

# Pencarrow Estate

A Private Plan Change

Arawa Road, Pongakawa

By Kevin & Andrea Marsh

9<sup>th</sup> November 2023

# Momentum Planning & Design

136 Willow Street, Tauranga, 3110

07 220 9812

richard@mpad.co.nz

**MOMENTUM**  
PLANNING AND DESIGN

*In collaboration with:*

## Lysaght Consultants

19 Totara Street,  
Mount Maunganui, 3116

07 578 8798  
www.lysaght.net.nz



## Wildlands Consultants

69 Gargan Road,  
Tauranga, 3110

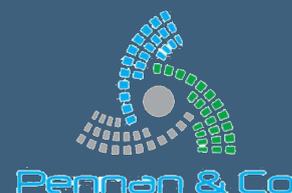
07 574 2642  
tauranga@wildlands.co.nz  
www.wildlands.co.nz



## Pennan & Co Limited

96 Freeburn Road,  
Pyes Pa, 3112

027 484 5555  
emma.joss@pennan.co.nz



## Harrison Transportation

PO Box, 11557  
Papamoa, 3151

07 576 6737  
bruce@harrisontransportation.co.nz  
www.harrisontransportation.co.nz



## Archaeology B.O.P Heritage Consultants

PO Box, 13228  
Tauranga, 3141

027 276 9919  
kjs.phillips@xtra.co.nz

## CMW Geosciences

116 Cameron Road  
Tauranga 3110

07 957 0916  
www.cmwgeosciences.com





## **APPLICATION FOR PLAN CHANGE**

### **RURAL TO RESIDENTIAL**

Arawa Road, Pongakawa



For Kevin and Andrea Marsh (Pencarrow Estate)

Updated November 2023

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## Document Control

### Version

Version No. 4: Final

| Version No. | Revision note                            | Date          |
|-------------|--|---------------|
| Version 1   | Draft – For client comment               | May 2022      |
| Version 2   | Draft – Further client comment           | October 2022  |
| Version 3   | Final – For lodgement                    | December 2022 |
| Version 4   | Final - Revised to reflect RFI responses | November 2023 |

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### Report Information

Title: Application for Plan Change – Rural to Residential – Pencarrow Plan Change, Pongakawa

MPAD Job Number: 21388

Status: Final

Version: 4

Date: 9 November 2023

### Quality Assurance

The assessment contained herein, and this report has been completed by the following:

|                           |   |   |
|---------------------------|---|---|
| Prepared by:              | Vincent Murphy, MNZPI<br>Senior Planner, MPAD |  |
| Reviewed and Approved by: | Richard Coles, MNZPI<br>Director, MPAD        |   |

## Applicant and Property Details

The details of the applicant and the site are as follows:

|  |   |
|--|---|
| Application made to:                                 | Western Bay of Plenty District Council  |
| Applicant's Name:                                    | Kevin and Andrea Marsh  |
| Site Address:  | 1491 State Highway 2, Pongakawa 3186 (road frontage to State Highway 2 and Arawa Road)<br><br>53 Arawa Road.                        |
| Legal Description (plan change site only):           | Lots 1 and 2 DP 79072<br>Lots 8 DPS 77971   |
| Site Area (plan change site only):                   | Plan Change Area 12.4ha<br>Total developable area 8.98ha, including 0.2 ha for 53 Arawa Road;                                       |
| WBOPDC District Plan Zoning:                         | Rural   |
| WBOPDC District Plan Notations / Hazard Limitations: | Floodable Area<br>Subject to flooding during modelled 1 in 100-year rainfall event (as adjusted for climate change through to 2130) |

## 1.0 Introduction

This report supports an application for a Private Plan Change (PPC) to the Western Bay of Plenty District Council (WBOPDC) pursuant to Schedule 1 of the Resource Management Act 1991 (the RMA). The application concerns a project to rezone land from Rural to a combination of predominantly Residential, with a small area of Commercial zoning of the WBOPDC District Plan (the District Plan) on behalf of landowners Kevin and Andrea Marsh.

The PPC is being pursued partly to give effect to a long-held vision of the landowners to consolidate and improve amenities available to the residential community of Pongakawa at-large and at Arawa Road in particular. This is achieved by way of provision of reserves, a playground, and a proportionate area for shops and community services. This is made possible by the delivery of residential lots in proximity to Arawa Road and the location of the residentially zoned area of Pongakawa.

The other primary reason for pursuing the plan change is to address housing supply shortages relative to demand increasing from the recent and quickly-expanding horticultural land-uses within the Pongakawa area, and pending demand from nearby Rangiuru Business Park. There is a general housing shortage within, and within proximity to, Tauranga particularly the Eastern Corridor of Baypark through Te Puke to Paengaroa. This is evidenced by the most-recent Housing and Business Capacity Assessments<sup>1</sup>. Other than within the Te Puke urban area, there has been no additional housing capacity enabled in the Eastern Corridor in the last 30 years.

A total of 12.4ha of land is proposed for rezoning to achieve this vision. The developable proposed Residential and Commercial land area is much less at 8.98ha<sup>2</sup>. Of this 8.98ha, 0.2ha already has a large lot residential character with no commercial rural productive potential, being the property at 53 Arawa Road.

This plan change application provides the necessary information to enable the PPC to be completed, having due regard to the requirements of sections 73-75 and Schedule 1 of the RMA. The corresponding Pencarrow Estate Structure Plan to ensure coordinated and integrated development as sought by this plan change, has been prepared for inclusion in the District Plan.

The report is structured in the following manner:

- Section 2 addresses the existing site conditions and environment, including the surrounding receiving environment.
- Section 3 describes the background to the project, the purpose and objective of the proposal and scope of change sought.
- Section 4 details the relevant statutory planning framework which informs assessment requirements.
- Section 5 provides a summary of consultation and engagement undertaken in respect of the plan change.
- Section 6 details the required s.32 evaluation analysis that has led to the plan change being pursued.
- Section 7 provides an assessment of all relevant environmental effects of the proposal upon the receiving environment.

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<sup>1</sup> Smartgrowth Housing and Business Capacity Assessment 2022 Summary, commissioned by WBOPDC, TCC and BOPRC. Also confirmed in the latest joint assessment for Tauranga City and WBOPDC – page 14, Smartgrowth Strategy 2023-2073 Draft for Consultation – Executive Summary, published September 2023.

<sup>2</sup> Using the BOPRC definition of ‘developable land’.

- Section 8 addresses notification of the application.
- Section 9 assesses the proposal in terms of consistency with the relevant planning framework, including relevant objectives and policies of the District Plan, any planning documents produced by mana whenua hapū and iwi, the Bay of Plenty Regional Policy Statement, National Policy Statements and National Environmental Standards, and other non-statutory documents.
- Section 10 addresses the achievement of the purpose of, and general consistency with, Part 2 of the RMA being its purpose and principles.
- Section 11 presents a conclusion of the aforementioned assessments.

This report, together with the attached appendices, forms a request for a change to the District Plan pursuant to section 73, and clauses 21 and 22 of Part 1 of Schedule 1 of the RMA. The statutory requirements for a plan change request as directed by Clause 22 with reference to Schedule 4 of the RMA are addressed in proportionate detail in this application as corresponds to the scale and significance of the effects of the proposal and related provisions of relevant planning documents.

The application is considered to satisfy the requirements for adoption or acceptance as available to WBOPDC within s.25 of Schedule 1 of the RMA. The wrap-around nature of the proposed zoning of Arawa Road properties does not preclude sound resource management and planning outcomes being delivered in respect of achieving the objective of the plan change whilst respecting the existing zoning at those properties.

The assessment concludes that effects of the rezoning would be acceptable, and that the land and surrounding infrastructure is suitably placed to accommodate development that would be enabled by the PPC. The plan change would result in contextually appropriate zoning, being the most appropriate method of achieving the purpose of the RMA when considered against current land-use demands in the locality and would be consistent with the relevant provisions of planning documents and Part 2 of the RMA.

The assessment as presented in this report is supported by a number of technical reports and advice, specifically the following:

|   |   |  |
|---|---|--|
| <b>Appendix 1</b> – Property Title and Consent Notice   | <b>Appendix 5</b> – Records of Engagement   | <b>Appendix 10</b> – Road Safety Audit (Abley Consultants, dated July 2023)                  |
| <b>Appendix 2</b> – Structure Plan Drawings   | <b>Appendix 6</b> – Ecological Impact Assessment (Wildlands, dated May 2022)                      | <b>Appendix 11</b> – Supporting RMA Section 32 Analysis                                      |
| <b>Appendix 2</b> – Proposed District Plan Changes (Chapters 12, 13 and 19)                             | <b>Appendix 7</b> – Engineering Servicing Report (Lysaght Consultants, dated December 2022)       | <b>Appendix 12</b> – Hazard Risk Assessment (Appendix L BOP RPS) (MPAD, dated December 2022) |
| <b>Appendix 3</b> – Detailed Site Investigation   | <b>Appendix 8</b> – Geotechnical Investigation Report (CMW Geosciences, dated February 2022)      | <b>Appendix 13</b> – Landscape and Visual Impact Assessment (MPAD, dated May 2023)           |
| <b>Appendix 4</b> – Archaeological Survey and Effects Assessment (Archaeology BOP, dated November 2021) | <b>Appendix 9</b> – Transportation Assessment Report (Harrison Transportation, dated August 2023) | <b>Appendix 14</b> – Ministry of Housing and Urban Development house pricing extract         |

## 2.0 The Site and Surrounds

### 2.1 Site Introduction

The PPC site is located primarily on land within the farm property of 1491 State Highway 2 (SH2), Pongakawa. The larger dairy-farm land holding of 76.7ha is highlighted in red within **Figure 1** below, and has frontage to both SH2 and Arawa Road. The proposed plan change area traverses Lots 1 and 2 DPS 79072 within this land holding (see Certificate of Title at **Appendix 1**, which accounts for 57.8ha of the farm; a further 18.9ha is in a separate title). The site is clearly detailed in application drawings at **Appendix 2**.

The site is to the north of SH2 and north-west of Arawa Road. The Marsh property (highlighted red below) is a working dairy farm. In terms of buildings, the property contains the primary dwelling, two ancillary sheds and car parking and manoeuvring spaces, some 115m north of SH2. A milking shed, ancillary sheds, and effluent ponds are located further north of the dwelling. These buildings are west of a drain running through the property. A secondary dwelling is located further east within the property on the opposing side of the drain. This existing site arrangement is shown in **Figure 1** below.

The PPC site also encompasses 53 Arawa Road, being a large-lot property in residential use along the north-western side of Arawa Road adjoining the Marsh farm.



**Figure 1:** The existing site. The red boundary is the entirety of the land owned by the applicant; the dotted blue line is the PPC site (approximate – refer to plans at **Appendix 2** for precise details). The blue circles show the location of the primary dwelling, cow shed and effluent ponds, and secondary dwelling (west to east). Note the PPC does include one property on the north-western side of Arawa Road (53 Arawa Road) not within the ownership of the Marsh's.

Access to the PPC site is from Arawa Road which is a local road under the District Plan Road hierarchy, which intersects with State Highway 2. The PPC site would connect to the road network at Arawa Road.

## 2.2 Site History, Contamination and Heritage Features

The Marsh's have dairy farmed the majority of the PPC site for 50 years. The existing arrangement and scale of buildings and maintained paddocks reflect that use. Some parts of the farm have been retired and ponds/planted areas established. It is noted in the Detailed Site Investigation (DSI) at **Appendix 3** that residential development along Arawa Road commenced in the 1960's; prior to this, the Arawa Road properties were in farm use similar to the Marsh property.

The DSI details the potential sources of contamination at the site, being (in summary) pesticide and superphosphate-based fertiliser use, and lead-based paint being used upon buildings based on their age. The DSI however confirms that limited amounts of contaminants in soil were found to be present at the site, and guideline values for residential use (being the most sensitive use to exposure to contaminants to be facilitated by the sought plan change) were not exceeded.

There are no archaeological sites recorded on the property by Heritage New Zealand Pouhere Taonga. Ken Phillips of Archaeology BOP has completed a recent archaeological survey (see **Appendix 4**) and has not identified any archaeological or other heritage features on site. The District Plan does not record any scheduled heritage features at the PPC site or the wider land owned by the applicant. The land is of cultural significance to tangata whenua, as evidenced in the engagement recorded at **Appendix 5**, however no waahi tapu or specific sites of significance within the site have been advised to exist.

## 2.3 Topography, Watercourses, Natural and Ecological Features

The contour of the plan change area very gently slopes down from west to east, from an elevation of 8m at the SH2 (western) boundary to 2m at the eastern boundary. The PPC site is a predominantly flat topography and ideally suitable for residential development. Farm drains run through the land to manage the water table and ensure the land is suitable for farming throughout the year.

Watercourses, natural and ecological features are explained in detail in the Wildlands Assessment of Ecological Effects at **Appendix 6**. In summary:

- No natural watercourses flow through the site, only farm drains (channelised component of Puanene Stream to its confluence with the Wharere Canal which drains to the Little Waihi estuary);
- The land is gently sloping northwards to the Little Waihi estuary, within the Puanene Stream catchment.
- The PPC site is heavily modified to suit farming/large-lot residential use, with low ecological values;
- Very small occurrences of indigenous vegetation are found at the plan change site; exotic plants dominate any shrubs or stands of vegetation (excludes wider farm);
- There are no Threatened or At-Risk bird populations that roost, occupy or routinely pass through the area.

## 2.4 Surrounding Environment

The surrounding environment includes the dairy farm that the applicants own, which surrounds the application site to the north and west, and either Arawa Road itself or residential properties on the north-western side of Arawa Road, and the residential land on the opposite side of Arawa Road including the recent Penelope Place subdivision, to the east and south-east. Beyond these areas is rural land and uses in all directions.

Within the nearby proximity to the site (1-5km) there has been a significant amount of farm conversions into kiwifruit blocks in recent years<sup>3,4</sup>. This includes large tracts of land that were previously used for dairy or dry stock farming. This has generated a need for full-time horticultural workers in the area.

The nearest residential settlements are Paengaroa and Pukehina Beach, both being five to ten minutes drive. The larger township and rural service centre of Te Puke is 15 minutes drive away, whilst the south-eastern suburbs of Tauranga City at Papamoa East are a similar distance. Tauranga CBD is 30 minutes drive north of the site. All are accessed via SH2 which Arawa Road intersects with.

The Pongakawa area has some social infrastructure including the primary school, swimming pool, community hall and the sports stadium associated with the school, which is located 1.8km away up Pongakawa School Road on the opposite side of SH2 to Arawa Road. There is some reliance on the BP service station for day-to-day household supplies, and the nearest supermarket is located at Te Puke.

## 2.5 Existing Utility Infrastructure

The site is currently serviced with potable water reticulation only, with a main and rider main located in Arawa Road (see report by Lysaght Consultants at **Appendix 7**). The water supply will need to be upgraded and Lysaght Consultants have made recommendations as to several feasible options for supplying necessary water to the site inclusive of water for firefighting purposes. The detailed design of such will be determined at time of future subdivision consent applications.

There are no Council reticulated stormwater or wastewater services to the site.

Power lines are located on the southern side of Arawa Road. Chorus communications infrastructure is available in the area.

## 2.6 District Plan Context

The subject site is zoned Rural under the District Plan. Surrounding land in all directions is similarly zoned Rural. The exception to this is immediately south of Arawa Road opposite the site, where sections grouped in this location and around Penelope Place are generally sized between 800m<sup>2</sup> and 1100m<sup>2</sup> and are zoned Residential. This being the residentially zoned area within the locality of Pongakawa.

There are also eight rural zoned properties on the northern side of Arawa Road that have lots of around 2000m<sup>2</sup> each and are of large lot residential character. 53 Arawa Road is included in the Plan Change site.

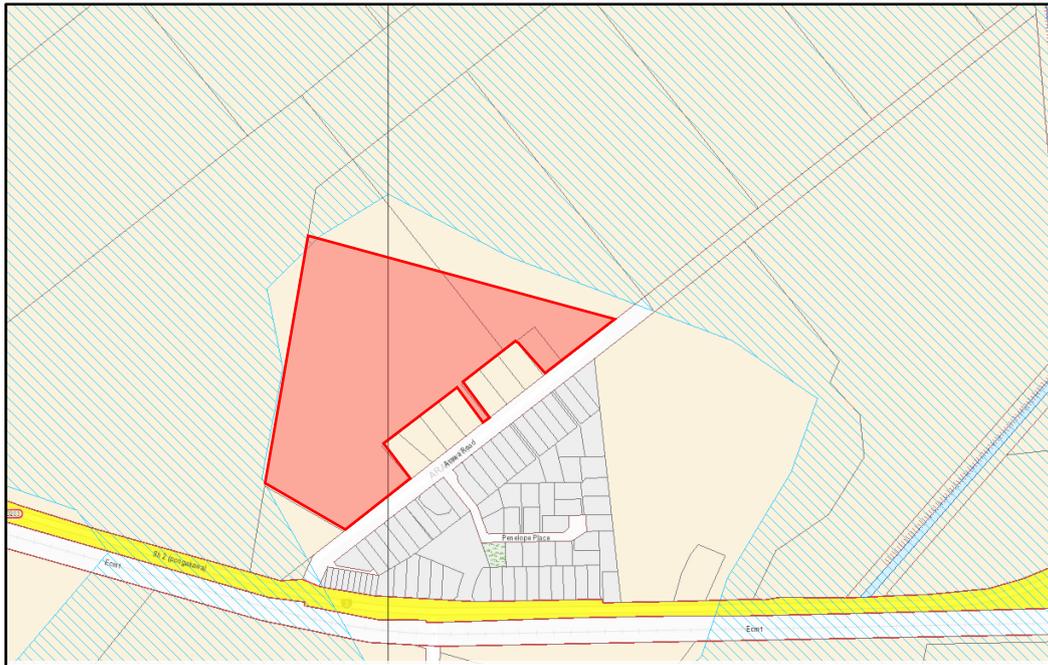
In terms of mapped hazards, the land is subject to the Floodable Area hazard overlay of the operative District Plan.

