final design and meeting the requirements of the National Policy Statement for Freshwater Management.

5.5.6 Other Network Utilities

Energy

There is existing over ground power reticulation which PowerCo have advised will require upgrading as part of the urbanisation project. The upgrades will include the establishment of a new sub-station which will be required to be located in the vicinity of State Highway 2/Francis Road/Francis-Prole Link Road and the undergrounding of the network within the Stage 3 area.

There is no reticulated gas supply available for Ōmokoroa. Gas can be supplied through bottled gas or specific developments can be supplied with gas from a central bulk storage facility, however this is dependent on agreements between the developer and the gas supplier.

Communications

Conventional telephone networks and mobile networks, including broadband, service the existing urban area. There is an existing copper based network serving the subject area. Ultrafast Fibre have confirmed that fibre will be available for the new area and will be rolled out as required.

5.5.7 Recreation / Reserves

Active Reserve

To support a growing community, it is important that sufficient land is secured in strategic locations so that as the town grows the recreational facilities to meet the community's needs can also expand. Also, some existing facilities such as the Ōmokoroa Bowling Club may require new facilities in the future. In addition to playing fields there is an identified need for improved aquatic facilities and indoor multi-use sports facilities and events space to serve Ōmokoroa and the wider catchment area and environs.

The Western Bay of Plenty District Recreation and Open Space Strategy provides an overall strategic framework for the provision of recreation facilities and open space within the District. This is also aligned to the Bay of Plenty Regional Spaces and Places Strategy which provides a high level strategic framework for regional sport and recreation facilities in the region. The regional based approach provides consistency across the Bay of Plenty and in particular assists in identifying strategic priority areas.

The Stage 3 area is designed to have a higher density of living than previous urban development in Ōmokoroa and accordingly to balance the lack of private individual open space, having easy access to significant areas of open space is highly desirable and important for the Community's well being. In addition to organised sporting activities such an area can also incorporate informal sport and recreation opportunities. The area can also provide ecological corridors, walking, running, and cycling connections.

To cater for this, it is planned to have a central active reserve having an area of approximately 10ha which will include playing fields and potentially an aquatic centre and indoor stadium. Due to the scale of the reserve the Council is seeking to designate the area in addition to the reserve being identified specifically within the Structure Plan. The purchase of 10ha of land has been included in 2024 and 2026 in the 2021/31 Long Term Plan.

The location of the active reserve needs to be centrally located, highly accessible, linked to the wider reserve network, geotechnically suitable and relatively level (to avoid having to undertake significant earthworks to create suitable sports fields). Ideally the reserve should provide opportunities for joint use and potential cost sharing with other parties such as schools.

The Bay of Plenty Regional Spaces and Places Strategy sets out a decision criteria and a facility investment decision making process. The evaluation criteria include guiding principles which underpin the strategy. These are: investing strategically (alignment with existing planning), maximising value (matching the projected needs of the community), sustainability (track record of organisation) and accessibility (access to wide ranging community).

Various alternative locations have been considered within Stage 3 ranging from a number of options located off or in the vicinity of Prole Road, an area adjacent the future Prole Road/Francis Road link road and an area closer to the State Highway.

The Prole Road options included areas in the western part of the area at the end of Prole Road adjacent the Waipapa River and another area further to the south. They would both have links to future walkways and cycleways however both these areas have natural hazard issues and are not centrally located or have good vehicular transportation networks.

Areas were identified located at the mid-point of Prole Road with land on both sides of the road identified as having potential as an active reserve being relatively level and located on a road that is being upgraded to a level that could accommodate higher vehicle numbers. Both areas were in reasonable proximity to the proposed schools site with the northern side of Prole Road being preferred. These sites also had the opportunity to link to the proposed future cycleway and walkway network.

With the Jace Investments Limited site now having resource consent, the Town Centre location within Stage 3 is effectively confirmed as being in this location. This has opened up the possibility of utilising the land at the corner of Ōmokoroa Road and Prole Road, which was previously an option in part for an alternative town centre, to be the site for the Active Reserve. This site has much superior access opportunities with access from Ōmokoroa Road via the future Francis Road extension and from the early part of Prole Road. The site is immediately opposite the future schools opening the possibility of shared use and cost sharing of facilities. The site also has the opportunity to link to the proposed future cycleway and walkway network.

Part of the site is likely to have geotechnical or other constraints however these areas could still be used effectively as part of the overall reserve development. The site is in two distinct levels with each level being relatively level although there is a noticeable height variance between levels. Large structures e.g., an aquatic centre could be located at the lower level with sports fields at the top. This has the added benefit of providing a large “green space” sense of arrival in Ōmokoroa. If this area was utilised as the active reserve area this would also allow for the central Prole Road sites to be developed for housing purposes. It is noted that there are currently concept plans being developed by the land owners for both these sites. The further advantage of this area is that part of the land is already in Council ownership.

The other options located closer to the State Highway would not be available for

development for some time and had access restrictions, shape, and area deficiencies in addition to not being in a more centralised locality.

A more detailed assessment of the options for the location of the Active Reserve is contained in Appendix 5.

As part of the public consultation in June 2021 the two main alternative options were provided for the community to comment on. These were the corner of Ōmokoroa and Prole Roads (Option 1) and the Francis / Prole Road Link site (Option 2). The community feedback that supported the corner of Ōmokoroa and Prole Roads option included the following reasoning:

Option 1

- Better connectivity to town centre/school and wider Ōmokoroa.
- More logical layout.
- Benefits for the school site, particularly the use of indoor stadium and aquatic centre.
- Synergies with the proposed Park n Ride (shared parking).
- More visible to the community
- Better than Option 2 which is away from the main centre of the population.
- Better than Option 2 which creates safety issues with kids accessing on bikes alongside trucks on Francis Road.
- Better than Option 2 for which all school aged children will be required to be driven to the grounds resulting in increased road usage and emissions from vehicles.

There was a body of support for the Francis / Prole Road Link site especially from residents of the Ōmokoroa Caravan and Motorhome Park who were concerned about being displaced from the holiday park by the Active Reserve. Reasons in support of this option included:

Option 2

- Would not impact as much on local businesses as Option 1 would.
- Would provide two road entrances.
- The caravan park and childcare centre could remain.
- Removes traffic congestions off Ōmokoroa Road.
- Removes risk of children crossing four laned road.
- More potential for walkway / cycleway access and greater 'park like setting' being surrounded by gullies.

In terms of the long term benefit for the community when the peninsula is fully urbanised, Option 1 is the superior option from a place-making perspective due to the close connectivity with the school and town centre and easy access from Ōmokoroa Road.

Council staff have undertaken meetings with the Caravan and Motorhome Park owners and have reiterated the long term development plans for sportsfields, (unlikely to be needed within next ten years). This provides the opportunity for an alternative location for the facility.

Neighbourhood Reserves

In addition, to support the residential areas there is a requirement to provide areas for neighbourhood reserves. Key requirements for these reserves are:

- To ensure most people are within walking distance to a neighbourhood reserve. This is generally achieved by providing reserves within 400m or a 5-10 minute walk for residential properties.
- To ensure that good quality reserves are provided that people are aware of, want to use and feel safe using. Reserves should be located in a central and prominent area and to maximise street frontage. They should be flat or gently undulating and of a shape that maximises visibility throughout the reserve.
- To ensure reserves can be developed for their intended purpose by being a useful size and contour. The average useful size to achieve a basic neighbourhood reserve layout of open space, pathway, vegetation, seating and play features is between 2000m2 to 5000m2. In some instances neighbourhood reserves can adjoin larger stormwater reserve areas, for example, depending on ability to provide appropriate access, visibility, and contour. Provision can be made for pocket parks in some situations.
- To ensure the open space network is connected where possible using reserves or streetscapes.

The general locational requirements of these reserves are shown on the Structure Plan. One of the identified sites is in the vicinity of the Francis Homestead and milking shed and it is possible that this could become a Historic Reserve. Following below is a map that identifies existing reserves and the indicative location of proposed active and neighbourhood reserves based on the structure plan.

Figure 21: Existing Reserves and the Indicative Location of Proposed Active and Neighbourhood Reserves

A significant feature of the Stage 3 area is the existing gully network which is intended to be enhanced as part of a stormwater management system. In addition to the stormwater management function the area has habitat and associated nature values, visual amenity components and can provide walkway/cycleway pathways. As noted above it can provide a conduit to the other reserves network and in some instances, could potentially include neighbourhood reserve functions.

Similarly, there are existing esplanade reserves on both harbour margins although not all the harbour margin is an esplanade reserve. These esplanade reserves are relatively narrow (20m) and in some areas it would be advantageous to widen these to provide a more useful coastal interface, improve ecological values, recognise cultural importance, and provide better access. This would also enable improved linkage of the reserve network.

Included in Appendix 10 is the Ōmokoroa Gully Reserves Concept Plan – (Boffa Miskell – July 2021) which illustrates the "site context", site investigations and provides a concept design and related analysis for the reserve network.

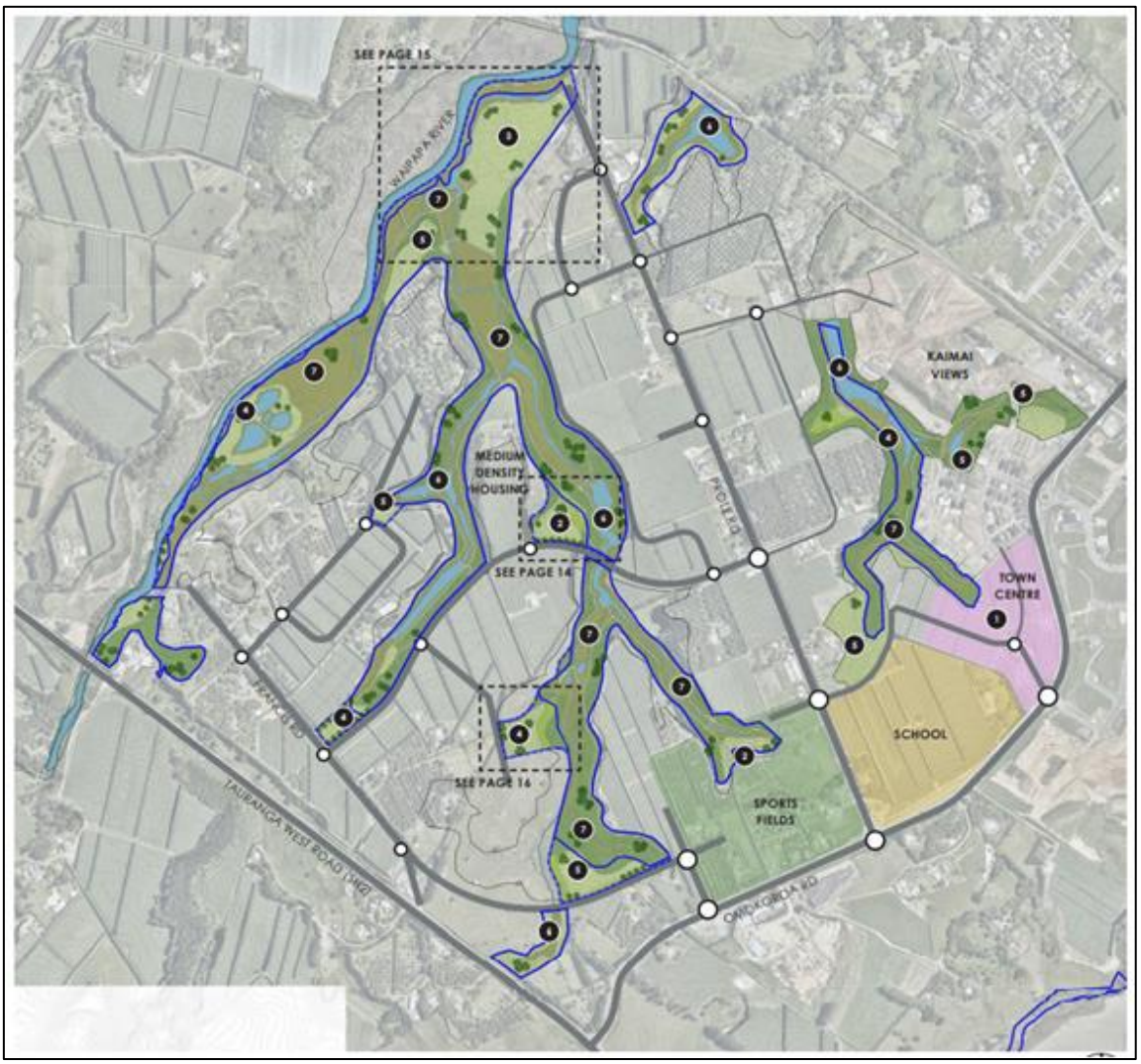

Figure 22: Concept Design (Source: Ōmokoroa Gully Reserves Concept Plan - Boffa Miskell, July 2021 - refer to Appendix 10 for full report).

5.5.8 Schools

As discussed earlier in this report a key part of the structure plan is the identification of a school site.

This land has now been purchased by the Ministry of Education and a designation confirmed for education purposes. The intention is to provide both primary and secondary education facilities catering for eventual school rolls of approximately 1200 for the secondary school and 400 for the primary school.

The school site was selected due to its central location, ease of access, potential close relationship with the recreational reserve area and land availability.

6 Te Puke: Issues, Opportunities & Constraints

6.1 Demographic & Housing Context

6.1.1 Demographic Snapshot

The Te Puke town's population (estimated at June 2021) was approximately 9,700 people housed in 3,117 dwellings. These figures were up from 8,688 people and 2,964 houses as determined in the 2018 census.

Within ten years, the population is projected to increase to 12,583 people and the number of dwellings is expected to have risen by 1,074 bringing the total to 4,212.

The age structure in Te Puke from the 2018 Census indicates that there is a higher proportion of people in the "young workforce age group (25-35 years) than the rest of the Western Bay i.e., a younger demographic.

Te Puke has an ethnically diverse population. Just over 60% of residents in Te Puke identify as European, 26.5% of the population identify as Māori, and 19.4% are Asian (with 15.3% of the Asian population share identifying as Indian).

Median household incomes are lower in Te Puke than in the rest of the District. Te Puke's median household income was around $64,000 in 2018, compared to $71,000 for the Western Bay of Plenty generally.

6.1.2 Current Housing Context

The lack of land for housing in the wider Western Bay of Plenty is having a significant impact on Te Puke. Land currently zoned residential is now being developed, and land developers are working on master plans for Residential and Future Urban zoned areas on the periphery of the urban area.

When compared to other parts of the sub-region, Te Puke has fewer single-person and couple-only households as a proportion of all households. It has more one-parent, multi-family and non-family households than other parts of the sub-region. Te Puke also has a high proportion of households that are considered to be overcrowded with 19.3% of the population considered to be living in over-crowded conditions.

Te Puke's dwelling stock is predominantly three, four and five bedroomed homes (these comprise 76% of all housing stock), while single-person and couple-only households make up 45% of total households.

Differences between Te Puke and other parts of the Western Bay in relation to household composition is demonstrated in Figure 23 below.

	One Person HH*	Couple Only	2-parent families 1-2 children	2-parent families 3+ children	One parent family	Multi Family HH	Non-Family HH
WB-Bowentown/ Athenree	28%	44%	16%	3%	6%	1%	2%
Katikati	27%	37%	14%	4%	10%	3%	4%
Ōmokoroa	20%	49%	19%	5%	5%	1%	1%
Te Puke	22%	25%	19%	8%	13%	7%	6%
All Rural	17%	38%	24%	7%	7%	4%	2%

Figure 23 Household Type - Western Bay of Plenty (Source: SmartGrowth Housing Capacity Assessment, July 2021)

Based on 2018 census data of occupied dwellings, 67% of Te Puke's housing stock is owned or held in a family trust by the occupiers. Seventy-four percent of households identifying as European own their own homes or live in a home owned by a family trust. This compares with 51% owned or in a family trust for Māori, and 49% for homes identifying as Asian.

In relation to housing affordability, accessibility to up-to-date statistics is difficult, given the recent rapid increases in both rents and house prices. However, the following statements provide some context to the current housing context for Te Puke[2]:

- The growth pressures facing the sub-region are having a significant impact on Te Puke. This will continue for at least the next 5 years before new urban growth areas such as Te Tumu and Tauriko West come online.
- Te Puke, with its existing infrastructure, land availability and higher affordability will attract the 'overflow' of development that can't be met in Tauranga.
- Smaller dwelling typologies are limited for couples and singles, and older people.
- Te Puke is currently attractive for households with children as opposed to 'double-income-no-kids' and 'empty nester' households. This is likely to be linked to Te Puke being relatively more affordable than other areas.

While this current project (IPI) can't ensure that housing provided will meet identified housing needs, it is likely that the more enabling planning framework provided will create more of an opportunity for a variety of housing to be provided to meet the needs of the community, for example:

- More one and two-bedroom dwelling typologies;

[2] Information from Te Puke Housing Context paper prepared by Jodie Rickard Feb 2022

- More affordable housing; and
- More housing that caters for multi-family living arrangements.

6.2 Physical Overlays

6.2.1 Topography & Geology

The topography and geology of the Te Puke area is well described in a Worley Consultants Ltd study undertaken in 1997, excerpts of which are reproduced below from Plan Change 25 – Te Puke Urban Growth Study, August 2004[3].

The Te Puke urban area is located on a gently sloping plateau that has built up from successive increments of sub-horizontally bedded volcanic deposits. The plateau dips to the northeast and is dissected by a similarly trending system of erosion gullies completing essentially straight, non-branching channels which have steep sides, flat bottoms and are entrenched between 15m and 30m into the surrounding land surface.

On the northern boundary of the urban area the gullies open out into a broad, low lying coastal plain. The plateau areas between the gullies are generally flat, are free draining and provide most of the land area suitable for building development. Very few buildings are located on either the gully slopes or the gully floor.

The materials forming the plateau are conveniently grouped into three types based on their geological origin and their engineering properties. These three types are the Younger Ashes, the Older Ashes and the underlying Mamaku Ignimbrite. The composition of each of these three layers is expanded on in the table below.

Younger Ashes (6-9mm thick)	Unit A	Volcanic Ash (0-2m) Yellowish brown clayey silt, variable sand; moist, firm, moderately plastic; highly weathered.
	Unit B	Volcanic Ash (Hauparu Tephra, 2m-3.2m) Light reddish brown silty clay, some sand; very moist to wet; greasy; slightly sensitive; moderately plastic; soft to firm; (completely weathered pumic lapilli).
	Unit C	Volcanic Ash (Maketu Tephra, 3.2m-5.4m) Greyish yellow and yellowish brown pumiceous sandy gravel; loose; moist, wet in places; slightly to moderately weathered and rarely highly weathered; occasional interbeds of gravely sand and sandy silt to 200mm thick; upper boundary is very irregular.
	Unit D	Volcanic Ash (Rotoehu Ash, 5.4m-8.2m) Light brownish grey to yellowish grey sand, some silt; loose; moist; overlain by 0.3m of yellowish brown firm clayey silt; very moist to wet at base; slightly to moderately weathered.
Older Ashes (2m-3m thick)	Unit E	Volcanic Ash (8.2m-11m) Dark, yellowish brown silty clay; stiff, very moist at boundary, with depth becomes very stiff, moist; plastic; grades to light yellow silty clay, some sand, which is moist, stiff, plastic and slightly sticky; completely weathered.
	Unit F	Ignimbrite (completely weathered, 11-12m)

[3] Worley Consultants Ltd, Te Puke Urban Growth Study Actions C&D, August 1997

		Bright orange/yellowish brown silty clay, some sand; firm; very moist to wet; greasy; moderately plastic: common Mn/Fe concretions and mottles; slightly sensitive.
	Unit G	Ignimbrite (highly weathered) Pinkish to bluish grey clayey silt, some sand (qtz, feld, glass), very stiff, moderately plastic; very moist, with depth sand fraction increases and becomes moist with large, soft dark reddish brown mottles (completely weathered pumice blocks).

The above descriptions are synthesised from existing drill hole data, and from road cuttings and exposed sections of gully slopes in the Te Puke area.

The formation of the gullies postdates the eruption of all but the youngest of the volcanic ashes (Unit A), which would have resulted in the original airfall ash cover deposit on the slopes of 1-2m. Although this thickness of cover in some places remains, in general it has been reduced by slope erosion processes to about 0.5m. This fact combined with the truncation of the essentially flat laying bedded ashes by the gullies has resulted in water discharging into the gully slopes at points where textural boundaries (generally the boundaries between successive deposits) intersect the slope.

The gully slopes within the urban area average about 20m in height, but vary from 15m to 30m, and their form reflects with difference on physical properties of the various deposits making up the land surface. For example, the steepest section of the slopes is usually associated with the relatively competent, coarse grained, younger ashes. It would appear that since the rapid initial period of gully formation, and subsequent removal of the primary erosive force (high discharge streams) the gully slopes in their natural state have achieved a relatively high degree of stability.

Current instability is confined to minor surface slumping and soil creep with few indications of recent full (or part) slope shear failure (e.g., debris cones, slip surfaces and depressions and cracks in the ground above the slopes). It is probable that natural regression of the slopes is comparatively slow and occurs by surface slumping and on rare occasions, by failure of saturated material around the base of the aquifer. There is no evidence of active erosion of the toe of any of the slopes examined although most of the gullies contain small streams and a number of these have flooded the full width of the gully during periods of intense and prolonged rainfall.

The presence of the strong seepage horizon described above has important stability implications when considering development of gully slopes. For example, adequate drainage would be necessary for structures such as retaining walls and buildings and, during earthworks, care would be needed to ensure free movement of water from the aquifer. A minor potential stability problem is the highly erodable nature of the cohesionless materials of the Maketu Tephra and Rotoehu Ash. In natural slopes they are protected both by the overlying ash beds, and by vegetation and debris on the slope. However, when exposed (e.g., by earthworks or removal of vegetation), they would be vulnerable to erosion by surface water runoff.

Figure 24 below illustrates the Te Puke geology situation.

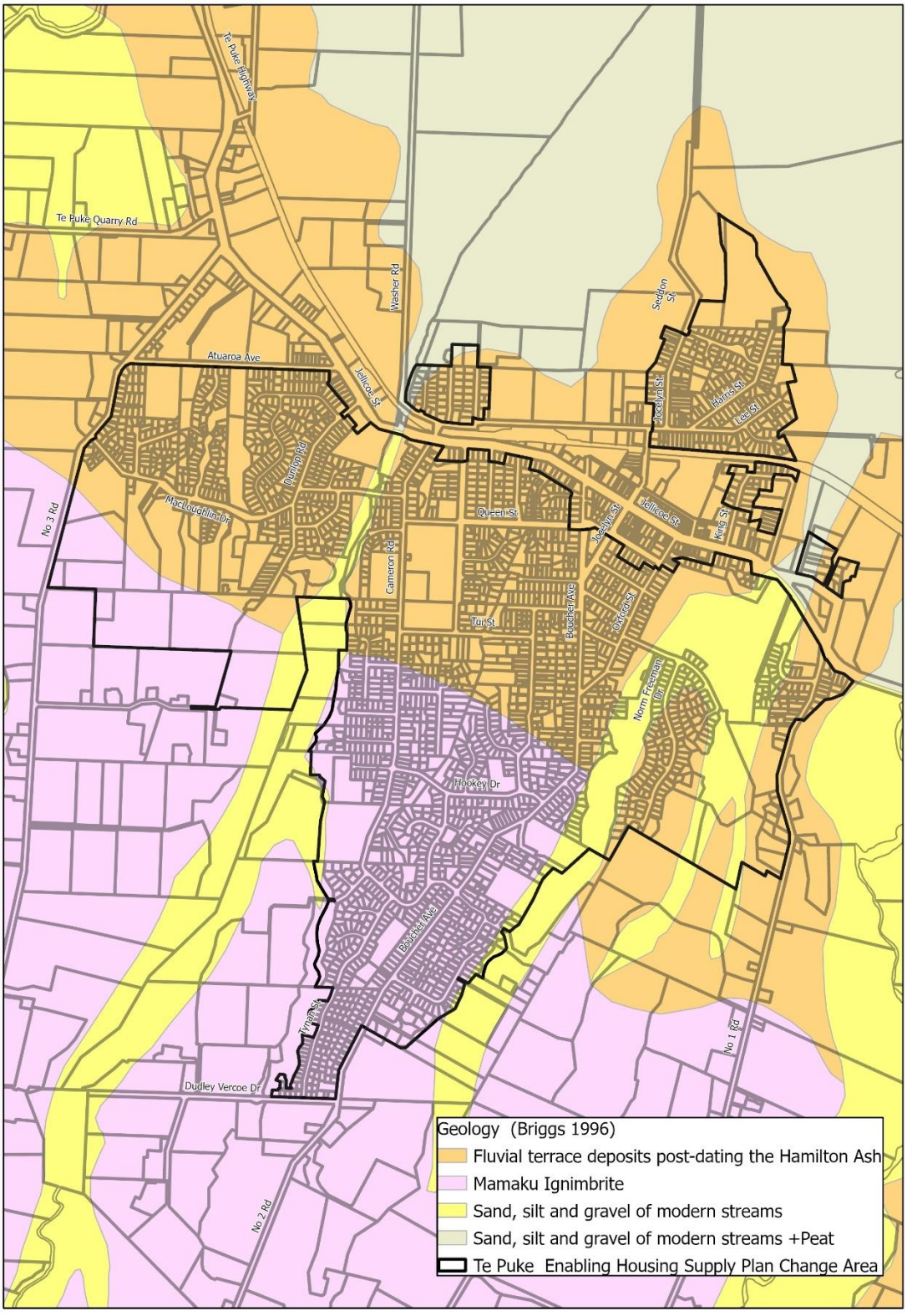

Figure 24: Te Puke Geology (Source WBOPDC GIS)

6.2.2 Landscape & Visual

Given that the landforms of Te Puke township are generally flat to gently sloping, interspersed with gullies, there are few topographical features within the town that contribute significantly to its landscape.

Natural landscape features around Te Puke relate predominantly to the gully systems that run through the town. These gullies also play a pivotal role in stormwater treatment and disposal, are often prone to flooding, and have pockets of instability.

Figure 25 below illustrates the landform characteristics of the town.

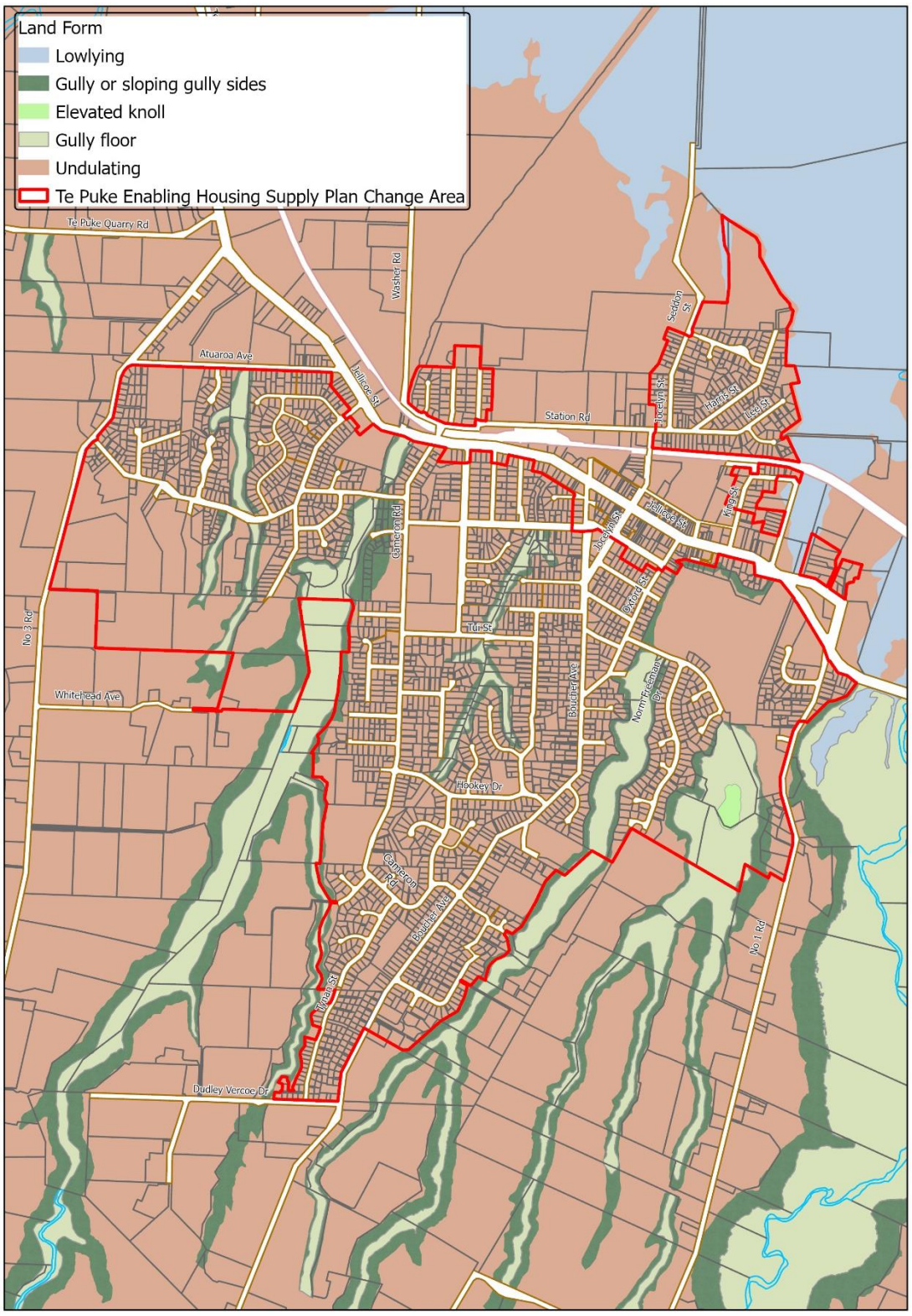

Figure 25: Te Puke Land Form (Source - WBOPDC GIS)

Views from the town to the distant hills are important for creating a sense of place, as well as connecting the town to its surroundings and giving it context. In that sense, the north/west orientation of many streets in the town (such orientation having arisen as a result of the gully systems) is useful for providing view shafts, giving visual access to

the hills.

The operative District Plan includes a schedule of Identified Outstanding Landscape Features and Landscapes of which the following are visible from parts Te Puke:

S4 - Papamoa Knoll and Ridgeline (F.H.7)
This area has its northern boundary at the 60m contour on the ridge extending south to a high point of 224m (above sea level) and further south to the Wharetetarakeho peak at 331m (above sea level). This high land is an important backdrop to the plains and coastal area between Papamoa and Maketu, and to Te Puke township, particularly when travelling along the State Highway towards Tauranga. On the eastern side it extends down to the 100m contour and to the west it follows the skyline ridge.

S5 - Wharetetarakeho-Otawa Bush Covered Knoll (F.H.7)
The area identified as visually significant includes the eastern portion of unit F.H.7. It is predominantly contiguous bush and is important in segregating the Western Bay of Plenty District and is highly visible from a wide area.

S6 - Kaimai Ranges (K.R.1)
The whole Kaimai Ranges unit is significant as it forms the main east-west divide between the Waikato and Bay of Plenty and the southern extent are particularly so for Te Puke, with contiguous native bush vegetation and a role in segregating the Western Bay of Plenty District. The area is highly visible with extensive, contiguous native bush, rocky outcrops and large streams. The ranges provide a dramatic backdrop to the Tauranga Harbour and are visible from a large area of the Te Puke township.

In addition, and also within the District Plan schedule, viewshafts that contribute significantly to the experience of the District are identified. View Seven is relevant in the Te Puke context.

View Seven: View eastward over Te Puke, Maketu and plains from an unformed road off Upper Papamoa Road (Map H09).
This is a broad view available from a public lookout high on the Papamoa range. The foreground of the view includes the rural uplands of the range with extensive middle and background views to the plains, including Te Puke, the coast and Maketu headland

6.2.3 Land Use

The rural area surrounding Te Puke is predominantly horticultural and agricultural in nature and use, with kiwifruit being the main horticultural crop. Significant well-established shelterbelts along roadsides and within and along boundaries of land titles are characteristic of the horticultural use of land, providing shelter for crops.

Smaller-lot agricultural/horticultural operations close to Te Puke are generally rural lifestyle based and include small scale beef, and sheep farming. Figure 26 below shows the current uses of land within and surrounding the Te Puke town.

Te Puke town itself performs a vital role as a service town for the surrounding rural area, providing a comprehensive range of commercial and industrial uses, and residential accommodation options. Figure 26 clearly illustrates the locations of the mixed range of land-uses within Te Puke town. This figure also clearly shows the larger areas of as-yet-undeveloped land within the study area and what that land is currently used for.

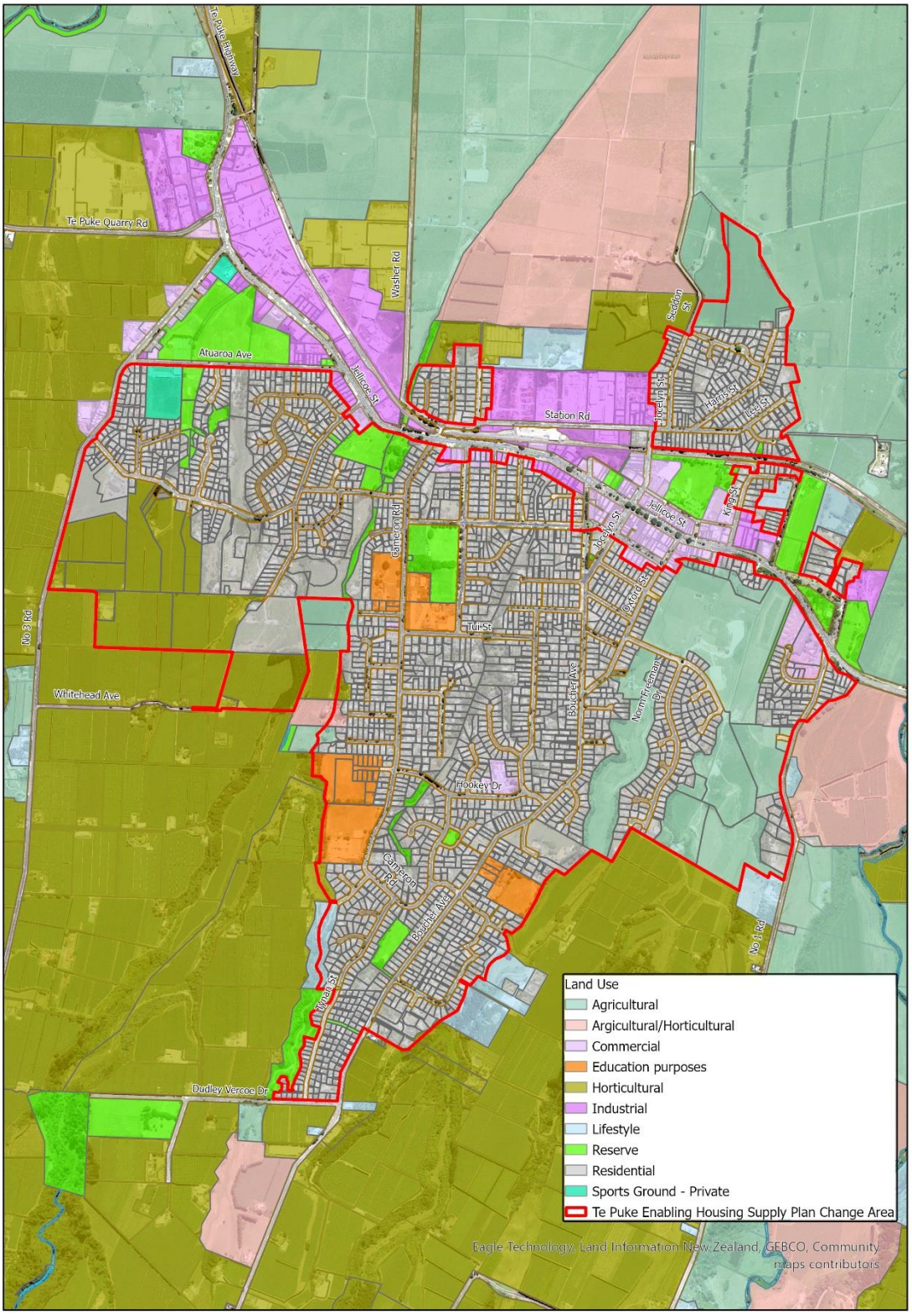

Figure 26: Land Uses in and Surrounding Te Puke (Source - WBOPDC GIS)

The landscape and associated natural hazards influence the type of land uses that can be established within the Te Puke town. For example, the gully systems have limited development potential but could be suited for low density development or as natural open space to fulfil a stormwater management function as well as open

space/reserve functions. Areas of land with a gentle elevated contour generally have more potential for residential and associated commercial or industrial uses.