The zoning context and Floodable Area overlay is detailed within **Figure 2** below.

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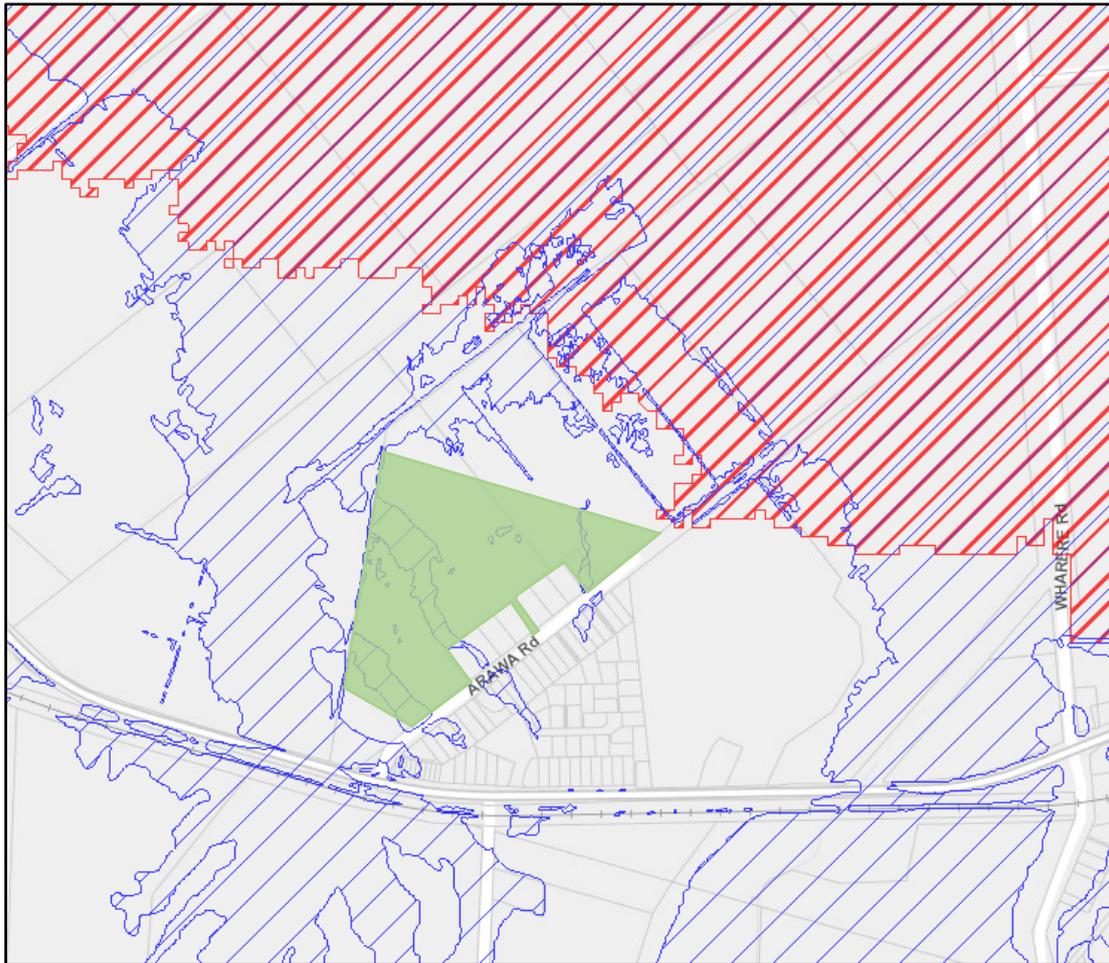
<sup>3</sup> Data from Zespri confirms over 2600ha of kiwifruit orchards are established (canopy cover) in the Pongakawa and Paengaroa localities, within approximately 5km of the site. See Zespri correspondence at **Appendix 5**.

<sup>4</sup> See correspondence from Te Puke Economic Development Group at **Appendix 5** attesting to this orchard establishment growing rapidly in recent years. Historical aerial photography comparisons also illustrate land in the order of 600ha proximate to the site has been physically converted to kiwifruit blocks since 2012.



**Figure 2:** District Plan zoning context of the subject site and surrounds. The beige reflects the Rural Zone; grey being Residential Zone; dashed blue being Floodable Area hazard overlay. The red polygon is the proposed plan change area (approximate – see **Appendix 2** for detailed plans).

Other hazards are known and modelled at or within the vicinity of the site however are not yet incorporated into provisions of the District Plan. These include the 1 in 100 year (1% Annual Event Probability) Rainfall Event (as adjusted for climate change through to 2130). The site is also near the inland edge of the Maketu-Pukehina Tsunami Inundation Zone. See **Figure 3** below.



**Figure 3:** Other hazard overlays mapped within the WBOPDC Eplan. The blue dash represents the 1% AEP Rainfall Flooding Event (adjusted for climate change through to 2130). The red dash represents the modelled tsunami risk at Maketu/Pukehina (worst case 1 in 2500 year return event as adjusted for climate change through to 2130). The green polygon represents the plan change site (approximate – see **Appendix 2** for detailed plans).

## 3.0 Project Background, Objective and Scope

### 3.1 Relevant context, background and client vision

Pongakawa is a small rural settlement. State Highway 2 dissects the locality. Arawa Road and a small residential component of the community is located north of SH2, near its intersection with Pongakawa School Road. Pongakawa School, pool, community hall and action centre are located up Pongakawa School Road south of SH2 centred around the school. A petrol station and automotive service centre is located further east of the intersection of Pongakawa Station Road and SH2. This is the extent of community services and facilities within the locality.

The area is rapidly changing from a predominance of dairy or dry-stock farming, to horticultural agriculture<sup>5,6</sup>. There is increasing and persistent demand for further conversion to kiwifruit orchards, and residential development and living opportunities<sup>7</sup>. This is partly because of economic gains that stand to be made with kiwifruit production, and partly because Pongakawa has increased in proximity to Te Puke, the planned Rangiora Business Park, and Tauranga City to the west owing to the completion of the Tauranga Eastern Link motorway in 2015.

The applicants are life-long residents of the Pongakawa community having farmed and resided at the subject site since the early 1970's. They have witnessed the increased demand for kiwifruit worker accommodation in the area, as well as the growing attractiveness of living in this rural environment. This has occurred in the absence of any material development of community facilities and social infrastructure within the residential area of Pongakawa centred around Arawa Road.

The clients have therefore over time developed a vision for their land to be used to create and consolidate a village environment at Arawa Road with appropriate amenities to serve the existing and growing residential community of Pongakawa and the surrounding rural catchment. This vision has been formed through engagement and support of many local residents as well as strategic stakeholders. These include the Te Puke Economic Development Group, SmartGrowth, Pongakawa School, and local hapu and iwi – see section 5 below and **Appendix 5** for further details of consultation carried out in respect of this vision and resulting plan change application.

The vision is to specifically deliver space for appropriate commercial services (shop/convenience store, café, and a space for flexible community services i.e. visiting/regular periodic health and educational services are envisioned), reserves and a playground to serve the residential community. This is proposed to be supported and supplemented by residential development north of Arawa Road to consolidate the residential component of Pongakawa and provide for anticipated growth and demand for living in the area.

### 3.2 Purpose and objective of the private plan change

The applicants vision includes creating a high-quality residential village environment that integrates and enhances the existing Pongakawa settlement at Arawa Road through the provision of reserves, reticulated services, a commercial area and playground area. The plan change and future subdivision

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<sup>5</sup> Data from Zespri confirms over 2600ha of kiwifruit orchards are established (canopy cover) in the Pongakawa and Paengaroa localities, within approximately 5km of the site. See Zespri correspondence at **Appendix 5**.

<sup>6</sup> See correspondence from Te Puke Economic Development Group at **Appendix 5** attesting to this orchard establishment growing rapidly in recent years. Historical aerial photography comparisons also illustrate land in the order of 600ha proximate to the site has been physically converted to kiwifruit blocks since 2012.

<sup>7</sup> See Pongakawa info published by WBOPDC - <https://www.westernbay.govt.nz/community/about-the-western-bay/our-places/pongakawa>

will help establish a network of walkways that connects the new subdivision area to the older residential portion of Pongakawa on the opposite side of Arawa Road. This is proposed by way of a PPC to change the zoning from Rural to a combination of Residential and Commercial.

The purpose and objective of the Plan Change is therefore to enable the use of the land for residential, commercial and social-infrastructure purposes to cater for growth occurring and expected to occur in the area. This reflects the applicant's vision for the site and Pongakawa community, as well as addressing existent market pressure for housing in the area<sup>8</sup>.

The strategic location of Pongakawa to nearby horticultural land, the Paengaroa Business Estate, the Tauranga Eastern Link toll road, means that the site is well placed to meet the employment needs of the area.

A diversity of section sizes to as low as 350m<sup>2</sup> is provided for by the PPC. This is to ensure that a considerable proportion of the land to be re-zoned can be developed whilst being affordable for full-time workers in the horticultural sector seeking to locate in Pongakawa.

A 3700m<sup>2</sup> corner site at the Arawa Road frontage is proposed to be formed and serviced to accommodate the commercial/community services. The playground is proposed to be located within this commercial area, which collectively is expected to be a destination for the local community.

The current Rural zoning of the site renders the sought outcomes difficult if not impossible owing to the incompatibility of the planned use of the site with the planning framework applying to, and planned character and use of, the Rural zone. Options for achieving the outcomes sought are discussed under section 6 below, however a plan change is considered the most efficient and effective option to facilitate the intended use.

The scope of the changes sought to the District Plan are explained further below.

### **3.3 Scope of change sought**

All proposed changes to operative District Plan provisions are detailed in drawings or chapter track-change documents attached at **Appendix 2**.

#### **Delivery of community and social infrastructure**

Early discussions with Western Bay of Plenty Council staff identified a shared goal for social infrastructure to be incorporated into the plan change given the current deficiency in facilities available. Discussions included the need for a general store and also health-service space that could service both the residential and rural areas near the site. A 3700m<sup>2</sup> commercial site has subsequently been included in the PPC and the corresponding Structure Plan.

The Structure Plan also proposes multiple parks and reserves, with a playground provided for within (expected to be adjacent to future buildings within) the Commercial Zone to deliver new spaces catering to the convenience and social needs of the community (store/café and community health facilities) in addition to recreational needs of children of the community. These are actively facing or connected to the Arawa Road settlement to clearly serve the wider settlement.

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<sup>8</sup> See house price change information sourced from the Ministry of Housing and Urban Development, at **Appendix 14**, sourced 2023.

## Commercial Zone

Inclusion of an area zoned Commercial generates the desired flexibility of built social infrastructure to be viable at the site. Permitted activities in the Commercial zone include retailing, commercial services, restaurants and other eating places, and medical facilities. The existing Commercial zone district plan provisions are considered sufficient in scope and flexibility to achieve the outcomes sought within the PPC site unaltered from their existing wording and implications.

## Rural Zone

The wastewater disposal field servicing the development is proposed to remain Rural in zoning given the open-space nature of this land. Whilst in-use as a disposal field, it is also feasible to use the land for sheep grazing. Rural zoning is therefore considered appropriate at this buffer location.

## Residential Zone

The remainder of the PPC site is proposed to be zoned Residential, to enable the delivery of housing to complete the achievement of the objective of the proposed Plan Change.

It is noted that there are eight Rural zoned properties adjoining the Marsh farm on the north-western side of Arawa Road. These lots are already very small in term of area for rural land at approximately 2000m<sup>2</sup> per lot, and are used primarily for residential purposes. These residents have been consulted and invited to include their land in the Plan change site. Several owners have declined to be included. The owners of 53 Arawa Road has accepted the invitation and that lot forms part of the plan change site.

Proposed altered or new rules to apply within the Residential Zone of Pongakawa Pencarrow Estate relate to the following matters:

- Reverse sensitivity;
- Minimum lot sizes across specified Lower and Higher Density areas;
- Bespoke height and yard requirements addressing the interface of the plan change site with the common boundary of Arawa Road properties.

## Reserves for Recreational and Drainage Purposes

The Pongakawa village is currently dissected by SH2 and while the Pongakawa School and adjacent Pongakawa Domain Reserve are approximately 1.5km away, these are across SH2 and there are no other passive recreational areas at the Pongakawa Village area around Arawa Road. These facilities do provide for a community hall, swimming pool outdoor tennis and indoor basketball/netball courts with some leased activities including a childcare centre and grazing of unused reserve land<sup>9</sup>.

The PPC proposal is to create a pedestrian linkage from Arawa Road to the plan change area to create permeability for pedestrians to created reserves. A destination reserve is proposed where the primary stormwater attenuation pond is to be located. This will include seating and walkways with a 'village green' component that will provide the residents of Pongakawa a place to enjoy with a north-western aspect.

Council is currently consulting on the establishment of a community garden, playground, pump track and cycle walkway within the Arawa Road paper road corridor. While this will provide some areas for recreation it is a narrow corridor with open drains on both sides, which may be a safety hazard if not

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<sup>9</sup> Extract from the Maketu Reserves Management Plan Review September 2013, page 101.

fenced. Despite this the combined recreational facilities for Pongakawa village will significantly increase with the outcomes of the Plan Change and the new reserve plans promoted by Council.

#### Proposed Pencarrow Estate

The proposed Pencarrow Estate Structure Plan (see **Appendix 2**) brings together the scope of the changes sought to be enabled by this plan change. It is sought to enable the site to be developed in three stages, to spread the costs of development appropriately. Key features include the following:

- Approximately 2.29 hectares of 'Higher Density Residential', being comparatively higher density than the rest of the PPC site, 4.74 hectares of 'Lower Density Residential' land expected to yield approximately 120-130 dwellings<sup>10</sup> at a range of price points. All of this land is proposed to be zoned Residential.
- A Commercial-zoned area (approximately 3700m<sup>2</sup> in size) for planned flexible community service space to cater primarily to the likes of a convenience/grocery store, health hub (medical practice, dentist etc), or other community needs.
- Indicative road network to show likely development pattern and access routes.
- A pedestrian network that leads to a reserve area and stormwater wetland which will be an amenity feature.
- A private reserve area adjacent to (within) the commercial site.
- A wastewater treatment and disposal area with appropriate minimum setbacks to watercourses.
- Enhanced overland flow paths which will also be an amenity feature.

Staged development is provided for within the structure plan. The stages are depicted within the structure plan drawing, with corresponding staged pre-requisite requirements at **Appendix 3**, however can be summarised as follows<sup>11</sup>:

- Stage 1 – 2.68ha developable land. Includes low-density and higher-density development areas, road connection in from Arawa Road, widening of Arawa Road to intersection, and upgrade of SH2/Arawa Road intersection. Includes formation of central overland flowpath and stormwater pond, and reserve area around these features. Reverse sensitivity measures include re-locating effluent ponds currently on PPC site.
- Stage 2 – 4.78ha developable land. Includes local roads within the PPC to serve the Stage 2 areas, low-density and higher-density areas. Includes formation of reserve next to commercial area, and lodgement of a building consent for a commercial building within the commercial area to realise community benefits intended at this location. Reverse sensitivity measures include de-commissioning of the milking shed from its current location.
- Stage 3 – 1.52ha developable land. Includes local roads within the PPC to serve the Stage 3 areas, and remaining low-density developable areas.

Sufficient wastewater disposal fields and associated infrastructure are required to be provided to serve each stage, with such infrastructure to be located at the northern boundary of the site, at the

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<sup>10</sup> Expected yield calculated as follows:

Higher Density Area = 2.29ha / 400m<sup>2</sup> maximum average lot size = 57 dwellings.

Lower Density Area = 4.7ha / 600m<sup>2</sup> average minimum lot size = 78 dwellings.

Reduction applied to allow for future rights of way, variation in lot sizes, resulting in an approximate estimated yield of 120-130 dwellings.

<sup>11</sup> See Structure Plan Drawing No. 001 for areas included/excluded from developable land calculations, in accordance with BOPRC definition.

interface with the applicant's farm. Landscaping as required by the structure plan will be completed as required within/at the boundaries of each stage.

See **Figure 4** below and **Appendix 2** demonstrate the structure plan to direct future development of the plan change site.



**Figure 4:** Excerpt - Proposed Pencarrow Estate Structure Plan

### Infrastructure Servicing

The infrastructure required for service the PPC site for the intended use includes the following improvements:

- Upgrades to the intersection with State Highway 2 to establish a deceleration lane in accordance with the recommendations from Harrison Transportation.
- Upgrading of Arawa Road to the intersection with the Plan Change site.
- Improvements to reticulated water supply networks in the area to service the plan change area for drinking water and firefighting supply.
- A new wastewater treatment plant to service the plan change area with associated disposal field.
- A stormwater system consisting of a primary (on-site soakage) and secondary network (drainage via swales and roads to an attenuation and treatment pond/wetland or otherwise away from the site to private land within the applicant's control). Discharge is available from the site to a drain running through the site flowing north to the Wharere Canal.
- Power reticulation will be extended from the existing reticulated supply in accordance with PowerCo recommendations.

- Reticulated communications infrastructure can be provided as confirmed by Chorus.

These infrastructure requirements are incorporated into the staging prerequisites within the Pencarrow Estate Structure Plan as documented at **Appendix 2**.

## 4.0 Relevant Planning Framework

District Plans may be amended by any person pursuant to s73(2) of the RMA, in the manner set out within Part 2 or Part 5 of Schedule 1 of the RMA. Part 2 of Schedule 1 governs requests for plan changes that are not initiated by local authorities, often termed private plan changes. Part 5 of the same schedule concerns proposed plan changes by way of a specified streamlined planning process, a process which the proposal is not eligible to utilise. As such, Part 2 of Schedule 1 of the RMA prescribes the legal path to securing the PPC. It is through this mechanism that this application is made.

The considerations to be had by a territorial authority in coming to a decision in respect of a proposed plan change are addressed within sections 73-75 of the RMA. These provisions then refer to or draw upon other provisions within the RMA. In summary, a plan shall only be amended by a territorial authority in accordance with the following provisions of the RMA (as relevant to the subject application):

- The provisions of Part 2 (purpose and principles);
- Section 31 (functions of territorial authorities);
- Section 32 (requirements for preparing and publishing evaluation reports);
- Section 73 (Preparation and change of District Plans);
- Section 74 (Matters to be considered by Territorial Authority); and
- Section 75 (Contents of District Plans)

### 4.1 Relevant Planning Documents

Considering the scope of sections 73-75 of the RMA, the following statutory planning documents and regulations (produced and applicable under the RMA) which are relevant to the subject application are:

- National Policy Statement for Freshwater Management (2020) (NPS-FM);
- National Policy Statement on Urban Development (2020) (NPS-UD);
- National Policy Statement for Highly Productive Land (2022) (NPS-HPL)
- National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (2011) (NESCS);
- National Environmental Standards for Freshwater (2020) (NES-F);
- The Bay of Plenty Regional Policy Statement (2014) (the RPS) and draft Plan Change 6 to the RPS;
- The District Plan (Western Bay of Plenty District Plan (2012)).

Relevant other planning documents include:

- Paengaroa Community Plan (2015)
- Urban Form and Transport Initiative Final Plan (2020 – Smartgrowth strategic growth and settlement plan for Western Bay of Plenty).

These planning documents and instruments collectively establish the relevant visions, objectives and policies in respect of resource use and development at the site, as well as setting out resource

management (and relevant environmental, social, cultural, and economic) issues to be addressed. The objectives and policies of these documents are assessed in appropriate detail at section 9 of this application below.

#### **4.2 Other Relevant Plan Changes**

Plan Change 6 to the Bay of Plenty Regional Policy Statement is relevant to the site and application, and has been considered at section 9.1 of this report below.

Plan Change 92 to the WBOPDC District Plan does not apply to residential-zoned areas outside of Te Puke and Omokoroa, so does not apply to the residential zone provisions that are proposed to apply to the subject site.

There are no other known notified plan changes to the District Plan or Regional Policy Statement that would affect the site or activity proposed. It is noted that the site is not within the Kaituna River Catchment which is subject to a proposed change to the Regional Policy Statement.

## 5.0 Consultation and Engagement

Consultation and engagement has been carried out with hapū and iwi with a cultural interest in the area, in addition to infrastructure providers, consenting authorities, and other important stakeholders including representatives of Smartgrowth, the Te Puke Economic Development Forum, and Pongakawa School. The particulars of this consultation and engagement are explained further below, and are evidenced in the records of engagement at **Appendix 5**.

### Hapū and iwi

Advice was sought from both consenting authorities as to their records of hapū and iwi with recorded interest at the location of the site. Through responses to this request, it was established that the following tangata whenua are recorded by consent authorities as having an interest in the site:

- Ngati Makino
- Ngati Pikiāo
- Ngati Rangitihī
- Ngati Whakahemo

Engagement was accordingly initiated with these tangata whenua groups via email on 25 February 2022 and follow up emails and phone calls.

Several hui were held with Ngati Whakahemo's Tania Turner with respect to the proposed Plan Change. Discussions were ongoing for several months focused on the potential effects of the plan change and likely future effects of the subdivision to follow. Written support was provided by Ngati Whakahemo for the proposal subject to water quality being appropriately managed and they be consulted if there were any further changes to the plan change<sup>12</sup>.

Further engagement has also been carried out with Ngati Pikiāo. Ngāti Pikiāo's primary concern was to ensure that the PPC included careful consideration of stormwater and wastewater management to ensure the water quality of the Little Waihi Estuary was not degraded further. Through hui, the stormwater and wastewater treatment processes were discussed and Ngāti Pikiāo seemed satisfied that there were sufficient checks and balances in place, especially as these systems would need to be assessed and approved pursuant to resource consents to the Bay of Plenty Regional Council (BOPRC). Ngāti Pikiāo sought some design changes to the structure plan including the introduction of meandering (piko) watercourses and terracing within the proposed stormwater treatment pond. These have been reflected in the revised Structure Plan drawings at **Appendix 2**.

Records of the consultation and engagement carried out with hapū and iwi is attached at **Appendix 5**.

### External Infrastructure Providers

Powerco were consulted with respect to the availability of power supply for the Plan Change area. They have confirmed that:

*"The proposed development can be connected to the existing power supply by extending the 11kV feeder (PKW1 Tainui feeder) from the boundary into the subdivision and installing one transformer (or two Transformers if needed to manage LV voltage drop). This is based on a*

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<sup>12</sup> Letter of support received from Ngati Whakahemo 21 October 2022.

*total expected demand of 460KW from 80-90 dwellings and allowing 100KW for the commercial centre.*

This has been confirmed for the potential yield of up to 130 dwellings. We therefore conclude that power supply is available.

Chorus have been consulted with and have confirmed feasibility to service the land with communications infrastructure. Powerco and Chorus engagement records are contained at **Appendix 5**.

#### Western Bay of Plenty District Council

Engagement has been undertaken in 2021 in the form of a meeting with Council Chief Executive Officer John Holyoake and senior planning staff to confirm that Council would have no fundamental objection to a plan change in this area, provided an application was comprehensively prepared and addressed the necessary matters in the First Schedule of the Resource Management Act. Following this meeting MPAD was engaged to prepare a plan change application along with input from several other subconsultants.

A follow up meeting with Mr Holyoake, and Rachel Davie, Group Manager – Policy, Planning and Regulatory Services, and Phillip Martelli, Resource Management Manager at WBPOPDC, was held on the 11<sup>th</sup> of July 2022. This meeting focused on further engagement with neighbours, and ensuring that the market intended to be catered for – the growing horticultural sector – is credibly catered for by way of ensuring affordable dwellings are enabled to be delivered. These directions have been reflected and given effect to by this proposed plan change.

Regular engagement has been had with policy planners Anna Price and Natalie Rutland since lodging the application. Engagement regarding reserve design has also been had with Cheryl Steiner and Peter Watson in the reserves department, with detailed comments included at **Appendix 5**.

#### Bay of Plenty Regional Council

Preliminary discussions with BOPRC Planner Nassah Stead occurred during 2021 and 2022 with respect to this Plan Change proposal. It was understood from initial meetings there was a lack of objection from BOPRC. This being subject to a natural hazards assessment being undertaken to confirm that the land was suitable for urban use and had a low risk of natural hazard risk. This has been completed and is attached at **Appendix 12**.

Discussions also identified the need to consider the urban limits and explain why the plan change area is outside an urban growth area. It was explained to BOPRC at our meeting that the purpose of the plan change was to rezone land in Pongakawa to meet a demand for housing in the area, which has been driven by substantial land use change in the area (kiwifruit orchards).

BOPRC also stated the importance of completing consultation with hapu groups which has been completed and documented.

Following this work, a letter was received from BOPRC in May 2022 stating that the proposal was beyond the scope of the growth strategy and policy framework in the RPS. Our view is the Proposed Plan Change 6 to the RPS and the direction prescribed in the NPS-UD is to enable housing supply where there is a demonstrated demand, including directions to consider responsive and out-of-sequence unanticipated growth pressures such as that which is being responded to in this instance. We believe

the land use change in the Pongakawa area is generating a substantial demand for housing that can be met by the residential land that this Plan Change will create.

Following lodgement of the PPC request, further comments have been provided by BOPRC citing concerns with provisions of the operative and proposed Regional Policy Statement. These have been responded to by way of a meeting and follow-up letter to BOPRC, see records at **Appendix 5**.

#### Waka Kotahi New Zealand Transport Agency

Early discussions were held with Waka Kotahi to identify if there were any fatal flaws from a transportation perspective taking into account the State Highway in the area of the Plan Change and particularly the intersection with Arawa Road. Waka Kotahi initially confirmed no fatal flaws with respect to the proposed plan change or associated traffic generation, but suggested a transportation assessment be completed focusing on the intersection. **Appendix 9** includes the traffic assessment and additional reporting from Harrison Transportation on these matters.

Since lodging the application, Waka Kotahi have provided further commentary confirming no fundamental objections on safety grounds, subject to a safety audit process which has been completed and positively responded to (see **Appendices 9 and 10**). Questions regarding consistency with transportation planning policy have been raised and responded to (see **Appendix 5** Waka Kotahi Planning Policy Response).

#### Neighbours

The applicants have consulted with the owners of the following Arawa Road residents.

- 19 Arawa Road, Ian and Jordan O'Malley
- 23 Arawa Road, Rachael Sexton
- 25 Arawa Road, Michael and Mapu Maassen
- 33 Arawa Road, Joanne and Jurgen Delaere
- 37 Arawa Road, Craig Green and Lisa McAurthur
- 41 Arawa Road, Amanda Macrae
- 45 Arawa Road, Troy and Cyndi O'Reilly
- 53 Arawa Road, Neisha Connor

The applicants have held several meetings with these residents both individually and as a combined group to consider their views on the proposed Plan Change, but also offer to include their properties with the plan change area to rezone their properties residential. The benefit of this to those owners was that their land would be up-zoned without any cost to them associated with the preparation or processing of the Plan Change.

The owners views are mixed with respect to the proposed plan change. While there were several issues raised the potential increase in Council rates<sup>13</sup> was considered a negative outcome of the plan change should their land be rezoned. Minutes of the meetings the applicant has had with the above owners are attached in **Appendix 5**. Given the scope of the plan change and the size of the consulted residents lots, being approximately 2000m<sup>2</sup> each, it is considered a residential zoning would be a good

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<sup>13</sup> The establishment of a reticulated wastewater system would likely attract rates associated with the establishment, maintenance and renewal of the wastewater system estimated to be approximately \$950 pa per residential unit. This is based on analysis of Council rates that use a similar system to the Innoflow system proposed in Ongare point.

planning outcome for Pongakawa should the Plan change be approved. However, as support was only received from 53 Arawa Road, only that property has been included.

Te Puke Economic Development Group, SmartGrowth and Pongakawa School

The project has long-standing support from the Te Puke Economic Development Group (TPEDG), owing to the known need for housing in the area accompanying the growth in horticultural land uses. This is evidenced in letters between TPEDG and SmartGrowth representatives, most prominently in 2020 (see **Appendix 5**). SmartGrowth being the body of strategic partners (the Crown, tangata whenua, TCC, WBOPDC, BOPRC and Waka Kotahi) promoting coordinated growth in the high-growth area of Western Bay of Plenty enveloping Tauranga City.

SmartGrowth has also previously affirmed support for development of the site as would be enabled by the plan change – see email from former SmartGrowth Strategic Advisor Ken Tremaine at **Appendix 5**. Further conversations have been had with Smartgrowth representatives in August 2022, who have confirmed the current approach is to not get involved in planning applications, rather there is the expectation that the Smartgrowth partners give effect to their roles within the Smartgrowth partnership, particularly concerning achieving the spatial strategy adopted by Smartgrowth (Urban Form and Transport Initiative Final Plan 2020).

Pongakawa School Principal Graig Haggio has confirmed support for the scheme, via letter also attached at **Appendix 5**.

## 6.0 Section 32 Analysis

Clause 22 of Part 2, Schedule 1, and section 74(1) of the RMA make it clear the importance of undertaking a section 32 analysis to ensure appropriate consideration of how to achieve the purpose of the RMA, and the proposed method of doing so. The section 32 analysis below has been completed with due regard to ‘A guide to section 32 of the Resource Management Act 1991’ published by the Ministry for the Environment in 2017.

The first key requirement of s.32(1)(a) is to examine the extent to which the objective of the proposal being evaluated is the most appropriate way to achieve the purpose of the Act. The second key requirement pursuant to s.32(1)(b) is to examine whether the provisions to give effect to the proposal, including methods for achieving the objective, and their efficiency and effectiveness, are the most appropriate way to achieve the objectives. These two matters are considered below.

The completion of this exercise confirms the appropriate avenue for achieving the objective of the proposal. This exercise is required to be completed in proportionate detail to the scale and significance of the environmental, economic, social and cultural effects anticipated from the implementation of the proposal.

### Scale and significance of the proposal

The reason for the proposed plan change is to respond to a local resource management issue, being a shortage of residential land supply in the local area. This shortfall occurring proximate to increasing employment demands through changes in land use to horticulture, and the progression of the Rangiuru Business Park. It is a permanent change in land-use, confined to the edge of the existing Arawa Road settlement. This change is however somewhat expected in the locality given the degree of previous engagement by the applicants with the community.

The proposal has the support of tangata whenua. The PPC area is relatively small compared to surrounding rural landholdings. The land can be suitably serviced. Residential land is clearly needed in the locality, yet the scale of land proposed to enable such development and expected yield would not undermine planned growth and the social and economic potential of other areas in the sub-region – Paengaroa, Te Puke, Pukehina, Maketu etc. As such, community reaction is expected to be limited to the local area and inclusive of positions of support.

For these reasons, the scale and significance of the proposed change is considered to be at a local level, notwithstanding the significant importance to the local area and communities. This also does not detract from the fact that the proposed plan change is ‘large scale’ at over 5ha (as required by the BOPRC RPS for urban rezoning) with the corresponding potential to materially contribute to meeting and alleviating housing demand arising in the area. The section 32 analysis below has been completed in proportionate detail to reflect this local level of scale and significance.

### **Appropriateness of objective to achieve purpose of the RMA**

Section 32(1)(a) requires examination of the extent to which the objective of the proposal is the most appropriate to achieve the purpose of the RMA. The purpose of the RMA is defined as below:

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) In this Act, sustainable management means 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 well-being 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.*

Sustainable management inherently requires placing use and development of resources in the relevant current and strategic contexts. In this instance, the site is located proximate to conversions of dairy farming land to kiwifruit use<sup>14,15</sup> (see also correspondence with Zespri at **Appendix 5**).

This change in land use is resulting in more demand for living given the greater intensity of workers upon horticultural land in contrast to dairy farming. This corresponds to an experienced growth in demand for residential living opportunities in the area<sup>16,17</sup>, and calculated shortage in necessary housing supply currently and in the medium-long terms (beyond 2025)<sup>18</sup>. The Arawa Road residential

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<sup>14</sup> <https://www.pggwre.co.nz/real-estate-news/New-Heights-Kiwifruit>

<sup>15</sup> <https://www.stuff.co.nz/business/109795066/dairy-expansion-over-as-farmers-look-to-other-sectors>

<sup>16</sup>

[https://www.tauranga.govt.nz/Portals/0/data/council/reports/development\\_trends/quarterly\\_monitoring\\_report\\_march2018.pdf](https://www.tauranga.govt.nz/Portals/0/data/council/reports/development_trends/quarterly_monitoring_report_march2018.pdf), page 13. See also dwelling price and sales data (sourced 2022) at **Appendix 14**.

<sup>17</sup> Evidenced from pre-application meetings with Council officers. See also <https://www.westernbay.govt.nz/community/about-the-western-bay/your-places/pongakawa>.

<sup>18</sup> Housing and Business Capacity Assessment 2022, jointly prepared by TCC, WBOPDC and BOPRC (December 2022), pages 9 and 12. Also confirmed in the latest joint assessment for Tauranga City and WBOPDC – page 14, Smartgrowth Strategy 2023-2073 Draft for Consultation – Executive Summary, published September 2023.

settlement is currently lacking appropriate social infrastructure, and this is only going to be exacerbated by demand generated by planned growth in the Te Puke/Paengaroa/Rangiuru areas close to Pongakawa<sup>19</sup>. These circumstances within the locality of Pongakawa reflect a tension between the existing Rural zoning, and market demand for different uses at, and planned growth near this location.