6.2.4 Natural Hazards – Te Puke

Introduction

Under the RMA the management of significant risks from natural hazards is a matter of national importance (Section 6). The RPS also requires Council, through objectives and policies, to take a risk management approach with respect to the management of natural hazards. In summary, this requires the identification of areas susceptible to natural hazards, classifying the level of risk according to the likelihood of natural hazards occurring and their potential consequences and employing risk mitigation measures to achieve a low level of natural hazard risk. Mitigation measures could include limiting or avoiding development in areas.

Council has given effect to the natural hazard risk management requirements in the RPS for "new residential zones". Council is not however required to meet the natural hazard risk management requirements in the RPS for "relevant residential zones" i.e., those which are already zoned residential. This is because the RMA Amendment Act (Section 77G (8)) directs Council to incorporate the MDRS into "relevant residential zones" irrespective of any inconsistent objective or policy in a regional policy statement. Council has completed an RPS natural hazards risk assessment for the Seddon Street Precinct which is a new area proposed for residential development. This risk assessment is detailed in Appendix 14.

In addition to the above, an IPI may also contain "related provisions" including objectives, policies, rules, standards, and zones, that support or are consequential on the MDRS (s80E (1)(b) and 2 of the RMA Amendment Act). This includes the management of natural hazards.

For the IPI to address the management of risk from natural hazards as required and allowed for by the RMA, and to assist with the specific risk assessment mentioned above, it required Council to investigate all relevant natural hazards. An introduction to each of the natural hazards investigated for Te Puke is provided below.

Flooding

Flooding is the covering of normally dry land as the result of extreme rainfall. Flood modelling was carried out for Te Puke and identifies the possible extent of flooding in a number of scenarios. The proposed District Plan maps for Te Puke only show the scenario considered most relevant for managing subdivision and land use. This is further explained below and shown as scenario 10 in the "Te Puke Stormwater Model Report (DHI, 2022).

The proposed maps identify the possible extent of flooding that may occur if a 1% Annual Exceedance Probability (AEP) event was to happen in the year 2130. A 1% AEP event is something that only has a 1% chance of occurring in any year. This means it is expected to occur on average once every 100 years, however it could happen at any time. A 1% AEP event has been chosen as it is considered best practice and is also used by the Regional Council. The climate change scenario used for the year 2130 is the Intergovernmental Panel on Climate Change's (IPCC's) Representative Concentration Pathway (RCP) 8.5. This is a conservative scenario which assumes that greenhouse gas emissions continue to growth without effective climate change mitigation policies. It equates to 1.25m of sea level rise in the year 2130.

Flooding is identified within Te Puke most commonly in the form of overland flowpaths in the lower-lying areas such as gullies. There are also some areas where localised ponding areas have been identified.

Liquefaction

Liquefaction can occur when some saturated soils (typically silts and sands) lose strength and stiffness (temporarily behaving as a liquid rather than a solid) in response to earthquake shaking. Liquefaction was investigated for Te Puke as part of a region wide study. Tonkin + Taylor completed this in accordance with the Ministry for the Environment and Ministry of Business, Innovation and Employment "Planning and Engineering Guidance for Potentially Liquefaction Prone Land" (2017). For Te Puke, this was done to a Level A (basic desktop assessment) level of detail.

The liquefaction vulnerability categories recommended for use are shown in the following figure.

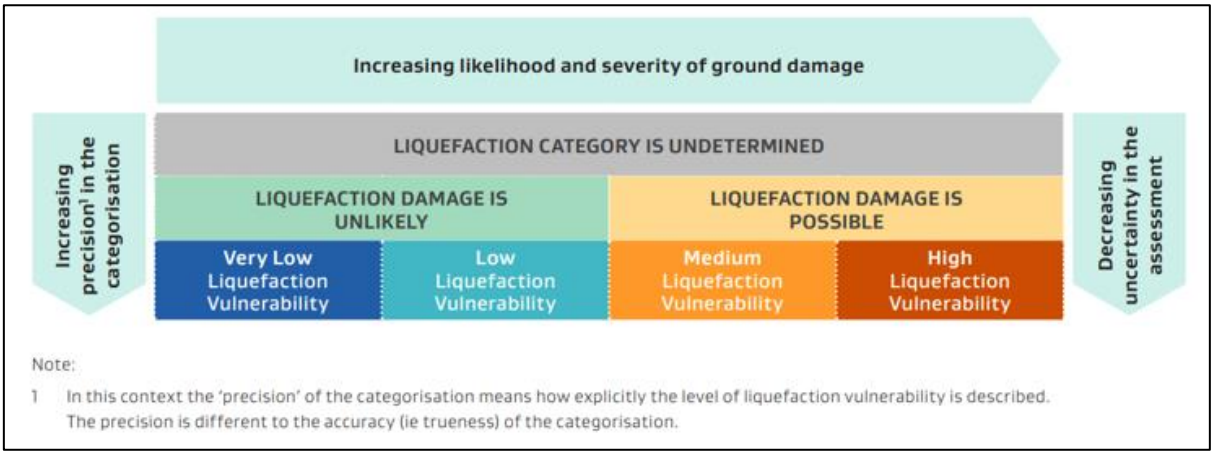

Figure 27: Liquefaction Vulnerability Categories Recommended for Use in the "Planning and Engineering Guidance for Potentially Liquefaction Prone Land" (2017)

Under the Level A level of assessment for Te Puke, all three categories were considered,

but only two categories were identified being “liquefaction damage is possible” and “liquefaction category is undetermined”. The results show that “liquefaction damage is possible” within the lower-lying gully areas and that the “liquefaction category is undetermined” in more elevated areas. Further investigation would be required at subdivision or development stage to determine areas where “liquefaction damage is unlikely”.

“Liquefaction damage is possible” means a probability of more than 15% that liquefaction-induced ground damage will be minor to moderate in a 1-in-500-year earthquake shaking event. At this stage there is not enough information to distinguish between Medium and High. More detailed assessment would be required. Following more detailed assessment a classification of Very Low or Low is also a possible categorisation but this is considered less likely.

“Liquefaction category is undetermined” means that a liquefaction vulnerability category is undetermined, either because a liquefaction assessment has not been undertaken for this area, or there is not enough information to determine the appropriate category with the required level of confidence.

“Liquefaction damage is unlikely” means a probability of more than 85% that liquefaction-induced ground damage will be none to minor in a 1-in-500-year earthquake shaking event. At this stage there is not enough information to distinguish between Very Low and Low. More detailed assessment would be required. Following more detailed assessment a classification of Medium or High is also a possible categorisation but based on the information available this is considered very unlikely.

Active faults

GNS Science were requested in 2022 to undertake a desktop exercise to identify any active faults in Te Puke. However, given the amount of existing development and associated changes to contour within the area, an assessment based on the identification of geomorphological features was not feasible.

Natural hazard maps

The map below shows the identified natural hazards as described above:

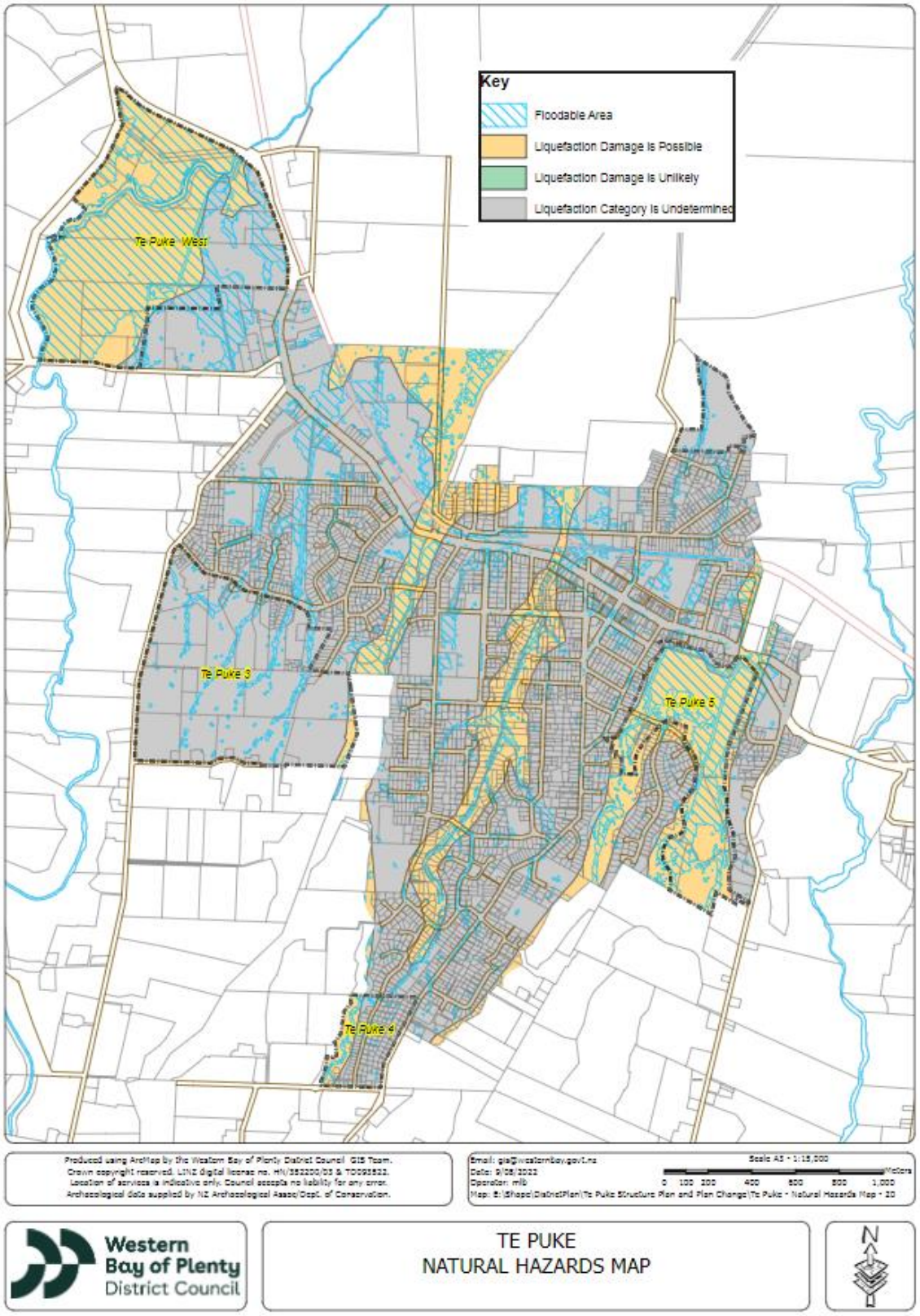

Figure 28: Te Puke Natural Hazards (Source - WBOPDC GIS)

6.2.5 Drainage Systems

The Te Puke landscape is generally flat to gently sloping, interspersed with gullies which are generally oriented north to south. These gullies play a pivotal role in stormwater treatment and disposal for the town as evidenced in Figure 29 below which illustrates the drainage system network.

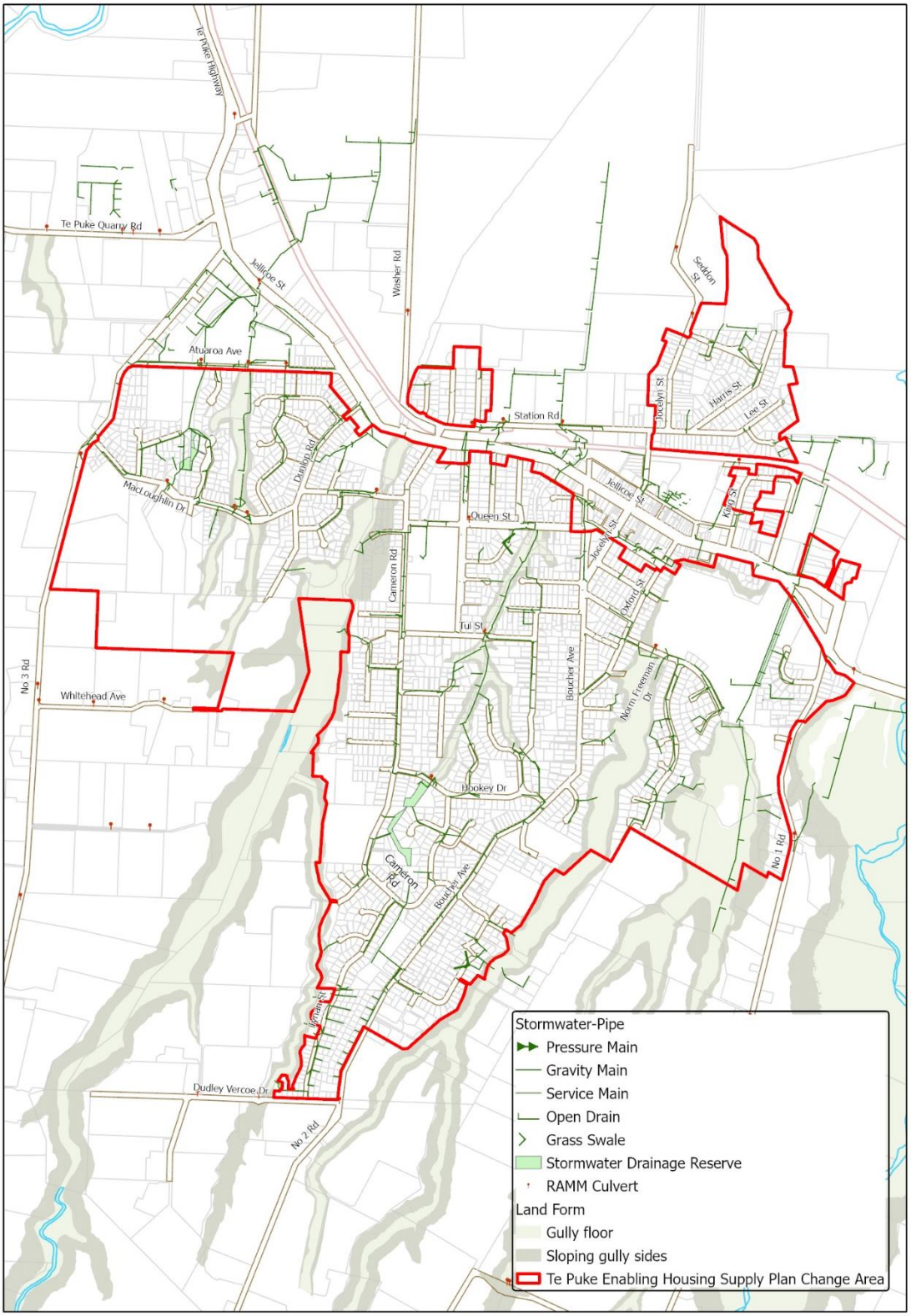

Figure 29: Te Puke Drainage System (Source: WBOPDC GIS)

6.2.6 Contaminated Land

Contaminated land can be a constraint to further land-use development.

Regional councils are required to investigate land for the purposes of identifying and monitoring contaminated land. To fulfil this function, most regional councils maintain a contaminated sites database. These are often the primary source for territorial authorities identifying potential Hazardous Activities and Industries List (HAIL) sites.

WBOPDC's GIS has a layer showing all known HAIL sites identified by BOPRC. Figure 30 below shows the sites that are in and around the Te Puke township. Most of the recorded HAIL sites are outside of the existing developed residential areas.

Activities on any land described as *a piece of land,* meaning that it is, was, or is more than likely than not to be a HAIL site, are subject to the requirements of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS).

The NES-CS is a nationally consistent set of planning controls and soil contaminant values. It ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed - and if necessary, the land is remediated, or the contaminants contained to make the land safe for human use.

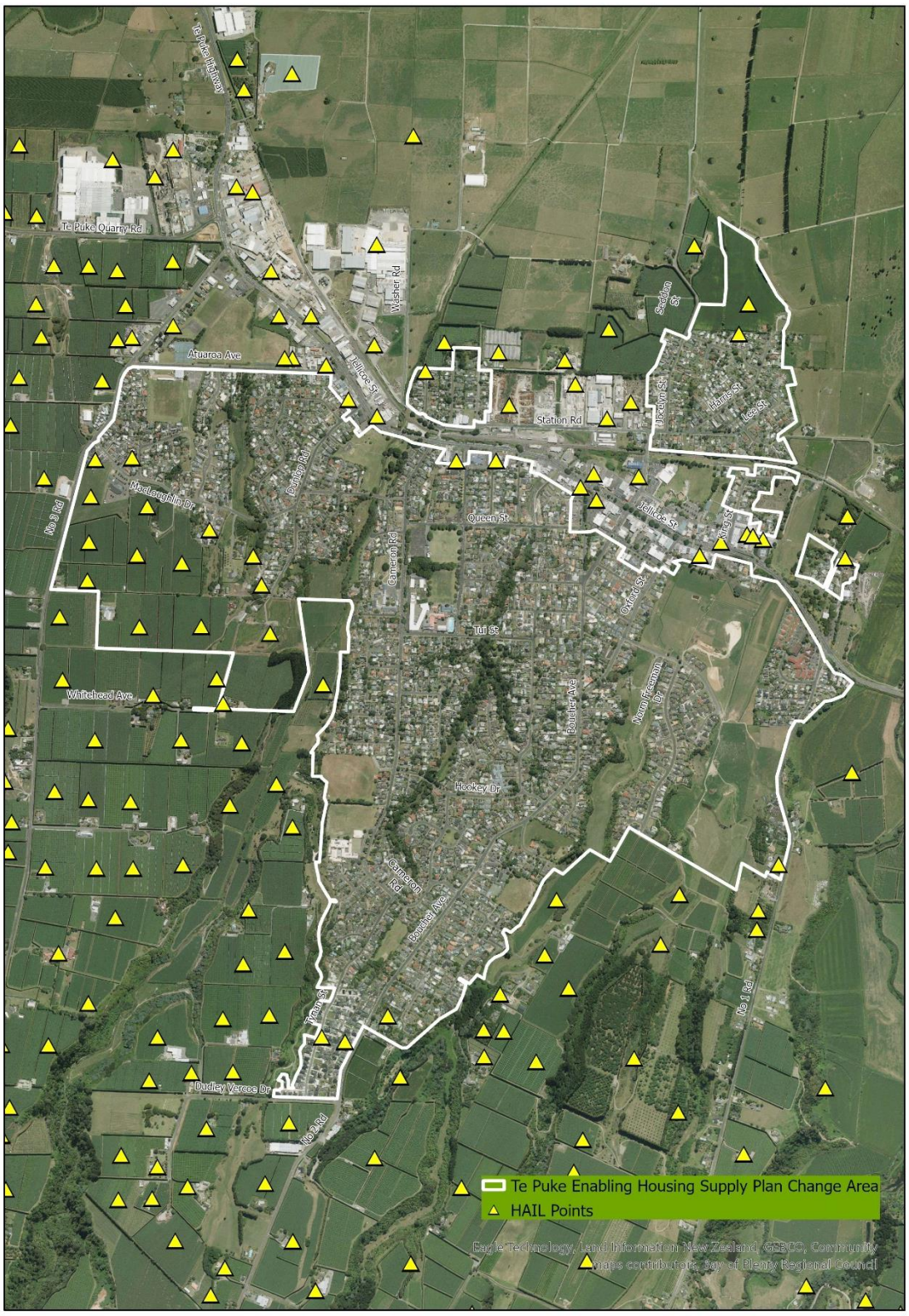

Figure 30:" Te Puke HAIL Points (Source: WBOPDC GIS)

6.2.7 Ecological

In relation to the study area there are no existing District Plan-scheduled Significant Ecological Areas or Recommended Areas for Protection.

Since the District Plan became operative in 2012, no new information has become available in relation to ecological areas within the Te Puke Urban area that are of sufficient significance that they should be included in the schedule.

6.3 Cultural Overlays

6.3.1 Tangata Whenua Values

The settlement of Te Pōhue (now known as Te Puke) and surrounding area has a long history of Māori settlement and occupation. Waitaha and Tapuika have well recognised mana whenua in the area and their Iwi Management Plans show Te Puke town and surrounding areas as part of their rohe. Ngāti Whakaue also have a connection with the area and show Te Puke as part of their rohe within their Management Plan.

Common key issues identified in the Waitaha, Tapuika and Ngāti Whakaue Iwi Management Plans that are relevant to this project are the impacts of development on sites of significance, effects of land use on water (discharges and allocation as well as wetlands), and the desire to be actively involved in resource management processes.

The Iwi Management Plans generally provide direction to local and central government agencies for engagement and consultation in relation to resource management processes and this is mirrored in the requirements of the RMA in relation to involvement of tangata whenua.

6.3.2 Historic Heritage

NZ Archaeological Association - Recorded Sites

Council's GIS database records include a list of archaeological sites and waahi tapu recorded and mapped by the New Zealand Archaeological Association (NZAA). Only a few sites are recorded in the study area and these are shown on the map in Figure 31 below (archaeological and Waahi Tapu sites/areas).

These sites are not scheduled in the District Plan and don't therefore have protection under the District Plan provisions, however all archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act. Under the provisions of the Act, the modification or destruction of archaeological sites (both known and discovered during development and/or earthwork processes) is controlled by an Archaeological Authority process managed by Heritage New Zealand Pouhere Taonga in consultation with local tangata whenua.

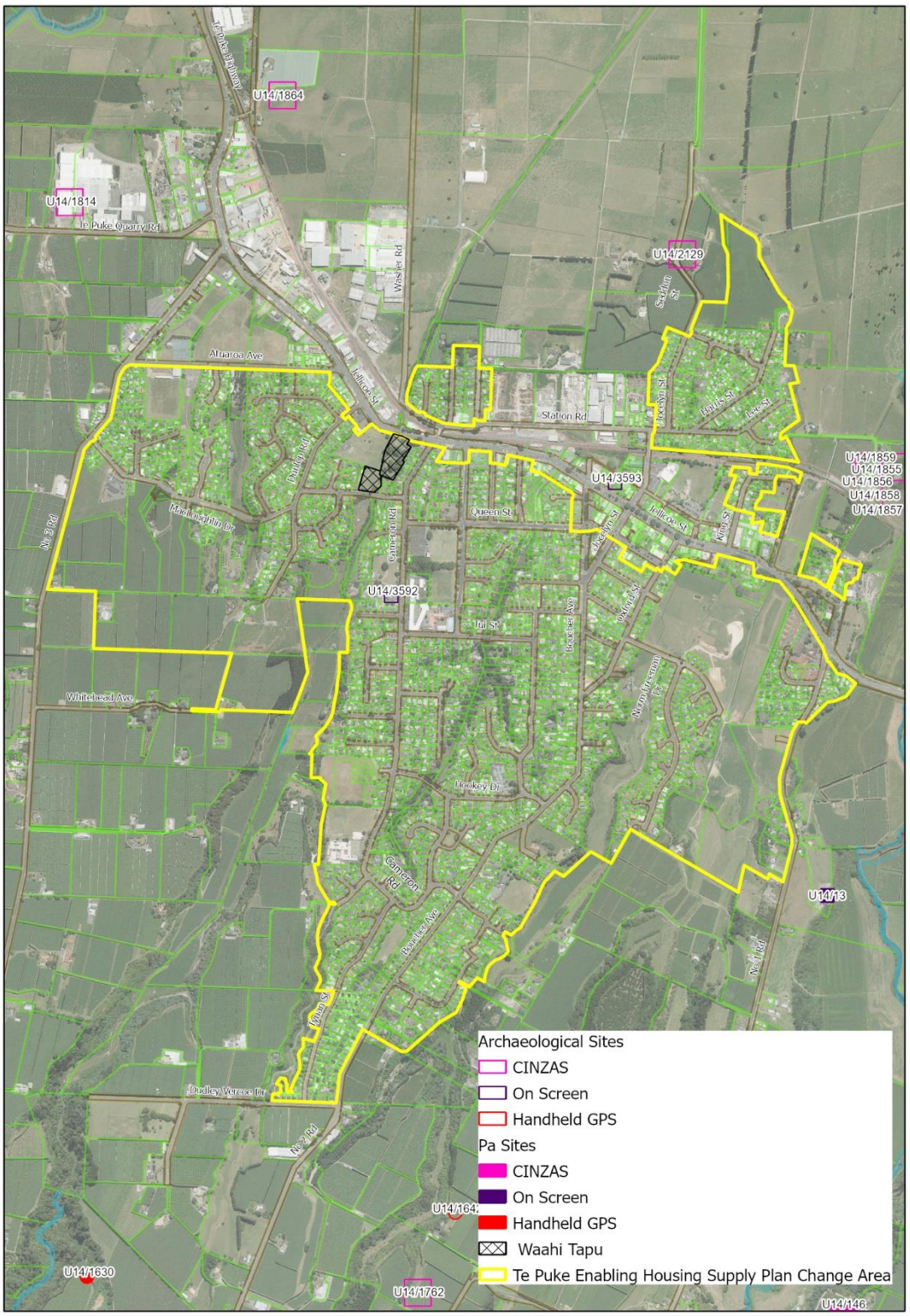

Figure 31: NZAA Recorded Archaeological Sites and Waahi Tapu (Source: WBOPDC GIS)

District Plan Scheduled Cultural Heritage, Built Heritage & Notable Trees

Figure 32 below shows the location of built heritage sites and notable trees in and around the study area that are scheduled in the District Plan.

There are no existing Cultural Heritage features within the study area that are scheduled in the District Plan.

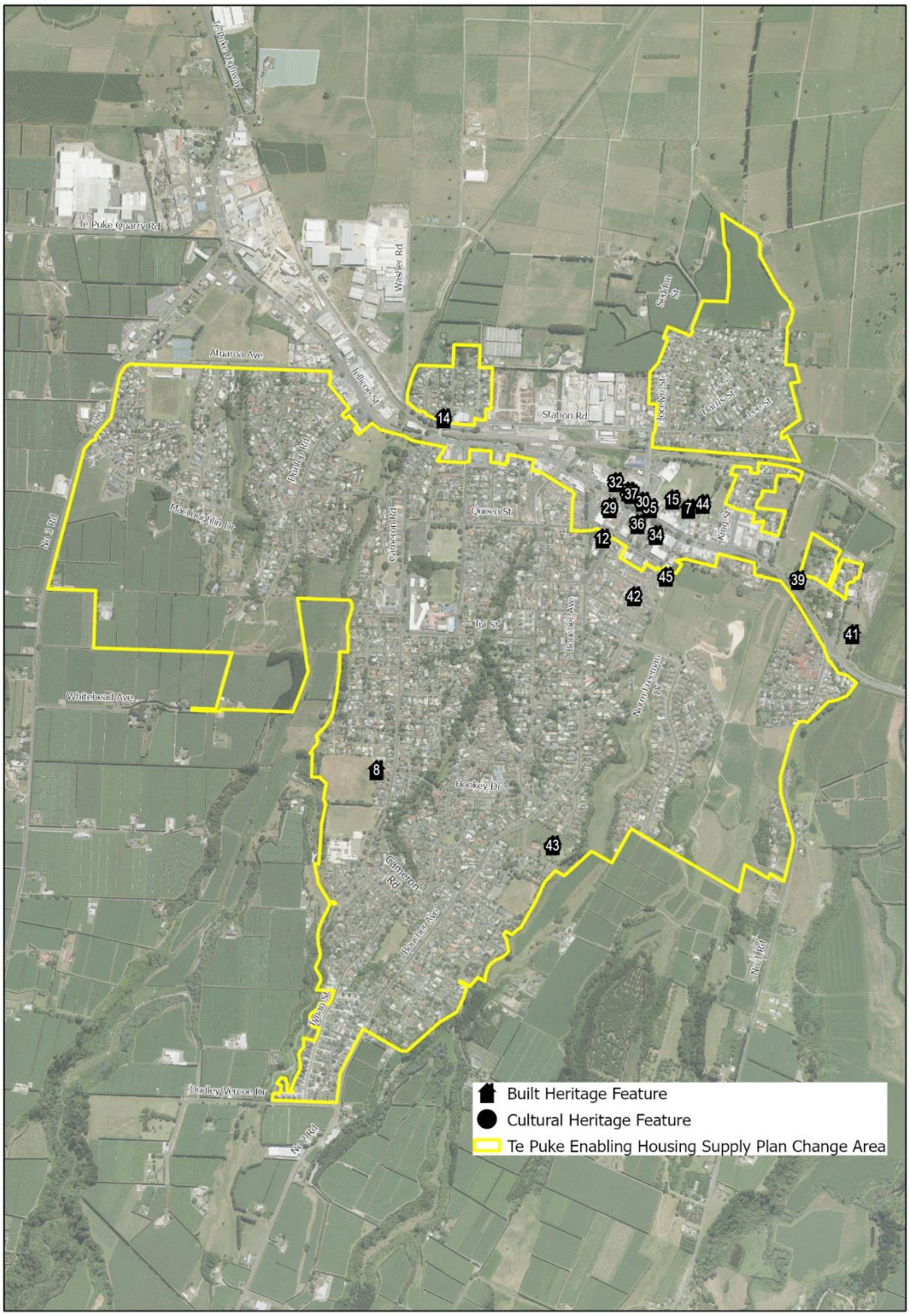

Figure 32: District Plan Scheduled Built Heritage items and Notable Trees (Source: WBOPDC GIS)

The Built Heritage items within the study area are scheduled in the operative District Plan. Those within the study area are listed in the table below as follows:

Schedule Number	Item	Legal Description / Location	Significance	Ownership / Ratepayer
8	Te Puke School War Memorial Gates (Category A)	Litt Park, Cameron Road	Associated with the development of the No. 1 school site. Forms part of an historic area along with the dental clinic and large puriri tree.	Te Puke High School
12	St Johns (Anglican) Church Te Puke (Category A)	Lot 2 DPS 39498	Representative example of early 20th century churches. Associated with development of the Anglican church in the District.	The Waipu Board of Diocesan Trustees
14	Glenavon House Te Puke (Category A)	Lot 23 DP 8143 2 Malyon Street	Representative early type of Victorian transitional villas. Associated with private maternity hospital run by local identity, Sarah Malyon.	Private
39	Landscape Road Timber Bridge (Category B)	Road Reserve (Landscape Rd) Landscape Road, Te Puke	Nationally rare form of timber bridge which pre-dates 1900 and once formed part of the main road through Te Puke.	Road reserve (WBOPDC)
42	St Andrew's (Presbyterian) Church (Category B)	Lots 9-10 DP 6908 Te Puke	Representative of timber church buildings from the early 20th century. Associated with the development of the Presbyterian parish in the District.	St Andrews Presbyterian Church Property Trustees (Company)
43	Te Puke Nurses Home (former) (Category B)	Lot 2 DP 27157 Leniham Drive, Te Puke	Representative of 1920s/1930s public nurses' homes. Important part of the development of medicinal practice in Te Puke.	Waitaha Group Holdings Limited Partnership
45	Te Puke Masonic Lodge (Category B)	Lot 56 DP 6908 Te Puke	Rare example of a timber lodge building. Associated with the formation of the Masonic Society in Te Puke.	Private

Within the study area there are also a number of trees that are considered to be significant, and these are also scheduled in the operative District Plan. These items are listed and described in the table below.

One tree (scheduled item #1) is identified as a Category 1 tree which is the status afforded to trees which are of such significance that their preservation is regarded as being of national importance. This tree is located on a privately owned site.

The balance of the District Plan-scheduled trees are categorised as Category 2 being those trees that are of such significance that their preservation is regarded as being of either regional or particular local importance. Large groups of trees scheduled as #10 and #11 are located within Te Puke Domain and Donovan Park, while individual trees scheduled as #1, #8 and #9 are located on privately owned sites.

Schedule Number	**Item**	**Legal Description**	**Significance**	**Ownership / Ratepayer**
1 (Category 1)	Liriodendron tuplip fera	Pt Lot 1 DPS 4767 50A Moehau Street, Te Puke	Thought to be older than original Anglican Vicarage built 1904 on site.	Private
8 (Category 2)	2 Vitex Lucens (Puriri)	71 Cameron Road Pt Lot 17 DPS 10177 Flats 6 on DPS 32019	-	Private
9 (Category 2)	Cinnaminum camphora (Camphor Tree)	4 Oroua Street Lot 23 DP 8178	-	Private
10 (Category 2)	Metasequoia glyptostroboides Ulmus procera (7) Platinus x hispanica (4) Sequoia sempervirens Sequoiadendeon giganteum Cedrus atlantica 'glauca' Quercus rolour (2) Castanea sativa (2) Cedrus deodora Fagus sylvatica	Te Puke Domain	-	WBOPDC
11 (Category 2)	Fraximus excelsior 'Raywoodii' (3) Liquidamber styraciflua (11) Melia azerdarach Cedrus deodora Pittosporum euqenoides (4) Metasequoia glyptostroboides Acer nequndo (2) Liriodendron tuplifera Quercus - mixed species of Q.robur, Q.coccinea, Q.rubra and Q.palustris (11) Mulberry 'Alba' (3) Albizzian jullibrissin (2) Podocarpus totara (10) Jacaranda	Donovan Park	-	WBOPDC

A framework to control the modification, damage or destruction of scheduled buildings or trees are contained in Section 7 - Historic Heritage of the operative District Plan.

6.3.3 Land Tenure

The majority of land within the study area is privately owned, however there are several large sites owned by WBOPDC (generally as reserves), Waitaha (as Custodial Trustee and Group Holdings) and Tapuika (Tapuika or Tapuika Iwi Authority Trust).

Figure 33 below illustrates the land tenure of the Te Puke study area and some land outside this area.

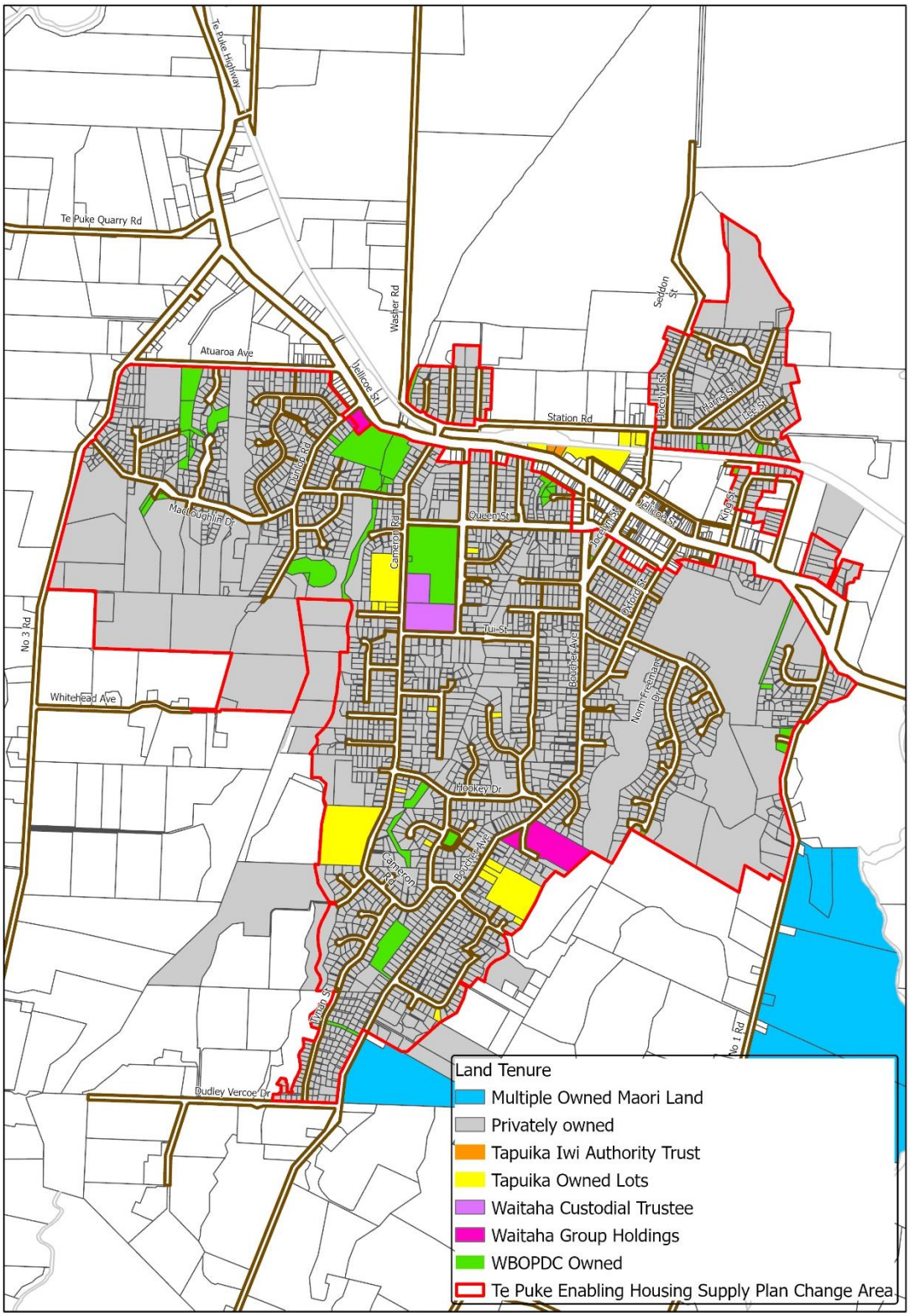

Figure 33: Te Puke Land Tenure (source WBOPDC GIS)

6.4 Economic Overlay

Te Puke has long been a rural service town for the productive land which surrounds it. As such it has existing commercial and industrial land zoned that has developed for a wide range of purposes to support the town's function and provide for the needs of residents of the town and the hinterland.

The wider surrounding rural area is well suited for horticulture and the productive nature of the land directly around Te Puke has been protected from urban expansion both by the existing District Plan development framework, and the high prices that kiwifruit production land has been generating.

Within the study area for this plan change there are some large areas of land available for development which are still in horticultural or other productive rural use. As the urbanisation of the Te Puke area occurs there will be a resulting loss of that productive land. The current high demand for housing and the enabling planning framework proposed by the NPS-UD and MDRS standards is expected to drive development of these areas, as well as residential redevelopment and intensification of existing developed sites.

The need for additional commercial and industrial land is not being addressed in this plan change given that it deals specifically with the introduction of the MDRS standards into the District Plan. An assessment of the need and issues around more business land and other supporting infrastructure will be assessed and addressed through the upcoming District Plan review.

6.5 Infrastructure

6.5.1 Transportation

There is existing well-established roading infrastructure servicing Te Puke's urban land-uses.

The "main road" traversing the town in a roughly west-east direction is known variably as Jellicoe Street or Te Puke Highway (although no longer a state highway) and this road is classified in the District Plan as a Secondary Arterial route.

Together, Cameron Road and Boucher Avenue (from Jellicoe Street to Cameron Road) create an elongated south-north crescent south of Jellicoe Street and are identified as Te Puke's Collector Roads. All other internal urban roads are currently classified as Local Roads.

Council's Transportation Section's current focus is on evaluating all intersections on Te Puke Highway (between Manoeka Road and Te Matai Road) to identify intersection upgrades necessary to achieve efficiency gains for traffic movement.

Because the town area has a natural landform which varies between relatively level terraced areas and the extensive (roughly) north-south oriented gully system which separates urban areas, this can make vehicle and pedestrian connectivity between areas difficult.

New areas identified for greenfield development in Te Puke have developed structure plans designed to ensure that key optimised strategic links (and other infrastructure) are provided in an efficient way. Indicative future roads are identified generally with related requirements to ensure service of adjacent lots and efficient transportation connections (including pedestrian and cycleway).

The four-lane Tauranga Eastern Link state highway route opened in 2016 and has resulted in increased opportunities in the Te Puke area for residential subdivision and industrial and commercial expansion. Being close to this route is a key advantage for Te Puke and its adjacent eastern settlements, and Te Puke is well located to be part of effective and efficient connections within the wider transportation network.

High-frequency public transportation connections between Te Puke and other nearby urban areas (including a potential future new urban centre further east) are expected to be provided in the future. It is noted that supply and timing will be dependent on several factors including dwelling densities, job distribution, and demand.

6.5.2 Water, Wastewater & Stormwater

A review of the infrastructure requirements in relation to water, wastewater and stormwater for Te Puke urban intensification has been undertaken. A memorandum prepared by Council's Asset and Capital Works Manager dated 13 July 2022, which provides a summary and outlines key information and reports used for the modelling and review, is included in Appendix 4.

The review and modelling were undertaken using dwelling and population projections in an 1 1th March 2022 *Te Puke Yield* background document prepared by Council staff. This document provided detail and estimates on additional dwellings and population increases expected as a result of implementing the MDRS. Information in that document was provided in three areas as follows:

- Existing Te Puke population numbers;
- Development potential within existing built-up areas (redevelopment potential/infill development); and
- Greenfield areas currently being developed.

Figure 34 below illustrates the current 3 Waters infrastructure layout (water, wastewater, and stormwater) for the Te Puke township.

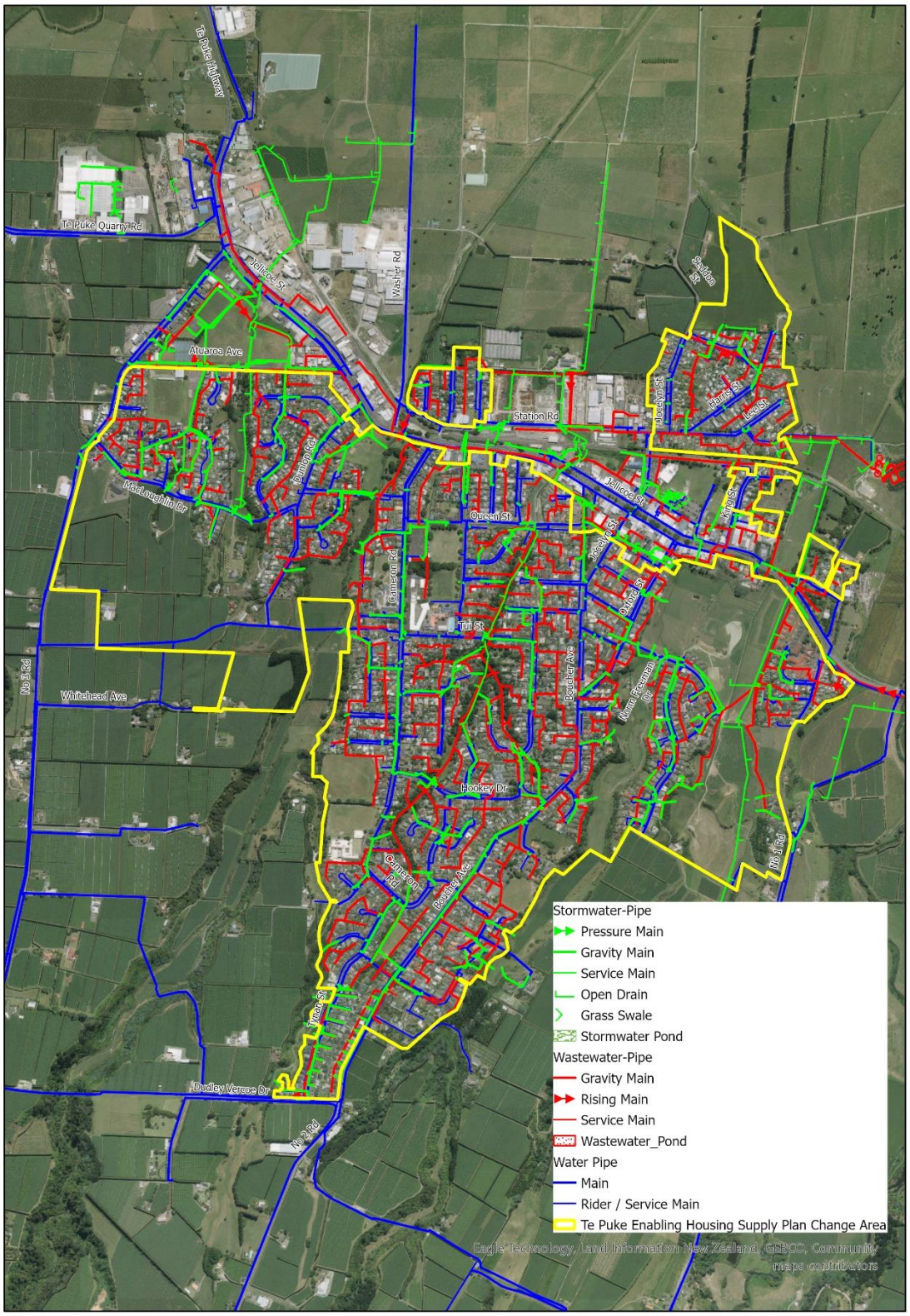

Figure 34: Existing 3 Waters Infrastructure (Source - WBOPDC GIS)

Water

Council engaged Aurecon to undertake a water modelling study to identify any potential issues in the existing water network, that would result from intensification as

expected from this plan change.

The modelling exercise identified several minor issues in the water supply network, however many of these issues have already been identified in Council's structure plan and/or Long-Term Plan and are currently being addressed.

To summarise, the following issues were identified:

- Insufficient bore supply – currently being addressed through the development of new bores.
- Increased strain on the water network in the No 3 Road and Seddon Street areas – existing network upgrades are planned to address this.
- Network issues within the middle of the gravity zone in Te Puke (around Hookey Drive) – existing issue currently being addressed through network adjustments.
- An increase of reservoir storage, in time, to maintain current performance measures (the Long Term Plan includes funding for extra storage).

Based on the modelling exercise undertaken and the planned identified upgrades, Council's infrastructure staff are comfortable that with the planned upgrades, the water network has sufficient capacity to cater for intensification expected as a result of the plan change.

Appendix 4 includes the recent Aurecon water modelling study dated 13 June 2022 and entitled *Te Puke Intensification – Water Supply Modelling*.

Wastewater

Current wastewater capacity is for a population of 13,000 which caters for the expected additional households to be enabled by the inclusion of MDRS standards in the District Plan.

Council engaged Aurecon to undertake a wastewater modelling study to identify any potential issues in the existing wastewater network as a result of intensification expected through implementing the MDRS. Aurecon used Council's existing wastewater model for Te Puke.

A copy of the Aurecon modelling report *Te Puke Intensification Wastewater Modelling – June 2022* is included as an attachment in Appendix 4. The modelling reviewed the expected future yield of Te Puke and estimated the total wastewater generation and impact on Council's network. It looked at both intensification scenarios and full development of all Greenfields sites (combined).

This information was used to identify areas within the network that would spill or result in large overflows following intensification in Te Puke (due to capacity). A list of

infrastructure upgrades has been included in the Structure Plan based on this assessment. A focus was put on undersized infrastructure as a result of intensification and/or development of greenfield areas.

It is proposed a 40%/60% rates/financial contribution split be applied to all wastewater upgrades. This split is based on the age of the infrastructure (approximately halfway through its life) and cost to upgrade to a larger size. Overall, a total of $1.7M of wastewater upgrades has been added to Council's structure plan schedule for Te Puke over a 30-year period.

It should be noted that this modelling exercise has been undertaken on an uncalibrated wastewater model. Council is currently undertaking network monitoring to calibrate the model later in the 2022 year. The intensification scenario should be re-run through the model once calibrated and upgrades identified in the structure plan reviewed.

Council is currently undertaking a significant upgrade of the Te Puke wastewater treatment plant (WWTP). Council engineering staff reviewed the capacity of the upgrade to ensure the future planned yield enabled by this plan change could be catered for by the WWTP. Any further intensification beyond what has been outlined will need to be reviewed as it is likely it will impact the future capacity of the wastewater treatment plant.

Stormwater

In 2015 Council engaged Opus International to develop a stormwater model for the Te Puke area. The model identified flood prone areas for the 2%AEP and undersized infrastructure. It assessed an existing impervious area for developed Te Puke to be 50%. From the modelling results it can be seen that a significant amount of Councils stormwater infrastructure does not have capacity to cater for the 5-year return period (Councils levels of service for the piped network). This is typical of stormwater networks around the country due to changing design standards as a result of climate change. To upgrade the stormwater network to meet this standard is cost prohibitive.

Bay of Plenty Regional Council's Rivers and Drainage team (BOPRC-RAD), manage a drainage scheme directly downstream from Te Puke. A significant portion of Te Puke's stormwater network drains into this scheme. There is concern that increased intensification within Te Puke will result in increased flooding within the BOPRC-RAD area. Increased stormwater runoff from intensification within Te Puke will therefore need to be carefully managed to ensure no downstream properties are impacted.

To enable further development of Te Puke without having a negative impact on existing stormwater infrastructure or impact on downstream properties, Council is proposing to use several alternative stormwater management methods. These include:

- Limiting impervious areas within stormwater areas (existing developed areas)

where intensification occurs to 50%. This will ensure existing issues are not made worse due to further development.

- Where the 50% impervious area limit cannot be achieved, require developments to manage increased stormwater onsite using rain tanks etc. Permeable pavement will also be encouraged.

- Encourage onsite soakage where appropriate. This will best mimic the current environment and will ensure no further strain is put onto the existing stormwater network.

Ground soakage discharge can be an economical and efficient way to manage and dispose of stormwater associated with hardstand areas (roofs and hardstand areas generally associated with buildings), where geological conditions are suitable. However, a key factor controlling the effectiveness of ground soakage discharge are soil properties and groundwater conditions. Most importantly, ground soakage discharge is most effective in areas where permeable soils are present (granular soils) and the ground water table is located at depth within the subsoil profile.

In some instances, ground soakage discharge can adversely impact the built and natural environment, such as causing slope instability. Increased ground soakage can affect localised groundwater conditions, which can then result in increased porewater pressures. In some cases, increased porewater pressures can affect the stability of sloping land. As a result of this, ground soakage discharge may not be appropriate in some areas where sloping land is present.

Tonkin & Taylor Ltd were engaged to provide a high-level overview of the suitability of the natural ground to receive, and dispose of, stormwater in relation to slope stability (Te Puke Stormwater Ground Soakage Recommendations – Tonkin + Taylor Ltd, July 2022).

This report (in Appendix 4) provides a high-level (not site specific) desktop assessment of the ground soakage suitability in relation to slope instability. The main aim of this assessment was to define areas alongside steeply sloping land that could be adversely affected by some ground soakage devices (e.g., soakholes or soakpits) and differentiate the study area into two mapped ground soakage zones: firstly where ground soakage discharge is likely to be suitable and unlikely to affect slope stability, and secondly where stormwater ground soakage discharge may not be suitable due to possible adverse effects on adjacent slopes.

Council also engaged Tonkin & Taylor to undertake a review of stormwater ponds required within Te Puke Area 3, considering current comprehensive development is underway in this area. As a result, the structure plan schedule has been reviewed and the number of ponds rationalised. Council has a comprehensive stormwater consent for Te Puke (granted in 2020 for a 35-year term) and all development should ensure they comply with the conditions in this consent.

6.5.3 Other Network Utilities

Network utility suppliers (e.g., energy, gas, telecommunications) have indicated that there are no supply issues expected based on the expected capacity map provided to them during engagement on the plan change (as long as all potential dwellings were not added at once).

Utility suppliers expressed that supporting future increases in housing density is fully achievable if they are able to involve themselves operationally in the processes that enable development. This would enable them to plan upgrades of network utilities in a timely manner in line with likely demand for services.

6.5.4 Public Spaces and Facilities

As population increases, additional demand is placed on recreation and open space networks. Council needs to ensure that recreation and open space places and facilities continue to meet the needs of communities. To support a growing community and the consequent need and demand for space, it is important that sufficient land is available or secured in strategic locations as necessary so that as the town grows, the recreational facilities to meet the community's needs can also expand.

The location of all Council-owned reserves in Te Puke are illustrated in Figure 35 below.

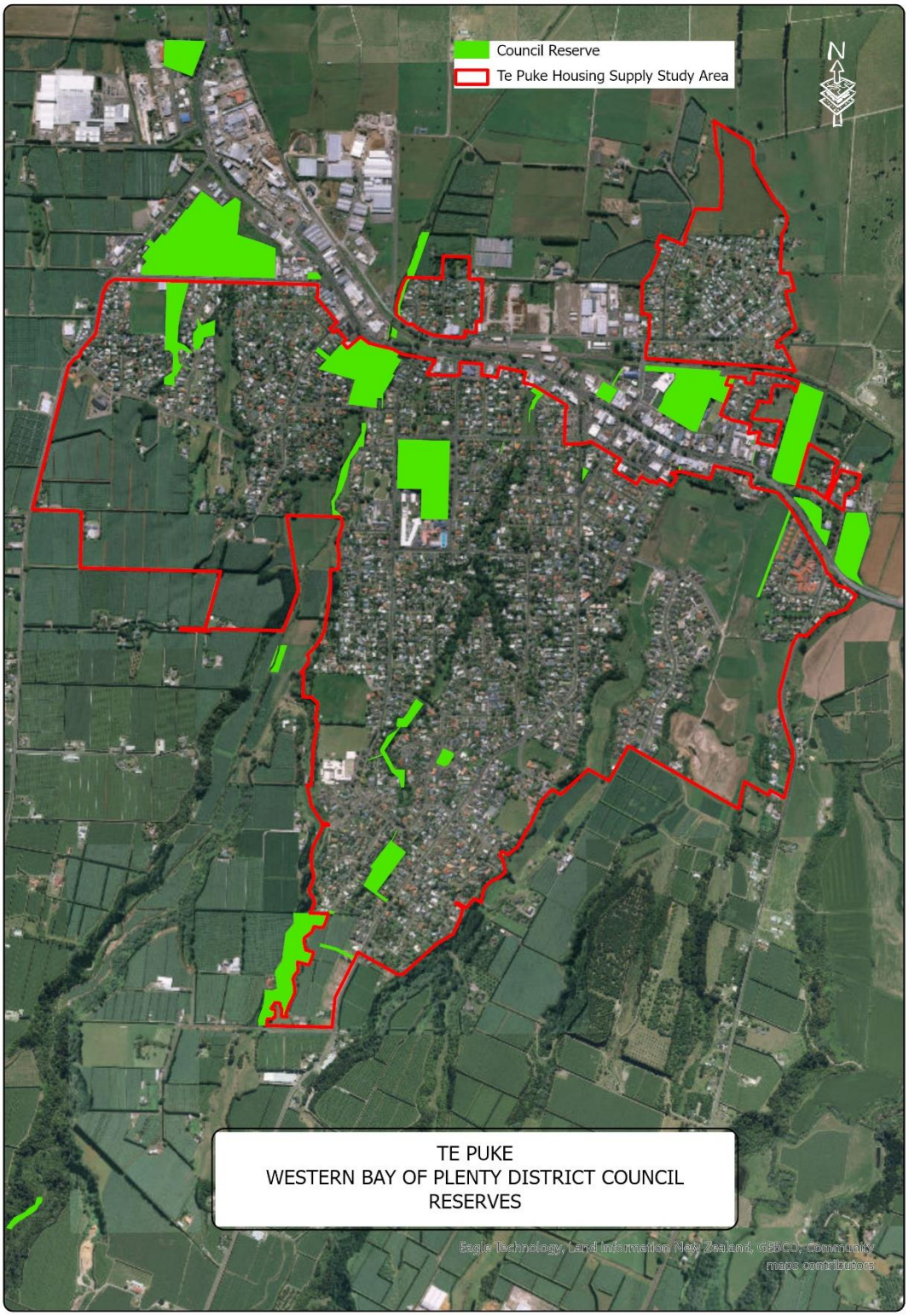

Figure 35: Te Puke Reserves (Source: WBOPDC GIS)

The Western Bay of Plenty District Recreation and Open Space Strategy provides an overall strategic framework for the provision of recreation facilities and open space within the District. This is also aligned to the Bay of Plenty Regional Spaces and Places Strategy which provides a high-level strategic framework for regional sport and recreation facilities in the region. The regional based approach provides consistency across the Bay of Plenty and assists in identifying strategic priority areas.

In 2021, Council adopted levels of service for swimming pools, neighbourhood reserves and sport and recreation parks, and an action plan for the provision of walking and cycling networks across the district. This information has been applied to the Te Puke area to identify where there are gaps in provision or where improvements are required to meet these levels of service. This work also aligns with the goals of the Te Puke Community Plan which identifies the need for affordable, accessible and appropriate reserves and recreation and leisure facilities so that the community are happy, fit and healthy. The levels of service consider provision for the existing and future population as a result of population growth.

Future provision of recreation facilities and reserves in Te Puke needs to consider:

- Additional neighbourhood reserves in the vicinity of Boucher Ave and Norm Freeman Drive to meet accessibility requirements (400m or 5-10 minutes walking distance of 95% of urban residential properties) for the existing population.

- Additional neighbourhood reserves within the residential greenfield areas off Dunlop Road and Macloughlin Drive to meet accessibility requirements (400m or 5-10 minutes walking distance of 95% of urban residential properties) for the growth population.

- Quality improvements to existing reserves to meet level of service standards including function (e.g., provision of playgrounds etc). Note some of this will be achieved through implementation of the recently adopted Te Puke – Maketu Reserve Management Plan. Also need to ensure where a reserve is considered to provide for a local community and has a different primary purpose (e.g., stormwater) that it is meeting their needs in terms of the quality of experience, accessibility and walking distance.

- Potential to increase walking and cycling connections throughout, particularly along waterways and using the street network to connect reserves.

- Council has included a project in the LTP for development of a new swimming pool for Te Puke in 2026 and is exploring locations for this.

- Te Puke does not have sufficient sports field capacity to cater for the growth of the main winter codes (rugby, rugby league and football), and the peak demand times for training are limited by fields not being floodlit and/or poor drainage with a current shortfall in place during weekday evenings. Based on a standard grass sports field having 12 hours capacity (when floodlit) Te Puke requires at least 4

more standard fields with flood lighting to meet current and growth demand. This assumes all current provision remains.

Projections show that Te Puke's population is increasing and will continue to do so. Growth will be enabled by the introduction of the MDRS standards into the District Plan which will free up land and enable a faster more process for development.

This current plan change project does not specifically consider wider needs or requirements for additional public spaces or recreational facilities; however the upcoming full District Plan review will have the ability to consider these matters.

6.5.5 Schools

Te Puke currently has four schools designated for educational purposes in the District Plan. These are as follows:

- Te Puke Primary School – Designation D228;
- Fairhaven (Primary) School – Designation D209;
- Te Puke Intermediate School – Designation D226; and
- Te Puke High School – Designation D227.

The location of these schools is identified on Figure 36 below.

Te Puke Primary School is a co-educational school of approximately 340 pupils and is located on Cameron Road. It caters for Year 1 to 6 pupils.

Fairhaven School is located on Boucher Avenue and provides co-educational education for Year 1 to 6 students. The roll is approximately 410 pupils.

Te Puke Intermediate School is a co-educational Years 7 and 8 school which has a roll of approximately 330 students. It is located on Cameron Road and serves a mixture of urban and rural families.

Te Puke High School is a state, co-educational school located on Tui Street. It has a roll of approximately 900 students. The school serves the area from Otamarakau in the East to Papamoa in the West with approximately half of students travelling to and from school by bus. Students who attend Te Puke High School come from Te Puke Intermediate and from contributing primary schools in the surrounding rural areas.

Given the projected increase in dwellings and population, and the demographic information for Te Puke that shows that the population is generally younger, it is expected that school rolls will also grow. Anecdotal comments received[4] indicate that

[4] Pers. Comm Phillip Martelli

there are no school capacity issues.

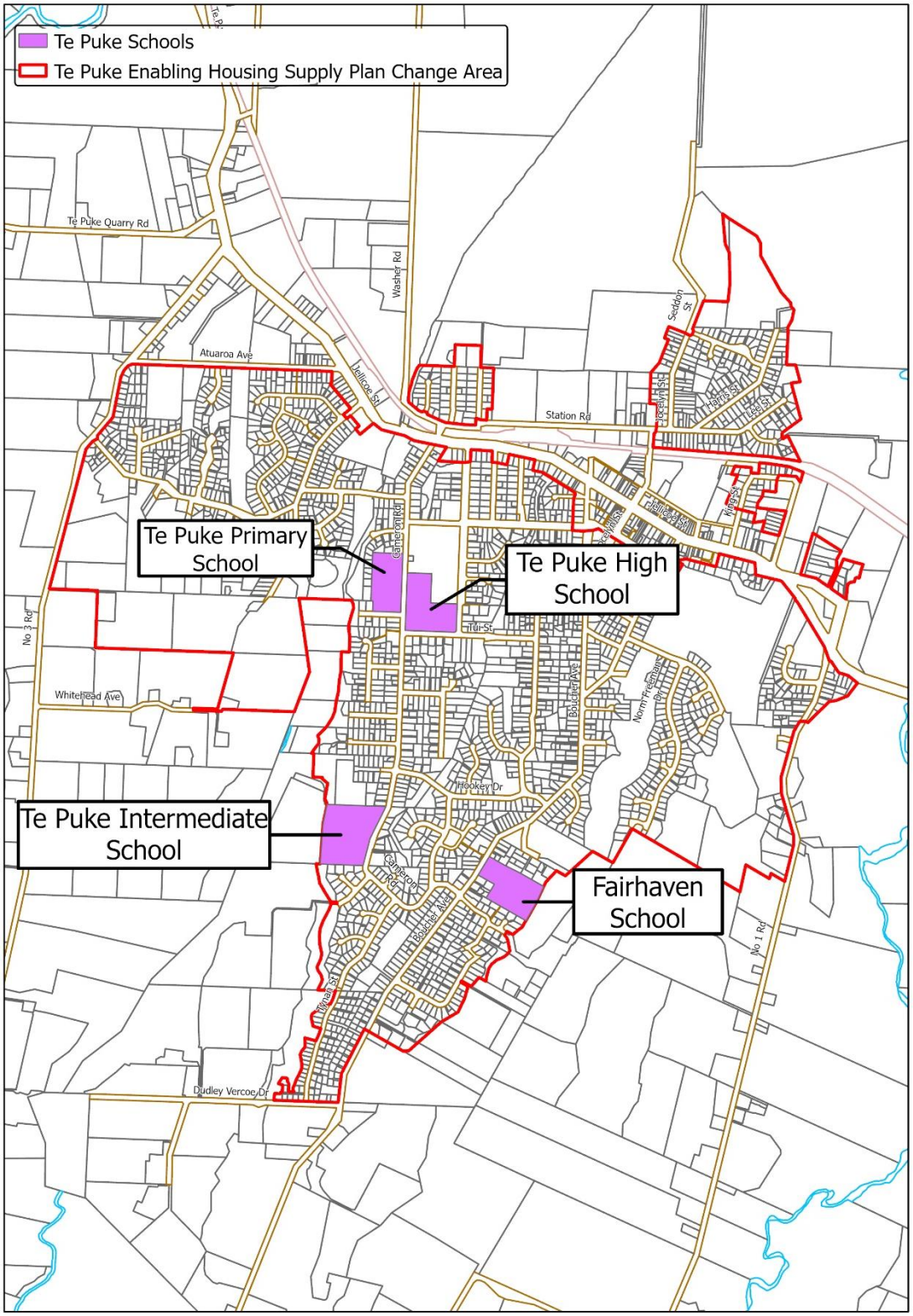

Figure 36: Location of Schools within Study Area

7 Other Matters

7.1 Financial Contributions

Growth in the form of new development and new activities creates the need for the provision of new or upgraded infrastructure. To provide for the necessary infrastructure the Council requires financial contributions to help fund the works required in an equitable manner.

Up to 2015, the District Plan required a financial contribution equal to one household equivalent per additional dwelling/lot. The Regional Policy Statement however introduced a requirement that subdivision and residential development in urban growth areas must achieve a minimum density of 12 dwellings/ha, which has to increase gradually to 15 dwellings/ha over time. If these yields are not met the Council might not fully recover infrastructure costs in urban growth areas through financial contributions. As a result, the rules around financial contributions were amended (Plan Change 73) by introducing a direct correlation between the required density and household equivalent. This has resulted in the operative rule that stipulates one household equivalent is equal to a net lot area or dwelling envelope of 625m², which equates to 12 lots/dwellings per ha.

The trend in more recent developments is for a higher level of development density. This is expected to continue, especially with the MDRS provisions being introduced into the District Plan. As per the existing methodology within the District Plan, it is important to ensure that there is a direct correlation between yield (and therefore the extent of services required) and the financial contributions to be obtained from a certain area. To support the higher densities enabled by the MDRS and to encourage efficient use of land, the financial contributions for larger subdivisions and developments are to be calculated based on a target minimum yield per hectare (and associated number of household equivalents to be paid per hectare). This incentivises higher density subdivision and development that provide for more than the target yields and provides surety of a base level of financial contribution to provide for the anticipated infrastructure needs.

The MDRS provide for second and third dwellings on a site (subject to meeting performance standards) as permitted activities. Previously all additional dwellings on a site have required resource consents and accordingly financial contributions have been assessed at that point. To ensure that financial contributions can be taken for these, and to ensure the costs of development are shared equitably, new provisions are required to take financial contributions for permitted activities and to charge fairly based on the sizes of the residential units.

Provision also needs to be made for smaller infill subdivisions (e.g., for lots which are less than 1,400m2) to allow for one or two additional vacant lots without the need to

pay financial contributions based a target yield per ha. In this case, each new vacant lot is proposed to pay only one household equivalent.

Financial contributions for additional residential units in Te Puke and Ōmokoroa can be imposed during building consent stage. However, most of the time, financial contributions within the rest of the district or other activity in Te Puke and Ōmokoroa are imposed as a condition of consent at the time that a resource consent for a subdivision, development or new activity is granted are paid directly to the Council as the relevant condition of consent provides.

Section 11 of the District Plan provides the framework for financial contributions that are to be paid on subdivision and development.

8 Issues Summary

The fundamental issue related to this plan change is to provide land and related infrastructure for urban expansion in a manner that is enabling to meet the requirements of the NPS-UD and implement the MDRS. Related provisions which support or are consequential which may include district-wide matters, earthworks, fencing, infrastructure, qualifying matters, stormwater management and subdivision can be included.

In addition, development is expected to use the land resource and infrastructure efficiently, respect the natural environment, and meet the needs of the community by creating a range of housing typologies and a highly liveable urban environment.

The related major issues and related general objectives relevant to this plan change can be summarised as follows:

Issue – Providing sufficient land in a timely manner to enable efficient and effective urbanisation to meet the needs of all sections of the community by creating a highly liveable urban environment.

Objective - To enable development capacity for housing and business through providing appropriate land use zoning and infrastructure, including transportation networks, so that urban areas can grow and change in response to the needs of all sections of the community.

Issue – Land, and especially land with high productive values, is of limited supply. Land needs to be used in an efficient manner to maintain as much land as possible in production. To make urban expansion cost effective and to support the public amenities a more compact form of urban development is required.

Objective - To use land efficiently and effectively by accommodating growth through a compact, well designed urban form incorporating Medium Density Residential

Standards. (Based on Regional Policy Statement).

Issue – Higher density residential development can result in adverse environmental and amenity effects if poorly designed including interface with neighbouring properties and the public domain.

Objective – Residential development that provides for increased density housing while employing design elements that enable positive interactions with neighbouring properties and the wider public space

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

Objective – Enable Medium Density Residential Development throughout residential areas.

Issue –Medium density residential development can lead to poor urban design outcomes if they are not designed comprehensively.

Objective – Medium density residential developments that are designed comprehensively so that good urban design outcomes are achieved.

Issue – Urban development creates large areas of impermeable surfaces increasing stormwater run-off that can lead to flooding and the carrying of pollutants. The modification of the landform can adversely affect natural processes and the cultural values of the land.

Objective - To minimise the effects of urbanisation by using water-sensitive design principles and maintaining the existing landform as much as practical.

Issue - The area is subject to a range of actual or potential natural hazards which will or may adversely affect human life or the natural or built environment. Urban development would increase exposure and risk to natural hazards and accordingly only areas that are at low risk should be developed for urban purposes.

Objective - Minimisation of the risk of natural hazards to human life and the natural and built environment.

Issue – Over reliance on and use of private vehicles can cause traffic congestion resulting in adverse environmental and economic effects and related safety issues. The lack of provision of alternative transportation methods and associated networks results in the perpetuation of the overuse of private motor vehicles. A lack in the ability to interact and connect on foot, bicycle and other non-motorised transport with surrounding compatible land uses and internal community facilities can result in a less desirable place to live and a decrease in the health and safety of the community.

Objective - To provide interconnected multi-modal transport networks that provide safe, attractive, and efficient movement of pedestrians, cyclists, motor vehicles and provides for effective public transport.

Issue – Non-residential activities at an inappropriate scale such as home enterprises, accommodation facilities, dairies, churches, halls, and sports clubs can result in additional noise, on-street parking and/or traffic congestion. In turn, this can result in a detraction in existing residential character and amenity values.

Objective – To avoid inappropriate activities from establishing and operating within residentially zoned areas

Issue – Ad-hoc development can result in sub-optimal location of activities and related infrastructure causing inefficiency, inadequate connectivity, and a poorly functioning urban environment.

Objective – Create an urban environment that is integrated, efficient and well-functioning that enables people to live, work, learn and play in their own local area.

9 Options Development and Assessment

9.1 Overview

Based on the issues and related objectives above the proposed plan change options are concerned with the most appropriate way to deliver the objectives sought.

9.2 Engagement / Consultation

The preparation of the specific plan change has been undertaken with engagement and consultation over the short period of time provided for this under the provisions of the RMA (Enabling Housing Supply and Other Matters) Amendment Act to give effect to polices 3 and 4 of the National Policy Statement – Urban Development and enable the Medium Density Residential Standards (MDRS).

This has included the consultation required to be undertaken in accordance with Schedule 1, Part 3 of the RMA (this is summarised in Section 10.3 of this report).