For these collective reasons, planning intervention is required to facilitate appropriate achievement of sustainable management of natural and physical resources in this location. The objective of enabling use of the land for residential, commercial and social-infrastructure purposes would address the tensions between existing zoning provisions and the market demand for land at, and future demand owing to planned growth near, the proposed PPC site.

The effects assessment at section 7 of this report below demonstrates that effects on the environment as reasonably anticipated from changing the zoning can be sufficiently avoided, remedied or mitigated to sustain the potential of resources to meet the reasonably foreseeable needs of future generations, and would safeguard the life-supporting capacity of air, water and soil resources and ecosystems that the site contains or supports.

The objective of the proposal is considered most apt and appropriate to achieve the purpose of the RMA given the current and emerging context of the site and surrounding/nearby areas as described above. The balance of land zoned for Residential and Commercial uses is considered appropriate in these circumstances, proportionately consolidating the urban area of Pongakawa at Arawa Road and providing sufficient commercial land for the conveniences warranted for a residential community within a rural locality such as Pongakawa.

Section 32(1)(a) of the RMA is therefore considered to be appropriately satisfied in this instance, with the objective being the most appropriate way to achieve the purpose of the RMA.

#### **Appropriateness of provisions to achieve objectives**

Section 32(1)(b) then calls for the examination of whether or not the proposed provisions are the most appropriate way to achieve the objective, 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

The reasonably practicable options and their ability to achieve the objective of the project are addressed in **Table 1** at **Appendix 11**. Differing methods, and geographic alternatives, for achieving the objective of the project are analysed within **Table 2**.

The efficiency and effectiveness of the proposed provisions (new or altered rules and structure plan provisions) in achieving the objective is also addressed in **Table 3** at **Appendix 11**. These assessment tables should be read to inform the s.32 assessment undertaken.

In summary, the environmental, economic, social and cultural benefits of the proposed provisions applying to the land outweigh the costs, and are overall highly efficient and effective to appropriately achieve the objective of the project. This is for the following reasons:

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<sup>19</sup> Tables 5 and 6, UFTI Final Report 2020 – a share of 20,000 dwellings in the ‘Eastern Corridor’ encompassing these areas is planned, in addition to employment and town centre development at Rangiuru/Paengaroa.

- A change in zoning as proposed allows for the ability to realise the project vision which corresponds to market demands for land-use in the area, without being unnecessarily prescriptive in terms of outcomes.
- Provides for flexibility in delivery of housing to suit the diverse expected demand for such housing – for horticultural workers, and re-locating families and households, including those in relation to the nearby planned Rangiora Business Park.
- Allows for integrated and holistic consideration and implementation of infrastructure in a staged manner as the market demands the land-uses.
- Provides the opportunity for significant social benefits in terms of access to social infrastructure (medical facilities, shop/café etc, and recreational facilities – parks and playgrounds).
- The private plan change option would deliver these outcomes to the community in the fastest possible time whilst having necessary flexibility, in contrast to the other reasonably practicable options (resource consent, District Plan-review, or doing nothing).

### **Section 32 Analysis - Conclusion**

For these reasons, the project objective in the form of a plan change is considered to be the most appropriate way to achieve the purpose of the Act whilst addressing existing and planned development, and expected market demands for the land in question. The proposed provisions to give effect to the objective are considered to be the most appropriate, in conjunction with existing provisions to be adopted, to achieve the objective. The provisions are also suitably efficient and effective in doing so – it is noted that the residential character to result is sought to be high-quality and responsive to the local context and ambitions for Pongakawa shared by many stakeholders, which is enabled by existing Residential and Commercial-zone provisions to apply to the land.

The assessments referred to above are considered to appropriately satisfy s.32 of the RMA as it applies to private plan change applications.

## **7.0 Assessment of Environmental Effects**

All discernible potential effects of the proposal have been explored and considered in assessing this proposal. In completing this assessment, the effects have been grouped into the following categories:

- Contamination exposure effects;
- Archaeological, heritage and cultural effects
- Ecological and hydrological effects
- Infrastructure servicing and capacity effects (addressing stormwater, water supply, wastewater, and energy and communications);
- Geotechnical stability effects;
- Natural hazard effects;
- Rural character and amenity effects (including noise and vibration, landscape and visual effects);
- Traffic effects;
- Rural productivity and reverse sensitivity effects;
- Temporary earthworks and construction-related effects;
- Positive effects.

These are assessed in detail below.

## 7.1 Contamination Exposure Effects

The potential for exposure of future residents of the plan change site to any sources of contamination has been considered by way of completion of a Detailed Site Investigation (DSI). Whilst testing only occurred at the property of 1491 SH2, the DSI details that the history of the neighbouring Arawa Road properties adjacent to the PPC site is one of pasture prior to residential development and use commencing in the 1960's, with no reasonable suspicion of HAIL use at those properties. Only 53 Arawa Road has been included in the Plan Change for reasons discussed under neighbours consultation above. The DSI has been carried out by a suitably qualified and experienced practitioner Pennan and Co environmental consultants, and is attached at **Appendix 3**.

The DSI confirms that whilst several theoretical potential sources of historical contamination exist at the site, soil composition at the site does not exceed soil guideline values for residential land use as outlined in regulation 7 of the NESCS. Pennan and Co considers that there is negligible risk to human health and the environment because of the proposed residential development on the site. The site is therefore suitable to develop and be used for residential purposes insofar as potential contamination exposure pathways to future residents are concerned. The development and disturbance of the land also would not generate adverse contamination exposure effects to terrestrial or aquatic ecosystem constituents that interact with the PPC site.

## 7.2 Archaeological, Heritage and Cultural Effects

BOP Archaeology have completed an archaeological assessment (see **Appendix 4**) of the plan change site and no archaeological sites were discovered. The report concludes that there is *“reasonable cause to suspect that previously unrecorded archaeological sites may be encountered during earthworks.”* The archaeological report therefore recommends that an archaeological authority is obtained from the Historic Places Trust. This will be obtained in due course and with appropriate engagement with tangata whenua.

There would be no adverse effects upon built heritage in terms of nationally-listed or district-scheduled buildings or items owing to a lack of their presence at the site.

Tangata whenua have advised of the need for robust consideration of ecosystems and water resources as affected by development that would be enabled by the plan change (**Appendix 5**). This direction has been addressed by way of obtaining expert advice on the potential ecological effects of the plan change by Wildlands Consultants, discussed below, in addition to reflecting cultural expertise provided through engagement to-date. Their conclusion is that there would be no adverse effects upon physical habitat within downstream water bodies, minor effects upon terrestrial ecology which is further mitigated by proposed landscape treatment, and the commitment to multiple planted overland flow paths and a treatment pond to ensure water quality discharging from the plan change site is acceptable. Further reflecting cultural expertise related to ecological wellbeing and mauri of taonga, through meandering stormwater channels, is respected and provided for by way of requirements to be met in developing the structure plan area. Impacts upon taonga of importance to tangata whenua have been considered with high importance in forming the components of the plan change, and are considered to be appropriately addressed.

## 7.3 Ecological and Hydrological Effects

Wildland Consultants (**Appendix 6**) have completed an ecological assessment of the freshwater and terrestrial ecological values of the site and immediate surrounds. This included a desk top assessment,

site visit including field investigations. The following extracts of the ecological report characterise the plan change area.

*No Threatened or At Risk indigenous vascular plant species, or regionally uncommon species, were recorded in the project area. Ecological values for indigenous vegetation and plant species at the site are therefore considered to be low*

*The indigenous avifauna species assemblage within the project area is typical of highly modified semi-coastal farmland habitat within Tauranga Ecological District, and contains no Threatened or At Risk indigenous species. (Section 9.2)*

*Apart from the duck pond, there are no watercourses within the proposed plan change area. A good diversity of indigenous fish species has been recorded in the Little Waihi catchment and it is likely that many of those utilise the drain on the western side of the site, and also the excavated duck pond. (Section 9.2).*

*Evaluation of historic aerial photographs indicates that drains in the general area appeared to be either existing water courses or modified natural water courses around the time that the drains were excavated. The drain on the western margin of the proposed plan change area is therefore a 'drain' or 'farm drain' as per the definitions in the National Environmental Standards for Freshwater (NES-FW) (2020). (Section 9.3)*

The impacts upon physical aquatic and terrestrial ecosystems, and quality of downstream watercourses, are considered individually below.

#### Aquatic Ecosystems

The property is located within the catchment of Waihi Estuary which is in the Kaituna-Pongakawa-Waitahanui Water Management Area (WMA). Wildlands Consultants confirm and summarise that "...waterways in the catchment of Waihi estuary are heavily modified with strong land use pressures such as increased nutrients, sediment and E.coli. These pressures affect water quality and the freshwater biotic community, adversely affecting overall stream health."(P3).

*...There are no watercourses within the proposed plan change area. A good diversity of indigenous fish species has been recorded in the Little Waihi catchment and it is likely that many of those utilise the drain on the western side of the site, and also the excavated duck pond. Although channelised, with compromised water quality, the drain nevertheless provides reasonably good quality freshwater habitat and is also the key linkage and route for migratory fish species that utilise the upper catchment of the Puanene Stream. (Section 9.3)*

*The drain on the western side of the project area is not to be affected directly, and the excavated pond is also not to be affected. As such, there will be no direct adverse effects on freshwater habitats. Potential indirect effects are addressed below. (Section 10.3)*

Given the lack of change within the existing farm drain, as alluded to by Wildlands, there would be no material adverse effects on physical aquatic habitat within the waterway. Wildlands have further confirmed that it is important that stormwater from the plan change area is appropriately treated before it is discharged into the drain at the north western boundary of the site. They have identified that there is considerable opportunity for ecological restoration and enhance in the area of the stormwater pond being designed as a stormwater treatment wetland. This recommendation has been adopted and forms part of the structure plan for the Plan Change area.

## Terrestrial ecosystems

Wildlands Consultant's characterise the terrestrial ecological values of the plan change site in the following statement.

*There are no vegetation or habitat types dominated by indigenous species within the proposed plan change area. Indigenous plant species are generally present as occasional individuals or small clumps within vegetation and habitat types that are dominated by exotic species.*

The ecological assessment assesses the environmental effects of the plan change on the terrestrial vegetation and habitats within and adjacent to the plan change site are highly modified and consequently ecological effects resulting from the loss vegetation and terrestrial habitats are minor.

The ecological report recommends that indigenous varieties of trees be considered for street trees to provide habitat for birds so as to mitigate terrestrial ecological effects and improve biodiversity in the landscape. Puriri (*Vitex lucens*) have been recommended as an appropriate variety by Wildlands and are accepted by WBOPDC in appropriate street corridors. The structure plan includes the recommended tree species to provide the habitat for avifauna.

## Hydrological Effects – Stormwater Contamination

Wildlands Consultants have identified that the farm drain to the west of the plan change site boundary is a likely migratory pathway for native fish to the upper reaches of the *Puanene Stream*. Therefore, any discharges from the proposed stormwater pond needs to be of an appropriate water quality so not to detract from the water quality in the drain. It is important that erosion and sediment control measures are well designed so that during earthworks and the formation of any stormwater pond area, that the water quality in the stream is not adversely affected. This is in-principle provided for by way of planted overland flow paths and the stormwater settlement and attenuation pond, being intervening mediums to remove pollutants prior to stormwater discharge into the drain. These effects (including their cumulative effects) are potential environmental effects will need to be considered further at time of future resource and subdivision consents to district and regional councils, however, are considered to be able to be appropriately mitigated as provided for in the structure plan so as to be acceptable.

## Conclusion

For the reasons discussed above, the potential adverse ecological, including water quality, effects, would be appropriately mitigated by design features, namely overland flowpaths, treatment ponds, and improved landscaping in terms of quality and quantity, incorporated into the plan change proposal. Subject to this mitigation, which is secured through staging pre-requisites within the Structure Plan and would be secured through subsequential resource consents, any adverse ecological and water quality effects are considered to be less than minor and acceptable.

## 7.4 Infrastructure Servicing and Capacity Effects

Lysaght Consultants have assessed the provisions of three waters, power and communications infrastructure for the plan change area. The details of this are identified in **Appendix 7**. A summary of the provision for these infrastructure networks is provided below.

### Stormwater

The proposed stormwater system will consist of a combination of soakage-to-ground in respect of future dwellings, and conveyance by roads and swales to a large pond to accommodate overland flow

up to the 1 in 100 year storm event (as adjusted through to 2130 for climate change). The pond is sufficiently sized to attenuate runoff from the developed site to pre-development rates in the 1% AEP storm event as adjusted for climate change through to 2130. This appears to be clearly consistent with the direction of paragraph 7.1.3 of the BOPRC Stormwater Management Guidelines 2012 in terms of reasonable or proportionate attenuation. Full details demonstrating the feasibility of these methods and networks are detailed at section 5 of the Lysaght report at **Appendix 7**.

Prior to discharge into the farm drain on the north western boundary of the site the stormwater will be treated via stormwater wetland which will filter the stormwater to ensure sediment and contaminant loads are appropriately removed and mitigated prior to discharge of water into the receiving watercourse. The stormwater wetland will help in part to restore the natural ecological values of the shallow gully area and provide habitat for fish and avifauna.

The detailed design of this system will be prepared at time of lodging resources consents for subdivision, stormwater attenuation and discharge. The structure plan shows the layout of this key infrastructure and overland flow paths.

#### Water Supply

There is a reticulated Council owned and maintained water supply that services Pongakawa. Lysaght consultants have confirmed that to service the plan change area a separate connection will be required to the water main at the State Highway/Arawa Road intersection. This is because the existing pressure in the mains along Arawa Road are insufficient due to the diameter of the water mains and number of existing users.

Lysaght consultants have confirmed that a reticulated water supply is feasible and can be designed to service future development at the site, the detail design of which will be developed at time of future subdivision. This will require reservoir water tanks to ensure sufficient water pressure for firefighting and domestic supply is provided to a satisfactory urban standard, or alternatively upgrading the existing water main from Maniatutu Road south to Arawa Road.

#### Wastewater

A low-pressure wastewater treatment scheme is proposed to service the plan change area. This requires a network that reticulates to a treatment facility and then discharges the treated wastewater to a disposal area. This treatment facility and associated disposal area is proposed along the north-eastern boundary of the plan change site. Lysaght Consultants have made some recommendations regarding the disposal area and confirmed this can be achieved by ground improvements or through using a shallow drip irrigation system. While several package treatment plants are available initial discussions have taken place with Innoflow who have worked with Council to design a community wastewater treatment scheme for Ongare Point just north of Katikati.

Package wastewater treatment system will result in acceptable end discharge effects restricted to the disposal area on the applicant's property only. The detail of this will be refined through the resource consent to discharge treated sewage to land.

#### Power and Communication Infrastructure

Powerco has confirmed that the existing reticulated power supply has sufficient capacity to service the plan change area and its likely maximum yield of dwellings. Chorus have also confirmed the communication infrastructure can be provided to serve the general scale of development to be enabled. See **Appendix 5** for confirmation of these positions. As such it is concluded, that subject to

the design of the network extensions, that reticulated power supply and communications infrastructure is available.

Provision of the aforementioned infrastructure necessary for the staged development of the site is secured by way of the structure plan and stage pre-requisites. In respect of power and communications infrastructure, this would be done in agreement with the infrastructure providers and as governed by future subdivision consents.

In conclusion, the site can be reasonably and appropriately serviced in terms of necessary infrastructure, with no adverse effects upon the capacity or operation of existing infrastructure networks.

## **7.5 Rural Productivity and Reverse Sensitivity Effects**

The subject site has an NZ Land Use Capability Classification rating of Class 2. This indicates moderate-high value for primary production, and as such is defined as versatile land under the District Plan. Such land is also subject to the NPS-HPL, which is discussed at Section 9 below, however importantly provides a route for re-zoning productive land to urban use where certain criteria are met, which is considered to be the case in this instance (see relevant assessment at section 9.2.3 of this report below). It is from this position that the effects assessment below is undertaken.

The PPC site is part of a wider 76.7ha farm holding that similarly traverses Class 2 or Class 3 land. The entire farm is therefore versatile land as per the District Plan definition. A total of 10ha of this landholding is proposed to be re-zoned from Rural. The permanent removal of this land from use for productive purposes is acknowledged.

The effect of the removal is considered to have little material effect upon the cumulative productive capacity of highly-productive land across the locality at-large. This is because the proposed Residential and Commercial land is an extremely small proportion of versatile land in the locality and would not inhibit practical use of the remaining farm for primary productive purposes in the future.

For these reasons, and how the proposal aligns with the criteria for re-zoning as directed by the NPS-HPL, the effects of the proposed plan change in terms of physical loss and fragmentation of versatile rural land are considered to be very low, with no persons being adversely affected and overall being acceptable.

Reverse sensitivity effects concern new land-uses constraining lawfully established neighbouring land uses. In this instance, this would manifest by way of occupants of future residential dwellings of the PPC area complaining and hindering neighbouring rural uses of land, owing to odours, spray drift, noise etc common to rural working of the land but not common to residential environments.

The potential for this effect is proposed to be mitigated by way of two distinct measures:

1. Structure planning allowing for staged development, with Stage 2 (which brings residential dwellings closest to the dairy sheds and effluent storage areas – highest potential source of reverse sensitivity) unable to be occupied until these facilities no longer operate at that location.
2. Structure-planning placing reserves (i.e. not dwellings) at several interfaces to sources of reverse sensitivity.

These proposed rules and structure plan provisions are considered to suitably mitigate the potential for reverse sensitivity effects to future farmers/primary producers working the remnant farm and neighbouring rural land. It is noted that the remnant farm within which the PPC site sits is currently

owned by the applicant, whose approval is implicit. It is also observed that reverse sensitivity effects (spray drift in particular) may be more noticeable to existing residents at Arawa Road should horticultural forms of primary production be established within the plan change site.

The PPC will enable new residential dwellings and a small commercial development site. The nearest house would be approximately 170m away from State Highway 2 (further to the East Coast Trunk railway line) and will therefore be well separated from the noise and vibration effects associated with the normal operation of the State Highway and railway line.

For these reasons, any adverse effects upon rural productivity, both as a result of consumption of rural land for non-rural purposes and as a function of reverse sensitivity effects, in these precise circumstances are considered to be suitably mitigated so as to be less than minor and acceptable.

#### 7.6 Geotechnical Stability Effects – Site Suitability

CMW Geoscience have completed a Geotechnical Investigation Report (see **Appendix 8**). This investigation has confirmed the land is suitable for urban development and not subject to unacceptable earthquake or geotechnical risks including liquefaction, lateral spread and fault rupture. They recommend that as part of the foundation design a TC2/TC3 foundation be used with a prepared foundation pad of 0.8m. Lateral spread risk has been identified as low at <100mm. This foundation type is not unusual in the Western Bay of Plenty context post-Christchurch 2011 earthquakes and would not generate an unreasonable or prohibitive development cost to residential development.

For these reasons, the site is considered to be appropriate in terms of geotechnical suitability, with the land being able to be developed as enabled by the plan change, subject to reasonable recommendations which would suitably provide for site stability. For these reasons, geotechnical instability risks of developing the land upon nearby persons or infrastructure networks are considered to be less than minor and acceptable.

#### 7.7 Natural Hazard Effects

The site is indicated to be partially subject to flooding by way of overlays of the 1 in 100 year rainfall storm event (adjusted for climate change through to 2130) as recently modelled by WBOPDC. The areas centre on small gullies within the landform. It is noted that the owners and applicants of this plan change have resided at the site for 50 years and never seen the extent of the farm flood in the manner implied by the modelling.

A natural hazards assessment has been completed pursuant to Appendix L of the Regional Policy Statement (see **Appendix 12**) which has confirmed the overall hazard risk as low, as per the risk screening matrix.

With respect to flooding hazards. Section 4 of the Lysaght Consultants report considers downstream flooding effects. The report details that 2ha of the site, within undulating gullies within the landform, are subject to modelled flooding in the 1 in 100 year event as at 2130 and as adjusted for climate change<sup>20</sup>. The report assumes a worst-case position of complete infilling of these gullies, although in reality they would be re-provided for to a degree by overland flow paths proposed. Complete infilling of the gullies, and displacement of floodwater accordingly, would result in less than 1mm of floodwater rise downstream within the mapped floodable area. The reality is that the mapped

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<sup>20</sup> Rural Areas and Small Settlements Floodable Area data within WBOPDC's GIS information.

floodable area is contiguous with the harbour and ocean, and therefore the displacement would be further dispersed and the actual effect upon any person or property 'infinitesimally small'<sup>21</sup>.

It is further noted that parts of the modelled areas to flood would be formed as planned parks and reserves and as such the hazard risk would not transfer to new dwellings or habitable buildings. In other parts of the site, it is envisioned that small-scale earthworks to achieve flat gradients for dwelling and road construction would occur. Given the vast extent of surrounding land owned by the applicant, to which the landform would drain (following existing contours), and considering the advice of Lysaght Consultants referred to above, any adverse floodwater displacement effects beyond the applicant's property would be negligible in respect of impacts to any other property or person.

The site is not considered to be at undue or elevated risk of impact from other natural hazards. Ground stability is considered in appropriate detail above. Any risks of natural hazard impacts to future occupants are considered to be of a usual or typical profile (save for flooding which is addressed above), and any associated effects are considered less than minor and acceptable.

### **7.8 Rural and Residential Character and Amenity Effects**

The following assessment has been completed incorporating expert landscape and visual amenity impact advice as detailed by Landscape Architect Tom Watts at **Appendix 13** of this application.

North, east, south-east and west of the PPC site including land owned by the applicant is zoned Rural. In these directions are established working rural properties (at 1405 and 1423 State Highway 2; 6, 8, 14, 148 and 166 Tainui Road; and 182 McIntosh Road). Amenity factors and levels at surrounding rurally-zoned properties include:

- A high ratio of open (natural and artificially altered) space, comprising horticultural use and grazing activities;
- Interaction with a working rural (horticultural-dominated) environment as well as experience of reasonably daytime high traffic levels and noise on SH2;
- Noise and odours associated with production and grazing activities;
- High levels of privacy;
- Limited visibility of neighbours owing to distance between dwellings, placement of shelterbelts etc.

The nearest dwelling within these rural properties is more than 550m away (located at 1423 State Highway 2), and at a similar elevation. At this distance, the aforementioned amenity factors in the Rural Zone would remain prominent in the experience of persons at these properties. This is particularly the case when considering the recommended mitigation (incorporated into proposed rules) of Momentum Planning and Design's Landscape Architect restricting light reflectance values of roofs to address cumulative glare and reflectivity from clustered housing in a predominantly rural environment. Considering also the proposed maximum permitted height limit at the interface to rural properties at this distance (8m, two-storey character), impacts upon rural amenity factors and levels as experienced at these rural properties are considered to be negligible and acceptable.

Arawa Road properties immediately adjoining the PC site have a rural residential character, each having an area of approximately 2000m<sup>2</sup>, with an outlook over the Marsh's farm. This outlook includes grassed paddocks, shelter belt trees, workers accommodation and farm buildings. The plan change area will enable a change in land use and character of this outlook, which has been addressed in the

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<sup>21</sup> Page 8, Lysaght Consultants report dated 1/9/22.

landscape and visual assessment report. It is assessed as appropriate to restrict the height of proposed residential buildings to single storey where future lots may adjoin these properties. A yard setback of 5m of dwellings and garages, has also been proposed to ensure there is a reasonable separation between future built form and the existing dwellings at these Arawa Road properties. These measures will help maintain the amenity values of these existing Arawa Road properties while mitigating the visual effects of future residential development as sought by the plan change.

Residentially zoned properties on the southern side of Arawa Road and at Penelope Place experience different levels of amenity in comparison, owing to the expectation of closer proximity of built form and residential occupation. Future dwellings at the PPC site would be restricted to the same scale and character of existing dwellings in this area in accordance with the permitted rules of the Residential zone. This conclusion is made considering also the Commercial Zone would be subject to the operative Commercial rules, which restrict building height to two storey scales in spot zones such as this. For these reasons, amenity effects in respect of shading and natural daylight, and sense of enclosure are less than minor and acceptable.

Ambient noise from residential occupation within the PPC would be generated as a result of conversion to residential use. Noise derived from residential use would be similar to that general noise experienced in the existing Residential zones alongside Arawa Road and encompassing Penelope Place. It is recognised that there may be different noise at the Arawa Road frontage to the site where commercial and play activities would be located, however the effects of such use would be obscured and mitigated in perceptibility by passive noise of Arawa Road traffic, and are expected to be during the daytime when the community facilities would be open and in use. For these reasons, no unreasonable noise effects upon neighbouring amenity are considered to result from the plan change.

This disposal field would be over 100m away from the nearest private residence not within the plan change site. Combined with the design of contemporary on-site treatment systems which avoid discernible odour generation in buried dispersal fields, material adverse amenity effects in terms of odour upon neighbouring amenity (and future amenity within the PPC site) would not result.

Lot sizes with minimum areas of 350m<sup>2</sup> or greater are provided for within the PPC site. This corresponds with minimum lot sizes within the Residential zone across the district, delivering sections able to be developed with appropriate on-site amenity available within each lot. Such amenity will only be further enhanced by the access to new reserves and recreation spaces delivered by the PPC.

For the reasons discussed above, any adverse effects upon rural character and amenity attributable to the proposal (including amenity of any person at any neighbouring property, or the amenity of future occupants within the PPC site) are considered to be less than minor and acceptable.

## 7.9 Traffic Effects

Harrison Transportation has completed a Transportation Assessment Report (see **Appendix 9**) taking into account the likely traffic generated from the anticipated future residents and commercial traffic resulting from future development of the land. Given the application concerns a plan change, intersection design between SH2/Arawa Road, and Arawa Road to a new internal road to serve the land, have been considered. A distance of 165m to a future intersection between a local road to serve the site, and Arawa Road, from the SH2 intersection can be achieved.

The SH2 intersection design has been subject to an expert safety audit by Abley Transportation Consultants (see **Appendix 10**). All recommendations within the control of the applicant have been reflected in the up-to-date design. These include:

1. Barrier on SH2 (5.2) – Recommendation barrier is designed by a Waka Kotahi accredited-designer in accordance with NZTA M23:2022. This recommendation is committed to being met.
2. Left-turn deceleration lane, dynamic visibility obstruction risk (5.3) – Recommendation is to introduce an offset by way of a chevron channel to increase visibility of eastbound through traffic for vehicles exiting from Arawa Road. This has been implemented in line with the audit recommendations.
3. Width of Arawa Road (5.4) – Recommended width of 6.5m to reflect greater density of residential users, slow traffic – this is reflected in the proposed intersection design.

The reflection of the above peer-reviewed advice ensures appropriate safety in terms of sightlines, dynamic visibility of through traffic, and geometry for manoeuvring through the intersection. Delivering this intersection is secured through the staged pre-requisites.

The TAR also confirms adequate sight distances are available at the SH2/Arawa Road intersection, and that performance of this intersection as proposed to be modified would be acceptable in terms of flows and calculated delays currently and as forecast through to 10-years into the future. Trips on SH2 would also be reduced long-term when community services are provided at Arawa Road.

It is acknowledged Pongakawa School Road could be subject to additional traffic as a result of increased school children residing in the PPC site attending the school. A planned bus stop required to be delivered is primarily to mitigate such potential effects, this being in conjunction with planned use of a stop as agreed between the Marsh's and Pongakawa School. The TAR confirms potential effects of additional traffic upon Pongakawa School Road, and the existing railway crossing, is considered to be minimal.

One recommendation of the safety audit (changing the state highway speed limit) is outside of the applicant's control however the safety audit has been provided to Waka Kotahi for their consideration.

On this basis, the potential risks to the safety and operation of the intersection and receiving road network are considered to be suitably lowered so as to be acceptable.

The proposed on-site road network is proposed to be generally in accordance with the Council's Infrastructure Development Code. The detail of any bespoke road designs will be addressed at time of future subdivision consent applications taking a holistic approach to achieve positive urban design and environmental outcomes.

It is noted that the PPC would enable an additional (approximately/expected) 120-130 dwellings to be constructed. These being dwellings closer than any other urban area to the emerging horticultural employment demand at Pongakawa; and a similar distance as Te Puke to the under-development Rangiuri Business Park. The delivery of considerable critical mass of dwellings to Pongakawa would materially enhance the viability of bus services and a public-transport option east of Te Puke, to Te Puke and Tauranga. It would also enhance the viability of a grocery store and community facilities locating at Arawa Road, reducing the frequency for residents to travel to Te Puke or further to meet such needs. Planning policy concerns regarding vehicle kilometres travelled are acknowledged, however for the above reasons (see further commentary to Waka Kotahi and BOPRC at **Appendix 5**), vehicle kilometres travelled has the potential to be reduced in conjunction with the delivery of the PPC.

Considering the above, and subject to implementing the proposed recommendations, any adverse effects upon the operation and safety of the receiving transport network are considered to be less than minor and acceptable.

#### **7.10 Temporary Earthworks and Construction Effects**

The plan change will give rise to future construction and earthworks activities that will have temporary effects on the amenity of the existing Pongakawa village. These are considered to be temporary in nature and the staging of the development of the plan change area will be from the existing residential village on the eastern side of the site moving to the northwest of the site. Enabling works for infrastructure are required to be established at Stage 1. Future earthworks and subdivision consents are likely to include conditions of resource consent to mitigate earthworks and construction effects. Overall, these effects are considered to be temporary and able to be managed by best practice.

#### **7.11 Positive Effects**

The significant positive effect of the plan change is the provision of residential land in close proximity to rising demand attached to horticultural farming activities, namely kiwifruit orchards, whilst protecting against reverse sensitivity. Due to the extent of land use change to horticultural use in the locality, there is a need for considerable additional workers with a range of skill-sets to locate in the area. Providing for new residential development will assist in housing these workers and their families while minimising trip distance on the road network.

Similarly, housing demand in the area is to materialise further from the commencement of employment within the nearby Rangiora Business Park in the short-term. The plan change has the positive effect of responsively contributing land to meet the above sources of increased housing demand. The lack of housing in the Eastern Corridor of the Tauranga/Western Bay sub-region has been repeatedly and expertly established by Housing and Business Capacity Assessments as being the case currently and in the short, medium and long-terms (whilst accommodating capacity added by Plan Change 92), and no other plan changes are proposed to address this outstanding shortfall. Contribution to meeting this will be delivered by the plan change.

Through consultation with the community and Council staff it was identified that there is a need in the area for additional social infrastructure, particularly medical services. There is also a need for some general convenience store. Suitable land zoned Commercial is provided within the PPC site for both of these activities.

There is also a lack of reserve facilities in close and convenient proximity to the existing Pongakawa residential settlement of Arawa Road. Multiple reserves inclusive of playground requirements are expressly proposed to be delivered. Combined with the proposed walking routes, the PPC will ultimately provide for a walking circuit to be established between multiple reserves and the new and existing parts of the Arawa Road settlement.

In summary, notable and important improvements to network and social infrastructure, and the environment would be delivered, such as:

- Improved resilience of water supply (through either reservoirs or pipe upgrade from Maniatutu Road);
- Improved safety at the SH2/Arawa Road intersection;
- Enabling a commercial area where grocery and health needs of the wider Pongakawa community are to be targeted to meet local demand and reduce travel requirements further

afield for such services (supported by additional population mass by housing added to settlement);

- Delivery of a fit-for-purpose bus stop within the commercial area intended to service school and commuter routes, with the additional population mass adding to the viability of these routes;
- New reserves, recreational routes and play spaces servicing the entire Arawa Road community and wider Pongakawa community.
- Delivery of considerable additional aquatic and terrestrial habitat (stormwater reserve and proposed trees within landscaping requirements), enhancing ecological well-being and biodiversity;
- Improved treatment of stormwater discharge from the subject land.

These positive effects support the existing Pongakawa settlement at Arawa Road and the wider Pongakawa residential population, and deliver a means of consolidating a village identity and amenities for the current population and future generations. Social well-being and resilience would be vastly improved with the development enabled by the sought PPC.

### **7.12 Environment Effects Conclusion**

The plan change will result in the potential for the landscape values of the site to change from open rural paddocks to one of urban development. While this change will have visual effects generated by new built form, roads and other infrastructure associated with the change in land use, this will be mitigated by proposed rules to apply (concerning reflectivity and scale of development) and by enforcement of the Structure Plan which includes considerable soft landscaping particularly at the periphery of the Plan Change site where it interfaces with the rural environment.

Potential adverse archaeological, heritage and cultural, and ecological effects of the plan change are considered to be less than minor and acceptable. The land can be reasonably and practicably geotechnically improved to accommodate the planned development. Similarly, receiving and supplying infrastructure networks can service the planned development, subject to acknowledged upgrades.

There will also be positive effects arising from the Plan Change. It will enable consolidation of the Pongakawa village area while providing some recreational areas, commercial services, and some social infrastructure. There will also be some ecological benefits associated with the establishment of stormwater treatment wetlands and proposed landscaping elsewhere which collectively provides additional habitat for fauna and flora. This is consistent with the environmental outcomes sought by hapu, who amongst other matters wish the water quality of the drainage network to be maintained and enhanced. Recommendations for native trees have been identified as providing additional habitat for avifauna and may contribute to migratory and or increased native bird numbers.

Care has been taken to ensure that reverse sensitivity effects between the plan change area and the balance land which is currently a dairy farm will be appropriately managed.

The totality of effects above been considered in combination. Balancing the positive effects with the adverse effects associated with urbanisation of the land, the environmental effects overall are considered to be more than minor when accounting for the scale of change, however certainly acceptable.