In the context of Ōmokoroa there has been widespread engagement and consultation in regard to the previous draft plan change that was prepared for the planned urbanisation of Ōmokoroa which provides a foundation for the subject plan change. Medium density housing and urbanisation of Ōmokoroa in particular has long been

planned for, and this community in particular is familiar with the options prepared for the development of the as-yet-undeveloped part of the Ōmokoroa peninsula. This current plan change process builds on the previous options for Ōmokoroa and will enable medium density housing (the MDRS) for the whole of the Ōmokoroa peninsula and Te Puke through one plan change.

Council has undertaken consultation on the MDRS with both the Ōmokoroa and Te Puke communities. This consultation highlighted the proposed changes that the MDRS required and provided other relevant background information. Council engagement with the public and other key stakeholders has included a number of open "days", meetings with individual parties, provision of information and feedback through the Western Bay "Have your Say" portal. The open days and "Have your Say" portal all provided opportunities for interested parties to provide written comment.

Following the consultation/engagement period, Council reviewed the feedback received and prepared a Summary Report which has been made available online on the 'Have your Say' page. A copy of this report is provided in Appendix 7. The feedback contributed towards amending rules and assisted in understanding the communities' concerns with medium density housing.

In addition, Council has worked closely with the development community on the proposed medium density rules and has also received feedback from this stakeholder group which has assisted with refinement of the proposed provisions for notification.

A Consultation Record is included in Appendix 7 of this report, along with the Summary Report that was prepared following written feedback from interested parties.

The current plan change process provides the opportunity for more formal feedback through submissions to the proposal once the IPI has been notified.

9.3 Option Development

9.3.1 Introduction

The plan change is based on the requirements to implement the Medium-Density Residential Standards (MDRS) introduced through the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. Accordingly, options in this regard are relatively limited, and assessment of options relate particularly to new provisions that may be more or less enabling than those prescribed by the Act and other supporting and/or consequential provisions where varying options are assessed.

Within the Western Bay of Plenty District the implementation of the MDRS is limited to the Ōmokoroa and Te Puke towns.

In the context of Ōmokoroa the MDRS are supported by the wider Ōmokoroa

urbanisation project which, in addition to providing for residential expansion, also encompasses necessary supporting zoning and related activities to provide a well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing.

For Te Puke the main changes are in regard to the introduction of the MDRS. It also supports and provides consequential provisions to recognize existing approved resource consents and a submitted proposal to urbanise an area of land. These areas are also subject to rezoning.

The options development incorporates a wide range of topics. To provide a structure for assessment purposes the following sections are divided between the two main elements of the plan change being:

- The new set of Ōmokoroa and Te Puke Medium Density Residential zone and related provisions; and
- The rezoning of all the existing Residential Zone to Ōmokoroa and Te Puke Medium Density Residential zone; rezoning of the Ōmokoroa Future Urban Zone and its associated structure plan to provide for urbanisation; associated plan changes for relevant zones including the Ōmokoroa and Te Puke Medium Density Residential zone, and general provisions; rezoning of part of the Te Puke Future Urban Zone and an area of Rural Zone at Te Puke to Ōmokoroa and Te Puke Medium Density Residential zone.

As the latter provides the spatial reference this is assessed first. The two sections are referenced below as Part 1 and Part 2 respectively.

9.4 Part 1 – Zoning, Structure Plan, and Related District Plan Provisions (except for Section 14A – Ōmokoroa and Te Puke Medium Density Residential)

9.4.1 Part 1 - Options Summary

Zoning / Structure Plan - Ōmokoroa

To deliver the most appropriate form of urban development for the subject area, the Council in consultation with the community has developed and assessed a number of options which have changed and been refined over a number of years. Although the changes to the Act and the compulsory requirement to incorporate the Central Government Medium Density Residential Standards (MDRS) have some effect on the

actual District Plan provisions, the wider urbanisation options and assessment remain unchanged. On the basis that it is now a requirement to include the MDRS across all "residential zones" the base zoning options are very limited. Accordingly, for the purpose of detailed option assessments all options have been based on the new area being urbanised (Stage 3).

The options were all developed around a live, work, learn, and play philosophy consistent with SmartGrowth principles. All options had common elements based on there being:

1. A "town centre" and related commercial core.
2. A dominant residential activity zoning.
3. An industrial zoning providing employment opportunities and a buffer with the State Highway.
4. State Highway 2 / Ōmokoroa Road access improvements.
5. A large "Active Reserve" area.
6. School sites for a primary and a secondary school.
7. Areas of constrained land along the coastal margin and internal gully systems.
8. Areas of low-density housing reflecting land with limited urban development potential.
9. A mainly consistent roading pattern and associated services corridor.
10. A reserve and walkway network providing linked green spaces.

These date back to options developed and assessed under Plan Change 69 (to the previous Operative District Plan) in 2007 where the entire area between the railway and the State highway was assessed. Five options were originally considered.

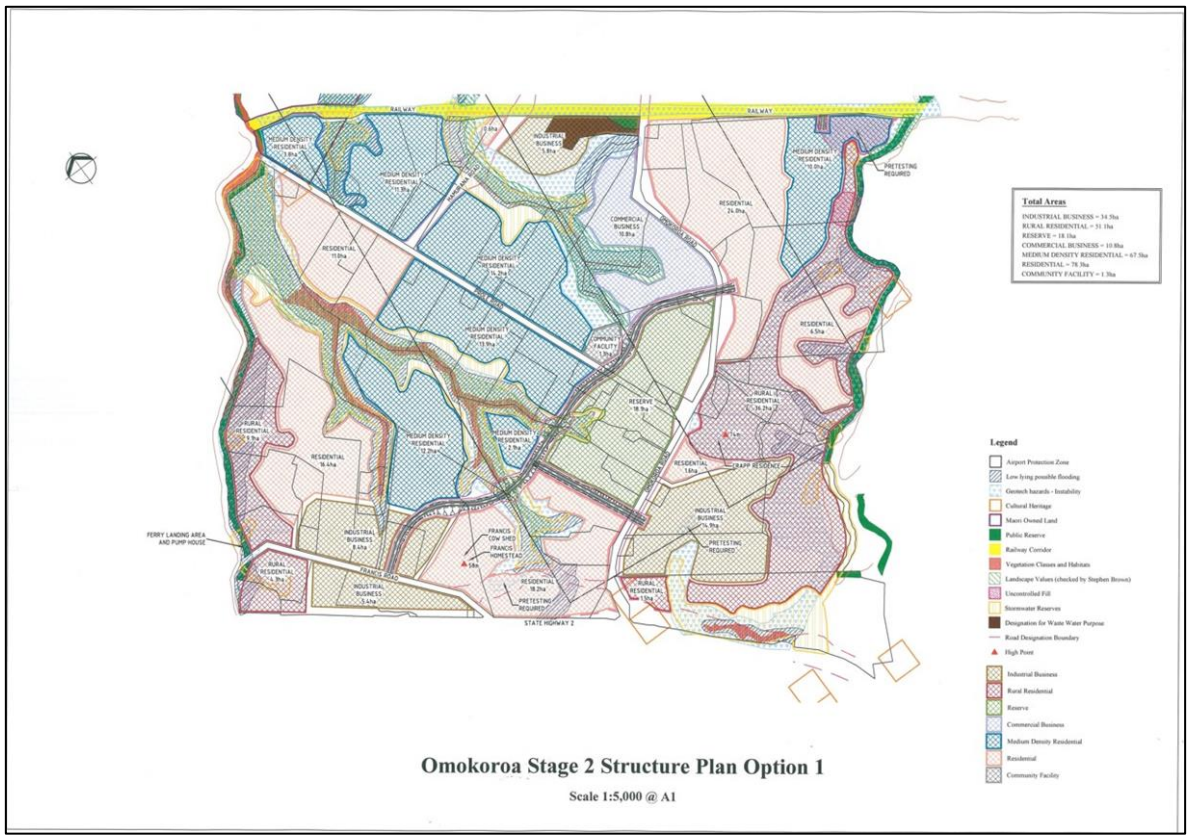

Figure 37: Example of one of the Options Developed as Part of the Plan Change 69 Process

After the first round of consultation there was no clear preferred option. Building on comments on the first iteration a further set of options was developed, and further consultation undertaken. Although Plan Change 69 was informed by the development process of a structure plan, a detailed structure plan was not included in the District Plan. Zoning changes and some structure plan elements were made and included in the District Plan. The key changes resulting from Plan Change 69 were the creation of new residential zoned areas, a new commercial zone, albeit linked to the development of a Masterplan, new industrial zoned areas, and the retention of the remainder of the area as Future Urban.

In November 2017 more focused consultation on Stage 3 of the Ōmokoroa urbanisation project was undertaken incorporating "storyboards" to facilitate an interactive community workshop. The discussion materials included a map of the Peninsula which identified three locations for the "Town Centre".

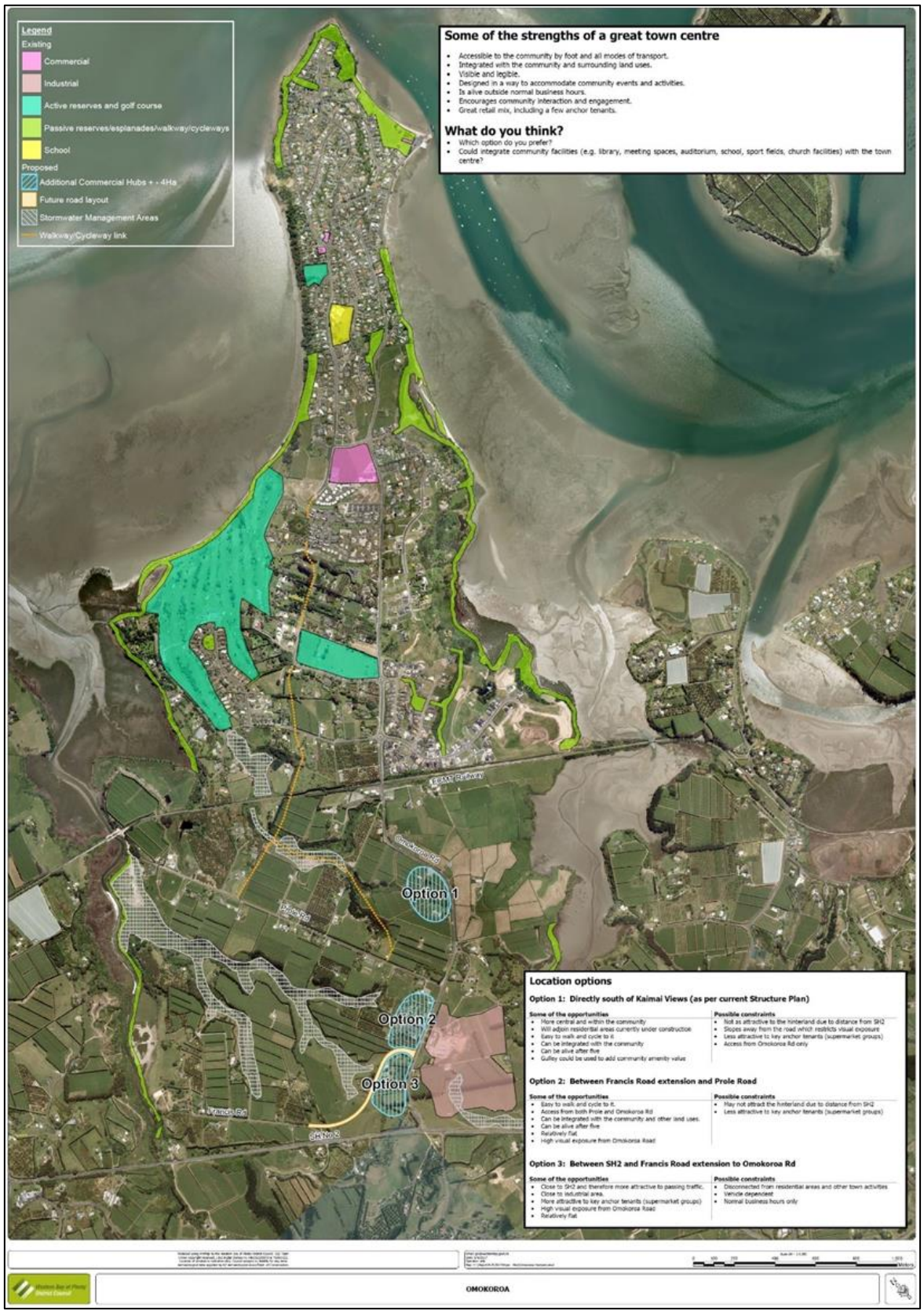

Figure 38: November 2017 Options Discussion Map

The results of this engagement were used to inform, in part, the development of a number of urbanisation options. Following feedback, an independent review of

commercial areas by economic retail consultants RPS Australia Ltd was carried out (prepared February 2018), and also as a result of a major new residential development undertaken under Special Housing Area legislation, the options were further developed. The four new options were publicised in 2018 with public open days in September of that year. The main variations in options were centred around the location of the primary and secondary school (four variations), active reserve location (two variations), and Town Centre (two main variations).

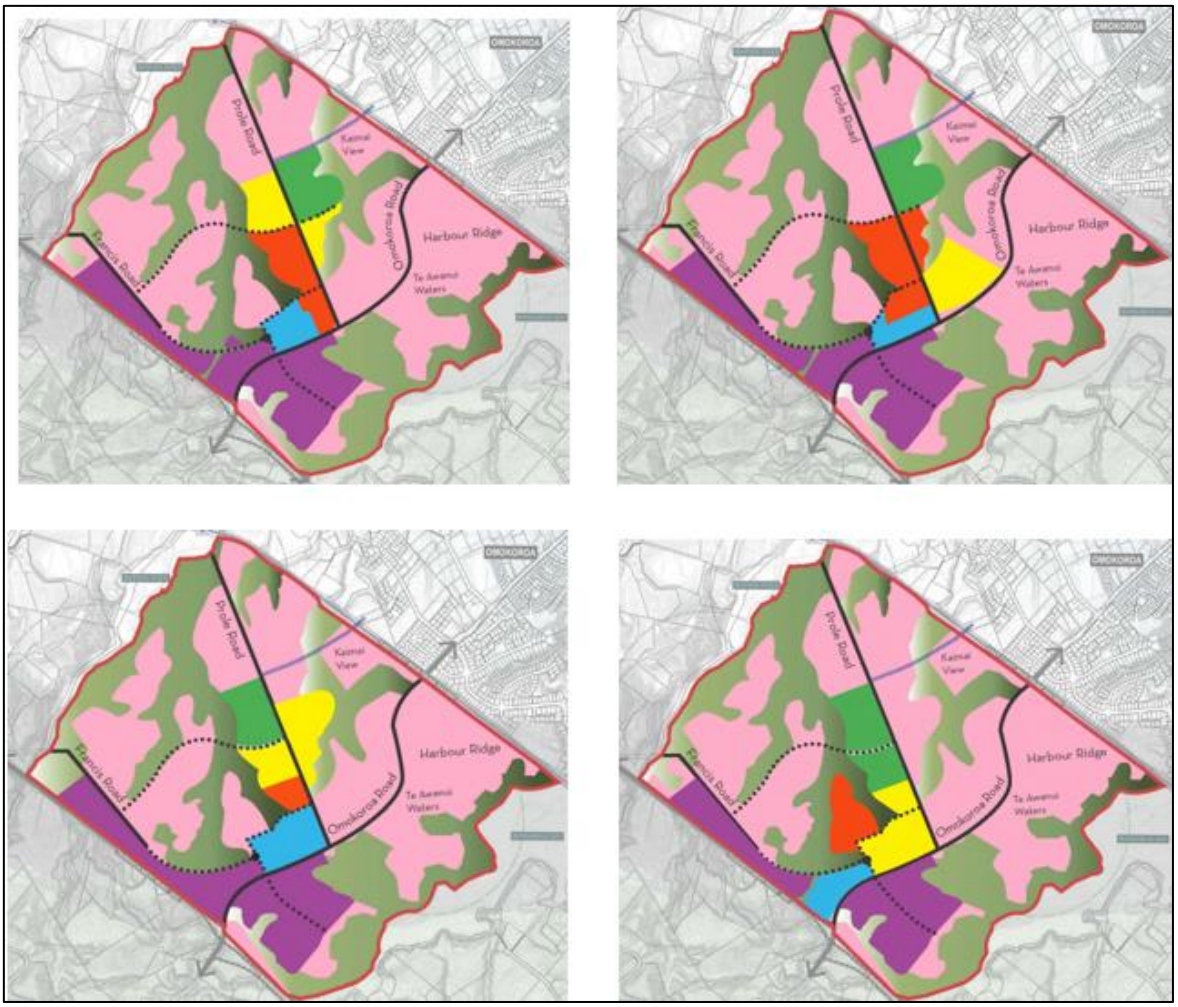

Figure 39: Options 1-4 (Blue - Commercial, Purple - Industrial, Red - Medium Density Residential, Pink - Residential, Bright Green - Active Reserve, Green - Rural-Residential, Yellow - Schools)

Assessing feedback received, advancements in the Ministry of Education identifying and purchasing land for school purposes, additional analysis on Commercial areas by RPS Australia Ltd, and after additional Council workshops a further option was developed (Option 5). This was effectively a refinement of Option 2 with refinement being in regard to the extent and configuration of the Town Centre. This option located the "town centre" at the southern side of the intersection of Ōmokoroa Road and Prole Road (which had featured on three of the options); the active reserve centrally located on the northern side of Prole Road (featured on two options); and the firming of the location of a combined school site on the northern corner of the Prole Road/Ōmokoroa Road intersection (featured on one option).

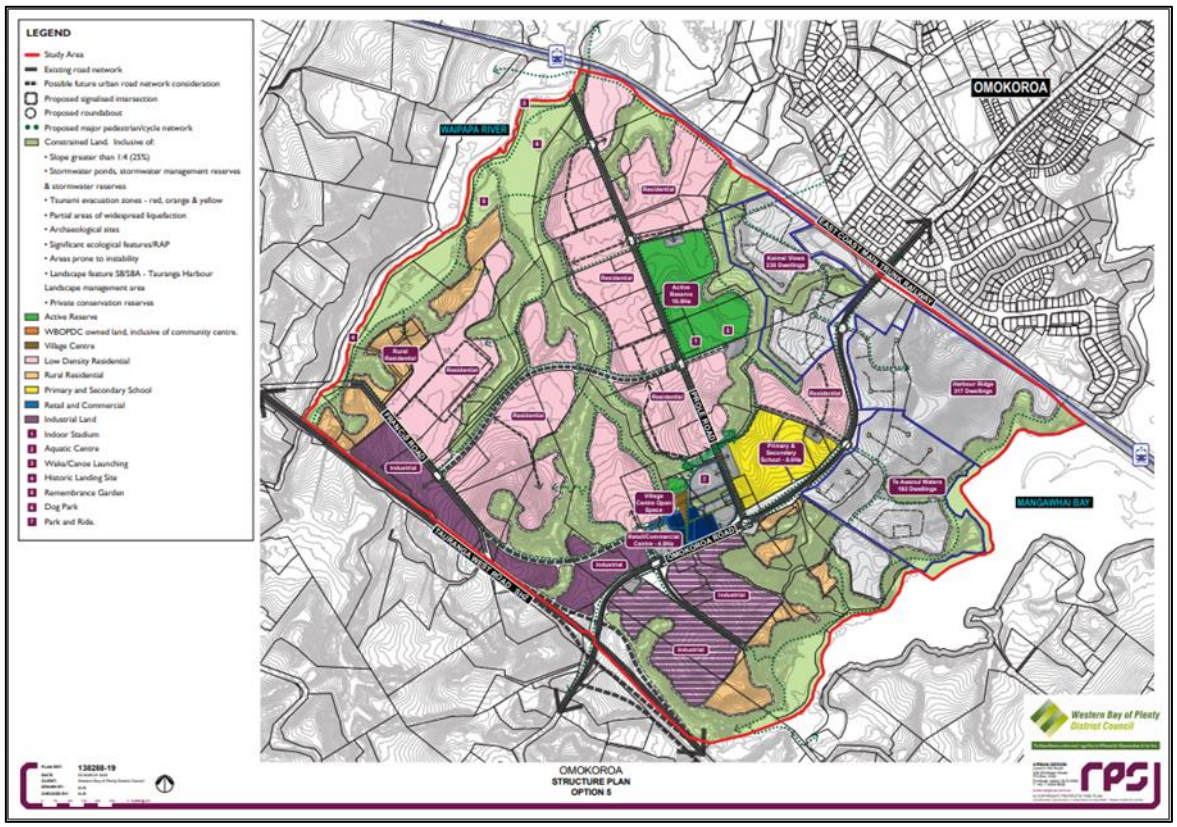

Figure 40: Ōmokoroa Stage 3 Option 5

All other proposed zoning remained consistent. The structure plan options also included identification of "constrained land" being land that was assessed as being unsuitable for intensification of development including land which had a slope factor of greater than 1:4 (25%). The structure plan options also included other areas which had development constraints, but which may still be suitable for low density development and/or reflected the existing location of a dwelling.

Since the commencement of this assessment an application was received by Council for a town centre development on part of the land currently zoned Commercial. Although not specifically identified in the previous round of public consultation, the resource consent application was the subject of full public notification which provided the opportunity for public submissions on the proposal. In general, the proposal was largely supported.

Although subject to a separate resource consent process this effectively provided an alternative structure plan layout. In regard to the main structure plan elements that had variants of location, the active reserve is the only other component that could potentially move as a result of the alternative town centre location. The active reserve could stay in the central location and have links with the town centre via the gully system. As an alternative the location of the reserve area could shift to the southern corner of the Prole Road/Ōmokoroa Road intersection. For comparative assessment purposes an option of the town centre being located on the current commercial zone area and the active reserve on the southern corner of the Prole Road/Ōmokoroa Road

intersection has been developed.

For consistency purposes this is referred to as Option 6.

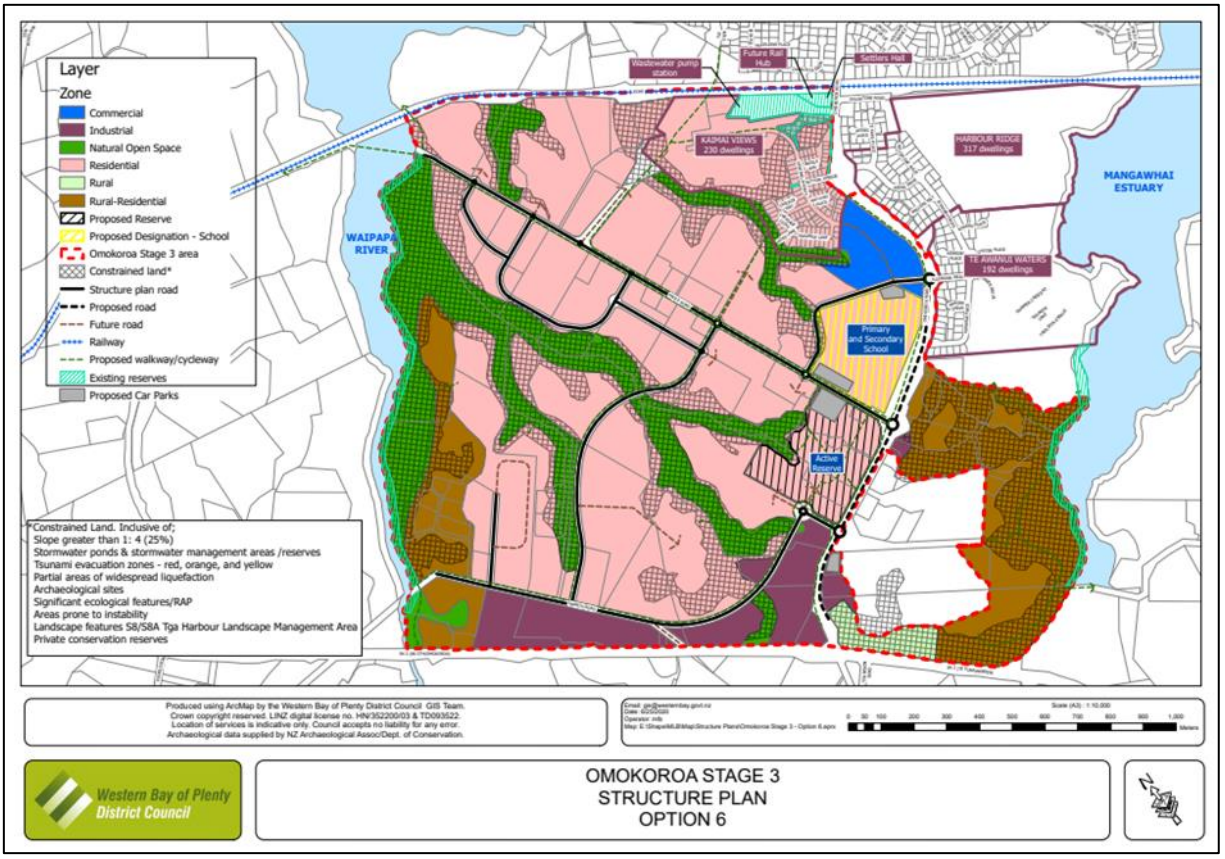

Figure 41: Ōmokoroa Stage 3 Option 6 V1

The other commercial area variant located the commercial area in close proximity to the State Highway at the entrance to the Peninsula. This area was supported by Foodstuffs North Island Limited (Foodstuffs), who identified the area as being particularly suitable for supermarket purposes. This area was generally within one of the identified options in the 2018 round of consultation being Option 4 (earlier variant was labelled Option 3). With the schools site now settled, if this option was progressed the area between the commercial area boundary and Prole Road could potentially be utilised for the active reserve area. For current assessment purposes this Option is referred to as Option 4A.

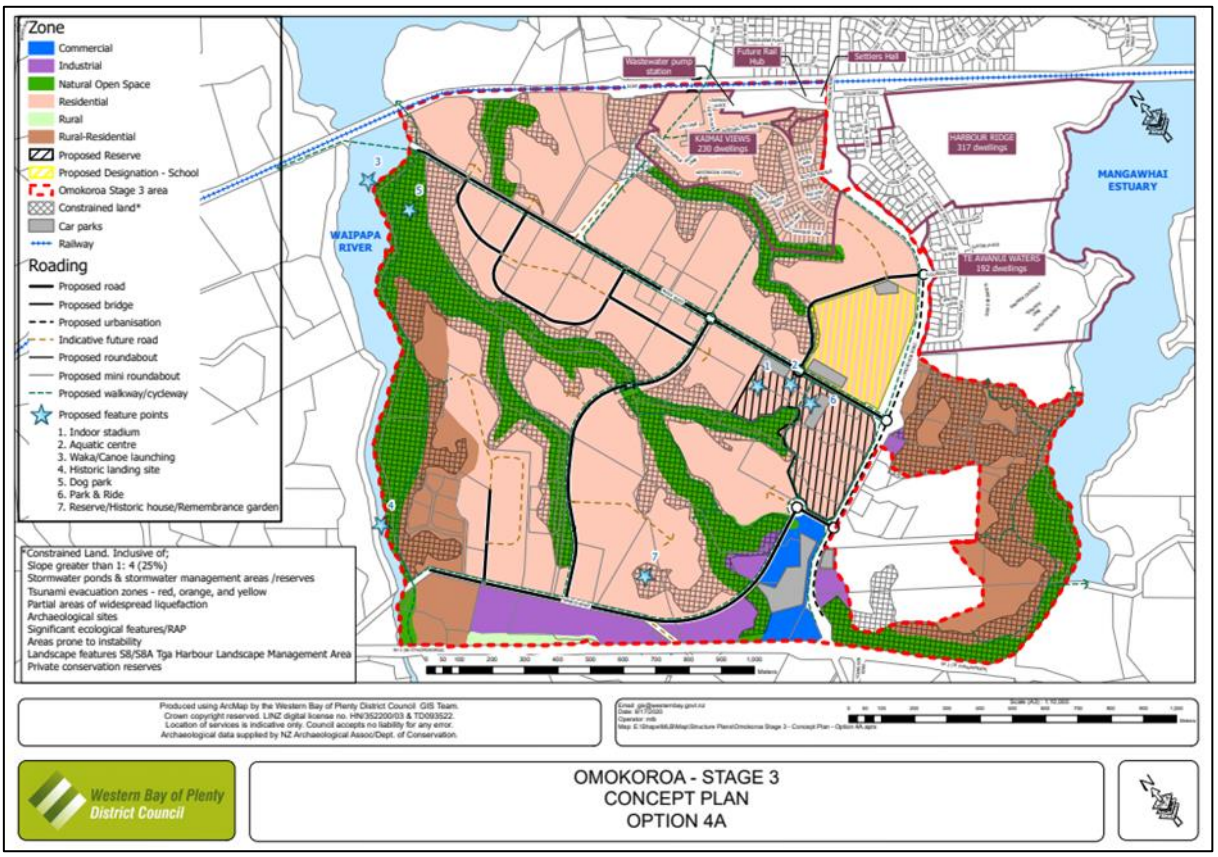

Figure 42: Ōmokoroa Stage 3 Option 4A

The other zoning patterns have been generally settled. To provide appropriate identification and direction to the areas of constrained land and considering their role in supporting the urbanisation of the area primarily through having a stormwater management function, coastal interface role and potential public recreation capabilities, these areas have been labelled with a specific zoning being "Natural Open Space Zone". This zone identification is consistent with the National Planning Standards zone conventions. The Natural Open Space Zone incorporates versions of existing provisions in the Operative District Plan that apply to the Future Urban Zone and Rural-Residential Zone applicable to Ōmokoroa.

The above referenced areas had been provisionally zoned Rural-Residential in earlier concept plans based on the similarities of those areas to currently zoned Rural-Residential land on the Peninsula. The Operative District Plan identifies the purpose of the more recent Rural-Residential zones in Ōmokoroa as being to provide a less intensive interface with the Harbour and to manage areas that have development constraints. The Natural Open Space Zone has separated out those areas that have a stormwater management function, coastal interface and potential public recreation role with the remaining land providing a transition between residential areas and a less intensive interface with the Industrial zone.

Within these areas there may be pockets of "better land" which may be able to support some limited intensification but generally if land has this ability, it is likely to have a Rural-Residential or Residential based zoning.

Based on the Secondary and Primary School site being settled, and the Kaimai Views development effectively creating a "residential zone", the main "live" urbanisation option variants were Options 4A, 5 and 6.

With the decision on the JACE Commercial Centre resource consent being released and providing for the establishment of the new commercial centre and no appeals being lodged this effectively "settled" the commercial centre location. Based on this the other significant zoning matter was in regard to the preferred location of the Active Reserve.

A structure plan with the two variants of the Active Reserve location was the focal point for a further round of public consultation in June 2021.

Figure 43: Active Reserve Options July 2021 Public Consultation Open Days

Medium Density Residential Zone

As discussed earlier in this report it is a compulsory requirement to incorporate the MDRS into existing residential zoned areas and any new residential areas. Ōmokoroa and Te Puke have existing Residential and Medium Density Residential Zones.

To provide clarity and to distinguish from other Residential and Medium Density Residential Zones that are also in the District Plan and currently apply across a range of areas, it is necessary to clearly identify where the new provisions will apply. Accordingly, options to do this need to be assessed. The base options are utilising existing zones as a foundation noting that the District Plan includes existing Residential and Medium Density Residential Zones, or the development of a new Ōmokoroa and Te Puke Medium Density Residential Zone.

Te Puke

Te Puke varies from the Ōmokoroa situation in that due to time constraints the options for Te Puke are limited as the ability to undertake sufficient assessment to include additional areas is insufficient to take a "whole of area" approach.

Options included just using the existing boundaries; limited urban expansion based on areas that were already subject to detailed assessment and the wider 'urban review'. The second option refers to a small area of currently zoned Future Urban land and an area of currently zoned Rural land. The former was land that was part of a resource consent for a medium-density residential development, while the later was initially a private plan change that was lodged prior to Central Government informing Councils of their intent to introduce new legislation. The effect of this was that Council could not process the private plan change and accordingly it has become part of the current process.

Other areas were also considered for urbanisation however due to the time constraints involved with this plan change process there was insufficient time to undertake the assessment required and to engage with the wider community for this to be a viable option.

The Council will undertake a wider Te Puke District Plan review to address other matters more comprehensively either through a subsequent plan change or as part of the wider District Plan Review process which has commenced.

For these reasons the option assessments do not have the same degree of complexity as is the case for the new development areas within Ōmokoroa.

As above the options can be summarised as:

1. Status quo / Existing Residential Zone Area – this maintains current residential zoning and structure plans.

2. Current Residential, all of Future Urban and other greenfield areas.

3. Current Residential and limited selected new areas ("Zest" Future Urban Zone area and "Seddon Street Precinct" area).

District Plan Zoning and Provisions (except Ōmokoroa and Te Puke Medium Density Residential provisions)

To implement the proposed rezoning, structure plans and support housing development, there are a number of plan provision changes and other planning map changes potentially required. These range from specific requirements to respond to intensification requirements to consequential changes.

These include the following:

Inclusion of Ōmokoroa Stage 3 in various sections of the District Plan

Effectively consequential and required to relate to area specific requirements.

Specific requirements to manage the Structure Plan implementation including wastewater connection requirements in regard to Ōmokoroa Stage 3

As discussed in the Infrastructure section a number of options have been considered as how to best manage the existing wastewater pipe capacity issues.

Hapu/Iwi Earthworks Engagement/Monitoring Requirements in Ōmokoroa

For areas within Ōmokoroa there are existing particular requirements for engagement with hapu for earthworks over a set amount within specified areas. With new development areas being opened up the existing provisions can be updated to include the new development areas.

Property Access Ōmokoroa

There are specific access restrictions in regard to specified roads in the Ōmokoroa context. With the proposed urbanisation of Prole Road restrictions on access could be applied to ensure the form and function of Prole Road is not compromised.

Stormwater

Both Ōmokoroa and Te Puke have Comprehensive Stormwater Consents and related Stormwater Catchment Management Plans. For Ōmokoroa these are in the process of being renewed. To better reflect best practice in stormwater management and to recognize existing stormwater management issues and further pressure on these systems through intensified urban development related provisions in the District Plan could be updated.

Streetscape

With more intensive residential development there is both a need to provide more trees within the urban area to compensate for the increased built form and an increase in difficulty in the practical planting and maintenance of trees within street frontages. There are some existing provisions in the Operative District Plan that deal with some

aspects but these need to be updated, including consideration of appropriate species, and potentially applied over a greater area.

Ōmokoroa and Te Puke Structure Plans

There are a number of specific provisions which relate to structure plan requirements which will need to be updated to ensure consistency and accuracy of reference.

Zoning and structure plan changes to recognize the residential use of the Kaimai Views area.

Effectively consequential and required to recognize the change of land use to medium density residential.

The application of overlays and a Mixed Use Residential Precinct within Ōmokoroa Stage 3.

Associated with the overall rezoning of the area to provide for greater densities in locations that have the necessary attributes to support a more concentrated population and to provide for a specific interface between the Ōmokoroa Stage 3 Commercial centre and adjacent land.

Adjustments to the remaining Commercial Zone boundary within Ōmokoroa Stage 3 and related structure plan adjustments.

Provides option for a more practical zone boundary and related structure plan updates

Increasing the maximum height in the Commercial Zone within Ōmokoroa Stage 3.

Provides option for a height limit that is compatible with the proposed increased height limits for higher density residential areas

Updating District Plan provisions to acknowledge that a Master Plan for the Ōmokoroa *Town Centre has be*en approved.