## 8.0 Notification

Plan Changes are subject to a notification process, as set out in Schedule 1 of the RMA. Clause 5A of Schedule 1, enables private plan changes to be subject to limited notification. The test for limited notification (as set out in Clause 5A(2)) is that the local authority may limited notify a private plan change but only if it is able to identify all the persons directly affected by the proposed change. Given the nature of the changes (change from rural use to residential and social infrastructure), and essentially doubling the size of the Pongakawa residential area, it is considered appropriate that public notification occurs in this instance.

## 9.0 Planning Framework Assessment

The relevant instruments of the statutory and non-statutory planning framework are assessed below.

### 9.1 Bay of Plenty Regional Policy Statement

The Bay of Plenty Regional Policy Statement (RPS) promotes the sustainable management of the natural and physical resources of the Bay of Plenty Region.

The operative RPS has been proposed to be amended by Plan Change 6 (NPS-Urban Development) so as to give effect to the NPS-UD, be more responsive to urban development proposals, and enable additional development capacity, regardless of whether it is planned in existing planning documents<sup>22</sup>.

The consistency of the application with the operative and proposed RPS' is considered below.

#### Operative RPS - Methods

The RPS classifies land use change of 5 ha or greater as 'large scale land use change' and requires structure plans to be established to address servicing and urban design outcomes.

Method 18 of the RPS states:

*Method 18: Structure plans for land use changes Prepare 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:*
  - (a) Identify land which is to be used or developed for urban purposes;*
  - (b) Identify intensification areas;*
  - (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*
    - (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.*

These requirements are considered to be met by the proposed structure plan for Pencarrow Estate at **Appendix 2** of this application.

#### Operative RPS – Objectives and Policies

The provisions of the operative RPS have been considered in relation to this application. In particular, the following objectives and their associated policies (not listed unless there is a degree of inconsistency), with consistency commentary provided immediately below:

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<sup>22</sup> Proposed Change 6 (NPS-UD) website as at 21<sup>st</sup> October 2022.

- Objective 7 – Appropriate management of adverse effects of infrastructure including reverse sensitivity effects

*Consistency:* The infrastructure necessary to service the PPC site and enabled development has been demonstrated as to be feasibly implemented, inclusive of upgrades to roading and water infrastructure as required, with no material adverse effects upon receiving infrastructure networks or other persons, property, or the environment generally. Reverse sensitivity effects would be suitably mitigated against by way of the design of the PPC site and separation distances available. Conclusion: Consistent.

- Objectives 10, 11 and 29 – Cumulative effects and integrated resource management;

*Consistency:* Cumulative effects have been addressed where relevant above and are not considered to result in any unacceptable impacts upon the receiving environment. The effects have been considered in an integrated and combined manner, and are considered to be appropriately mitigated so as to be acceptable. Conclusion: Consistent.

- Objectives 13, 15, 17, 21 and 27 concerning recognition of kaitiakitanga, hapū and iwi involvement in resource management decisions, and mauri of resources;

*Consistency:* Regular engagement has been had with mana whenua to reflect their aspirations and requirements to be met by the development. This particularly focused on improving the wellbeing and mauri of ecosystems, which will be delivered by the plan change. Conclusion: Consistent.

- Objectives 23 and 24 concerning sustainable and efficient urban form and growth, safety and efficiency of transport networks

*Consistency:* Development in the area would generate an element of work-live-play quality to the Pongakawa area, providing local conveniences and social infrastructure to support living in close proximity to the growing horticultural land uses in the area (as opposed to trips for residents to centres further afield). The residential use of the site would supplement and enhance the existing transport network, adding to the viability of public transport services and bringing about roading upgrades to Arawa Road and SH2. The critical mass of population delivered would be sufficient to sustain local-level services, reducing trip generation for household supplies and needs which may be available in the proposed commercial area. Conclusion: Consistent

- Objective 25 regarding land development being integrated with long-term planning and funding and having regard to the growth plans of relevant industry sector groups.

*Consistency:* A number of policies stem from this objective. These include a direction to meet housing bottom lines (UG 25B). The Housing Development Capacity Assessment for Tauranga and the Western Bay of Plenty 2021 ('the HBA') required to be produced under the NPS-UD identifies sufficient housing capacity generally in the WBOPDC area, however also identifies capacity requirements in the Te Puke area are not yet completely plan-enabled. The HBA also does not appear to respond to the recent and substantial-scale trend of conversion of dairy farming/dry farming uses to horticultural uses which brings with it conspicuously larger employee requirements<sup>23</sup>. This PPC would materially contribute to meeting local housing requirements in the Western Bay of Plenty context. Policy UG 15B provides for greenfield growth which the PPC is consistent with.

Policy UG 4A applies under this objective, requiring a minimum greenfield density of 12 dwellings per hectare of developable land. The total developable land (as defined by BOPRC) is 8.98ha (including

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<sup>23</sup> Letter of Te Puke Economic Development Group dated 26<sup>th</sup> May 2022.

reserves). This equates to 112 dwellings across the 8.98ha of developable land<sup>24</sup>. Plan-enabled and likely yield is approximately 120-130 dwellings at the site across the Higher Density and Lower Density areas, exceeding this requirement.

Policies UG 5A, UG 6A and 7B relate to the sequencing of growth occurring within defined urban limits within the RPS, and UG 14B seeks to restrict urban activities to within urban limits. The PPC site is not within the urban limits. There is therefore inherent inconsistency with some of the policy direction under this objective.

Conclusion: Partly consistent, partly inconsistent.

- Objective 26 concerning sustaining the productive potential of the rural land resource;

*Consistency:* For the reasons discussed above under rural productivity effects, the proposal is considered to be restricted in scope so as to adequately provide for the primary production use of the remaining farm. Conclusion: Consistent.

- Objective 27 regarding water quality;

*Consistency:* With the provision of overland flowpaths and treatment pond and wetland, water quality is suitably provided for and will be treated robustly prior to discharge into the receiving water environment. Conclusion: Consistent.

#### Proposed Plan Change 6

Plan Change 6 to the RPS seeks to give effect to the National Policy Statement on Urban Development 2020, notably by removing the urban limit boundaries and instead allowing more expressly for out-of-sequence/unanticipated growth. Most relevant is the deletion of Policy UG 5A (concerning urban limits), and amending Policies UG 6A and UG 7A.

Amended Policy UG 6A directs management of urban growth and development in an efficient and integrated manner between land uses and infrastructure requirements. This is considered to be addressed by the application as explained elsewhere in this report.

Under amended Policy UG 7A, out-of-sequence/unanticipated development shall 'add significantly to development capacity' by way of satisfying the following criteria:

- (a) The development is of large enough scale to contribute to meeting demand for additional urban land identified through the HBA<sup>25</sup> for the area, including meeting housing bottom lines or meeting needs for specific housing typologies or price points, or business types. Where there is no HBA, there is evidence that there is a need for additional urban land, and*

#### *Comment:*

The most up-to-date HBA assessments illustrate insufficient housing development capacity in the sub region, particularly in the Eastern Corridor<sup>26</sup>.

This plan change would contribute to the supply of residential land servicing the Eastern Corridor alleviating the shortfall. A range of price points are deliberately provided for by way of Lower Density and Higher Density areas within the proposed Structure Plan. Given the development and speed of

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<sup>24</sup> Using the BOP RPS definition of 'developable land' which includes local active reserves.

<sup>25</sup> HBA = Housing and Business Assessment in accordance with NPS-UD.

<sup>26</sup> Smartgrowth Housing and Business Capacity Assessment 2022 Summary, commissioned by WBOPDC, TCC and BOPRC. Also confirmed in the latest joint assessment for Tauranga City and WBOPDC – page 14, Smartgrowth Strategy 2023-2073 Draft for Consultation – Executive Summary, published September 2023.

construction that has occurred on the Penelope Place subdivision completed by ZB homes, it is anticipated the Plan Change area would be developed in the short-term meet the pressing short-term housing needs in the area.

*(b) For Tauranga City and Western Bay of Plenty District urban environments, the development is large scale (5 hectares or more), and sufficient to support multi modal transport options, and*

The developable area to be delivered is 8.98ha<sup>27</sup>. The density of development enabled and expected yield of approximately 120-130 further dwellings is expected to support alternative transport modes as opposed to a pure reliance on private vehicles in the area, particularly for school bus transport.

*(c) For all other urban environments, the development is at a scale commensurate with the size of the urban environment and includes a structure plan for the land use change that meets the requirements of Method 18, and*

A structure plan has been prepared to show how the land will be serviced and includes proposed development staging. See **Appendix 2**.

*(d) The development is located with good accessibility between housing, employment, community and other services and open space, and*

The site is proposed to be developed primarily in response to increasing housing demand in the area by kiwifruit workers in this expanding horticultural industry in the Pongakawa area. The application site is also within 8km of Rangiuru Business Park. Central to the vision of the development is improving the social infrastructure, including play spaces and parks, serving the Pongakawa community and are currently under-provided for the Arawa Road residential settlement. The development is therefore considered to proactively provide for and respond to housing and employment opportunities, and provision of community infrastructure including open and play spaces, ensuring good accessibility between all features and to the important transport link of SH2.

*(e) The development is likely to be completed earlier than the anticipated urban development and/or land release sequence, and*

The entire development is likely to be completed in the short-term given the pressing demand for housing in the area. It would therefore be completed far earlier than strictly planned or anticipated urban development based on planning documents prepared to date. In particular, the future 'Eastern Centre' between Rangiuru and Paengaroa is not expected to supply any dwellings until sometime between 2034-2054<sup>28</sup>.

*(f) Required development infrastructure can be provided efficiently, including the delivery, funding and financing of infrastructure without materially reducing the benefits of other existing or planned development infrastructure, or undermining committed development infrastructure investment.*

Relevant infrastructure providers have confirmed feasibility of servicing the development enabled by the proposed plan change. This confirms existing infrastructure investment is not undermined.

The proposal is therefore considered to meet the requirements of 'significantly adding to development capacity' as framed by Plan Change 6. The proposal therefore positively addresses the changing direction away from urban limits to responsive planning to growth demands as provided for within Plan Change 6.

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<sup>27</sup> Using RPS definition of developable land.

<sup>28</sup> Page 15, Smartgrowth Strategy 2023-2073 Draft for Consultation – Executive Summary, published September 2023.

## BOPRC Officer Advice

The applicant is advised that BOPRC maintain a position that the proposal is contrary to the RPS as modified by PC6. This is particularly concerning (to the applicants understanding) RPS Policies UG 7A and UG 14B as modified by PC6. Our summarised assessment of such a position is provided below:

- Modified Objective UG 7A is intended to give effect to Policy 8 of the NPS-UD (responsive to plan changes adding significantly to development capacity and contributing to well-functioning urban environments, even if the development capacity is unanticipated or out-of-sequence).
- Objective UG 7A frames the potential for unanticipated or out-of-sequence urban growth, to being applicable *within* urban environments, being possible subject to meeting the criteria discussed above.
- The crux of BOPRC's objection concerning Policy UG 7A is that the site is not within or an extension of an existing *urban environment* (i.e. an environment which is, or is intended to be, primarily urban, housing and labour market of 10,000 people or greater).
- It is observed this interpretation does not strictly reflect the policy direction of Policy 8 of the NPS-UD, which requires *contribution* to a well-functioning urban environment. This is considered to have the potential to be delivered by the plan change.
- It is further observed that the NPS-UD at Clause 3.2 directs local authorities to provide sufficient development capacity in its region or district to meet expected demand for housing in existing *and new* urban areas (not strictly larger *urban environments*), in the short, medium and long terms. Insufficient housing capacity in the Tauranga/Western Bay sub-region is credibly and expertly identified at present (with particular directions towards providing housing in the Eastern Corridor where the plan change area is located), as well as in the medium and long-term scenarios<sup>29</sup>.
- This is particularly relevant given 'Paengaroa/Rangiuru' is planned to accommodate a new 'Eastern Centre' township as per UFTI and the draft Future Development Strategy, in part servicing an expected 4,000 jobs<sup>30</sup> to be created at the Rangiuru Business Park (first titles are due to be released in 2024<sup>31</sup>). The plan change site is proximate to the business park (8km/approximately 5 to 7-minute drive time). The strong commutability of labour to the business park from the plan change site will provide housing capacity in the same locality and market of existing *urban areas* at Paengaroa and Pongakawa. The planned working and residential population of the business park, Paengaroa and the 'Eastern Centre' into the future also appearing to have the credible potential to reach 10,000 persons i.e. being an *urban environment*;
- Policy UG-14B as modified by PC6 '*restricts development outside of urban environments unless it can be demonstrated that sound resource management principles are achieved, including:*
  - a) *The efficient development and use of the finite land resource, and*
  - b) *Providing for the efficient, planned and co-ordinated use and development of infrastructure.*

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<sup>29</sup> Smartgrowth Housing and Business Capacity Assessment 2022 Summary, commissioned by WBOPDC, TCC and BOPRC. Also confirmed in the latest joint assessment for Tauranga City and WBOPDC – page 14, Smartgrowth Strategy 2023-2073 Draft for Consultation – Executive Summary, published September 2023.

<sup>30</sup> <https://rangiuru.co.nz/>

<sup>31</sup> <https://rangiuru.co.nz/location/>

- This policy is concerned with avoiding a sporadic settlement pattern and inefficient use of natural and physical resources.
- Development enabled in this location is not sporadic or isolated – rather, an existing urban area would be consolidated.
- The proposal is considered at a high level to have the potential to efficiently balance the finite nature of rural land and cumulative impacts of loss of rural land, whilst responding to distinct and clear housing pressure in this area, following contemporary resource management principles and practices particularly as governed by the NPS-UD and NPS-HPL.
- Coordinated infrastructure development to service the site, including upgrades to existing roading and water infrastructure providing additional community safety and resilience benefits, is provided for by the plan change.
- Regarding Policy UG 14B, BOPRC *‘staff consider that Policy UG 14B does not conflict with Policy UG 7A and the expansion of existing settlements can be achieved where they meet the criteria of Policy UG 7A’*<sup>32</sup>. The criteria within Policy UG 7A have been assessed to be met by the plan change request.
- The MfE Responsive Planning Guidance Fact Sheet directs that ‘a hard rural urban boundary without the ability to consider change or movement of that boundary would not meet the requirements of responsive planning policy’. It appears a hard, unresponsive line is being transferred from ‘urban limits’ to the NPS-UD concept of ‘urban environments’, where this is not strictly directed by the NPS-UD.
- As such, BOPRC’s advice concerning RPS Objectives UG 7A and UG14 B do not, in our view, appear to be consistent with the pertinent direction within the higher-order NPS-UD 2020.

## Conclusion

The only inconsistency with the operative RPS is in respect of Objective 25 and the implications of urban limits. Plan Change 6 proposes to remove the urban limits and instead provide for responsive planning decisions on new urban growth areas based on ensuring unanticipated plan changes and development adds significantly to development capacity. This has been demonstrated to be met by this plan change. Considering Plan Change 6 gives effect to the NPS-UD, and is reasonably progressed through the plan change process (submission period has closed), reasonably strong weight is considered appropriate to be given to the proposal’s consistency with Plan Change 6. Overall, the proposal is considered to be consistent with the pertinent strategic directions of the operative RPS as planned to be modified by Plan Change 6.

## 9.2 Relevant National Policy Statements

The NPS-UD, NPS-FM, and NPS-HPL are relevant National Policy Statements, which provide national direction for matters of national significance relevant to sustainable management. The consistency of the application with these three instruments are assessed below.

### 9.2.1 National Policy Statement on Urban Development (2020)

The NPS-UD sets out the objectives and policies for providing development capacity under the Resource Management Act 1991. The policy statement gives effect to the governments Urban Growth Agenda, which has the objectives of improving the supply of affordable housing, reducing emissions

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<sup>32</sup> ‘Proposed Change 6 (National Policy Statement on Urban Development) to the BOP RPS – Overview Report on Submissions’, dated 6<sup>th</sup> June 2023, pg 9.

and making urban areas more accessible and inclusive. Access to jobs is another government focus<sup>33</sup> for the Western Bay of Plenty. Pongakawa is located only a short distance to the planned and under-construction of the Rangiuru Business Park. It is further located at the centre of where there has been significant land use change to horticulture and consequential increase in demand for both skilled and unskilled labour.

#### *Part 2 of NPS-UD – Objectives and Policies*

The relevant objectives of the NPS-UD considered in relation to this application below, with consistency commentary provided immediately below:

- 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.

*Consistency:* The PPC provides the opportunity for marked urban environmental improvements in terms of access to social infrastructure (reserves, playgrounds etc.) for residents of Pongakawa around Arawa Road. The PPC also delivers considerable dwelling supply to support community services such as a local store and a community health hub, benefitting the wider Pongakawa residential community. This reduces trip requirements to attend to social wellbeing, and in turn reduces economic expenditure on meeting those needs. The PPC therefore actively improves the functioning of the existing urban environment, and improves the social and economic wellbeing of existing and future residents. The PPC also provides for environmental improvements to the benefit of taonga of importance to tangata whenua. This objective is therefore considered to be met. Conclusion: Consistent.

- Objective 2 – Planning decisions improve housing affordability by supporting competitive land and development markets.

*Consistency:* Approving the PPC would improve affordability of house prices at a range of price points to cater to all expected demand for housing in the area, owing to the provisions of higher density and lower density areas to provide for the widest possible proportion of the market. Conclusion: Consistent.

- 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 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.

*Consistency:* Granting the PPC would result in the District Plan enabling people to live in an emerging urban environment where there are many employment opportunities in the expanding horticultural industry, and as a result there is high demand for housing. Conclusion: Consistent.

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<sup>33</sup> Government Cabinet Paper, Office of the Minister of Urban Development “Urban growth Partnerships, Joint Spatial Plans and Urban Growth Programmes 11 August 2020.

- 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.

*Consistency:* The PPC is a direct response to the changing needs of the community and future generations of the community against the backdrop of increasing demand for living in the area primarily owing to the prevalence of kiwifruit/horticultural conversions of other types of farms in the area. The amenity values to be delivered would be appropriate within an urban environment, whilst connecting with (through reserve interfaces, walkways etc) and respecting the surrounding rural context and amenities. Conclusion: Consistent.

- Objective 5 – Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

*Consistency:* See commentary under section 10 of this report below, in respect of Part 2, section 8 of the RMA. Conclusion: Consistent.

- 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.

*Consistency:* The plan change would not compromise known infrastructure planning and funding decisions affecting the area. Infrastructure provision will be provided by the applicants as required to meet each stage of development, in accordance with the Structure Plan and staging pre-requisites at **Appendix 2** of this application. Whilst the internal road and reserves would eventually vest with Council, this would be provided in a manner that suitably meets WBOPDC’s Development Code at the time of progressing development i.e. would deliver a readily maintainable asset.

The WBOPDC Long Term Plan 2021-2031 has been considered given its relationship with infrastructure planning and funding. It is acknowledged that this plan anticipates a growth of 40 persons in the Pongakawa area over 10 years. This does not seem to respond to the demand for living in the area to be induced by the scale of conversions of land to kiwifruit/horticultural uses. Roading infrastructure required to service the growth would be established by the applicant and maintained by Council with use of the transport component of future financial contributions at the time of subdivision.

PowerCo have confirmed the potential to supply power to the development. The same is confirmed by Chorus in respect of communications infrastructure. See **Appendix 5**. Wastewater, stormwater and water supply infrastructure would be delivered by the applicant, with future maintenance expected to be covered by property rates, thereby not affecting funding provisions within the LTP.

The LTP allocates \$23,000 in 2024 for reserve development. Some efficiencies may be gained in this respect by reserve opportunities proposed by this development, and future development contributions. Council has recently consulted on the provision of reserves at Pongakawa village and a submission has been made to Council to alert them to the opportunities this plan change presents.

Approving the PPC would materially provide for expected residential demand in the area, in a responsive manner to the emerging and recent need for housing primarily as a result of horticultural uses establishing in the area. Conclusion: Consistent.

- Objective 7 – Local authorities have robust and frequently updated information about their urban environments and use it to inform planning decisions.

*Consistency:* Up-to-date information concerning the scale of conversion of other farming activities to horticultural activities, and the corresponding increased need for housing in the area, has informed this application for a plan change. Approving the plan change as informed by this recent trend would be consistent with Objective 7. Conclusion: Consistent.

- Objective 8 – New Zealand’s urban environments:
  - (a) support reductions in greenhouse gas emissions; and
  - (b) are resilient to the current and future effects of climate change.

*Consistency:* The plan change would deliver critical mass of residential dwellings within Pongakawa to render economically viable community services such as a grocery store/café, space for a community health hub, and recreational infrastructure around the existing settlement of Arawa Road accessible without having to cross SH2 and travel to the Pongakawa School community facilities. Creating the potential for such facilities in the locality will inherently reduce trips made by private vehicles, and thus lower greenhouse gas emissions from private vehicles. The PPC has also responded to important hazards such as flooding in the long-term as affected by climate change through to 2031. Conclusion: Consistent.

The PPC is considered to be equally consistent with relevant policies of the NPS-UD at section 2.2 of the document.

### *Part 3 of the NPS-UD – Implementation*

Part 3 of the NPS-UD concerns implementation. The Western Bay of Plenty District is a Tier 1 growth area under the NPS-UD. Section 3.2 directs that sufficient housing development capacity shall be provided by Tier 1 authorities.

The most up-to-date HBA assessments illustrate insufficient development capacity<sup>34</sup>. Approval of this plan change would enable WBOPDC to plan-enable and provide for expected demand in accordance with the NPS-UD in an area where business and rural land use change is progressing quickly. Approving the PPC would also enable the land to be not only plan-enabled but also infrastructure-ready in accordance with section 3.4 of the NPS-UD.

Section 3.8 addresses responsive planning and considering unanticipated or out-of-sequence developments, as follows:

#### *3.8 Unanticipated or out-of-sequence developments*

- 1. This clause applies to a plan change that provides significant development capacity that is not otherwise enabled in a plan or is not in sequence with planned land release.*
- 2. Every local authority must have particular regard to the development capacity provided by the plan change if that development capacity:
 
  - a. would contribute to a well-functioning urban environment; and*
  - b. is well-connected along transport corridors;*
  - c. and meets the criteria set under subclause (3).**

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<sup>34</sup> Smartgrowth Housing and Business Capacity Assessment 2022 Summary, commissioned by WBOPDC, TCC and BOPRC. Also confirmed in the latest joint assessment for Tauranga City and WBOPDC – page 14, Smartgrowth Strategy 2023-2073 Draft for Consultation – Executive Summary, published September 2023.

3. *Every regional council must include criteria in its regional policy statement for determining what plan changes will be treated, for the purpose of implementing Policy 8, as adding significantly to development capacity.*

This PPC will provide significant development capacity as explained under the consideration of the BOP RPS and Plan Change 6 to that document above, being the relevant 'criteria set under subclause (3)' referred to within Section 3.8 of the NPS-UD. It would provide for residential demand particularly by the growing horticultural workforce at Pongakawa. The recent development of residential land at Penelope Place, Pongakawa and speed of sale of those sections and subsequent construction of houses demonstrates a clear demand exists for residential housing at Pongakawa.

The plan change area has access to State Highway 2 and the nearby Tauranga Eastern Link toll road. The additional land includes reserves and commercially-zoned land that will assist in reduced vehicle trips to Te Puke or Tauranga/Rotorua for day-to-day convenience retail and (targeted) medical services. The provision of reserves and creation of a walkable neighbourhood are other positive social outcomes. The proposal is therefore considered to provide significant development capacity, contributing to a well-functioning urban environment at Pongakawa, as well as being well-connected to transport corridors.

#### *Conclusion – NPS-UD*

For the reasons discussed above, the proposal is considered to be clearly consistent with the relevant directions of the NPS-UD.

#### 9.2.2 [National Policy Statement for Freshwater Management \(2020\)](#)

The NPS-FM came into effect on the 3 September 2020 and introduces new rules to prohibit the damage or destruction of natural wetlands. The subject site includes a mixture of highly modified land (filled) and pastoral farmland, with no wetlands present. As previously discussed, the subject site development area has no significant ecological features as mapped by BOPRC or WBODPC.

The NPS-FM has the objective of ensure that natural and physical resources are managed in a way that prioritises firstly the health and wellbeing of water bodies. This priority is shared with the project vision for development, in ensuring that stormwater runoff generated is appropriately and robustly treated prior to discharge to receiving land.

Relevant policies include giving effect to the fundamental concept at the centre of the NPS-FM (Te Mana o Te Wai) – the principles of this concept have been given effect to in undertaking consultation and engagement and ensuring protection and enhancement of downstream fresh watercourse values.

Wildland Consultants have classified the farm drain on the north western boundary as an excavated and artificial farm drain, to which the NPS-FM would not apply. While earthworks and land disturbance is not precluded in this area, the structure plan provides for robust stormwater treatment in advance of any future discharge to the drain to protect the health of water within it and ecosystems through which the water passes. This will be subject to future detailed design and consenting that will minimise environmental effects.

Several recommendations are made by Wildland consultants with respect to establishing the proposed stormwater treatment wetland, so as to provide a dual function of managing water quality as well as providing additional freshwater habitat. Achieving these outcomes has been secured by way of reference within the structure plan drawings and the staged pre-requisite requirements of the Pencarrow Estate Structure Plan at **Appendix 2**.

The proposal is therefore assessed to be consistent with the NPS-FM.

### 9.2.3 National Policy Statement for Highly Productive Land

The NPS-HPL came into force on the 17 October 2022. It does not apply to land that is subject to a Council adopted notified plan change (NPS-HPL 3.5(7)). The application site is expected to meet the definition of 'highly productive land' as, whilst not yet mapped, the Land Use Capability classification is identified by Land Care Research as Class 2 land.

Under the implementation section of the NPS-HPL (Part 3), section 3.6 addresses rezoning proposals within Tier 1 and Tier 2 territorial authorities. WBOPDC is a Tier 1 authority. Section 3.6 directs that WBOPDC may allow urban rezoning of productive land only if:

*(a) the urban rezoning is required to provide sufficient development capacity to meet demand for housing or business land to give effect to the National Policy Statement on Urban Development 2020; and*

*(b) there are no other reasonably practicable and feasible options for providing at least sufficient development capacity within the same locality and market while achieving a well-functioning urban environment; and*

*(c) the environmental, social, cultural and economic benefits of rezoning outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.*

This PPC would contribute to meeting the identified shortfall in sufficient housing development capacity. The Pongakawa area is undergoing significant land use change from dairy and dry stock farming to horticulture, in the order of hundreds of hectares, with a corresponding demand for additional workers to locate in the area. Re-zoning is required to deliver sufficient housing capacity to meet this expected demand, which this PPC will contribute to. Section 3.6(1)(a) is therefore considered to be met.

While Te Puke provides residential urban growth land around the established urban area of Te Puke, there is no residential land at Pongakawa. Geographic alternatives to accommodating urban re-zoning in the same locality and market<sup>35</sup> have been considered in the s.32 analysis, see **Table 2** at Appendix 11 in particular. The subject site is considered to be the most reasonably practicable and feasible option for a) providing 'significant development capacity' as defined by BOPRC criteria to contribute to meeting sufficient development capacity and b) responding to the emerging need for housing in the Pongakawa locality and market, whilst having due regard to the criteria set at Section 3.6(2), because:

1. The Marsh farm to accommodate the PPC wraps around the existing Arawa Road settlement, being the concentration of residential dwellings within Pongakawa, making it highly suitable against other potential locations to accommodate residential demand;
2. Theoretically-possible flat, isolated locations near SH2 are similarly LUC 2;

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<sup>35</sup> As defined in the NPS-HPL. Noting the 'Te Puke and Eastern Corridor' of the Tauranga/WBOP sub-region is identified as needing urgent investigation as to how to meet shortfalls materialising from 2025 onwards in particular – see page 25, Housing and Business Capacity Assessment 2022, jointly prepared by TCC, WBOPDC and BOPRC (December 2022).

3. The site is accessible from Arawa Road rather than directly from SH2, however remains close to SH2;
4. Land around the other commercial entities along SH2 are further distanced from the residential communities, restricted in size and more susceptible to reverse sensitivity effects owing to proximity to the East Coast Main Trunk railway line; and
5. Land surrounding Pongakawa School and the community facilities at that location is classified as a reserve, and is similarly further distanced from the concentration of the residential community of Pongakawa; and

As discussed elsewhere in this report, the PPC is assessed to deliver a well-functioning urban environment. For these reasons, NPS-HPL Section 3.6 (1)(b) is considered to be met.

At the heart of the proposed plan change is the intent to support the diversifying rural economy between dairy and horticultural uses. In addition to this, the Plan Change and associated structure plan and zoning will help provide a more functional rural settlement by providing a walkable neighbourhood reserves and local facilities that do not exist at present – namely the provision of a general store and community health hub. The provision of additional residential land is intended primarily to serve primary production land uses in the area – being housing for workers associated with new horticultural activities. The relatively small size of the PPC site would not render the remnant farm unworkable, with reverse sensitivity addressed in the staged pre-requisites of the structure plan.

Considering this, and reasons elaborated elsewhere in this report in terms of environmental improvements, social and community resilience, reduced greenhouse gas emissions, and expression of kaitiakitanga opportunities, the environmental, social, cultural and economic benefits of rezoning are considered to outweigh the loss of removal of 12ha of the existing farm from productive use. Overall, NPS-HPL Section 3.6 (1)(c) is considered to be met. For completeness, NPS-HPL section 3.13 concerning reverse sensitivity is also considered to be met by the content and staging requirements of the proposed structure plan.

Based on the above, the proposal is not considered to contravene the over-arching objectives and policies of the NPS-HPL.

### **9.3 National Environmental Standards**

The following national environmental standards area relevant to this Plan Change application.

- National Environmental Standard – Contamination in Soil
- National Environmental Standard – Freshwater

Compliance with NES-CS will be achieved by obtaining future resource consents for any contaminated soil that requires remediation. A DSI report has been completed by Pennan and Co Ltd a company with specific expertise in soil contamination assessment and remediation. All future works will be undertaken in accordance with the required consenting framework of the NES\_CS and BOP-RNRP to ensure the site is safe for residential use.

With respect to freshwater resources, Wildland consultants have reviewed the status of adjacent farm drains and the wider freshwater catchment up and down stream. Recommendations have been made to ensure that the values of this freshwater drainage system is maintained and enhanced. This environmental outcome is consistent with the NES-FM for the protection of water quality and creating additional freshwater habitat, albeit associated with a proposed stormwater network.

There will be future effects of construction noise generated by land development should this Plan Change be approved. These standards help manage the adverse construction noise effects and are likely to be referenced in future subdivision or land use consents.

Overall, the Plan Change and future likely effects from land use development will be consistent with the above national environmental standards.

#### 9.4 Urban Form and Transport Initiative (UFTI)/Future Development Strategy

The SmartGrowth Partners have prepared the Urban Form and Transport Initiative (UFTI) final plan and programme business case to set out an integrated land use and transport programme, and delivery plan for the western Bay of Plenty. It caters for the approximate 200,000 additional people, 95,000 new homes, and two million additional transport movements per day expected within the next 30 to 70 plus years. This programme is called ‘Connected Centres’<sup>36</sup> (see **Figure 5** below) and is the basis of the Future Development Strategy required to be prepared pursuant to section 3.12 of the NPS-UD, and the Regional Spatial Strategy to be subject to the Spatial Planning Act which is part of pending RMA reforms. A Draft Future Development Strategy has been published by Smartgrowth in September 2023, building on the Connected Centres programme with settlement pattern refined and targeted through a series of ‘corridors’ – Pongakawa is identified in the Eastern Corridor (see **Figure 6** below).

UFTI provides an overview of the connected centres programme for the subregion. Paengaroa is an envisioned future growth area for the eastern corridor, with an identified ‘Eastern Centre’ located between Paengaroa and Rangiuru currently planned to be delivering housing between 2034-2054<sup>37</sup>. As the first stage of the Rangiuru Business Park is being developed now, with titles expected to be available early 2024, the new employment centre will be established with supporting housing in the area for incoming workers practically limited to Te Puke (7km from the business park, with zoned greenfield housing areas at Dunlop Road/McLoughlin Drive over 8km away). The plan change site is similarly located only 8km from the Rangiuru Business Park and beneficially in the centre of horticultural development and significant land use change in the area.

The creation of a range of additional housing proximate to established transport corridors, and building upon an established rural village of Pongakawa to deliver community services in the locality, delivers a logical extension of the live-work-play-learn settlement pattern at the centre of UFTI and the emerging Future Development Strategy.

It is therefore assessed that the proposal is suitably consistent with the direction of UFTI and emerging Future Development Strategy and the Connected Centres Programme, in addition to being consistent with the NPS-UD and BOP RPS as proposed to be modified by Plan Change 6.

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<sup>36</sup> Extract from page 9 the Urban Form and Transport Initiative final report July 2020.

<sup>37</sup> Page 15, Smartgrowth Strategy 2023-2073 Draft for Consultation – Executive Summary, published September 2023.