Provides opportunity to update the Operative Plan to acknowledge that a Master Plan for the Ōmokoroa Town Centre has been approved, and update some of the references to better reflect changes in zoning and structure plan.

Inclusion of a new Industrial Zone area within Ōmokoroa Stage 3.

Option to provide land for employment purposes to support the residential growth of the area.

Rural-Residential Ōmokoroa Stage 3

The operative plan provisions in regard to the Rural-Residential Zone have a minimum lot size of 3000m2 with an averaging requirement of 4000m2. For the Rural-Residential

areas within Stage 3 there is the ability to consider reducing the area requirement to use land more efficiently while still maintaining a suitable interface with other activities and the coastline.

Inclusion of the Natural Open Space Zone within Ōmokoroa Stage 3.

Option to clearly identify land that has an important stormwater function, coastal interface function and has very limited development opportunities.

Changes to the Future Urban Zone reflecting this area no longer being "future".

Consequential change.

District Plan Section 8 - Natural Hazards and Section 11 - Financial Contributions have also been reviewed and are proposed to be updated. Waka Kotahi NZ Transport Agency currently have a designation (D181) that provides for the four-laning from Ōmokoroa Road to Loop Road and associated works. No requests to change/alter this designation have been received by Council.

In regard to "administrative type" changes there are no options as not making correct references is not valid.

Specific structure plan requirements are necessary to ensure that development is undertaken in a co-ordinated and integrated manner and to ensure that infrastructure can operate successfully to accommodate the planned growth. These include restrictions on access, requirements to link roads and related infrastructure to adjacent property boundaries, and provision of reserves. There are no practical alternative options for ensuring co-ordinated and integrated development.

9.4.2 Part 1 – Section 32 Evaluation Report

For the purposes of evaluation under the RMA the options have been broken into two categories as follows:

- Category One – Zoning / Structure Plan
- Category Two – District Plan Provisions

The first category deals specifically with the refined District Plan mapping and structure plan options ranging from the study area wide zone change to the more specific residential expansion areas.

The second details the related specific refined plan provisions options.

Zoning / Structure Plans

Ōmokoroa and Te Puke Residential General - Planning Maps

1. Status quo / use existing residential zone

2. Use existing medium density residential zone

3. New Ōmokoroa and Te Puke Medium Density Residential Zone

Ōmokoroa Expansion – Stage 3

1. Status quo / Do nothing – this maintains current zoning, structure plan and related provisions.

2. Option 4A – this option is based around a preferred supermarket site identified by Foodstuffs. The site is located in close proximity to the State Highway and at the entrance to the Peninsula. The other key feature is the potential location of the active reserve extending from the Francis/Ōmokoroa Road link to the Prole Road/Ōmokoroa Road intersection. Residential, Rural-Residential, Rural, Industrial and Natural Open Space Zones are generally consistent with areas identified in earlier options excepting the change of labelling of the "constrained land areas" to Natural Open Space Zone.

3. Option 5 – this is an option based partly on public feedback on previous options, additional commercial area analysis and Council workshops. Key features are the "town centre" between the Francis /Ōmokoroa Road link to the intersection of Ōmokoroa Road and Prole Road, and the active reserve centrally located on the northern side of Prole Road. Residential, Rural-Residential, Rural, Industrial and Natural Open Space Zones are generally consistent with areas identified in earlier options excepting the change of labelling of the "constrained land areas" to Natural Open Space Zone

4. Option 6 – this is an option based generally on the current commercial zoning and the commercial area boundaries as per the submitted resource consent by Jace Investments Limited dated 20 March 2020. The Commercial zone area is expanded to capture the fuller development area shown on the extended MasterPlan. The other key feature is the location of the active reserve extending from the corner of the Francis/Ōmokoroa Road link of to the corner of the Prole Road/Ōmokoroa Road intersection. Residential, Rural-Residential, Rural, Industrial and Natural Open Space Zones are generally consistent with areas identified in earlier options excepting the change of labelling of the "constrained land areas" to Natural Open Space Zone where these areas have a stormwater management and coastal interface role.

Options Modification - Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021

Due to the passing into legislation of the above, all options that referred to "Residential Zone" now effectively refer to "Medium Density Residential Zone".

Te Puke – Expansion

1. Status quo / Existing Residential Zone Area – this maintains current residential zoning and structure plans and does not provide for any new 'residential' areas.

2. Current residential, all of Future Urban and other greenfield areas – this includes all currently zoned residential land, changes Future Urban zoned land to new residential zoning and includes other additional new residential areas.

3. Current Residential and limited selected new areas ("Zest" Future Urban Zone area and "Seddon Street Precinct" area) - includes all currently zoned residential land and two other areas that have either been the subject of a resource consent process or were included as a proposed private change process.

District Plan Provisions (Sections other than Section 14A)

The District Plan provision options are addressed under the specific "Section" that requires changing in the Operative District Plan.

Section 8 – Natural Hazards

To support the plan change, natural hazards susceptibility mapping and risk assessment (where required) was completed. The outcomes are detailed in Section 5.2.2 (for Omokoroa) and 6.2.4 (for Te Puke) and Appendix 14 of this report. The resultant natural hazards maps for coastal erosion, coastal inundation, flooding and liquefaction are required to be made available. Controls on subdivision and land use are required to manage natural hazard risk within areas identified as being susceptible to these natural hazards.

Options

Natural hazards maps for Ōmokoroa and Te Puke

1. Status quo / Do nothing. This maintains the current District Plan Maps for Ōmokoroa and Te Puke which are out-of-date.

2. Insert into the District Plan Maps for Ōmokoroa updated maps for flooding and new maps for coastal erosion, coastal inundation and liquefaction based on the scenarios described in Section 5.2.2 (Natural Hazards – Ōmokoroa). Insert into the District Plan Maps for Te Puke updated maps for flooding and new maps for liquefaction based on the scenarios described in Section 6.2.4 (Natural Hazards – Te Puke).

Controls on subdivision and land use within Ōmokoroa and Te Puke

1. Status quo / Do Nothing.

   For Ōmokoroa, this would mean no specific District Plan subdivision and land use provisions to manage natural hazard risk associated with liquefaction. For coastal erosion, coastal inundation, flooding and land instability (landslide), there are existing subdivision and land use provisions which manage natural hazard risk.

   For Te Puke, this would mean no specific District Plan subdivision and land use provisions to manage natural hazard risk associated with liquefaction. For flooding, there are existing subdivision and land use provisions which manage natural hazard risk.

2. Insert into Section 8 – Natural Hazards specific new provisions for subdivision and land use within areas shown as "liquefaction damage is possible", "liquefaction damage is unlikely" and "liquefaction category is undetermined" while retaining the existing provisions for flooding, coastal erosion, coastal inundation and land instability (landslide).

Section 11 – Financial Contributions

In recognition that both existing and new residential areas are to be planned around an increase in residential density, and in recognition of specific new requirements for subdivision and residential units as part of the MDRS, the financial contribution rules need to be reviewed. Related to this is the need to update the infrastructure schedules and maps to provide for new development.

Options

1. Status quo / Do nothing – this maintains current provisions that charge financial contributions based on average lot size and dwelling envelope.

2. Insert new financial contribution rules, related infrastructure schedules and maps for Ōmokoroa and Te Puke for:

   - Larger subdivisions and developments to ensure that household equivalents paid per hectare are aligned with the target yield to be achieved in a specific area.

   - One and two additional permitted residential units on a site to ensure that financial contributions can be taken for these and based on the sizes of the residential units and associated garages in the case of stormwater.

   - Smaller subdivisions on lots less than 1,400m2 for the creation of one or two additional vacant lots to charge one household equivalent per lot.

Section 12 – Subdivision and Development

This section contains Ōmokoroa and Te Puke structure plan specific parts (Sub-section 12.4.11 and 12.4.14) which require updating to be consistent with the proposed structure plans and related requirements. There are also more general aspects regarding stormwater that need reassessment. The individual matters are as follows:

Earthworks

For areas within Ōmokoroa there are particular requirements for engagement with hapu for earthworks over a set amount. The changes in stages and related provisions require subsequent changes to the plan provisions to ensure that this matter is adequately covered.

Options

1. Status quo / Do nothing – this maintains current provisions.

2. Insert new stage references and exceptions to ensure correct linkages and consistency.

Property Access

There are specific access restrictions in regard to specified roads in the Ōmokoroa context. With the proposed urbanisation of Prole Road restrictions on access can be applied to ensure the form and function of Prole Road is not compromised.

Options

1. Status quo / Do nothing – this maintains current provisions but does not include additional roads or update the stage referencing.

2. Include specific new provisions for Prole Road requiring the closure of existing accesses at the time of redevelopment for residential purposes and update stage references.

Wastewater Drainage

There are limitations on wastewater infrastructure capacity for Ōmokoroa. To enable urban densification for 12,000 – 13,000 people it is necessary to ensure that completely sealed wastewater systems are utilised for Stage 3 development areas. Section 5.5.4 of this report details the various options and related rationale.

Options

1. Status quo / Do nothing – this maintains current provisions but does not explicitly state requirements for completely sealed wastewater systems. Urban expansion within Ōmokoroa will also need to be minimised.

2. Include specific new provisions for Ōmokoroa Stage 3 that explicitly require completely sealed wastewater systems.

Stormwater

The wording in the current provisions require updating and clarification.

Options

1. Status quo / Do nothing – this maintains current provisions but lacks clarity and references documents which will be out of date shortly and does not adequately address Te Puke specific issues.

2. Update references to reflect current terminology, provide more direction on water sensitive urban design methodologies, and provide clarity over when attenuation is required.

Streetscape

With more intensive residential development there is both a need to provide more trees within the urban area to compensate for the increased built form and an increase in difficulty in the practical planting and maintenance of trees within street frontages.

The Operative District Plan has existing requirements in regard to specified roads in Ōmokoroa to provide for specific trees and other requirements for streetscape planting. If carried across to new areas this is limiting in regard of other species that may be more appropriate in the new development area context. The full urbanisation of Ōmokoroa Road is yet to be completed and accordingly the continuation of these requirements would ensure consistency of design and related landscape amenity values. The Council has developed an updated urban street planting guide that can be referred to.

To provide for future development areas and to recognize the current streetscape implementation along Ōmokoroa Road, modification of the current wording may be required. For Te Puke there is no current specific direction on street trees and as above

there is a risk of insufficient development planning incorporating the requirement for trees, and a related lack of trees in new development areas.

Options

1. Status quo / Do nothing – this maintains current provisions but is only limited to specified parts of Ōmokoroa and does not include Stage 3 or any areas within Te Puke. Rely on Development Code for control.

2. Update to ensure the specific tree requirements are maintained along Ōmokoroa Road, remove other species-specific tree requirements and include tree planting minimum spacing requirements for all 'residential' structure plan areas in Ōmokoroa and Te Puke.

Compliance with Ōmokoroa and Te Puke Structure Plans

There are specific compliance requirements for the relevant structure plans. With a new structure plan (Ōmokoroa Stage 3) and updates to the Te Puke Structure Plan, these requirements need to be updated to ensure that the provisions reflect the new structure plans.

Options

1. Status quo / Do nothing – this maintains current provisions but does not include Ōmokoroa Stage 3 and other Te Puke updates.

2. Update to include Ōmokoroa Stage 3, related specific provisions and references and include Te Puke updates.

Section 16 – Rural-Residential Zone

Rural-Residential zoning is applied to remaining land that generally is not suited for more intensive residential activities but can provide variety to the living opportunities in the area and an interface between other zones. The current provisions if applied to new Rural-Residential areas within Ōmokoroa Stage 3 may not use land as efficiently as could be achieved while still maintaining a suitable interface and size to accommodate limited residential lifestyle development.

Options

1. Status quo / Do nothing – this maintains current provisions:

   Minimum lot size: 3000m2 provided that the average area for lots shown on any plan of subdivision shall be not less than 4000m2.

2. Change minimum lot size in Ōmokoroa Stage 3 to 2000m2.

Section 19 - Commercial

The District Plan provides specific requirements for the Ōmokoroa Commercial Zone Stage 2 area. These provisions were established prior to the National Policy Statement on Urban Development and prior to the current proposed residential changes which encourage higher density urban living through multi-level development. The stage areas are also proposed to be updated to reflect changes in zoning.

The existing provisions relate to the establishment of a Town Centre Masterplan. Now a Town Centre Masterplan has been approved the current provisions can be adjusted to reflect this.

Options

1. Status quo / Do nothing – this maintains current provisions:

   The maximum building/structure height in the Ōmokoroa Stage 2 Structure Plan area shall be 11m and no provision is made for additional non-habitable space above the 11m height limit.

2. Change maximum building height for Ōmokoroa Stage 3 to a permitted activity maximum of 20m plus height bonus for underground or under croft car parks.

3. Update the District Plan provisions to acknowledge that a Master Plan for the Ōmokoroa Town Centre has been approved, and update some of the references to better reflect changes in zoning and structure plan.

4. Replace current provisions relating to the requirement for a Council approved Town Centre Master Plan and related provisions with the actual approved Master Plan and related provisions.

Section 24 (proposed) – Natural Open Space Zone

As discussed in the Zoning options section the Natural Open Space Zone provides for areas of constrained land that support the urbanisation of the area primarily through having a stormwater management function, coastal interface role and potential public recreation capabilities.

The Natural Open Space Zone incorporates versions of existing provisions in the Operative District Plan that apply to the Future Urban Zone and Rural-Residential Zone applicable to Ōmokoroa. The main options for activity provisions are as follows:

Options

1. Permitted activities that provide for limited activities consistent with the land's existing use and/or attributes such as farming, ecosystem restoration works and restricted discretionary activities that control soil disturbance, vegetation clearance, natural watercourse diversion, and subdivision to create land areas

for public stormwater management functions.

2. Activities and activity status and related performance standards that are generally consistent with the current Rural-Residential zone provisions.

9.4.3 Part 1 – Preferred Options Summary

This part of the report provides a high-level summary of the preferred options relating to zoning / structure plan and District Plan provisions.

See Appendix 1 for the detailed Section 32 Evaluation Report. This sets out the alternatives, costs and benefits of the proposal in accordance with the RMA requirements and identifies all preferred options.

See Appendix 2 for proposed Plan Change 92. This includes all proposed changes to the District Plan's sections, appendices and maps.

Zoning - Ōmokoroa and Te Puke Residential General - Planning Maps

The preferred option is the establishment of a new zone titled Ōmokoroa and Te Puke Medium Density Residential Zone. This option makes it clear where the new provisions apply and avoids confusion with existing Residential and Medium Density Residential zones in the District Plan. The title directly relates to the requirement to introduce the MDRS and clearly identifies spatially where these provisions apply.

Within the zone, overlays and/or precincts can be applied to further differentiate between different planned densities.

Zoning / Structure Plans - Ōmokoroa Stage 3 Urbanisation

The preferred zoning and structure plan option is based on Option 6. A significant influence on this was the granting of resource consent for the Town Centre Master Plan and related works by Independent Commissioners. This effectively meant that any other option could result in two commercial areas. There are modifications from Option 6 as a result of feedback, reassessment, general refinements and the requirement to introduce the MDRS. These include zoning of land owned by Ngati Haua to "Rural", refinement of Industrial, Rural-Residential, and Natural Open Space zones, and Active Reserve boundaries; inclusion of a wider State Highway 2 Interchange corridor (based on latest project details from Waka Kotahi NZTA), and replacement of "Residential" provisions with "Medium-Density provisions across all existing residential zoned areas, and most of the previous Future Urban area.

Key features are the "town centre" (commercial zoning) at the western side of Ōmokoroa Road immediately north of the school site, incorporating areas generally currently zoned commercial, and the active reserve extending from the corner of the proposed Francis/Ōmokoroa Road link to the corner of the Prole Road/Ōmokoroa Road intersection. The proposed school sites are located on the northern corner of the Prole

Road/Ōmokoroa Road intersection. Medium-Density Residential areas form the bulk of the area with Rural-Residential and Rural Zones providing transitional / interface areas. The Natural Open Space Zone provides important ecological protection and enhancement opportunities, stormwater management, coastal interface and public recreation functions and includes areas most susceptible to natural hazards and having little development potential. It also has an important urban amenity function by breaking up the urban form. The industrial area provides a buffer with State Highway 2.

The overall zone changes recognize the proposed residential use of a large part of the new development area including the Kaimai Views area, adjustments to the remaining Commercial Zone boundary, a new Industrial zone area, Rural-Residential zone areas, inclusion of the Natural Open Space Zone, and removal of the Future Urban Zone in the subject area.

Removal of the Future Urban Zone has resulted in some modifications of the Stage 2 Industrial area to ensure consistency of approach across the wider development area.

The confirming and full implementation of this option both require the designation (or variant of) for the State Highway 2 / Ōmokoroa Road intersection improvements being actioned within a reasonable timeframe. It has been recently announced that an intersection improvement project has now been approved. This is to accommodate increased traffic movements associated with the urbanisation and to specifically enable the delivery of housing. The structure plan includes identification of a wider interchange corridor to ensure that this is recognized prior to any formal alteration to the designation being lodged.

Zoning / Structure Plans – Te Puke Residential Expansion

The preferred option is to include all the current Residential and limited selected new areas ("Zest" Future Urban Zone area and "Seddon Street Precinct" area) in the new Ōmokoroa and Te Puke Medium Density Residential Zone.

As previous discussed Te Puke is a different situation to Ōmokoroa as the Te Puke area component of the plan change generally relates to the existing zone Residential areas and the application of the MDRS to this area. The additional areas relate to a small area of currently zoned Future Urban land and an area of currently zoned Rural that was initially a private plan change that was lodged prior to Central Government informing Councils of their intent to introduce new legislation.

Other areas could be included for urban expansion in the future. The Council will undertake a wider Te Puke District Plan review to address other matters more comprehensively either through a subsequent plan change or as part of the wider District Plan Review process which has commenced.

District Plan Provisions

The preferred provisions are detailed in Appendix 2. In summary the plan change gives effect to the change of zoning and related urbanisation of the subject areas including structure plans.

Ōmokoroa

The provisions relate to the inclusion of Ōmokoroa Stage 3 in various sections of the District Plan, specific requirements to manage the Structure Plan implementation and refinement or new provisions relating to Rural-Residential, Commercial, Natural Open Space, Financial contributions and natural hazards.

In regard to the Structure Plan area this includes:

- including specific wastewater connection requirements;
- access restrictions in regard to Prole Road;
- requirements for engagement with hapu regarding earthworks;
- improved clarity regarding stormwater requirements;
- improved clarity regarding streetscape tree planting requirements; and
- updating structure plan references to include Stage 3.

Other changes include:

- a change in the minimum size for Rural-Residential lots within Stage 3;
- an increase in maximum building height for the Ōmokoroa Commercial Zone;
- updates to provisions that acknowledge an approved Ōmokoroa Town Centre Master Plan and other provisions;

(The option of more fully including the 'approved Ōmokoroa Town Centre Master Plan' and related provisions including the ability to modify, has merits but is difficult to achieve in a way that provides legal certainty. Until this is able to be resolved the preferred option is as described above)

- improved clarity regarding stormwater requirements
- changes to the District Plan Maps to include new flooding, coastal inundation and liquefaction maps and changes to the Natural Hazards Section to include specific new subdivision and land use controls within areas potentially susceptible to liquefaction.
- changes to the Financial Contributions section to reflect changes in legislation, the

increased expected yield for greenfield areas and other larger scale developments, updated schedule of works, and recognizing that multi-level apartment developments may have a reduced stormwater impact per household unit.

- inclusion of activities, activity statuses and related activity performance standards for the Natural Open Space Zone.

Te Puke

Outside of the Medium Density Residential provisions discussed later in this report, the other provision changes applicable to Te Puke relate to improved clarity regarding stormwater requirements within the Te Puke Stormwater Management Area, and changes to Financial Contributions as stated above for Ōmokoroa.

9.4.4 Part 1 - Reasons Summary

The Section 32 Evaluation Report details the rationale, as required by legislation, for the options selected, supported by the context and issues and options analysis provided in the current document. To support the introduction and implementation of the new Medium Density Residential Standards (MDRS) and a well-functioning urban environment that provides for the housing needs and related infrastructure to support a community, additional areas of "residential" land are required. To meet the requirements of National Policy Statement on Urban Development the Council must provide sufficient development capacity to meet expected demand for housing and for business land. Without the proposed plan change and proposed rezoning the Council will fail to meet this requirement.

Zoning - Ōmokoroa and Te Puke Residential General

A new zone titled Ōmokoroa and Te Puke Medium Density Residential Zone best reflects the proposed new provisions that are being applied. The title makes it clear where the new provisions apply and avoids confusion with existing Residential and Medium Density Residential zones.

Within the zone, overlays and/or precincts are applied to further differentiate between different planned densities. This specifically provides for additional building heights to enable different housing typologies such as apartments in areas having high amenity values adjacent and/or in proximity to the planned town centre. A Mixed Use Residential Precinct is also applied immediately adjacent to the proposed town centre to provide the opportunity for lower impact commercial activities that can fit comfortably within a residential dominated environment and which are complementary to the adjacent town centre commercial activities.

Ōmokoroa Stage 3 Urbanisation

The urbanisation of Stage 3 of Ōmokoroa has been identified for some time and is required to meet the needs of the community for providing a quality urban environment incorporating housing, work, education and recreational options. As stated previously, the confirming and full implementation of this option requires associated infrastructure improvements including the actioning of the designation for the State Highway 2 / Ōmokoroa Road intersection improvements being made within a reasonable timeframe. The project in this regard has now been confirmed.

The rezoning of the area has been "socialised" with the community over a number of years and has been the subject of open days, meetings and online consultation and information sharing. The zoning pattern provides a centrally located town centre that provides a community hub for the area and surrounding hinterland. The resource consent application that confirmed the Town Centre Master Plan and related activities for this location was subject to a full public notification process. Submissions received generally supported the proposal. It is located in a site that provides the potential for a high level of exposure and accessibility being located immediately adjacent Ōmokoroa Road. The location supports the provision of public transport links and is in close proximity to the interchange with the State Highway once this is completed.

Immediately adjacent is a proposed secondary and primary school site which will provide an education hub. This has gone through a Notice of Requirement process and has been formally designated for "education purposes". In close proximity is a proposed 10 ha Active Reserve area with potential to incorporate an indoor stadium and aquatic centre. These combined provide the social infrastructure nucleus to support a well-functioning urban area. To safeguard the long term use of this area for this purpose the Council will also go through a Notice of Requirement process.

Residential zoning is dominant and supports the provision of required housing. The Central Government MDRS are similar to what was anticipated for Stage 3 and as a new growth area development can be better designed to support higher densities than previous development in the area.

Minimum residential yield requirements are included to ensure that land is used effectively and efficiently. Higher densities are designed to support the commercial centre and related public transport hub, and to take advantage of high amenity locations.

The rezoning includes a Natural Open Space Zone which provides the "green lungs" to the urbanisation and important stormwater management, coastal interface and public recreation functions. The zoning includes areas most susceptible to natural hazards and having limited development potential.

Rural-Residential zoning is applied to remaining land that generally is not suited for more intensive residential activities but can provide variety to the living opportunities in

the area and an interface between other zones.

Industrial land is located providing a buffer with the State Highway and future interchange. This provides an area that has good access to the transport network. Combined with the commercial area these support economic growth and related employment.

The zoning pattern represents the optimisation of the live, work, learn and play philosophy principles.

To give effect to the zoning and proposed development pattern, specific structure plan requirements are necessary to ensure that development is undertaken in a co-ordinated and integrated manner and to ensure that infrastructure can operate successfully to accommodate the planned growth. The structure plan identifies key infrastructure including the planned roading network. Structure plan requirements include restrictions on access, requirements to link roads and related infrastructure to adjacent property boundaries, and provision of reserves. To support the "roll-out" of development there are existing and potentially proposed designations required to ensure that the ability to implement these works are not compromised by inappropriate activities.

To provide for urban expansion a natural hazard risk assessment was undertaken with the results of this informing map and related provision changes. This ensures consistency with the requirements of the Regional Policy Statement.

Te Puke Expansion

Overall there has been limited additional new 'residential' areas proposed for Te Puke, primarily due to the lack of time available to undertake a more comprehensive review. The two additional areas have been subject to previous assessment.

The new areas proposed are a small area of currently zoned Future Urban land (Zest) and an area of land currently zoned Rural that was initially a private plan change that was lodged prior to Central Government informing Councils of their intent to introduce new legislation (Seddon Street Precinct).

The Future Urban zoned land included is part of a resource consent lodged with Council and the plan change updates the zoning to reflect this. The new area is immediately adjacent the current urban boundary and in close proximity to the town centre. Infrastructure is available and/or can be easily extended. Development plans are well advanced which will provide a quality medium-density residential development that is in accordance with the direction of Central Government.

By including new development areas combined with additional infill development opportunities housing demand and related options are being provided.

Other areas could be included for urban expansion in the future. The Council will

undertake a wider Te Puke District Plan review to address other matters more comprehensively either through a subsequent plan change or as part of the wider District Plan Review process.

Supporting Provisions

Section 8 – Natural Hazards

Natural hazards susceptibility mapping and risk assessment (where required) for all relevant natural hazards in Omokoroa and Te Puke has been completed. The natural hazard maps for Omokoroa and Te Puke are proposed to be updated to contain the latest information about the relevant natural hazards. For Omokoroa, this includes coastal erosion, coastal inundation, flooding and liquefaction. For Te Puke it includes flooding and liquefaction. New rules have been proposed to manage natural hazard risks from liquefaction in both locations and existing rules have been retained for other natural hazards.

Section 11 – Financial Contributions

The need to plan for a higher density of residential development, and to introduce specific provisions relating to subdivision and residential units as prescribed by the MDRS, has required a change to the financial contribution provisions.

For larger subdivisions and developments, financial contributions are to be calculated based on a target yield per hectare (and associated number of household equivalents to be paid per hectare).

For second and third dwellings on a site which are to be permitted, there is a need to ensure that financial contributions can be taken for these, and to ensure that the costs of development are shared equitably based on the sizes of the residential units.

Provision also needs to be made for smaller infill subdivisions (e.g., for lots which are less than 1,400m2) to allow for one or two additional vacant lots without the need to pay financial contributions based a target yield per ha. In this case, each new vacant lot is proposed to pay only one household equivalent.

Section 12 – Subdivision and Development

Earthworks

This represents a carry-over of existing provisions in regard to new development areas in Ōmokoroa that recognises the importance of providing for iwi/hapu engagement in regard to earthworks over a set amount. The changes in stages and related provisions require subsequent changes to the plan provisions to ensure that this matter is adequately covered.

Property Access - Ōmokoroa

To support the proposed urbanisation of Prole Road restrictions on access are required to ensure the form and function of Prole Road is not compromised and to support a safer 'road' environment.

Wastewater Drainage - Ōmokoroa Stage 3

There are limitations on wastewater infrastructure capacity for Ōmokoroa. To enable urban densification for 12,000 – 13,000 people it is necessary to ensure that completely sealed wastewater systems are utilised for Stage 3 development areas.

Stormwater

Greater clarity is provided, and improved management of stormwater promoted. This requires updated references to reflect current terminology, provide more direction on water sensitive urban design methodologies, and provide clarity over when attenuation is required.

Streetscape

With more intensive residential development there is both a need to provide more trees within the urban area to compensate for the increased built form and an increase in difficulty in the practical planting and maintenance of trees within street frontages.

The Operative District Plan has existing requirements in regard to specified roads in Ōmokoroa to provide for specific trees and other requirements for streetscape planting. The current species list is considered too limiting for the new areas of development and does not promote the use of native trees. The full urbanisation of Ōmokoroa Road is yet to be completed and accordingly the continuation of these requirements would ensure consistency of design and related landscape amenity values.

To provide for future development areas and to recognize the current streetscape implementation along Ōmokoroa Road modification of the current wording is required.

The preferred option updates the wording in regard to the existing Ōmokoroa Road related provisions, removes other species requirements and provides for minimum requirements for Ōmokoroa and Te Puke 'residential' structure plan areas.

Compliance with Ōmokoroa and Te Puke Structure Plans

Updating these sub-sections are required to ensure links to appropriate structure plans and other subdivision and development requirements are correct. There are specific compliance requirements for the relevant structure plans. With a new structure plan (Ōmokoroa Stage 3) and updates to the Te Puke Structure Plan, these requirements need to be updated to ensure that the provisions reflect the new structure plans.

Section 16 – Rural-Residential Zone

The proposed change which reduces the Rural-Residential minimum area to 2000m2 provides for more efficient use of the land resource while still maintaining a suitable interface and size to accommodate limited residential lifestyle development.

Section 19 – Commercial - Ōmokoroa Stage 3

The proposed increase in height supports apartment living within the Ōmokoroa Stage 3 Town Centre and includes a bonus height provision to provide for underground or under croft car parks. This supports efficient use of the land resource. The previous provisions were established prior to the National Policy Statement on Urban Development and prior to the current proposed residential changes which encourage higher density urban living through multi-level development. The height is complementary with the proposed height for the adjacent undeveloped land. Current overshadowing provisions will still apply to the interface with existing residential development.

The stage areas are also required to be updated to reflect changes in zoning.

The existing provisions relate to the establishment of a Town Centre Masterplan. Now a Town Centre Masterplan has been approved the current provisions should be adjusted to reflect this.

There are a number of references in the District Plan provisions to zones and locations which have subsequently changed and accordingly these references should be corrected. Similarly, some of the existing wording in the District Plan does not reflect the approved Master Plan and should be amended to be consistent.

As previously noted, the option of more fully including the 'approved Ōmokoroa Town Centre Master Plan' and related provisions including the ability to modify, has merits but there are currently unresolved legal difficulties in this regard.

Section 24 (proposed) – Natural Open Space Zone

The Natural Open Space Zone provides for areas of constrained land that support the urbanisation of the area primarily through having a stormwater management function, coastal interface role and potential public recreation capabilities. The proposed activities help support these functions and include limitations on 'permitted' land modifications to ensure any land disturbance is appropriately managed.

9.5 Part 2 – Ōmokoroa and Te Puke Medium Density Residential Provisions

9.5.1 Part 2 - Options Summary

The following analysis and related evaluation provide the rationale for the specific Medium Density Residential zoning provisions for the whole of the Ōmokoroa and Te Puke urban areas. These reflect the new Ōmokoroa and Te Puke Medium Density Residential Zone as discussed in Part 1.

The plan change is based on the requirement to implement the specific Medium Density Residential Standards (MDRS) that are required to be included within the District Plan through the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. Accordingly, options in this regard are relatively limited. There are however several supporting and/or consequential provisions to also be inserted into the District Plan where varying options are assessed.

The residential provisions changes need to cover the following topics:

- Explanatory Statement, Significant Issues, Objectives and Policies
- Permitted Activities
- Controlled Activities
- Restricted Discretionary Activities
- Discretionary Activities
- Activity Performance Standards
- Notification
- Matters of Control
- Matters of discretion

The Ōmokoroa and Te Puke Medium Density Residential zone provisions include the following MDRS (performance standard) topics that are required to be included in District Plans.

- Number of residential units per site
- Building and Structure height
- Height in relation to boundaries

- Setbacks
- Building coverage
- Outdoor living space
- Outlook space
- Windows to street
- Landscaped area

Other standards (listed below) are provisions that have been evaluated as they support and/or are consequential to the MDRS that are required to be included in the Ōmokoroa and Te Puke Medium Density Residential section.

- Residential unit yield
- Residential unit typology
- Impervious surfaces
- Vehicle crossing and access
- Streetscape
- Earthworks
- Height of fences, walls and retaining walls
- Accommodation Facilities
- Home Enterprises
- Subdivision standards
- Mixed Use Residential Precinct (specific requirements)

In regard to "administrative type" changes or edits there are no options, as not making correct references is not appropriate or effective.

9.5.2 Part 2 – Section 32 Evaluation Report

Explanatory Statement, Significant Issues, Objectives and Policies

The existing Ōmokoroa and Te Puke residential provisions sit within the wider residential sections (Section 13 – Residential) and the Medium Density Residential section (Section 14 – Medium Density Residential).

In giving effect to new medium density residential standards, specific provisions (including the MDRS and specific NPS-US policies) to guide the growth of these urban areas need to be introduced into the District Plan.

An option is to retain the existing (Residential or Medium Density Residential or a combination of these) explanatory statement, issues, objectives and policies. The second option is to provide specific explanatory statement, issues, objectives and policies that relate solely to the Ōmokoroa and Te Puke medium density context.

An examination of existing explanatory statements, issues, objectives and policies has found that although the Medium Density Residential zone issues remain generally applicable, in order to provide an improved objective and policy direction to meet the requirements of the RMA Amendment Act, specific objectives, policies and a related explanatory statement focusing on specific provisions to guide medium density growth are required.

Permitted Activities, Controlled Activities, Restricted Discretionary Activities, Discretionary Activities, Non-complying Activities

The District Plan structure is largely directed by the provisions of the RMA and particularly the available activity classification.

The MDRS stipulates activity status of mandatory provisions for insertion onto the District Plan.

As this plan change is about the new intensification provisions for an Ōmokoroa and Te Puke Medium Density Residential zone, the existing plan structure is not being revisited beyond introducing an additional residential section (Section 14A – Ōmokoroa and Te Puke Medium Density Residential) and associated supporting and/or consequential changes (which include associated changes to a number of District Plan Sections and a new Section 24 – Natural Open Space zone as described above in section 9.4 of this report).

A review of the District Plan structure to align with the national planning standards will be undertaken at the time of the full District Plan Review.

District Plan Topics

The following sets out the main alternatives relevant for each topic. Generally, the first option is based on existing District Plan provisions and the alternative/s is based around proposed reasonably practicable option/s.

The RMA Amendment Act requires the District Plan to give effect to MDRS to enable greater housing supply by permitting medium density developments of up to three residential units on a site subject to meeting more flexible density standards for height, height in relation to boundary, setbacks and building coverage than exists currently. The MDRS also seek to ensure that residents have sufficient outdoor living space, views from indoor areas to outdoor spaces and streets as well as appropriate landscaping. In this context, for the required MDRS insertions there are no valid alternative options excepting where more enabling provisions are an option or where less enabling provisions are proposed in which case they must be assessed as a qualifying matter.

The options below differentiate between existing and proposed new provisions where there are valid alternatives / options to consider.

Density (MDRS) Standards

a. Number of residential units per site

1. Status quo - use existing residential and/or medium density residential zone standards.

2. Use the MDRS to provide for a maximum of 3 residential units per site as a permitted activity.

b. Building and structure height

1. Status quo – use existing residential 8m or 9m height standards.

2. Use the MDRS standard to provide for a maximum height of 11m plus 1m for a pitched roof.

3. Use the MDRS standard to provide for a maximum height of 11m plus 1m for a pitched roof with some specific more and less enabling exceptions.

c. Height in relation to boundaries

1. Status quo – use existing residential 2m plus 45° recession plane angle.

2. Use the MDRS standard to provide for a maximum height of 4m plus a 60° recession plane angle (with specified exceptions to the standard).

3. Use the MDRS standard to provide for a maximum height of 4m plus a 60° recession plane angle (with specified exceptions to the standard) but include

more enabling provisions relating to the standard not applying to subdivision by unit plan or where the written approval of the owner(s) of the immediately adjoining property to the specific encroachment is obtained.

d. Setbacks

1. Status quo for residential zones of front yards ranging from minimum of 3m to 5m and side/rear yards of 1.5m.

2. Use the MDRS standard to provide for front yards of a minimum of 1.5m depth and side and rear yards of 1m with a specified exception to the standard in relation to where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

3. As for option 2, but with additional other specified exceptions that are both more and less enabling as follows:

    - Site boundaries with a railway corridor - 10m (less enabling)

    - Subdivision by unit plan - yards shall only apply to base land external site boundaries (more enabling)

    - Lot 601 DP 560118 and Lot 603 DP 560118 (Harbour Ridge) - all side yards shall be a minimum of 5m (less enabling).

    - Where written approval of the owner(s) of immediately adjoining property to a specified lesser distance is obtained (more enabling).

e. Building Coverage

1. Status quo for residential zones – 40% or less is a permitted activity.

2. The MDRS standard is that the maximum building coverage must not exceed 50% of the net site area.

f. Outdoor Living Space

1. Status quo for residential zones - no specific requirement for the Residential zone and specific detailed and prescriptive requirements for the Medium Density Residential zone.

2. The MDRS standard requires specific dimension and accessibility standards for outdoor living space for both ground floor and above ground floor residential units.

g. Outlook Space

1. Status quo for residential zones - no outlook space standards for Residential

zone or Medium Density zone.

2. The MDRS requires a standard for a minimum dimension and outlook considerations for outlook space to be provided for every residential unit.

h. Windows to Street

1. Status quo for residential zones - no windows to street standard for Residential zone and specific Medium Density Residential zone standards.

2. The MDRS requires a standard to be applied that any residential unit facing the street must have a minimum of 20% of the street-facing façade in glazing in the form of windows or doors.

i. Landscaped Area

1. Status quo for residential zones - no landscaped area standard for Residential zone and specific Medium Density Residential zone standards.

2. The MDRS provides a standard for residential units at ground floor level of a landscaped area of a minimum of 20% with grass or plants and can include a canopy of trees. The landscaped area may be located on any part of the development site.

Other Related Standards (Supporting or Consequential to MDRS)

a. Residential Unit Yield

1. Status quo for residential zones – existing residential density provisions for the Residential Zone being based on minimum lot size of 350m2 for Te Puke and between 350m2 and 600m2 for Ōmokoroa; and for the Medium Density Zone being based on maximum average lot size of 250m2 for Te Puke and 250m2 to 400m2 for Ōmokoroa.

2. Four or more residential units on a site (including comprehensive mixed use development, retirement villages, and rest homes) as a Restricted Discretionary activity subject to assessment against the full range of stated density standards and other standards and including specific minimum residential unit yield requirements per hectare of developable area of:

    - 15 residential units for Ōmokoroa Stage 3A

    - 20 residential units for Ōmokoroa Stage 3B, Ōmokoroa (Outside of Stage 3) and Te Puke

    - 30 residential units for Ōmokoroa Stage 3C and Ōmokoroa Mixed Use Residential Precinct

Note: Every 2.5 rest home bedrooms will be counted as one residential unit for the purpose of this rule.

b. Residential unit typology

1. Status quo for residential zones - no requirements for a set mixture of housing typologies.

2. A maximum of 50% of the total number of residential units on the site may be physically detached from any other residential units.

c. Impervious surfaces

1. Status quo - no specified maximum area.

2. Impervious surfaces shall not exceed 70% of net site area in Ōmokoroa and Te Puke.

3. Impervious surfaces shall not exceed 70% of net site area in Ōmokoroa, 70% net site area in Te Puke (greenfield areas) and 50% net site area in the Te Puke Stormwater Management Area (existing developed urban areas).

d. Vehicle crossing and access:

1. Status quo - no specified vehicle crossing and access area requirements in the Residential zone or Medium Density Residential Zone.

2. For a site with a front boundary the vehicle crossing shall not exceed 5.4m in width (as measured along the front boundary) or cover more than 40% of the length of the front boundary.

e. Streetscape

1. Status quo - no specified streetscape area.

2. Develop specific requirements to assist in addressing streetscape amenity matters requiring that garages (whether attached to or detached from a residential unit) and other buildings (except residential units) shall not cumulatively occupy more than 50% of the total width of the building frontage facing the front boundary.

f. Earthworks

1. Status quo - no specific earthworks requirements within the residential zone provisions (there are, however, specific and general provisions that relate to parts of Ōmokoroa in Section 12 - Subdivision and Development of the District Plan).

2. Develop specific provisions to address new earthworks in the new development areas and provide for limited earthworks as permitted activities as follows:

   - Earthworks (cut and fill) shall only increase the ground level by a maximum of 1m vertically and/or decrease the ground level by a maximum of 1m vertically.

   - Earthworks shall not exceed a volume of 750m³ per site.

g. Height of fences, walls and retaining walls

1. Maintain status quo - Residential and Medium Density Residential zone provisions require that:

   - fences or walls within the side and/or rear yards or on the side and/or rear boundary shall not exceed a height that exceeds the daylight plane. Where the common boundary is with a public reserve or walkway, it shall not exceed 1.2m height unless the portion of the wall or fence that is between 1.2 and 2.0m in height has a visual permeability of at least 60%;

   - Where side fences or walls are within the front yard this height shall be 1.2m, unless the portion of the wall or fence that is between 1.2m and 2.0m in height has a visual permeability of at least 60%.

   - Any fences or walls within the front yard or on the front boundary shall not exceed 1.2m in height unless the portion of the wall or fence that is between 1.2m and 2.0m in height has a visual permeability of at least 60%

2. Develop specific provisions requiring that:

   (i) Within a side or rear yard or on a side or rear boundary:

   The maximum height above the ground level at the relevant boundary shall be as follows:

   • Fence – 2m

   • Wall – 2m

   • Retaining wall – 1.5m (plus a safety fence if required by the Building Code of no greater than 1m above the highest point of the retaining wall)

   Except that:

Where a safety fence exceeds a height of 2m the portion that is above 2m must have a visual permeability of at least 60%.

Where the relevant boundary is with a public reserve or walkway, the activities above shall not exceed a height of 1.2m unless the portion that is above 1.2m has a visual permeability of at least 60%.

(ii) Within a front yard or on a front boundary

The maximum height above the ground level at the relevant boundary shall be as follows:

- Fence – 1.2m
- Wall – 1.2m
- Retaining wall – 1.2m (plus a safety fence if required by The Building Code of no greater than 1m above the highest point of the retaining wall)

Except that:

The activities above may exceed a height of 1.2m up to a height of 2m (or 2.2m in the case of a safety fence on a retaining wall) provided that the portion that is above 1.2m has a visual permeability of at least 60%.

3. No specific fencing or retaining wall requirements – rely on other legislation to control.

h. Accommodation Facilities

1. Use the existing Residential and Medium Density Residential zone Accommodation Facilities provisions within the new Ōmokoroa and Te Puke Medium Density Residential zone as a Permitted Activity with specific performance standards (otherwise Discretionary Activity).

2. No specific Accommodation Facility provisions for the Ōmokoroa and Te Puke Medium Density Residential zone.

i. Home Enterprises

1. Status quo – provide for the Home Enterprise activity as currently provided for within the Residential and Medium Density Residential zones as a Permitted Activity within the Ōmokoroa and Te Puke Medium Density Residential zone with the existing specific performance standards (otherwise Restricted Discretionary Activity).

2. Develop a similar provision (to that in option 1 above) for Home Enterprises as a permitted activity within the Ōmokoroa and Te Puke Medium Density Residential zone and:

   - Include in the definition that Home Enterprises within the Ōmokoroa and Te Puke Medium Density Residential zone be carried out only by people who reside permanently on the subject site, and

   - In addition, within the performance standards state that the activity shall only be conducted within a building, and

   - Remove the provision in relation to parking.

j. Subdivision standards

1. Maintain status quo - Residential and/or Medium Density Residential minimum and average lot sizes.

   Residential

   - Ōmokoroa Existing Village - minimum lot size 600m2 per dwelling.

   - Ōmokoroa Stage 1 - minimum lot size 400m2 with a maximum average of 800m2.

   - Ōmokoroa Stage 2 - minimum lot size 350m2 per dwelling with a maximum average of 650m2.

   Medium Density Residential

   - Subdivision and development shall only occur where the parent lot or title has a minimum area of at least 1,400m². The following lot sizes or densities shall apply to the subdivision or development:

   - Ōmokoroa Stage 1 - a maximum average of one dwelling per 250m2.

   - Ōmokoroa Stage 2 - a maximum average of one dwelling per 400m2.

   - Te Puke - a maximum average of one dwelling per 250m2.

2. Develop new subdivision provisions allowing for subdivision for the purpose of the construction and use of residential units:

   - As a Controlled Activity for the purpose of construction and use of residential units that comply with the specified density standards, or do not comply with the density standards where Restricted Discretionary consent has been granted or is sought concurrently.

- As a Controlled Activity subdivision of sites of less than 1,400m², to create one or two additional lots which are not for the purpose of the construction and use of residential units (subject to meeting a minimum shape factor requirement);

- As a Discretionary Activity where subdivision is not for the purpose of the construction and use of residential units and does not qualify as a Controlled Activity subdivision subject to subdivision standard requirement to meet minimum yield and shape factor requirements (stated below);

- As a Non-Complying Activity where the subdivision does not comply with specified yield requirements (below).

Yield Requirements - for 4 or more residential units on a site minimum yield requirements are as follows:

- Ōmokoroa Stage 3A - minimum yield of 15 residential units per hectare of developable area.

- Ōmokoroa Stage 3B, Ōmokoroa (outside of Stage 3), Te Puke - minimum yield of 20 residential units per hectare of developable area.

- Ōmokoroa Stage 3C, Ōmokoroa Mixed Use Residential Precinct - minimum yield of 30 residential units per hectare of developable area.

Note: Where one or more balance lots are proposed, these will be excluded from calculations of developable area and minimum yield of lots per hectare of developable area.

For this rule, balance lot shall mean any proposed lot which is 1,400m² or greater and which is not demonstrated to be for the purpose of the construction and use of residential units

Shape Factor - all lots shall be capable of accommodating a rectangle of 10m X 15m exclusive of yard requirements.

3. As for Option 2 with the addition of specific subdivision requirements (stated below) for Lot 601 DP 560118 and Lot 603 DP 560118 (Harbour Ridge, Ōmokoroa) for new sites created from it which adjoin the esplanade reserve (directly south of the railway line in Ōmokoroa):

   (i) All sites shall have a minimum width of 30m;

   (ii) That a minimum landscape strip of 5m from the esplanade reserve shall be provided that will provide a sustainable long term indigenous vegetation cover.

k. Ōmokoroa Mixed Use Residential Precinct

1. Status quo – retain Future Urban zoning for this precinct area and use specific provision within that zone for future development.

2. Develop a specific bespoke set of objectives, policies, and activity statuses for development within a proposed Ōmokoroa Mixed Use Residential Precinct.

   Objectives and policies are to ensure a well-functioning high quality residential-led mixed use area that actively and positively integrates and engages with the surrounding environment and is complementary to the function, viability and vitality of the neighbouring Commercial Zone, comprising daytime and night-time activities compatible with residential uses.

   Specific activity standards developed to:

   - Provide for a 20m height limit and 23m where parking is provided underground.
   - Require a minimum two-storey building height.
   - Require a minimum yield of 30 residential units per hectare of developable area.
   - Manage the potential for offensive odours in the Ōmokoroa Mixed Use Residential Precinct and deliver compatibility between the range of uses, and minimise the potential for reverse sensitivity to non-residential uses.
   - Manage noise and vibration with insulation requirements to apply to dwellings and sensitive sites in the precinct.
   - As a Restricted Discretionary Activity provide for comprehensive mixed use development (except for residential units which are permitted by complying with the density standards).
   - As a Discretionary Activity provide for activities not complying with the permitted gross floor area in proposed permitted activities Rule 14A.3.1(g).

This part of the report has provided a high-level summary of the preferred options relating to District Plan Section 14A provisions.

See Appendix 1 for the detailed Section 32 Evaluation Report. This evaluation identifies preferred options and sets out the alternatives, costs and benefits of the proposal in accordance with the RMA requirements.

See Appendix 2 for proposed Plan Change 92 and associated maps and plans. These include all proposed changes to the District Plan's sections, appendices and maps.

9.5.3 Part 2 – Preferred Options Summary

This part of the report provides a high-level summary of the preferred options relating to District Plan provisions.

See Appendix 1 for the detailed Section 32 Evaluation Report. This sets out the alternatives, costs and benefits of the proposal in accordance with the RMA requirements and identifies all preferred options.

See Appendix 2 for proposed Plan Change 92 inclusive of all preferred provisions. This includes all proposed changes to District Plan sections, appendices and maps.

In summary the proposed provisions, including the proposed objectives and policies, will give effect to the change of zoning in a manner that supports densification and creates an enabling framework to boost housing supply and enable more different types of housing in a manner which provides the opportunity for positive private and public amenity outcomes.

The proposed provisions enable development within the older fully developed areas of the towns as well as areas where additional residential development is expected and where larger-scale provisions for medium density residential development could be utilised comprehensively.

The preferred provisions provide for a more consistent approach to development across both Ōmokoroa and Te Puke, in both existing developed areas and greenfield areas.

Number of residential units per site

The preferred option is to use the MDRS to provide for a maximum of 3 residential units per site as a permitted activity.

This option meets the District Plan proposed objectives, and there are no other practicable options as the RMA Amendment Act requires Councils to implement the MDRS.

Building and structure height

The preferred option is to use the MDRS standard to provide for a maximum height of 11m plus 1m for a pitched roof with specific more enabling exceptions in relation to specific areas in Ōmokoroa and specific less enabling exceptions in relation to Harbour Ridge sites in Ōmokoroa.

The preferred option enables the opportunity for one to three level buildings in the new Ōmokoroa and Te Puke Medium Density Residential zone and provides more enabling provisions for additional height of up to 20 and 23m in areas (Ōmokoroa Stage 3 and Ōmokoroa Mixed Use Residential Precinct) where it can be accommodated and that are likely to be able to support higher density.

The less enabling provision for Lot 601 DP 560118 and Lot 603 DP 560118 (Harbour Ridge) is an existing situation based on a previous Environment Court decision. The provisions have been retained in the proposed new Ōmokoroa and Te Puke Medium Density Residential provisions to protect the Significant Landscape Feature of the Tauranga Harbour landward edge. This has been assessed as a qualifying matter.

Height in relation to boundaries

The preferred option is Option 3 where the MDRS standard is applied to provide for a maximum height of 4m plus a 60° recession plane angle (with specified exceptions to the standard) but include some more enabling provisions as described above.

The more enabling additions to the MDRS standard provide for exceptions to the standard where written approvals can be obtained from immediately adjoining landowner/s and on unit plan subdivision where the building envelope can relate to the external site boundaries.

Setbacks

The preferred option is Option 3 where the MDRS standard is applied but with the inclusion of both more enabling provisions and less enabling provisions as described above.

The more enabling additions to the MDRS standard provide for exceptions to the standard where written approvals can be obtained from immediately adjoining landowner/s and on unit plan subdivision where the setbacks relate to the base land external site boundaries.

The less enabling provision for Lot 601 DP 560118 and Lot 603 DP 560118 (Harbour Ridge) is an existing situation based on a previous Environment Court decision. The provisions have been retained in the proposed new Ōmokoroa and Te Puke Medium Density Residential provisions to protect the Significant Landscape Feature of the Tauranga Harbour landward edge. This has been assessed as a qualifying matter.

The less enabling provision in relation to railway yards is also an existing situation. The provision protects nationally significant infrastructure from reverse sensitivity effects of residential units being constructed close to a working railway corridor. This also provides a greater level of amenity for the occupants of those residences.

Building Coverage

The preferred option is Option 2 where the MDRS standard is applied.

No practicable alternative options are assessed, and no specific evaluation is necessary as the MDRS requires that this activity performance standard be included in the District Plan.

Outdoor Living Space

The preferred option is Option 2 where the MDRS standard is applied.

No practicable alternative options are assessed, and no specific evaluation is necessary as the MDRS requires that this activity performance standard be included in the District Plan.

Outlook Space

The preferred option is Option 2 where the MDRS standard is applied.

No practicable alternative options are assessed, and no specific evaluation is necessary as the MDRS requires that this activity performance standard be included in the District Plan.

Windows to Street

The preferred option is Option 2 where the MDRS standard is applied.

No practicable alternative options are assessed, and no specific evaluation is necessary as the MDRS requires that this activity performance standard be included in the District Plan.

Landscaped Area

The preferred option is Option 2 where the MDRS standard is applied.

No practicable alternative options are assessed, and no specific evaluation is necessary as the MDRS requires that this activity performance standard be included in the District Plan.

Residential Unit Yield

The preferred option is Option 2.

The MDRS do not provide density standards for development and subdivision however the District Plan can contain other "density standards" (such as requiring a certain yield) if residential units fail to comply with the density standard for the maximum permitted number of units per site of three.

Residential unit typology

The preferred option is Option 2 which will assist in providing for a greater range of housing to cater for differing ages, family sizes, cultural needs and levels of affordability.

Impervious Surfaces

The preferred option is Option 3 which provides a balance between increased density of development and building coverage and the need to provide for permeability within sites to assist in the maintenance and enhancement of the stormwater management network.

The preferred option is the development of new provisions that are more aligned to stormwater consent and related requirements for the specific areas. The bespoke provisions in relation to Ōmokoroa and Te Puke are to ensure that positive stormwater management benefits are achieved.

Vehicle crossing and access

The preferred option is Option 2 which is the development of specific requirements to avoid vehicle crossings dominating the streetscape and reducing streetscape amenity.

Streetscape

The preferred option is Option 2 which introduces specific requirements to assist in achieving amenity outcomes in a higher density urban environment.

Earthworks

The preferred option is Option 2. The limitations on cut and fill are designed to limit amenity effects of large cuts and changes to the landform. This generally provides for the creation of individual building sites as a permitted activity but requires larger scale earthworks to be assessed as part of a comprehensive residential development

Height of fences, walls and retaining walls

The preferred option is Option 2.

This preferred option is generally similar to the existing provisions but have been refined to assist in addressing the potential visual dominance of fencing and retaining walls. Additional provisions have been included to provide greater clarity in regard to retaining walls and this includes providing clearer direction on requirements in regard to safety fencing.

Accommodation Facilities

The preferred option is Option 1. The existing (status quo) provisions for Accommodation Facilities are carried over to the new Ōmokoroa and Te Puke Medium Density Residential zone provisions with no changes proposed to the activity performance standards.

No additional evaluation is considered necessary as the Accommodation Facility activity and associated performance standards already apply to the Residential, Medium Density Residential, Future Urban and Rural zones within the operative District Plan. The provision is merely being carried over to the new Ōmokoroa and Te Puke Medium Density Residential zone provisions.

Home Enterprises

The preferred option is Option 2. The existing (status quo) provisions for Home Enterprises are carried over to the new Ōmokoroa and Te Puke Medium Density Residential zone provisions with changes as proposed to the activity performance standards.

The provisions limiting home enterprises to being strictly for home-based commercial activities ensures that adverse effects are reduced and the local Commercial zones are supported.

Limiting home enterprises to people living on-site reduces adverse effects on the local amenity from employees' car parking on local streets.

The NPS-UD requires Councils to remove requirements for car parks and accordingly the performance standard in this regard in the new medium density zone will be removed.

The specification that the home enterprise shall only occur within a building manages situations where driveways have been used for such activities creating adverse amenity effects.

Subdivision Standards

The preferred option is Option 3. This option provides for Controlled Activity subdivision consistent with the level of development permitted by the District Plan land use provisions and in line with the requirements of the MDRS and the RMA Amendment Act.

Allotments without existing residential units are able to be created where the subdivision is accompanied by a land-use consent application showing compliance with density standards and yield requirements can be achieved.

The proposed subdivision standards provide for greater density of development in the new Ōmokoroa and Te Puke Medium Density zone.

This option provides for subdivision that will facilitate a range of residential responses that can provide for a range of housing to cater for differing ages, family sizes, cultural needs and levels of affordability. The provisions assist in ensuring that urban form is well functioning and provides the opportunity for positive amenity outcomes.

The inclusion of a roll-over of specific less enabling requirements that apply to Lot 601 DP 560118 and Lot 603 DP 560118 (Harbour Ridge) relate to a previous Environment Court decision. Because these specific provisions are less enabling, they have been justified as a qualifying matter.

Ōmokoroa Mixed Use Residential Precinct

The preferred option is Option 3. This option provides for efficient development within the Ōmokoroa Mixed Use Residential Precinct that is consistent with the outcomes sought by the objectives and policies relevant to this precinct and those for the Ōmokoroa and Te Puke Medium Density Residential zone generally.

9.5.4 Part 2 - Reasons Summary

The Section 32 Evaluation Report (Appendix 1) details the rationale, as required by legislation, for the options selected, supported by the context and issues and options analysis provided in the current document.

The enabling of housing supply through the MDRS is required to meet the needs of the community for providing a quality urban environment incorporating housing, work, education and recreational options.

To meet the requirements of the NPS-UD, Council must provide sufficient development capacity to meet expected demand for housing and for business land. Without this proposed plan change, which enables residential densification in appropriate areas and related proposed rezoning, the Council will fail to meet this requirement.

The rezoning of Ōmokoroa and Te Puke urban areas for medium density development has been the subject of open days, meetings and online consultation and information sharing. Residential zoning is dominant and supports the provision of housing. In general, the residentially zoned areas are readily developable and can support higher densities than previous development in the area.

Minimum density provisions and yield requirements are included to ensure that land is used effectively and efficiently. Higher densities are designed to support commercial and industrial centres, related public transport opportunities, and also to take advantage of high amenity locations.

Varying characteristics and associated values are associated with Ōmokoroa Peninsula and the Te Puke urban areas. The preferred provisions for the Medium Density Residential zone are generally based on standards that can be applied over

the whole plan change area to maintaining consistency as much as possible. However, where necessary, specific bespoke provisions have been introduced to deal with specific matters relating to particular areas or sites in either Ōmokoroa or Te Puke.

Where qualifying matters that restrict increased density in some areas or on some sites apply these have been assessed as required in the s32 evaluation in Appendix 1.

A key component of the preferred options is the provisions framework supporting more dense comprehensive development in areas where significant residential development can occur. The comprehensive approach means that the effects of a development proposal can be holistically understood and assessed accordingly. This supports achieving high quality urban development outcomes.

10 Statutory Assessment – Resource Management Act

10.1 Resource Management Act 1991 – Part 2

The purpose of the Resource Management Act 1991 (RMA) is to promote the sustainable management of natural and physical resources. Sustainable management is defined as: *managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while-*

a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and

c) Avoiding remedying or mitigating any adverse effects of activities on the environment.

The proposed plan change and related structure plans have been developed to specifically achieve sustainable management. The provision of appropriate land and associated infrastructure for urban expansion and residential intensification, in a manner that respects and enhances the natural environment, is fundamental to sustainable management.

In achieving the purpose of the RMA, all persons exercising functions and powers under it, shall:

- Recognise and provide for matters of national importance as detailed in Part 2, Section 6 of the RMA;

- Have particular regard to other matters as detailed in Part 2 Section 7 of the RMA; and

- Take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

Section 6 – Matters of National Importance		
(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:	✓	Ōmokoroa As part of the Stage 3 Structure Plan and related plan provisions the coastal margins have been identified as proposed reserve areas. In large parts of the structure plan area the coastal edge is currently esplanade reserve or a marginal strip. In regard to the western interface along the Waipapa River it is planned to widen this area to create a more substantive reserve area. There is an extensive gully system which is proposed to be retained and enhanced environmentally as appropriate. A comprehensive assessment of the area's drainage system and related values has been undertaken. Utilising this knowledge an integrated stormwater system is being established to provide good water quality outcomes and to support restoration of ecological systems. The residential plan provisions provide for residential activities within the above context with residential zones identified in locations that are appropriate for development. The existing rural-residential areas provide an interface between the residential areas and the coastline. The proposed new rural-residential areas for the most part provide a transition between the residential zoning and the Natural Open Space Zone which provides the interface with the coastline. The application of the MDRS across the wider residential zoning is unlikely to affect the status quo.

		Te Puke The proposed medium density residential plan provisions provide for residential activities in locations that have already been identified as appropriate for development (either existing residential zones or land identified as appropriate for residential development). The application of the MDRS across the wider residential zoning is unlikely to affect the status quo.
(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:	✓	Ōmokoroa As part of the structure plan and related plan provisions key natural features such as the coastal edge, wetlands, gullies and other drainage systems have been identified and targeted for enhancement. There is an existing ecological feature (U14/135 – Mangawhai Bay Inlet) overlay over the low-lying area adjacent the coastline which requires activities in that area to meet the requirements of the Natural Environment section of the District Plan. In addition, there is an esplanade reserve that is adjacent the Mangawhai Bay coastline. The Council is renewing the comprehensive stormwater consent that currently applies to Ōmokoroa in the near future. This will provide the key management of stormwater including avoiding potential effects on the coastal environment. The supporting assessment will incorporate detailed ecological assessments. The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area. The application of the MDRS across the wider residential zoning is unlikely to affect the status quo.

		<u>Te Puke</u> There are no known outstanding natural features and landscapes within the project area. The increased intensity of residential development enabled by the Amendment Act will not directly affect any outstanding natural features and landscapes outside of the Te Puke urban context. The application of the MDRS across the wider residential zoning to enable more intensive residential use, development and subdivision is considered to be appropriate and is unlikely to affect the status quo.
(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:	✓	<u>Ōmokoroa</u> As part of the Stage 3 Structure Plan and related plan provisions key natural features such as the coastal edge, wetlands, gullies and other drainage systems have been identified and targeted for enhancement and protection as appropriate. There is an existing ecological feature (U14/135 – Mangawhai Bay Inlet) overlay over a significant area which requires activities in that area to meet the requirements of the Natural Environment section of the District Plan. The Council is renewing the comprehensive stormwater consent that currently applies to Ōmokoroa in the near future. This will provide the key management of stormwater including avoiding potential effects on the coastal environment. The supporting assessment will incorporate detailed ecological assessments. The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area. The application of the MDRS across the wider

		residential zoning is unlikely to affect the status quo. <u>Te Puke</u> There are no known areas of significant indigenous vegetation and significant habitats of indigenous fauna within the project area. The increased intensity of residential development enabled by the Amendment Act is unlikely to directly affect significant indigenous vegetation and significant habitats of indigenous fauna within the Te Puke urban context. The application of the MDRS across the wider residential zoning to enable more intensive residential use, development and subdivision is considered to be appropriate and is unlikely to affect the status quo.
(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:	✓	<u>Ōmokoroa</u> The Stage 3 Structure Plan includes an integrated public walkway and cycling network linking the coast/river with the gully system, active sports fields, schools, town centre and employment areas. There are existing esplanade reserves that are adjacent to the Waipapa Estuary and the Mangawhai Bay coastline. The application of the MDRS across the wider residential zoning is unlikely to affect the status quo. <u>Te Puke</u> The structure plan areas include indicative public walkway and cycling infrastructure linking reserves, schools, neighbourhoods, town centre and employment areas. There are some existing and proposed esplanade reserves within urban gully areas. The application of the MDRS across the wider residential zoning areas is unlikely to affect the status quo.

(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:	✓	<u>Ōmokoroa</u> An Ōmokoroa Structure Plan Urban Design Cultural Overlay has been prepared by Pirirakau Incorporated Society which helps inform appropriate cultural responses to the urbanisation of the area and identifies opportunities to ensure the cultural heritage of the area is identified, respected and celebrated. This includes initiatives such as waterway restoration, waka landing areas, and food and medicine harvest areas. As part of the reserve management plan development, the Council will undertake the development of any relevant plans in collaboration with the relevant hapu/iwi. The application of the MDRS across the wider residential zoning is unlikely to result in any major changes that may affect this relationship being confined to existing residential areas. Any redevelopment will be subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. The land at the northern end of Prole Road, adjacent the Waipapa Estuary, was gifted by Pirirakau to Ngati Haua in pre-European times in recognition of the close ties between the two. The land is in kiwifruit and it in consultation with Ngati Haua it is proposed to be zoned Rural until such time as Ngati Haua seek to change its use. <u>Te Puke</u> The application of the MDRS across the wider residential zoning is unlikely to result in any major changes that may affect this relationship as the MDRS changes are confined to existing residential areas (and limited areas of Future Urban and Rural zone underway with development plans). Council has a policy of engagement and consultation with tangata whenua within this rohe on plan changes and other resource management

		processes. Any land development will be subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to archaeology.
(f) the protection of historic heritage from inappropriate subdivision, use, and development:	✓	<u>Ōmokoroa</u> An Ōmokoroa Structure Plan Urban Design Cultural Overlay has been prepared by Pirirakau Incorporated Society which helps inform appropriate cultural responses to the urbanisation of the area and identifies opportunities to ensure the cultural heritage of the area is identified, respected and celebrated. The new development area (Stage 3) contains three buildings listed as significant built heritage items within the Operative District Plan. Similarly, there are existing sites within the wider peninsula area. These are "protected" by existing District Plan provisions. <u>Te Puke</u> The residential area of the Te Puke township contains a small number of buildings listed as significant built heritage items within the Operative District Plan. These are "protected" by scheduling in the existing District Plan and are afforded some protection by existing District Plan provisions. Any land development is subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to archaeology.
(g) the protection of protected customary rights:	✓	N/A
(h) the management of significant risks from natural hazards.	✓	For Omokoroa, natural hazards mapping and risk assessment (where required) has been undertaken. All relevant natural hazards were investigated incorporating the current accepted knowledge on climate change over at least the next 100 years as required by the New Zealand Coastal Policy Statement and Bay of Plenty Regional Policy

		Statement. The natural hazards identified are flooding, coastal inundation, liquefaction, tsunami and land instability / landslide. The natural hazards not identified are active faults. The risk assessment for Omokoroa Stage 3 concludes that the development of the structure plan can achieve low risk with respect to all natural hazards. This will be achieved using existing and proposed new provisions in Section 8 – Natural Hazards. For Te Puke, natural hazards mapping and risk assessment (where required) has been undertaken for Te Puke. All relevant natural hazards were investigated incorporating the current accepted knowledge on climate change over at least the next 100 years. The natural hazards identified are flooding, land instability and liquefaction. The natural hazards not identified are coastal erosion, coastal inundation, tsunami and active faults. The risk assessment for the Seddon Street Precinct concludes that the development of the structure plan can achieve low risk with respect to all natural hazards. This will be achieved using existing and proposed new provisions in Section 8 – Natural Hazards.
Section 7 - Other Matters		
(a) kaitiakitanga:	✓	<u>Ōmokoroa</u> The Council has actively engaged with Pirirakau hapu who hold mana whenua for the area. This has included the creation of an Urban Design Cultural Overlay by Pirirakau which has been used to guide the structure plan process. It includes recognition of cultural values, restoring Pirirakau's relationship with the land and future planning initiatives. The Council has also engaged with other hapu/iwi who have interests in the area and made changes to draft versions to better reflect iwi/hapu aspirations. Specific provisions have been included within the plan change and structure plan and linked initiatives to restore degraded water courses and

		linked wetlands, earthworks controls and a linked cultural earthworks protocol. Ongoing joint management opportunities of reserve areas between iwi/hapu and Council is an example of how the role of kaitiakitanga can be actioned. Existing provisions that relate to the Stage 2 area will continue to apply. <u>Te Puke</u> The Council has actively engaged with Waitaha and Tapuika who hold mana whenua for the area of the plan change. The application of the MDRS across the wider residential zoning areas is unlikely to affect the status quo in terms of development areas and tangata whenua's relationship with the land and future planning initiatives.
(aa) the ethic of stewardship:	✓	<u>Ōmokoroa</u> A key component of the structure plan and plan change process and linked initiatives is to enhance the environment as much as is possible while acknowledging that the area will transition from a rural area to an urban form and corresponding intensification of effects. Linked to this is to ensure that the land resource is used wisely and efficiently. The application of the MDRS across the wider residential zoning is unlikely to result in any major changes that may affect this concept with the MDRS providing for more efficient use of the land resource. <u>Te Puke</u> A key component of this plan change process is to enable the use of the land resource for more intensive residential development and to ensure that is used wisely and efficiently. The application of the MDRS across the wider residential zoning is unlikely to result in any major changes that may affect this concept with the MDRS

		providing for more efficient use of the land resource.
(b) the efficient use and development of natural and physical resources:	✓	Ōmokoroa The Stage 3 Structure Plan and related plan change has been formulated to ensure that natural and physical resources are used in an efficient manner by directing staging of development and facilitating higher levels of residential density in a co-ordinated and integrated manner. The plan change supports intensification through the proposed 'residential activities' framework. The modification of Rural-Residential minimum lot sizes in Stage 3 further supports the efficient use and development of natural resources. The application of the MDRS across the wider residential zoning supports this with the MDRS providing for more efficient use of the land resource. Te Puke The MDRS plan change residential provisions supports intensification through the proposed provision framework thereby providing for more efficient use and development of the land resource.
(ba) the efficiency of the end use of energy:	✓	Ōmokoroa and Te Puke The structure plans and related plan change has been formulated to support a higher level of density to enable better utilisation of public transport and to facilitate alternative travel options through providing an integrated multi-modal transport network and employment and education opportunities within the local area. The application of the MDRS across the wider residential zoning will support higher densities which provides a better opportunity to provide for more efficient transportation systems.
(c) the maintenance and enhancement of amenity values:	✓	Ōmokoroa and Te Puke A key component of the structure plan and plan change process and linked initiatives is to enhance

		the environment and associated amenity values as much as is possible while acknowledging that some areas will transition from a rural area to an urban form and corresponding intensification of effects. The urban transformation provides the opportunity to create new high value amenity areas and greater access to such areas to a larger population. The residential provisions are designed to achieve as much as possible positive amenity outcomes while providing for a denser urban environment in accordance with the Act requirements. The application of the MDRS across the wider residential zoning may have greater adverse effects on amenity due to the allowance of higher density and related provisions within existing built environments which will require good design to manage positively. In Ōmokoroa, the Rural-Residential zone provides an interface between Residential and the coastline, in areas that are not proposed to be zoned Natural Open Space Zone, which provides for a transition between built and natural form.
(d) intrinsic values of ecosystems:	✓	Ōmokoroa A key component of the Stage 3 Structure Plan and plan change process and linked initiatives is to enhance the environment and associated ecosystems as much as is possible while acknowledging that the area will transition from a rural area to an urban form. Specific provisions have been included within the plan change and Structure Plan and linked initiatives to restore degraded water courses and linked wetlands and create a reserve based coastal interface which will improve the ecosystem quality of the area. Provisions are included in the MDRS s plan change that address land form and stormwater issues. The Council is renewing the comprehensive stormwater consent that currently applies to Ōmokoroa in the near future. This will provide the

		key management of stormwater including avoiding potential effects on the coastal environment. The supporting assessment will incorporate detailed ecological assessments. The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area. The application of the MDRS across the wider residential zoning is unlikely to affect the status quo. Existing provisions such as those in the Natural Environment section of the District Plan apply over areas identified as having significant ecological and related ecosystem values. <u>Te Puke</u> Provisions are included in the plan change that address landform and stormwater management issues. The Council has recently renewed the comprehensive stormwater consent that currently applies to Te Puke. This provides the key management of stormwater including avoiding potential effects on the environment. The application of the MDRS across the wider residential zoning is unlikely to affect the status quo. Existing provisions such as those in the Natural Environment section of the District Plan apply over areas identified as having significant ecological and related ecosystem values.
(e) [Repealed]	✓	N/A
(f) maintenance and enhancement of the quality of the environment:	✓	Ōmokoroa and Te Puke A key component of the structure plans and plan change process and linked initiatives is to enhance the environment and associated values as much as

		is possible while acknowledging that some areas will transition from rural to urban form with corresponding intensification of effects. Urban transformation provides the opportunity to restore degraded ecosystems and create new high value amenity areas. In new development areas like Stage 3 Ōmokoroa, greater access to such areas will be provided to a larger population through linked and integrated walkways and cycleways. The MDRS provisions are designed to achieve positive amenity outcomes while providing for a denser urban environment. The Council is renewing the comprehensive stormwater consent that currently applies to Ōmokoroa in the near future. This will provide the key management of stormwater including avoiding potential effects on the coastal environment. The supporting assessment will incorporate detailed ecological assessments. The comprehensive stormwater consent for Te Puke has recently been renewed. For Ōmokoroa, the proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area. The application of the MDRS across the wider residential zoning is unlikely to affect the status quo.
(g) any finite characteristics of natural and physical resources:	✓	Ōmokoroa The Stage 3 Structure Plan and related plan change requirements has been formulated to ensure that natural and physical resources are used in an efficient manner by directing staging of development and facilitating higher levels of residential density in a co-ordinated and integrated manner. This ensures that the finite land resource is used in a wise manner.

		The MDRS provisions plan change supports intensification through the proposed provision framework. Te Puke The medium density residential plan change supports intensification through the proposed provision framework. This ensures that the finite land resource is used in a wise manner.
(h) the protection of the habitat of trout and salmon:	✓	N/A
(i) the effects of climate change:	✓	For Ōmokoroa, natural hazards mapping and risk assessment (where required) has been undertaken. All relevant natural hazards were investigated incorporating the current accepted knowledge on climate change over at least the next 100 years as required by the New Zealand Coastal Policy Statement and Bay of Plenty Regional Policy Statement. For Te Puke, natural hazards mapping and risk assessment (where required) has been undertaken. All relevant natural hazards were investigated incorporating the current accepted knowledge on climate change over at least the next 100 years.
(j) the benefits to be derived from the use and development of renewable energy.	✓	N/A
Section 8 - Treaty of Waitangi		
In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of	✓	<u>Ōmokoroa and Te Puke</u> The Western Bay of Plenty District Council has developed "Tangata Whenua Engagement Guidelines and Protocols" to ensure that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) are respected and actioned. The Council has developed partnership agreements with iwi/hapu based on the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). This agreement

Waitangi (Te Tiriti o Waitangi).		provides the Council and iwi/hapu, with a framework within which to work collaboratively.

10.2 Section 74 – Iwi Management Plans

In accordance with Section 74(2A) of the Act, Council must take into account any relevant planning document recognised by an iwi authority lodged with Council.

Ōmokoroa

There are seven hapu management plans that have been lodged with the Council. In the context of the subject area Pirirakau Hapu Management Plan 2017 and the Tauranga Moana Iwi Management Plan 2016-2026 are considered relevant documents.

The Ōmokoroa Structure Plan Urban Design Cultural Overlay has been prepared by Pirirakau Incorporated Society and draws from the Pirirakau Hapu Management Plan 2017. As stated in the Management Plan, "*Pirirakau have traditionally claimed substantive authority over land from the Wairoa River to the Waipapa River. Resource use rights extended from the Wairoa River to the Aongatete River and continued to the top of the Te Hunga range. Use rights also included the coastal and marine margins of the Tauranga inner harbour*". The subject area falls within the "substantive authority" area.

In specific regard to Ōmokoroa the Management Plan states: "*As Ōmokoroa has been designated for intensive urbanisation we seek appropriate infrastructure and waste management initiatives to support the peninsular and reassurance that capacity can be adequately managed*".

The Management Plan further explains the issues facing Pirirakau with "*the continual challenge of development and land use within our rohe. Cultural sites have been destroyed to accommodate housing projects, unfortunately the natural character of cultural landscapes were not prized or protected in time*." A key issue is the need for appropriate consultation through resource consents and plan changes of Council to ensure absolute protection of remaining culturally significant sites.

The Management Plan and the Urban Design Cultural Overlay emphasise the importance of the protection and enhancement of the natural world. The Cultural Overlay highlights the opportunity for waterway restoration, flora and fauna preservation and enhancement and opportunities to strengthen connections to the land and water.

Refer Appendix 6: Pirirakau Incorporated Society Western Bay of Plenty District Ōmokoroa Structure Plan Urban Design Cultural Overlay – November 2018.

The Tauranga Moana Iwi Management Plan 2016-2026 is a joint planning document prepared by, and on behalf of Ngāti Ranginui, Ngāi Te Rangi and Ngāti Pūkenga. The purpose of this Plan is to articulate the collective vision and aspirations of the iwi, in relation to Tauranga Moana. It incorporates Te Awanui / Tauranga Harbour and the related inland harbour catchment. The Ōmokoroa Stage 3 structure plan area incorporates the inland harbour catchment and has a direct interface with Tauranga Harbour.

Key objectives of the IMP that are specifically relevant to the current project include:

- *The mauri of all freshwater within Tauranga Moana is restored and protected*
- *The mauri of all wetlands within Tauranga Moana are protected and where possible restored and enhanced.*
- *The mauri of Te Awanui (Tauranga Harbour) and coastal areas is restored and protected.*
- *Our fisheries within Tauranga Moana (coastal and freshwater) are restored and sustainably managed and enhanced.*
- *The mauri of land within Tauranga Moana is protected and where possible enhanced.*
- *The cultural and spiritual significance of our traditional sites, areas, landscapes and practices is recognised and protected.*
- *Tauranga Moana Iwi and hapū are empowered and provided with opportunities to be actively involved in resource management processes and decisions.*

To give effect to these objectives involves ensuring that the health of land and water resources is not compromised as a result of land use and development and, further, should be enhanced. This involves making sure that land use occurs in a manner that is consistent with land capability, the assimilative capacity of catchments and the limits and availability of water resources. It also includes riparian margins and wetlands, and that mahinga kai habitats are restored, protected and enhanced. To make sure that these values are recognised and respected in the local context, engagement and collaboration with iwi/hapu is required.

Council is recognising the Management Plans by engaging with iwi/hapu and incorporating the objectives and related initiatives into the development of the area.

Te Puke

Waitaha and Tapuika have well recognised mana whenua in the area and their Iwi Management Plans show Te Puke town and surrounding areas as part of their rohe. Ngāti Whakaue also have a connection with the area and show Te Puke as part of their rohe within their Management Plan.

The Tapuika and Ngāti Whakaue Iwi Management Plans have been lodged with the Council. Waitaha's Iwi Management Plan this has not so far been lodged with Council.

The Council has actively engaged with Waitaha and Tapuika who hold mana whenua for the area of the plan change.

Common key issues identified in the Iwi Management Plans that are relevant to this project are the impacts of development on sites of significance, effects of land use on water (discharges and allocation as well as wetlands), and the desire to be actively involved in resource management processes.

Waitaha identify as being strongly associated with the Te Puke settlement, and the wider area known as Pāpāmoa. The primary purpose of their Iwi Management Plan is as a reference document with practical direction for anyone who needs to consult or engage with the iwi. The document addresses matters that are important to Waitaha being their whenua, maunga, ngahere, awa, moana and all other taonga including those under the whenua – and outlines expectations in relation to them including direction to Council for engagement and consultation.

Important issues identified in the Tapuika Iwi Management Plan are the impacts of development on sites of significance (especially those on private land), effects of land use on waterways (discharges), and water allocation (setting of limits to ensure health of waterways but also sufficient water for Māori land development). Tapuika also note that they don't always have the capacity and capability to effectively participate in resource management processes, even though they have the desire to do so.

Ngāti Whakaue identify very similar issues to Tapuika but also express specific concern about development reducing/impacting on wetlands.

The Plans generally provide direction to local and central government agencies for engagement and consultation in relation to resource management processes and this is mirrored in the requirements of the RMA in relation to involvement of tangata whenua.

A key component of this plan change process is to enable the use of the land resource for more intensive residential development and to ensure that is used wisely and efficiently. The application of the MDRS across the wider residential zoning within the Te Puke context is unlikely to result in any major changes that may affect this concept with the MDRS effectively providing for more efficient use of the existing residential land resource. The application of the MDRS across the wider residential zoning areas is unlikely to affect the status quo in terms of development areas and tangata whenua's relationship with the land and future planning initiatives.

10.3 Clause 3 of Schedule 1 – Consultation

Clause 3 of Schedule 1 of the RMA requires the Council to consult certain parties during the preparation of a proposed plan.

1. *During the preparation of a proposed policy statement or plan, the local authority concerned shall consult—*

    a. *The Minister for the Environment;*

    b. *Other Ministers of the Crown who may be affected;*

    c. *Local authorities who may be affected;*

    d. *Tangata Whenua of the area who may be affected (through iwi authorities); and*

    e. *Any customary marine title group in the area.*

2. *A local authority may consult anyone else during the preparation of a proposed policy statement or plan…*

Detail of consultation undertaken is provided in Section 9.2 of this report, and the Consultation Record is attached as Appendix 7.

In the context of meeting the requirements of Clause 3 of Schedule 1 of the RMA in relation to this proposed plan change, the following summary is provided:

Minister for the Environment

Council has worked and met regularly with Ministry for the Environment staff throughout the development of the plan change.

In addition, and in accordance with the Resource Management Act Schedule 1, Part 6, WBOPDC has advised the Minister for the Environment (and the Associate Minister), that it is preparing a plan change in accordance with the amendment to the RMA (Enabling Housing Supply and Other matters Amendment Bill) to give effect to polices 3 and 4 of the National Policy Statement – Urban Development and enable the Medium Density Residential Standards (MDRS). Information on the proposed plan change was provided, and feedback was requested.

Other Ministers of the Crown who may be affected

Council has consulted with Kainga Ora, Waka Kotahi and the Ministry of Education during the development of the plan change.

In addition, and in accordance with the Resource Management Act Schedule 1, Part 6, WBOPDC has advised the Minister of Education, Minister of Housing, Minister of Transport and Minister of Conservation that it is preparing a plan change in accordance with the amendment to the RMA (Enabling Housing Supply and Other matters Amendment Bill) to give effect to polices 3 and 4 of the National Policy Statement – Urban Development and enable the Medium Density Residential Standards (MDRS). Information on the proposed plan change was provided, and feedback was requested.

Local Authorities who may be Affected

WBOPDC has actively engaged with Tauranga City Council and the Bay of Plenty Regional Council at particular stages of the development of the plan change.

Tangata Whenua of the area who may be affected (through iwi authorities) and any customary marine title group in the area

Council has identified Pirirakau, Ngati Taka, Ngati Haua and Ngati Ranginui as affected Tangata Whenua for the Ōmokoroa rōhe, and Waitaha and Tapuika for Te Puke.

Under Clause 3B of Schedule 1, with respect to Tangata Whenua, the Council is treated as having consulted iwi authorities if it:

(a) considers ways in which it may foster the development of their capacity to respond to an invitation to consult; and

(b) establishes and maintains processes to provide opportunities for those iwi authorities to consult it; and

(c) consults with those iwi authorities; and

(d) enables those iwi authorities to identify resource management issues of concern to them; and

(e) indicates how those issues have been or are to be addressed.

In particular regard to the development of the Ōmokoroa Structure Plan, ongoing engagement and consultation has been carried out with Pirirakau, Ngati Taka, Ngati Haua and Ngati Ranginui between 2018 and the present.

In relation to the Te Puke context, Waitaha and Tapuika have been consulted in relation to the introduction of the MDRS standards in the Te Puke urban environment. Most recently Council has discussed future opportunities with both parties in relation to this

plan change and has offered resourcing assistance in relation reviewing and submitting on the proposed medium density rules at notification stage.

A Local Authority may Consult Anyone Else

Council has also undertaken consultation with the following parties and a summary of this in included above in Section 9.2 of this report with detail being included within Appendix 7:

- The Ōmokoroa and Te Puke communities
- The development community
- The wider public within Western Bay of Plenty.

10.4 National Policy Statement on Urban Development 2020

The National Policy Statement on Urban Development 2020 (NPS-UD) came into effect on 20 August 2020 and replaced the previous National Policy Statement on Urban Development Capacity. The new statement is effectively a refinement of the previous policy and is more directive.

The National Policy Statement on Urban Development directs local authorities to enable greater supply of residential and business land and ensure that planning is responsive to changes in demand, while seeking to ensure that new development capacity enabled by councils is of a form and in locations that meet the diverse needs of communities and encourages well-functioning, liveable urban environments. It also requires councils to remove overly restrictive rules that affect urban development outcomes.

Western Bay of Plenty District is identified as being a Tier 1 high growth district, (as is Tauranga City).

The NPS-UD has stated objectives. The table following demonstrates the response to these objectives in the context of the current project:

Objective		Response
Objective 1: *New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*	✓	For the subject area, the plan change and related structure plans are providing a structured and integrated response to ensure that resilient, well-functioning urban environments will be created that provide for present and future generations social, economic, and cultural wellbeing, and for their health and safety. The residential provisions are designed to enable the development of residential areas that provide for a range of responses for the varying housing needs of the community.
Objective 2: *Planning decisions improve housing affordability by supporting competitive land and development markets.*	✓	Subject to becoming operative, the plan change and related structure plans are providing a structured response to ensure that there is sufficient development capacity to provide for a growing population in a manner that provides a variety of housing (and business opportunities in the case of Ōmokoroa) in an efficient, effective and competitive manner. The residential provisions are designed to enable the development of residential areas that provide for a range of responses for the varying housing needs of the community and the provision of housing at increased density within new development areas as well as within existing developed areas.
Objective 3: *Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:* *(a) the area is in or near a centre zone or other area with many*	✓	The plan change and related structure plans provide the opportunity for a more intensive and compact urban form in areas where there is easy access to commercial activities and employment areas, and potential to be well serviced by the public transportation network.

employment opportunities *(b) the area is well-serviced by existing or planned public transport* *(c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.*		
***Objective 4:** New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.*	✓	The plan change and related structure plans are a continuum of the urbanisation of Ōmokoroa and Te Puke and will provide differing housing and (in the case of Ōmokoroa) business opportunities to reflect changing demographics and related housing and business requirements.
***Objective 5:** Planning decisions relating to urban environments, and Future Development Strategies (FDSs), take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*	✓	The Western Bay of Plenty District Council has well-developed "Tangata Whenua Engagement Guidelines and Protocols" to ensure that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) are respected and actioned. The Council has developed partnership agreements with iwi/hapu based on the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). This agreement provides the Council and iwi/hapu, with a framework within which to work collaboratively. The FDS process included community consultation and targeted consultation with iwi, and iwi have been engaged in the development of this plan change. An Ōmokoroa Structure Plan Urban Design Cultural Overlay has been prepared by Pirirakau Incorporated Society which helps inform

		appropriate cultural responses to the urbanisation of the new development area and identifies opportunities to ensure the cultural heritage of the area is identified, respected and celebrated.
Objective 6: *Local authority decisions on urban development that affect urban environments are:* *(a) integrated with infrastructure planning and funding decisions; and* *(b) strategic over the medium term and long term; and* *(c) responsive, particularly in relation to proposals that would supply significant development capacity.*	✓	The plan change and related structure plans are providing a structured and integrated response to ensure that infrastructure is provided to accommodate growth in an efficient and affordable manner. The plan change and related structure plans are part of a wider strategic response developed for the western Bay of Plenty by the SmartGrowth Partnership and related parties. The strategy is underpinned by base data which is regularly monitored and updated with subsequent adjustments to the relevant strategies as may be required to ensure that actions are carried out in appropriate timeframes.
Objective 7: *Local authorities have robust and frequently updated information about their urban environments and use it to inform planning decisions.*	✓	The plan change and related structure plans are part of a wider strategic response developed for the western Bay of Plenty by SmartGrowth. The strategy is underpinned by base data which is regularly monitored and updated with subsequent adjustments to the relevant strategies as may be required.
Objective 8: *New Zealand's urban environments:* *(a) support reductions in greenhouse gas emissions; and* *(b) are resilient to the current and future*	✓	The plan change supports higher residential densities which in turn support improved public transport and other transport initiatives. The structure plans include connections to integrated transportation networks that facilitate non-motorised transportation modes (e.g., cycling, walking). In Ōmokoroa provision is made for park and ride facilities to minimise use of private motor vehicles

effects of climate change.		with long term opportunities for rail. For Ōmokoroa, natural hazards mapping and risk assessment (where required) has been undertaken. All relevant natural hazards were investigated incorporating the current accepted knowledge on climate change over at least the next 100 years as required by the New Zealand Coastal Policy Statement and Bay of Plenty Regional Policy Statement. The natural hazards identified are flooding, coastal inundation, liquefaction, tsunami and land instability / landslide. The natural hazards not identified are active faults. The risk assessment for Omokoroa Stage 3 concludes that the development of the structure plan can achieve low risk with respect to all natural hazards. This will be achieved using existing and proposed new provisions in Section 8 – Natural Hazards. For Te Puke, natural hazards mapping and risk assessment (where required) has been undertaken. All relevant natural hazards were investigated incorporating the current accepted knowledge on climate change over at least the next 100 years. The natural hazards identified are flooding, land instability and liquefaction. The natural hazards not identified are coastal erosion, coastal inundation, tsunami and active faults. The risk assessment for the Seddon Street Precinct concludes that the development of the structure plan can achieve low risk with respect to all natural hazards. This will be achieved using existing and proposed new provisions in Section 8 – Natural Hazards.

In addition to the above objectives the NPS-UD includes 11 policies which provide further direction on how the objectives are to be achieved. Please refer to Appendix 12 for the full objective/policy set. The required implementation is also included within the NPS.

Key deliverables are:

1. Sufficient development capacity for housing
2. Sufficient development capacity for business land
3. Availability of infrastructure to support urban growth
4. Quality, liveable urban environments
5. Robust and available data
6. A Future Development Strategy
7. Intensification Initiatives

Local authorities are required to enable development capacity for housing and business through their land-use planning and infrastructure, so that urban areas can grow and change in response to the needs of their communities. This includes the maintenance of a "competitiveness margin" being the supply of demand above the expected demand.

To facilitate evidence-based decision making to support the delivery of sufficient capacity, councils are required to:

- monitor their markets for housing and business land, including affordability, and assess the development capacity against projected demand
- if there's insufficient development capacity, respond in their plans to enable more capacity to grow.

The Council is required to set minimum targets for sufficient, feasible development capacity for housing. As above these targets must include an additional margin of feasible development capacity above projected demand of at least 20 percent in the short and medium term and 15 percent in the long term to encourage market competition. The short term is 0 and 3 years, medium term is between 3 and 10 years, and the long term between 10 and 30 years. There are new requirements for assessing and reporting on housing and business development capacity.

Based on current information in Ōmokoroa, for the next ten years commencing June 2021, this equates to a minimum target of approximately 2,760 dwellings with a projected actual demand of 2300 dwellings. Through monitoring and related projections, it has been concluded that there is insufficient capacity within Ōmokoroa to meet this requirement with the current zoned capacity estimated to be used in

approximately six years. Accordingly, the current plan change and related structure planning process is being undertaken to introduce significant additional land area to the residential zone.

As a Tier 1 growth area the NPS includes specific requirements to facilitate intensification. These include ensuring building heights and density are not limiting factors for development in proximity to commercial centres and related public transport hubs. Rules requiring car parking except for accessible car parks have also been removed as required by the NPS.

10.5 National Policy Statement – Coastal Policy Statement

The Ōmokoroa project area includes some areas that have a direct coastal interface. Accordingly, it is necessary to assess consistency with the New Zealand Coastal Policy Statement (NZCPS). The NZCPS has seven Objectives. The following are particularly relevant to the subject project:

Objective		Response
Objective 1 *To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:* • *maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature;* • *protecting representative or significant natural ecosystems and sites*	✓	As part of the Stage 3 Structure Plan and related plan provisions the coastal margins have been identified as proposed reserve areas. In large parts of the structure plan area the coastal edge is currently esplanade reserve or a marginal strip. In regard to the western interface it is planned to widen this area to create a more substantive reserve area. A comprehensive assessment of the Stage 3 areas drainage system and related values has been undertaken. Utilising this knowledge an integrated stormwater system is being established to provide good water quality outcomes and to support restoration of ecological systems. The Council is renewing the comprehensive stormwater consent that currently applies to Ōmokoroa in the near future. This will provide the key management of stormwater including avoiding potential effects on the coastal environment. The supporting assessment will incorporate detailed ecological

of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and • *maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.*		assessments. The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area. There is an existing ecological feature (U14/135 – Mangawhai Bay Inlet) overlay over a significant area which requires activities in that area to meet the requirements of the Natural Environment section of the District Plan. In addition, there is an esplanade reserve that is adjacent the Mangawhai Bay coastline. The peninsula as a whole has an important interface with Tauranga Harbour including Mangawhai Bay. The implementation of the MDRS over the existing residential zoned areas should not be of a scale where adverse effects on the coastal environment would be anticipated to occur.
Objective 2 *To preserve the natural character of the coastal environment and protect natural features and landscape values through*: • *recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;* • *identifying those areas where various forms of subdivision, use, and development would be*	✓	As part of the Stage 3 Structure Plan and related plan provisions the coastal margins have been identified as proposed reserve areas. In large parts of the structure plan area the coastal edge is currently esplanade reserve or a marginal strip. In regard to the western interface it is planned to widen this area to create a more substantive reserve area. Reserve management plans will be developed to ensure that natural and cultural values are enhanced. The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area.

inappropriate and protecting them from such activities; and • *encouraging restoration of the coastal environment.*		There is an existing ecological feature (U14/135 – Mangawhai Bay Inlet) overlay over a significant area which requires activities in that area to meet the requirements of the Natural Environment section of the District Plan. In addition, there is an esplanade reserve that is adjacent the Mangawhai Bay coastline. Mangawhai Bay (U14/143) is also an existing feature which has a wide interface with the existing residentially zoned area. For Ōmokoroa, natural hazards mapping and risk assessment (where required) has been undertaken. All relevant natural hazards were investigated incorporating the current accepted knowledge on climate change over at least the next 100 years as required by the New Zealand Coastal Policy Statement and Bay of Plenty Regional Policy Statement. The natural hazards identified are flooding, coastal inundation, liquefaction, tsunami and land instability / landslide. The natural hazards not identified are active faults. The risk assessment for Omokoroa Stage 3 concludes that the development of the structure plan can achieve low risk with respect to all natural hazards. This will be achieved using existing and proposed new provisions in Section 8 – Natural Hazards. For Te Puke, natural hazards mapping and risk assessment (where required) has been undertaken. All relevant natural hazards were investigated incorporating the current accepted knowledge on climate change over at least the next 100 years. The natural hazards identified are flooding, land instability and liquefaction. The natural hazards not identified are coastal erosion, coastal inundation, tsunami and active faults. The risk assessment for the Seddon Street Precinct concludes that the development of the structure plan can achieve low risk with respect to all natural hazards. This will be achieved using existing and proposed new provisions in Section 8 – Natural Hazards A comprehensive assessment of the Stage 3 area drainage system and related values has been

		undertaken. Utilising this knowledge an integrated stormwater system is being established to provide good water quality outcomes and to support restoration of ecological systems. No additional areas are rezoned for residential activity outside of the Stage 3 structure plan area, however the existing residential zoned areas are required to provide for the MDRS and accordingly higher densities in this area can be expected over time. Refinement of plan provisions in these areas do not increase the risk of inappropriate development occurring and are in accordance with Central Government direction.
Objective 3 *To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:* • *recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;* • *promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;* • *incorporating mātauranga Māori into sustainable management practices; and* • *recognising and protecting characteristics of the*	✓	Reserve management plans will be developed to ensure that natural and cultural values are enhanced. It is anticipated that these will be prepared in partnership with the relevant hapu/iwi as has been undertaken in Stage 2 of the Ōmokoroa development. An Ōmokoroa Structure Plan Urban Design Cultural Overlay has been prepared by Pirirakau Incorporated Society which helps inform appropriate cultural responses to the urbanisation of the area and identifies opportunities to ensure the cultural heritage of the area is identified, respected and celebrated. This includes initiatives such as waterway restoration, waka landing areas, and harvest areas. The application of the MDRS across the wider residential area is not anticipated to have adverse effects that cannot be adequately mitigated or avoided noting the limited scale of re-development anticipated.

coastal environment that are of special value to tangata whenua.		
Objective 4 *To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:* • *recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy;* • *maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and* • *recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland.*	✓	As part of the Stage 3 structure plan and related plan provisions the coastal margins have been identified as proposed reserve areas. In large parts of the structure plan area the coastal edge is currently esplanade reserve or a marginal strip. In regard to the western interface it is planned to widen this area to create a more substantive reserve area. Reserve management plans will be developed to ensure that natural and cultural values are enhanced. The structure plan includes an integrated public walkway system linking the coast with the gully system, active sports fields, school and town centre. The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to provide open space, maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area. In the proximity of the new development areas there are existing esplanade reserves that are adjacent to the Waipapa Estuary and the Mangawhai Bay coastline. The wider peninsula area has existing widespread esplanade reserves. For Ōmokoroa, natural hazards mapping and risk assessment (where required) has been undertaken. All relevant natural hazards were investigated incorporating the current accepted knowledge on climate change over at least the next 100 years as required by the New Zealand Coastal Policy Statement and Bay of Plenty Regional Policy Statement. The natural hazards identified are flooding, coastal inundation, liquefaction, tsunami and land instability (landslide). The natural hazards not identified are active faults. The risk assessment

		for Omokoroa Stage 3 concludes that the development of the structure plan can achieve low risk with respect to all natural hazards. This will be achieved using existing and proposed new provisions in Section 8 – Natural Hazards. For Te Puke, natural hazards mapping and risk assessment (where required) has been undertaken. All relevant natural hazards were investigated incorporating the current accepted knowledge on climate change over at least the next 100 years. The natural hazards identified are flooding, land instability and liquefaction. The natural hazards not identified are coastal erosion, coastal inundation, tsunami and active faults. The risk assessment for the Seddon Street Precinct concludes that the development of the structure plan can achieve low risk with respect to all natural hazards. This will be achieved using existing and proposed new provisions in Section 8 – Natural Hazards No additional areas are rezoned for residential activities outside of the Stage 3 structure plan area however the existing residential zoned areas are required to provide for the MDRS and accordingly higher densities in this area can be expected over time and the need for high quality public open space qualities and recreation opportunities of the coastal environment even more important.
Objective 5 *To ensure that coastal hazard risks taking account of climate change, are managed by:* • *locating new development away from areas prone to such risks;* • *considering responses, including managed retreat, for existing development in this situation; and*	✓	For Ōmokoroa, natural hazards mapping and risk assessment (where required) has been undertaken. All relevant natural hazards were investigated incorporating the current accepted knowledge on climate change over at least the next 100 years as required by the New Zealand Coastal Policy Statement and Bay of Plenty Regional Policy Statement. The natural hazards identified are flooding, coastal inundation, liquefaction, tsunami and land instability / landslide. The natural hazards not identified are active faults. The risk assessment for Omokoroa Stage 3 concludes that the development of the structure plan can achieve low risk with respect to all natural hazards. This will be achieved using existing and proposed new

• *protecting or restoring natural defences to coastal hazards.*		provisions in Section 8 – Natural Hazards. For Te Puke, natural hazards mapping and risk assessment has been undertaken. All relevant natural hazards were investigated incorporating the current accepted knowledge on climate change over at least the next 100 years. The natural hazards identified are flooding, land instability and liquefaction. The natural hazards not identified are coastal erosion, coastal inundation, tsunami and active faults. The risk assessment for the Seddon Street Precinct concludes that the development of the structure plan can achieve low risk with respect to all natural hazards. This will be achieved using existing and proposed new provisions in Section 8 – Natural Hazards The intention to create increased coastal reserve areas provides more resilience and opportunity to manage coastal interfaces including restoring natural defences to coastal erosion and inundation. No additional areas are rezoned for residential activities outside of the Stage 3 structure plan area however the existing residential zoned areas are required to provide for the MDRS and accordingly higher densities in this area can be expected over time. Areas of significant risk have been identified and provisions developed to address these matters.
Objective 6 *To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:* • *the protection of the values of the coastal environment does not preclude use and development in appropriate places and*	✓	For the new development area (Stage 3) a structure plan process has been utilised to provide an integrated approach to urbanising the area in an appropriate manner recognizing the opportunities and constraints of the subject area. Widespread consultation and collaboration has been undertaken in the development of the structure plan to ensure the effective and efficient development of the area and opportunities for enhancement of the natural and cultural values of the area. Use of the coastal area for recreation, cultural activities and ecological restoration are key aspects

forms, and within appropriate limits; • *some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;* • *functionally some uses and developments can only be located on the coast or in the coastal marine area;* • *the coastal environment contains renewable energy resources of significant value;* • *the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;* • *the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;* • *the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by*		to the area's development. There are extensive existing reserve areas throughout the peninsula that provide both a buffer and engagement area for people to interrelate with the coastal area.

which the natural resources of the coastal marine area can be protected; and • *historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.*		

10.6 National Policy Statement – For Freshwater Management 2020

The National Policy Statement for Freshwater Management 2020 (Freshwater NPS 2020) came into force on 3 September 2020. The Freshwater NPS 2020 has a stated "Fundamental concept – Te Mana o te Wai". This concept refers to:

"the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community".

There are six stated principles that support this framework and a related objective.

(1) The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:

(a) first, the health and well-being of water bodies and freshwater ecosystems

(b) second, the health needs of people (such as drinking water)

(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

The Freshwater NPS 2020 provides the following direction in regard to territorial authorities responsibilities:

3.5 (4) Every territorial authority must include objectives, policies, and methods in its district plan to promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments.

The Council holds Comprehensive Stormwater Consents for the Ōmokoroa Peninsula and Te Puke that address stormwater in an integrated way. The Ōmokoroa Catchment Management Pan is currently being reviewed and will support a new Comprehensive Stormwater Consent for Ōmokoroa which will be in full accordance with the NPS. The Te Puke Comprehensive Stormwater Consent has recently been renewed for a 35-year term. The proposed plan change and related structure plans are based around integrated management which includes freshwater.

To help inform the Ōmokoroa component of this plan change an Ōmokoroa Structure Plan Urban Design Cultural Overlay has been prepared by Pirirakau Incorporated Society which identifies appropriate cultural responses to the urbanisation of the area and identifies opportunities to ensure the cultural heritage of the area, including freshwater values, are identified, respected and celebrated. Ōmokoroa Stage 3 has a number of existing gully systems where there is the opportunity of ecological restoration consistent with the objective and policy framework of the Freshwater NPS 2020.

Provisions are included within the Operative District Plan and further enhanced through this plan change to address the Council's responsibilities under the Freshwater NPS 2020.

10.7 National Environmental Standards

There are nine National Environmental Standards in effect. These are:

- Air quality
- Sources of Drinking Water
- Telecommunication Facilities
- Electricity Transmission Activities
- Assessing and Managing Contaminants in Soil to Protect Human Health
- Plantation Forestry
- Marine Aquaculture
- Freshwater
- Storing Tyres Outdoors

Of these, assessing and managing contaminants in soil to protect human health, and freshwater, have the most direct relevance to this plan change in relation to both Ōmokoroa and Te Puke.

All known contaminated sites, mainly due to past and present orcharding use, have been mapped and the requirements of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS) and Regional Plan provisions will apply. The subject areas contain a significant number of orchards that are identified as HAIL sites.

The Ōmokoroa Stage 3 Structure Plan and related planned infrastructure works clearly signals the order of development anticipated and allows for transition from horticulture/orchard activities to urban activities. In both areas the NES-CS and Regional Plan provisions will also apply to greenfield development in areas that are currently in horticultural use.

In regard to freshwater, the National Environmental Standard for Freshwater is a companion piece of legislation to the NPS for Freshwater Management 2020 and includes specific requirements in regard to activities that may pose risks to freshwater and freshwater ecosystems. In the context of Ōmokoroa the main issue is the protection of existing wetlands. For the Ōmokoroa Stage 3 area, wetlands that may be potentially affected by Council infrastructure have been identified. It is noted that the NPS and related NES are currently being reviewed with the intention to provide a more balanced approach to enable urbanisation.

The Council is renewing the comprehensive stormwater consent that currently applies to Ōmokoroa in the near future. A draft Catchment Management Plan has been prepared. The assessment, application and consent will be required to be in accordance with the applicable NPS and NES at that point in time.

The Te Puke comprehensive stormwater consent was granted in 2020 for a 35-year term.

The proposed plan change includes the provision of a new Natural Open Space Zone in Ōmokoroa which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area.

10.8 Regional Policy Statement

The Regional Policy Statement (RPS) provides specific direction regarding matters relevant to the development of plan changes to implement new growth areas. These are as follows:

- Air quality
- Coastal environment
- Energy and infrastructure

- Integrated resource management
- Iwi resource management
- Matters of national importance
- Natural hazards
- Urban and rural growth management
- Water quality and land use
- Water quantity

Of these, urban and rural growth management is the cornerstone for consideration in the context of the strategic urbanisation of the subject area.

Section 77G(8) of the RMA outlines the duty of WBOPDC to incorporate MDRS and give effect to policy 3 of the NPS-UD in residential zones irrespective of any inconsistent objective or policy in a regional policy statement.

An assessment against the urban and rural growth management objectives and policies is included below. An assessment against all other relevant RPS objectives and policies is included in Appendix 14. The assessments find that the proposed plan changes are consistent with the RPS.

Ōmokoroa is identified as a key urban growth area in the RPS. The Ōmokoroa plan change area is consistent with the urban limits timing as stated in the RPS. It is noted however that the Regional Council is removing urban limits in a soon to be notified change to the RPS. Note that the Stage 2 boundary/label as shown within the RPS has subsequently changed (refer Figure 44 following).

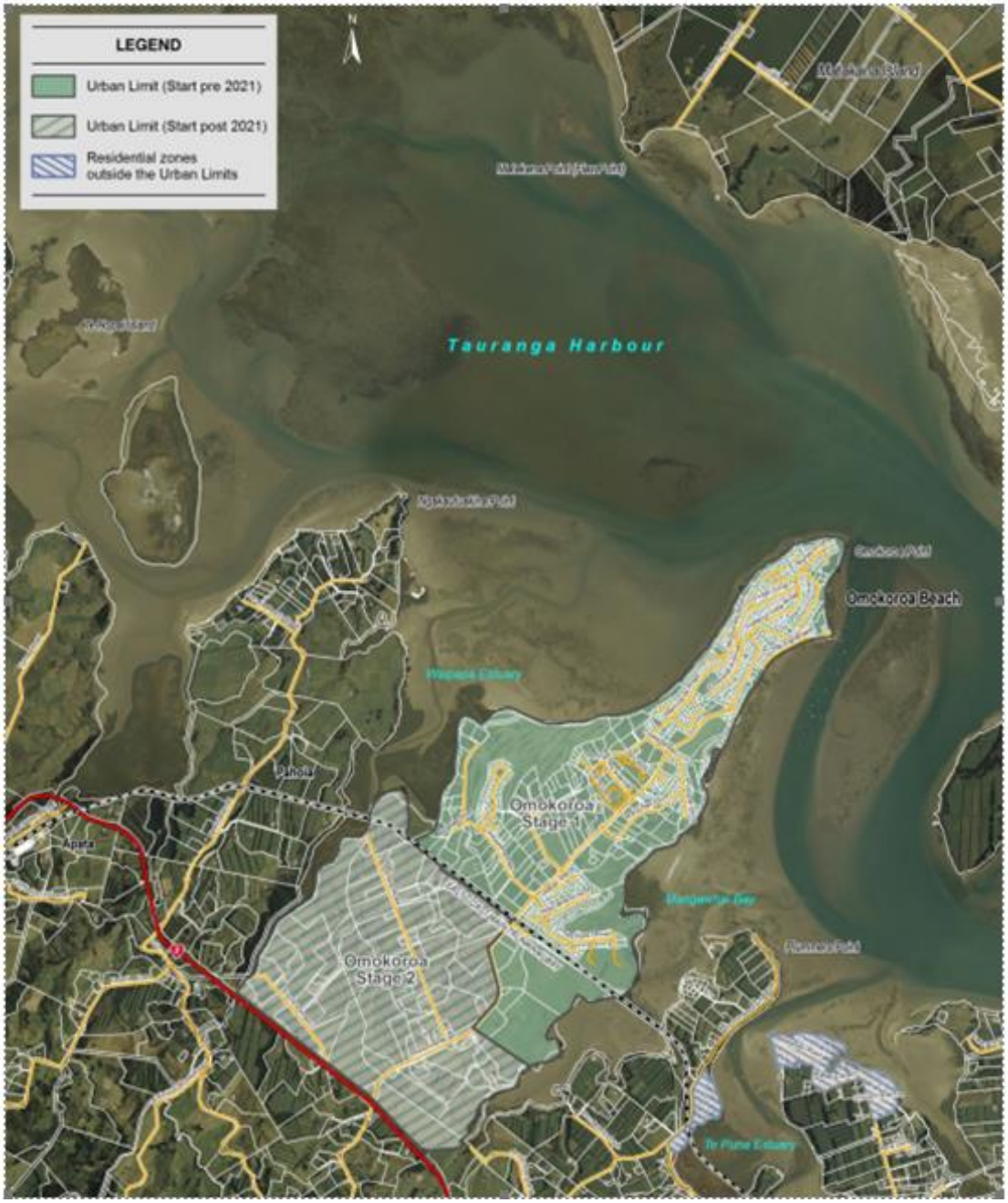

Figure 44: RPS Urban Limits -Ōmokoroa (Source: Bay of Plenty Regional Policy Statement Appendix E)

Based on the RPS Te Puke has Dudley Vercoe Drive and Whitehead Avenue Areas and No. 1 Road areas identified as "growth areas". Some of these areas are still subject to detailed feasibility assessment and there are known constraints which may limit practical urbanisation. The current plan change includes an area outside of the current urban limit being the Seddon Street Precinct area. This is adjacent existing urban development and in close proximity to the town centre.

In 2018, in recognition of the need for flexibility with Urban Limits, SmartGrowth adopted the following set of criteria to guide whether development opportunities may be supported by the partnership, even if not fully supported or aligned with current

statutory plans across the partnership, including the urban limits. The criteria are:

a. Development is contiguous with an existing urban area

b. Infrastructure is available and has sufficient capacity to service the development without undermining committed infrastructure investments made to support other growth areas (council, NZTA, MOE, utility providers etc)

c. The land is located within the local authority that will be providing utility infrastructure, including access (unless otherwise mutually agreed between neighbouring councils).

d. The proposed development is supported from a place making perspective – live, learn, work, play

e. Development would not compromise long-term development potential across a broader catchment or growth area

f. Efficient use of land, e.g. promoting a more compact urban form through higher densities and a range of housing typologies, and not compromising long-term development potential.

g. Consistency with SmartGrowth Strategy principles.

h. Efficient use of local authority and central government financial resources.

i. The compatibility of any proposed land use with adjacent land uses.

j. Not undermining the balance that needs to be struck between intensification through the Tauranga Urban Strategy and greenfields development.

k. Compliance with key provisions of the Regional Policy Statement can be achieved (such as Method 18 structure planning and the natural hazard risk provisions).

l. That priority will be given to developments that can support affordable housing outcomes in the short term.

The Seddon Street Precinct area is assessed as being consistent with the above.

a. The area is contiguous with an existing urban area;

b. Infrastructure is generally available and has sufficient capacity to service the development noting that the developer will undertake any upgrades that may be required for example the provision of a pumpstation.

c. The land is located within the local authority that will be providing utility infrastructure, including access

d. The proposed development is supported from a place making perspective – live, learn, work, play with the site being located in an area that is a logical extension of the existing urban area and in close proximity to the Te Puke town centre and employment areas. A concept masterplan has been developed using best urban design practice and provides a legible and connected layout that respond positively to the environment.

e. Development would not compromise long-term development potential across a broader catchment or growth area

f. The urbanisation of the area is an efficient use of land, and promotes a more compact urban form through higher densities and a range of housing typologies, and not compromising long-term development potential. As demonstrated by the masterplan the proposal is designed to implement medium-density residential development promoting higher densities.

g. The urbanisation of the area is considered as being consistent with SmartGrowth Strategy principles.

h. As a logical extension of the existing urban form the inclusion of this area is assessed as being an efficient use of local authority and central government financial resources.

i. The interface between rural and urban use can be managed without conflict and the interface with existing urban areas can be transitioned successfully improving the overall amenity of the area.

j. The proposal does not undermine the balance between intensification and greenfields development.

k. The proposal is consistent with the requirements of the RPS as applicable.

l. The location of the Site suits a range of residential outcomes including the provision of more affordable housing options with a variety of typologies proposed.

As noted earlier in this report the RPS urban limits are currently being reviewed and it is understood that urban limits will be removed.

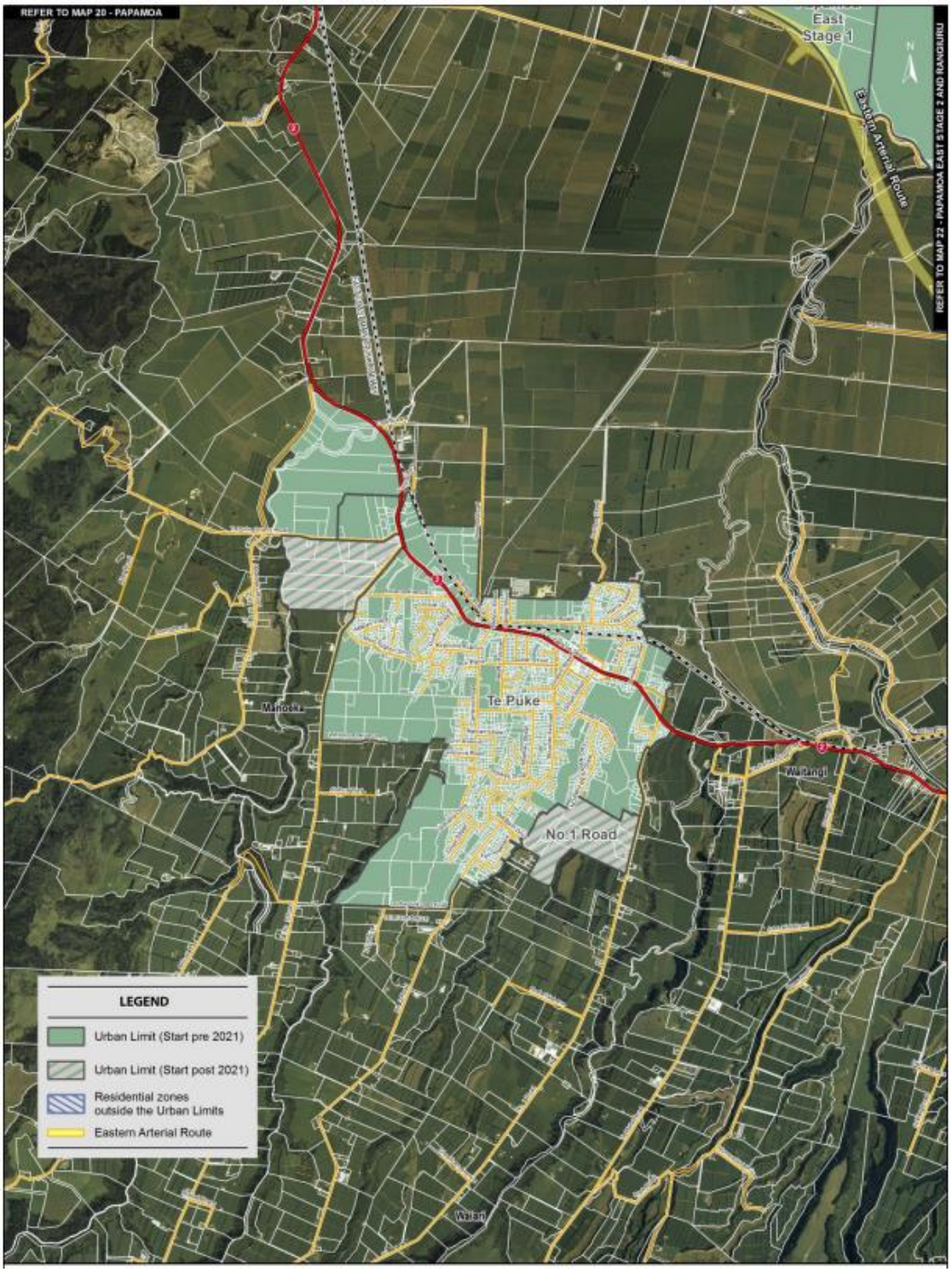

Figure 45: RPS Urban Limits (Source: BOPRC RPS Appendix E)

Urban and rural growth management

The RPS contains three Objectives and related policies relevant to urban development as follows:

Objective 23 *A compact, well designed and sustainable urban form that effectively and efficiently accommodates the region's urban growth* [Note also refer to assessment against Method 18: Structure plans for land use changes].		
Policy		**Response**
Policy UG 8B: Implementing high quality urban design and live-work-play principles	✓	Structure plans and related planning provisions are based around these principles. Some limitations based on requirement to use central Government MDRS.
Policy UG 9B: Co-ordinating new urban development with infrastructure	✓	Structure plan process being utilised to ensure integrated management.
Policy UG 10B: Rezoning and development of urban land – investment and infrastructure considerations	✓	<u>Ōmokoroa</u> Most of the subject area has been identified as Future Urban for some time. With the development of a Special Housing Area over a large portion of commercially zoned land and industrially zoned land there has been a need to reassess the supply and location of commercial and industrial land in the wider area. The major commercial area as identified in the Operative District Plan has been the subject of a recent Resource Consent. The decision on this matter confirmed the location of this area. Noting the considerable investment and detailed design to confirm the suitability of the site any relocation would be contrary to this. Industrial land opportunities are provided in closer proximity to the State highway. A structure planning process is being utilised to ensure development is integrated and to avoid ad hoc out of zone development that adversely affect the integrity of the structure plan. <u>Te Puke</u> The plan change generally supports intensification of existing urban areas which supports historical investment

		in infrastructure. The prosed new areas can be serviced economically and efficiently.
Policy UG 11B: Managing the effects of subdivision, use and development on infrastructure	✓	Structure plan process being utilised to ensure integrated management
Policy UG 12B: Providing quality open spaces	✓	Structure plan process being utilised to ensure integrated management and the identification of open space and related networks
Policy UG 17B Urban growth management outside of the western Bay of Plenty subregion	✓	N/A

Objective 24 *An efficient, sustainable, safe and affordable transport network, integrated with the region's land use pattern*		
Policy		**Response**
Policy UG 1A: Protecting the national and regional strategic transport network	✓	Ōmokoroa A key part of the urbanisation is the road linkage to State Highway 2 (SH2) and the upgrade of SH2 between Ōmokoroa and Tauranga as part of the Takitimu Northern Link (TNL). The first stage of works for the TNL have commenced which will provide a new connection between State Highway 29 and State Highway 2 near Te Puna. The second stage continues the upgrade to Ōmokoroa. The second stage had been programmed by Waka Kotahi NZ Transport Agency until recently and will need to be re-established within reasonable timeframes to ensure the strategic transport network is protected.

		Recent announcements by Waka Kotahi NZ Transport Agency have significantly changed the project from being a "live" deliverable project to being a "route protection" project. The updated project information states the following: *"However, further work beyond route protection, including construction, will require funding through the National Land Transport Programme. This won't occur within the next three years and is unlikely within the next 10 years. The Government has decided to make the changes to meet climate change and housing objectives, as well as manage debt responsibly following COVID-19"* (Waka Kotahi NZ Transport Agency). Since this time there has been a lot of work undertaken to provide an acceptable interim design that dealt with safety issues and provided the necessary upgrades to support the urbanisation of the remainder of the Peninsula especially the provision of new areas of housing. On the 21 July 2022 an interim design for the intersection that met the project requirements of the various parties was given the green light. The upgrade will be supported by $38 million from the Kāinga Ora-led Infrastructure Acceleration Fund to upgrade the intersection. Waka Kotahi NZ Transport Agency will also contribute $5m to the project plus land worth $1.49m. Council will manage the project and contribute additional land worth $1.93m. The upgrade will address the existing safety and capacity issues at the intersection and will support the enabling of new housing projects in Ōmokoroa. The upgrade will see a new interim roundabout built at SH2 / Ōmokoroa Road, four-laning of Ōmokoroa Road from SH2 to Prole Road, and a second roundabout at the future Francis Road intersection to service the industrial area. The national and regional transport networks are the responsibility of regional and central government and accordingly these agencies are required to deliver an appropriate transportation network to support planned urbanisation and provide a safe and efficient transportation system.

Policy UG 2A: Identifying a consistent road hierarchy	✓	Structure plan process being utilised to ensure integrated management including roading.
Policy UG 3A: Promoting travel demand management across the region	✓	Linked with wider transport initiatives. The aim of travel demand management is to modify travel decisions so as to reduce the negative impacts of road transport. Ensuring that there are local work, live, learn, shop and play opportunities supports the ability to use alternatives to private cars and to limit the need for commuting. A feature of the Ōmokoroa Stage 3 development is the establishment of Park and Ride facilities. Improved public transport provision will also facilitate a behavioural change.
Policy UG 13B: Promoting the integration of land use and transportation	✓	Structure plan process being utilised to ensure integrated management including various modes of transportation. Ensuring that there are local work, live, play opportunities supports the ability to use alternatives to private cars and to limit the need for commuting.

Objective 25 *Subdivision use and development in the western Bay of Plenty is located and staged in a way that integrates with the long term planning and funding mechanisms of local authorities, central government agencies and network utility providers and operators whilst having regard to the growth plans of relevant industry sector groups*		
Policy		**Response**
Policy UG 22B: Providing for papakāinga	✓	A variety of housing methodologies is being provided for including the ability to create papakāinga.

Policy UG 25B: Targets for housing development capacity – western Bay of Plenty sub-region	✓	The plan change supports facilitating the meeting of the prescribed targets for housing development applicable. [Note the RPS includes the current Ōmokoroa Stage 3 under Ōmokoroa Stage 2].
Policy UG 21B: Provision for utilisation of mineral resources		N/A
Policy UG 16B: Providing for new business land – western Bay of Plenty sub-region	✓	The Ōmokoroa Stage 3 structure plan provides for new business land. As part of the District Plan review process or as an interim plan change additional business land will be investigated for Te Puke.
Policy UG 15B: Accommodating population growth through greenfield and residential intensification development – western Bay of Plenty sub-region	✓	The plan change supports facilitating the meeting of the prescribed targets for housing development and provides for higher density residential development.
Policy UG 14B: Restricting urban activities outside the urban limits – western Bay of Plenty sub-region	✓	The vast majority of the urban expansion is within the urban limits. The small additional area has been assessed as meeting urban expansion criteria. It is noted that it is proposed to amend the RPS in regard to this mapped requirement.
Policy UG 4A: Providing for residential development yields in district plans - western Bay of Plenty sub-region	✓	The plan change facilitates the meeting of the prescribed targets for housing development applicable and provides for higher density residential development.
Policy UG 6A: Sequencing of urban growth development - western Bay	✓	Ōmokoroa Stage 3 has been identified for urban development for some time and is in accordance with

of Plenty subregion		programmed sequencing. The "Zest" urbanisation within Te Puke sits within the development area timeframes as in the RPS. The Seddon Street Precinct area is not sequenced but meets the criteria for urban expansion and will provide housing in an anticipated short timeframe.
Policy UG 7A: Providing for the expansion of existing business land - western Bay of Plenty sub-region	✓	<u>Ōmokoroa</u> With the development of a Special Housing Area over a large portion of commercially zoned land and industrially zoned land there has been a need to reassess the supply and location of commercial and industrial land in the wider area. The major commercial area as identified in the Operative District Plan has been the subject of a recent Resource Consent. The decision on this matter confirmed the location of this area. Noting the considerable investment and detailed design to confirm the suitability of the site any relocation would be contrary to of this. Industrial land opportunities are provided in closer proximity to the State highway. <u>Te Puke</u> As part of the District Plan review process or as an interim plan change additional business land will be investigated for Te Puke.
Policy UG 5A: Establishing urban Limits - western Bay of Plenty sub-region	✓	The vast majority of the urban expansion is within the urban limits. The small additional area has been assessed as meeting urban expansion criteria. It is noted that it is proposed to amend the RPS in regard to this mapped requirement.

Method 18: Structure plans for land use changes

The RPS requires structure plans for all large-scale land use changes to ensure:

- Coordinated development through the integrated provision of infrastructure; and
- Integrated management of related environmental effects.

Structure plans shall, as appropriate and applicable meet the following requirements:

Requirement		**Response**
(a) Identify land which is to be used or developed for urban purposes;	✓	Achieved through zoning maps, structure plan and related provisions.
(b) Identify intensification areas;	✓	Achieved through zoning maps, structure plan and related provisions.
(c) Show proposed land uses, including: *(i) Arterial and collector roads, rail and network infrastructure* *(ii) Residential, commercial and business centres* *(iii) Schools* *(iv) Parks*	✓	Achieved through zoning maps, structure plan and related provisions.

(v) Land required for recreation *(vi) Land to be reserved or otherwise set aside from development for environmental protection purposes* *(vii) Appropriate infrastructure corridors* *(viii) Community, health and social service facilities, including those necessary to cater for an ageing population.*		
(d) In respect of proposed land uses (see (c) above), demonstrate the live-work-play principle to development;	✓	For new developments areas structure plans are based on integrated management and provides for live-work-play opportunities. The consolidation of residential development within existing developed areas also supports the live-work-play principle.
(e) Show how the target yields set out in Policy UG 4A will be met;	✓	The plan change contains a number of development areas. The target density for development areas varies according to topography, location and function. These vary within the MDRZ from a minimum of 30 dw/ha to a minimum of 15 dw/ha. For the majority of areas the target is a minimum yield of 20 dw/ha.
(f) Identify all existing and consented, designated or programmed infrastructure and infrastructure corridors;	✓	Achieved through zoning maps, structure plan and related provisions.

(g) Identify infrastructure requirements, including the provision of and responsibility for that infrastructure;	✓	Achieved through zoning maps, structure plan and related provisions. For Ōmokoroa Stage 3 the development of the structure plan has been undertaken in collaboration with infrastructure providers such as PowerCo to ensure that development sequencing is in accordance with required infrastructure. Western Bay of Plenty District Council is responsible for stormwater, water and wastewater infrastructure. For Ōmokoroa there is a limitation on development directly linked to wastewater capacity with limited potential to increase this capacity. The projected population growth has been assessed as being within these limits subject to improvements in wastewater connection design For Ōmokoroa a new water reservoir serving the new development areas and the wider catchment is in development. The current stormwater network is being expanded to include the additional urban areas and will be subject to the requirements of the Ōmokoroa Comprehensive Stormwater Consent and related management plan. The internal roading network will be provided by Western Bay of Plenty District Council and developers. The connection to the State Highway is the responsibility of Waka Kotahi NZTA. There is an existing designation in place for the State Highway / Ōmokoroa Road intersection upgrades and related four laning. For Te Puke upgrades to the wastewater treatment facility are under way.
(h) Identify all known contaminated sites that land to be used for urban purposes may contain and show how adverse effects from contaminated land	✓	All known sites have been mapped and the requirements of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health and Regional Plan provisions will apply. The subject site contains a significant number of orchards that are identified as HAIL sites. For Ōmokoroa Stage 3 the structure plan includes staging to clearly signal the order of development and to

are to be avoided, remedied or mitigated;		allow transition from horticulture/orchard activities to urban activities.
(ha) Identify all known natural hazards that land to be used for urban purposes may be subject to, or contain, and show how low natural hazard risk is to be maintained or achieved;	✓	For Ōmokoroa, natural hazards mapping and risk assessment (where required) has been undertaken. All relevant natural hazards were investigated incorporating the current accepted knowledge on climate change over at least the next 100 years as required by the New Zealand Coastal Policy Statement and Bay of Plenty Regional Policy Statement. The natural hazards identified are flooding, coastal inundation, liquefaction, tsunami and land instability / landslide. The natural hazards not identified are active faults. The risk assessment for Omokoroa Stage 3 concludes that the development of the structure plan can achieve low risk with respect to all natural hazards. This will be achieved using existing and proposed new provisions in Section 8 – Natural Hazards. Low risk will be achieved as explained in more detail in Appendix 14 in relation to Regional Policy Statement Policy NH4B: Managing natural hazard risk of land subject to urban development. For Te Puke, natural hazards mapping and risk assessment (where required) has been undertaken. All relevant natural hazards were investigated incorporating the current accepted knowledge on climate change over at least the next 100 years. The natural hazards identified are flooding, land instability and liquefaction. The natural hazards not identified are coastal erosion, coastal inundation, tsunami and active faults. The risk assessment for the Seddon Street Precinct concludes that the development of the structure plan can achieve low risk with respect to all natural hazards. This will be achieved using existing and proposed new provisions in Section 8 – Natural Hazards. Low risk will be achieved as explained in more detail in Appendix 14 in relation to Regional Policy Statement Policy NH4B: Managing natural hazard risk of land subject to urban development.
(i) Identify significant cultural, natural and historic heritage features and values and show how they are to be protected;	✓	Achieved through zoning maps, structure plan and related provisions. Significant engagement with iwi/hapu and local historical experts has been undertaken to identify sites. The main new development area is Ōmokoroa Stage 3. There is an existing ecological feature (U14/135 – Mangawhai Bay Inlet) overlay over a significant area which requires activities in that area to meet the requirements of the Natural Environment section of the District Plan.

		The Council is renewing the comprehensive stormwater consent that currently applies to Ōmokoroa in the near future. This will provide the key management of stormwater including avoiding potential effects on the coastal environment. The supporting assessment will incorporate detailed ecological assessments. The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area. There are existing District Plan provisions that control development within identified heritage and natural environment areas.
(j) Identify significant view shafts to be maintained and enhanced through the avoidance of inappropriate development;	✓	Achieved through zoning maps, structure plan and related provisions. Significant engagement with iwi/hapu has been undertaken to identify viewshafts.
(k) Show how any adverse effect of increased stormwater runoff is to be mitigated;	✓	WBOPDC is utilising an integrated stormwater system in accordance with the Ōmokoroa Comprehensive Stormwater Consent (CSC) to manage and enhance stormwater management in the subject area. A new CSC will be applied for in the near future which will provide updated requirements. This will provide the key management of stormwater including avoiding potential effects on the coastal environment. The supporting assessment will incorporate detailed ecological assessments. To ensure a connected and integrated network where required, land may be purchased by the Council or designated for stormwater purposes for future acquisition. The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area. For Te Puke Council has a more recent Comprehensive Stormwater Consent (CSC) to manage and enhance

		stormwater management in the subject area. Additional requirements have been included in the plan change to further address stormwater management.
(l) Show how other adverse effects on the environment and infrastructure are to be avoided, remedied or mitigated;	✓	Achieved through zoning maps, structure plan and related provisions.
(m) Show how provision has been made for public transport, cycleways and pedestrian connections;	✓	Achieved through zoning maps, structure plan and related provisions.
(n) Document consultation undertaken with persons (including tangata whenua) affected by or interested in the proposed land uses, and any response to the views of those consulted;	✓	Refer to Section 9.2 and Appendix 7 of this report for details on consultation and engagement.
(o) Show how the sequencing of urban growth requirements detailed in Policy UG 6A will be achieved;	✓	Ōmokoroa Stage 3 has been identified for urban development for some time and is in accordance with programmed sequencing. The "Zest" urbanisation within Te Puke sits within the development area timeframes as in the RPS. The Seddon Street Precinct area is not sequenced but meets the criteria for urban expansion and will provide housing in an anticipated short timeframe.

(p) Include Urban Design Plans which: *(i) Apply and demonstrate adherence to the New Zealand Urban Design Protocol (March 2005) Key Urban Design Qualities;* *(ii) Outline the urban design objective and rationale;* *(iii) Provide an analysis of context;* *(iv) Provide a site analysis; and* *(v) State design outcomes for the proposed development.*	✓	The plan change is dictated by the requirement to implement the Central Government MDRS. This places some limitations on good quality urban design outcomes. For residential activities of 4 or more residential units the proposed residential provisions incorporate key urban design requirements. To support the plan change and to facilitate good urban design outcomes the Council has provided a Residential Design Outcomes document. Refer Appendix 8.
"As appropriate and applicable" is intended to allow the content of a structure plan to be tailored to the nature and scope of the development proposal to which it relates and, to give effect to this Method, District plans can identify methods for assessing which of the above matters must be addressed, in light of the particular scope of the proposed land use change and its environmental effects.		

In summary the plan change and related structure plans have been prepared in accordance with the foregoing.

10.9 Conclusion

The proposed plan change is considered to be consistent with the statutory provisions of the RMA, related National Policy Statements, National Environmental Standards, Iwi Management Plans, Regional Policy Statement. It is also assessed as meeting the purpose and principles of the Act.

11 Implementation Plan

11.1Proposed Plan Change

To implement the findings of this report, changes to the Operative District Plan are required. The detailed Plan Change including related plans and maps is found in Appendix 2 of this report.

The Plan Change includes the provision of new planning maps that identify the zone boundaries, and related overlays. New zones of Ōmokoroa and Te Puke Medium Density Residential and Natural Open Space are created. The former represents the main elements of this Plan Change, replaces the operative Residential zones within Ōmokoroa and Te Puke, and provides the main new zoning replacing the current Future Urban Zone applicable to Ōmokoroa.

New zoned areas of Rural-Residential, Commercial, Industrial, and Rural are also created replacing or modifying previous Future Urban, Commercial and Industrial zones. A new planning map identifying natural hazards is included to specifically cover the analysis undertaken for the Ōmokoroa Stage 3 area.

The Plan Change includes a specific new section in the District Plan (Section 14A) that provides the planning framework for the Ōmokoroa and Te Puke Medium Density Residential Zone. This incorporates the requirements of Central Government to use specified MDRS within "urban environments". Ōmokoroa and Te Puke meet this definition and accordingly these requirements must be implemented.

Similarly, a new Section 24 is created for the Natural Open Space Zone which is designed to clearly identify the values and functions of the zone and its susceptibility to natural hazards. By creating a new zone this requires various consequential amendments throughout the District Plan to ensure that "general" plan provisions are linked.

The Plan Change also includes an adjustment of the minimum lot area for Rural-Residential zoned land in the Ōmokoroa Stage 3 area. Modifications to the Commercial Zoning are only applicable to the former Ōmokoroa "Stage 2 Commercial Zone" provisions and increase the maximum height for buildings to enable apartment

buildings and to be consistent with the adjacent proposed higher density residential areas.

The Plan Change includes changes to the Subdivision and Development section of the District Plan to include provisions for the new structure plan areas for Ōmokoroa and Te Puke. This is achieved through referencing the new structure plan areas and related changes to labelling. These include earthworks controls, property access controls, and compliance with the proposed structure plan. In addition, more direction over stormwater management is provided. New provisions requiring completely sealed wastewater systems are introduced for Ōmokoroa Stage 3.

The Financial Contributions Section has been amended to recognize the higher residential densities promoted by the Plan Change and changes forced by the requirement to provide for second and third dwellings as permitted activities. The proposed Plan Change supports higher densities ranging from a minimum of 15 lots/dwellings per hectare to a minimum of 30 lots/dwellings per hectare (the operative rules are based on a minimum density of 12 dwellings/ha). To ensure that land is used effectively and efficiently, and costs are recovered, financial contributions will be charged based on the target density per hectare for larger subdivisions and developments. To encourage developers to provide more than the minimum densities, there is provision (within certain parameters) for the level of financial contributions per lot or residential unit to be discounted where this is achieved. Financial contributions are proposed to be charged on the second and third residential units on a site through the building consent process and charged based on the size of each unit. Smaller infill subdivisions of lots less than 1,400m2 for one or two additional vacant lots are also provided for subject to needing to pay one household equivalent per additional lot.

Changes are proposed to the District Plan maps for Ōmokoroa to include updated flooding maps and new coastal erosion, coastal inundation and liquefaction maps. Changes are proposed to the District Plan maps for Te Puke to include updated flooding maps and new liquefaction maps. Changes are also proposed to Section 8 – Natural Hazards. New provisions have been introduced for areas potentially susceptible to liquefaction. Existing provisions will ensure natural hazard risk is managed in coastal erosion, coastal inundation, flooding and land instability (landslide) areas.

The subject area's proposed new zoning means that the previous Future Urban zoning is no longer required for Ōmokoroa. This results in the need to modify this section of the District Plan to remove references to Ōmokoroa.

Appendix 7 Section 4: Ōmokoroa Structure Plan and Section 8 Te Puke Structure Plan of the District Plan are updated to include new requirements. This includes provision of new structure plans and updates to the infrastructure and roading schedule, roading projects, walkways and services plans, and structure plan boundaries.

11.2 Annual Plan / Long Term Plan Links

To support the "roll-out" of the urbanisation of the project areas, including intensification of existing urban areas, specific provision needs to be made in the Council Annual Plan and Long Term Plans for the funding of projects. This includes the identification of costs for significant projects, and the provision for necessary infrastructure upgrades.

Proposed Plan Change 92 includes provision for necessary infrastructure upgrades, including recreational needs which need to be programmed through the AP/LTP process.

For Ōmokoroa Stage 3 in particular there are a number of significant projects related to urbanisation that have already been identified in the AP/LTP. For Te Puke there are identified existing projects and additional projects that will need to be added.

In addition, and relevant to the entire District in relation to intensification and supporting and ongoing plan change matters, the decision to commence a District Plan Review was made by Council in September 2021. The project funding for the District Plan Review was approved through the 2021-31 LTP with the project scheduled to commence in July 2021 and a proposed District Plan publicly notified in December 2024.

11.3 Non-RMA Methods

In addition to the RMA methods to activate the proposed plan change, associated with the development of new District Plan residential intensification provisions, a Residential Design Outcomes document has been prepared and will be available to help facilitate good urban design outcomes.

A copy of this document is included as Appendix 8.

Additional guidance documents are planned to assist land developers which will include financial contributions, stormwater management, building site sediment and erosion control and urban trees.

12 Supporting Documents / Reference Materials

Strategic Context References

1. WBOPDC Long Term Plan 2021 – 2031.
2. Ōmokoroa Community Plan (2017).
3. Te Puke 20-Year Community Plan, 2016.
4. Te Puke Town Centre Plan, 2016.
5. Te Puke Built Environment Strategy, 2008.
6. SmartGrowth http://smartgrowthbop.org.nz/
7. SmartGrowth Housing Development Capacity Assessment for Tauranga and the Western Bay of Plenty, July 2021.
8. Te Puke Housing Context Paper (J Rickard), February 2022.
9. Plan Change 25 – Te Puke Urban Growth Study, August 2004.

Infrastructure References

10. Ōmokoroa Comprehensive Stormwater Consent.
11. Te Puke Comprehensive Stormwater Consent.
12. Te Puke Flood Modelling – Stage 7 Modelling Report - Opus International, May 2015.
13. Te Puke Intensification – Water Supply Modelling - Aurecon, June 2022.
14. Te Puke Intensification Wastewater Modelling – Aurecon, June 2022.
15. Te Puke Stormwater Ground Soakage Recommendations – Tonkin + Taylor Ltd, July 2022

Natural Hazards References

16. Tauranga Harbour Coastal Erosion Study - Tonkin + Taylor Ltd - July 2019
17. Tauranga Harbour Inundation Modelling – NIWA – June 2019

18. Ōmokoroa Stormwater Model - Model Build Update and System Performance Report - Beca Limited - May 2020

19. Te Puke Stormwater Model Report – DHI – 2022

20. Ōmokoroa Structure Plan Stage 3 - High-Level Slope Stability Hazard and Risk Assessment – Tonkin + Taylor – June 2020

21. Ōmokoroa Stage 3 Structure Plan – Supplementary Level B Liquefaction Assessment – Tonkin + Taylor – May 2020

22. Bay of Plenty Regional Liquefaction Vulnerability Assessment – Tonkin + Taylor – April 2021

23. Bay of Plenty Regional Active Fault Mapping for Growth Areas – GNS Science – March 2019

24. Ōmokoroa Stage 3 – Natural Hazards Risk Assessment – Tonkin & Taylor - June 2020

25. Natural Hazard Risk Assessment for Seddon Street Development, Te Puke, Western Bay of Plenty – S&L – 2022

Appendix 1

Section 32 Evaluation Report

Appendix 2

Proposed Plan Change 92

PLAN CHANGE 92 - Proposed Changes to the District Plan

Proposed changes to the District Plan – First Review are outlined in this Appendix (2) and include changes to the following Sections, Appendices and Planning Maps as listed.

Proposed changes to text within Sections/Appendices are shown as additions and ~~deletions~~ including within some tables. Proposed changes to images within Sections/Appendices (such as diagrams, maps and other tables) are shown as explained within the list below.

- Section 1: Plan Overview (existing table is proposed to be deleted and replaced with a new table which is shown below it)
- Section 3: Definitions (diagrams within the definitions of "front boundary" and "height" for fences, walls and retaining walls are proposed additions)
- Section 4A: General
- Section 4B: Transportation, Access, Parking and Loading
- Section 4C: Amenity
- Section 4D: Signs
- Section 8: Natural Hazards
- Section 9: Hazardous Substances
- Section 10: Infrastructure, Network Utilities & Designations
- Section 11: Financial Contributions
- Section 12: Subdivision and Development
- Section 13: Residential
- Section 14: Medium Density Residential
- Section 14A: Ōmokoroa and Te Puke Medium Density Residential (new section) (all new maps and diagrams are proposed additions)
- Section 15: Future Urban
- Section 16: Rural-Residential
- Section 19: Commercial
- Section 21: Industrial
- Section 24: Natural Open Space (new section and new zone)
- Appendix 7 – Structure Plans - Section 4 – Ōmokoroa (faded out maps in existing 4.1–4.7 are proposed to be deleted and replaced with bold maps in new 4.2-4.6 and the financial contributions schedules in new 4.1 are proposed additions)
- Appendix 7 – Structure Plans – Section 8 – Te Puke (faded out maps in existing 8.1-8.2 are proposed to be deleted and replaced with bold maps in new 8.2-8.3 and the financial contributions schedules in new 8.1 are proposed additions)
- Planning Maps (as shown in the Ōmokoroa and Te Puke Zoning and Natural Hazards Maps)

Appendix 3
Maps/Plans

Appendix 4
Infrastructure Assessment Reports

Appendix 5
Active Reserve Assessment Reports

Appendix 6
Ōmokoroa Structure Plan Urban Design Cultural Overlay

Appendix 7
Consultation Records

Appendix 8
Residential Design Outcomes

Appendix 9
Ōmokoroa Stage 3 Structure Plan - Conceptual Water Sensitive Design Plan

Appendix 10
Ōmokoroa Gully Reserves Concept Plan

Appendix 11
Approved Jace Town Centre Plans

Appendix 12

NPS-UD Objectives/Policies

Appendix 13
Medium Density Residential Standards (MDRS)

Appendix 14
Regional Policy Statement Objectives & Policies Assessment