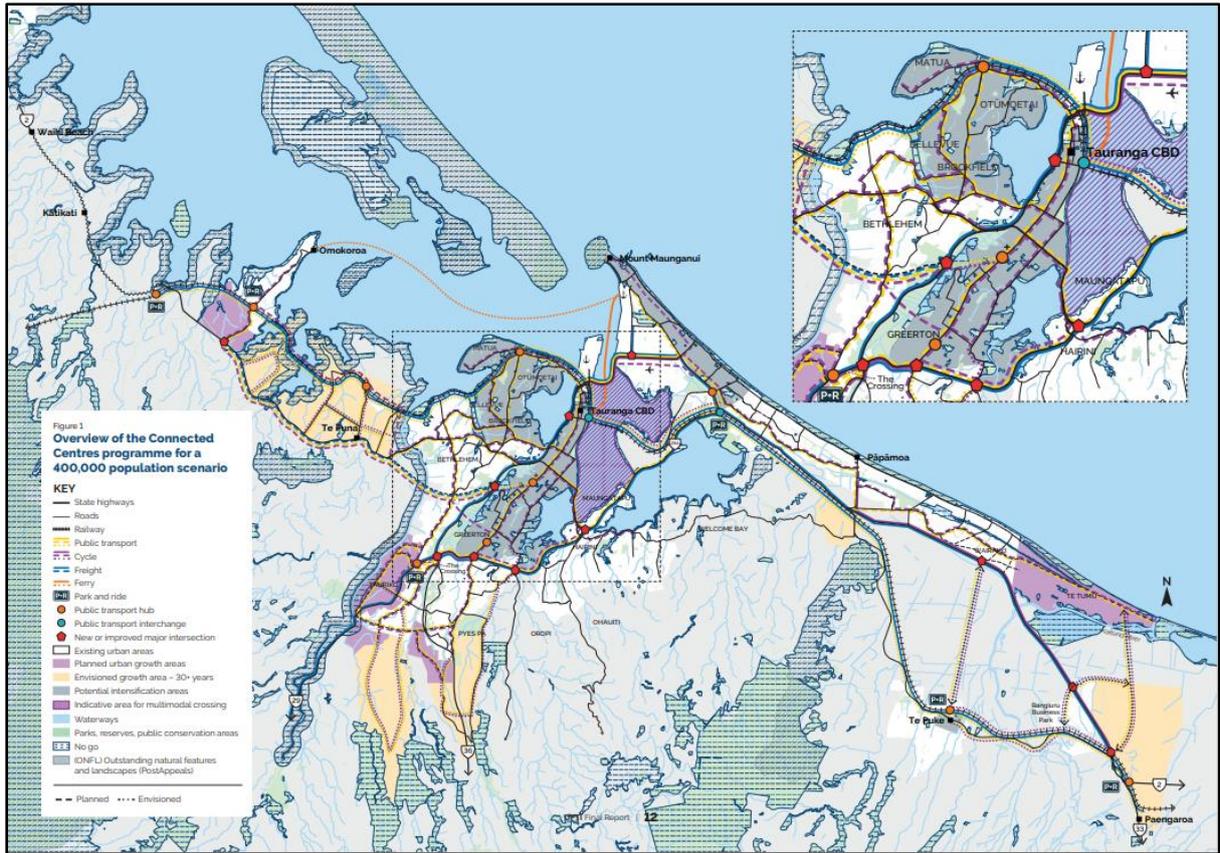


Figure 5: UFTI Overview of Connected Centres Plan (Source: UFTI Final Plan 2020)

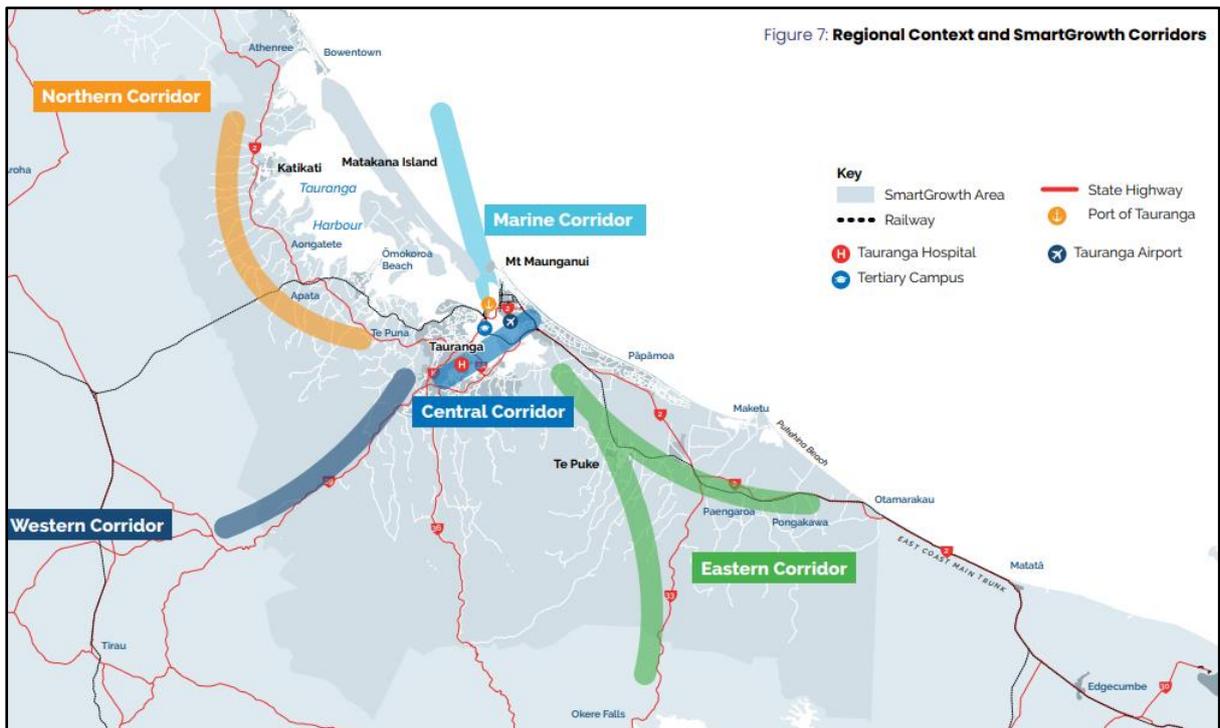


Figure 6: Early Draft – Future Development Strategy, Tauranga/WBOP – Development Corridors (Source: Smartgrowth 2023)

## 9.4 District Plan Objectives and Policies

### 9.4.1 Existing Zoning – Rural

The PPC site would be removed from Rural Zone land stock within the District. It is appropriate to consider the opportunity cost of losing this land as informed by expected outcomes set by relevant objectives and policies. This has been partly considered through the s.32 analysis, in particular identified costs and benefits within Table 3 at **Appendix 11**, however is consolidated and summarised in this section of the report for completeness.

The objectives and policies of the Rural Zone seek to, in summary and as relevant to the site and proposal:

- Maintain the rural land resource, in particular versatile land, for use for rural primary production activities;
- Avoid reverse sensitivity effects (constraints and hindrance) by other activities upon primary production activities within the Rural Zone;
- Maintain rural character and amenity values;
- Protect and enhance ecological and landscape features, and other features, in their rural contexts of value to the community.
- Preserving options for future use for non-rural purposes in accordance with the BOP RPS.

The PPC site is acknowledged as versatile land, this matter being addressed under the NPS-HPL and in respect of rural productivity effects above. A contextually small area of versatile land would be removed from primary production use, to support the emerging and widespread land use in the area for another primary production use – horticulture. The PPC is not therefore considered to be contrary with the direction of maintaining rural land for use for rural primary production activities.

Reverse sensitivity, surrounding rural character and amenity, landscape and ecological features, are provided for if not enhanced by this application. Consistency with the BOP RPS has been previously addressed.

In conjunction with the s.32 assessment, the change away from Rural zoning is not considered to have any integrity or precedent impact upon rural-zoned land elsewhere in the district.

### 9.4.2 Proposed Zoning – Residential and Commercial

The majority of the land would be zoned Residential. The objectives and policies of the of the Residential zone seek to, in summary and as relevant to the site and proposal:

- Ensure efficient use of land for urban development whilst providing cost-effective appropriate infrastructure;
- Concentrate new urban growth with areas identified within the BOP RPS;
- Provide housing to meet the needs of all residents of the community;
- Preserve and enhance established residential amenity values;
- Avoid pollution associated with on-site wastewater disposal;
- Ensure safe movement of pedestrians and vehicles.

The plan change would facilitate development, with associated infrastructure upgrades, that would deliver upon the substance of these objectives and policies. The plan change consolidates the existing urban area of Pongakawa, with the structure plan providing for much-improved social infrastructure

(reserves, playgrounds and local conveniences), and with improved pedestrian and motor vehicle links.

The structure plan includes large areas of land zoned for residential purposes, to ensure flexibility of future subdivisions to respond to acute market demand for housing types.

The improved recreational amenities, social infrastructure, and provision of convenience retail and community facilities would improve the general amenity of living in the Pongakawa village. Development to be permitted would be consistent in scale and character of dwellings established in the area, so as to be generally compatible with the character and flow-on amenity factors of the area. It is noted that the structure plan retains existing boundary vegetation to ensure those prominent features within the local landscape and streetscape are retained.

The objectives seek to concentrate new urban development within urban growth areas specified in the BOP RPS. Whilst this location is outside of these locations, this is not considered to generate material inconsistency with this policy direction. This is particularly because a) the BOP RPS is in the process of being amended to give effect to the NPS-UD and provide for appropriate out-of-sequence or unanticipated, responsive urban planning, and b) the use of the word 'concentrate' is not tantamount to exclusively locating development in the existing urban limits.

In conjunction with the s.32 assessment, the proposed zoning and their objectives and policies are considered to be appropriate.

#### **9.4 Non-Statutory Planning Documents and Matters**

Other planning documents, produced outside of RMA processes however are relevant pursuant to sections 73-75 of the RMA are considered to be as follows:

- Paengaroa Community Plan (2015)

The proposal does not appear to be inconsistent with any of the provisions and outcomes sought by this document, giving effect to Key Action 14 of encouraging people to move to the area, as accompanying the rise for employment in the area.

## 10.0 Part 2 of the RMA – Purposes and Principles

Part 2 of the RMA sets out the guiding purpose and principles of the Act. Part 2 is comprised of four sections (sections 5-8).

### Section 5 - Purpose

Section 5 details the purpose of the RMA, which is the sustainable management of natural and physical resources. The interpretation of this is expanded within section 5.

The proposal would be managing the development and use of the land in a way that provides for social, economic and cultural welfare of the Pongakawa village community. Employment and leasing opportunities positively contribute to economic and social welfare, whilst ecological improvements contribute to cultural welfare. This would occur whilst ensuring sustaining the potential of resources and their life-supporting capacities, and avoiding, remedying or mitigating environmental effects as much as practicably possible. As such, the purpose of the RMA is considered to be met by the proposal.

### Section 6 – Matters of National Importance

Section 6 specifies matters of national importance which shall be recognised and provided for in achieving the purpose of the RMA. Of these, the following are relevant:

*(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga: and*

*(h) the management of significant risks from natural hazards*

These matters have been recognised, provided for, and suitably addressed as evidenced elsewhere in this application.

### Section 7 – Other matters

This section specifies other matters to which particular regard shall be had in achieving the purpose of the RMA. Of relevance to this application are the following matters:

*(a) kaitiakitanga:*

*(aa) the ethic of stewardship:*

*(b) the efficient use and development of natural and physical resources:*

*(c) the maintenance and enhancement of amenity values:*

*(d) intrinsic values of ecosystems:*

*(e) maintenance and enhancement of the quality of the environment:*

*(f) the effects of climate change:*

These matters have been recognised, provided for, and suitably addressed as evidenced elsewhere in this application.

### Section 8 – Treaty of Waitangi

This section requires that in achieving the purpose and principles of the RMA, all persons exercising functions and powers under it shall take into account the principles of the Treaty of Waitangi. The principles of partnership and equality of interests have been reflected in proactive engagement and addressing of concerns raised by hapū and iwi. As such, the proposal is considered to have appropriately taken the principles of the Treaty of Waitangi into account.

## 11.0 Conclusion

The Plan Change will establish a new residential area and small commercial site at Pongakawa that will provide for housing needs of this community as it continues to grow and be subject to growth demand. The social infrastructure likely to be established as a result of this plan change will service the Pongakawa Village and also the surrounding rural catchment.

Large scale land use change to horticultural purposes in the vicinity of Pongakawa has increased the number of jobs in this part of the Western Bay of Plenty district and so the Plan change will respond to this demand in an environmentally responsible and sustainable way. The developing Rangiuru Business Park is also only a few kilometres away and will provide employment for 4000 people when fully developed – housing of these employees will be supported by this plan change.

Care has been taken to preserve the character of Pongakawa and integrate the new plan change area with the existing residential settlement. The subdivision development yield proposed is consistent with that identified in the Regional Policy Statement for greenfield development, and to deliver lot sizes appropriate to the entire market to ensure affordability by those demanding housing in the area.

The PPC adopts many of the objectives, policies, and rules within the existing WBOP District Plan and introduces a new structure plan to guide the development outcomes and also the staging of the development, in an integrated and coordinated manner.

An assessment of natural hazard risk has confirmed that the probability of natural hazards events affecting the site is suitably low.

Transportation effects are able to be managed with minor upgrade to the existing intersection with Arawa Road and the State Highway.

The plan change will allow people and communities to provide for their social, economic, cultural, and environmental wellbeing and be of a sufficiently small scale not to change the character of Pongakawa Village or detract from wider long term urban growth plans of the region. It is therefore considered to be consistent with Part 2 of the RMA.

## **Appendix 1 – Certificate of Title, Consent Notice**

## Appendix 2 – Proposed Structure Plan, Zone and Rule Changes

## Appendix 3 – Detailed Site Investigation

## **Appendix 4 – Archaeology Survey and Effects Assessment**

## Appendix 5 – Records of Engagement

A summary of engagement undertaken in informing the scope of this plan change is summarised in the table below, with evidence of engagement attached also.

| Engaged Party  | When               | Led By                              | Position Summary   |
|--|--------------------|-------------------------------------|--|
| Hapu (as advised by WBOPDC and BOPRC with recognised interest in the area) | 2021-2023          | Applicant/Richard Coles             | <p>Ngati Whakahemo responded to engagement requests and confirm support – see letter attached.</p> <p>Further engagement with Ngati Pikiao in 2022 elicited general support subject to particular stormwater requirements which have been reflected in Structure Plan requirements.</p>  |
| BOPRC  | 2021-May 2023      | Richard Coles/Vincent Murphy (2023) | <p>Following early engagement in 2021 where no material objections were raised, engagement continued into 2022. BOPRC advised in May 2022 of their position that the application did not satisfy RPS Policy UG 5A. This letter was issued prior to Plan Change 6 being completed and notified, which deletes Policy UG 5A.</p> <p>Between March-May 2023, letters have been exchanged regarding planning assessments against the RPS as modified by PC6, with agreement not reached to-date.</p> |
| WBOPDC   | 2021 and July 2022 | Richard Coles                       | <p>First meeting in 2021 confirmed no fundamental objection. Second meeting July 2022 focused on credibly completing the story of how this PPC would provide affordable dwellings to the target market (kiwifruit orchard full-time employees), and community consultation. Both matters have been addressed in this application.</p>  |

| Engaged Party           | When                       | Led By                              | Position Summary   |
|-------------------------|----------------------------|-------------------------------------|--|
| Neighbours              | July-November 2022         | Applicant                           | The Marsh's initially consulted the immediate neighbours on Arawa Road to invite them to join the Plan Change. Different residents had different views on how the Plan Change would affect or benefit them. A reoccurring theme was the additional rates charges that may be applied if they agreed to connect to a reticulated system. There were other matters raised regarding stormwater, fencing and other matters. A follow up meeting was held on the 17 <sup>th</sup> November 2022 with MPAD Director Richard Coles, the Marsh's and immediate Arawa Road residents and discussions were had regarding similar matters. As a consequence, it was decided not to include those properties in the PC application with the exception of 53 Arawa Road who supported the Plan Change. |
| Waka Kotahi             | July 2021-October 2023     | Richard Coles/Vincent Murphy        | <p>Engagement with Rodney Albertyn in respect of safety and reverse sensitivity effects. No red flags raised in terms of safety subject to proposed upgrades as informed by expert traffic engineer assessment.</p> <p>Policy considerations concerning Smartgrowth obligations directed to Cole O'Keefe with no response received.</p> <p>Engagement concerning transportation planning policy has been carried out with Ash Peti and Rodney Albertyn in 2023, some concerns remain regarding VKT and settlement isolation.</p>   |
| Chorus (communications) | June 2022                  | Vincent Murphy                      | Confirmed ability to provide reticulated fibre services to the site.   |
| Powerco (power)         | April 2022-April 2023      | Richard Coles/Vincent Murphy (2023) | Confirmed power can be supplied subject to installing at least one, possibly two transformers.   |
| Smartgrowth             | November 2020; August 2022 | Applicant/Vincent Murphy            | <p>Ken Tremaine, former Smartgrowth Strategic Advisor, toured the property and confirmed strategic support.</p> <p>Renewed contact made with Smartgrowth representative by Vincent Murphy August 2022 – confirmed Smartgrowth would no longer comment on applications as per previous engagements, rather expects Smartgrowth Partners to work upon delivering on emerging Future Development Strategy.</p>  |

| Engaged Party                      | When                  | Led By        | Position Summary   |
|------------------------------------|-----------------------|---------------|--|
| Te Puke Economic Development Group | August 2020; May 2022 | Applicant     | Mark Boyle, TPEDG representative, confirmed support for enabling development of the PPC site to support ongoing investment and growth in the kiwifruit industry in Pongakawa. Notes solid support from further strategic stakeholders – see letter dated 26 <sup>th</sup> May 2022 |
| Zespri                             | August 2022           | Richard Coles | Confirmed significant orchard presence in the area.  |

## Appendix 6 – Ecological Impact Assessment

## Appendix 7 – Engineering Servicing Report

## Appendix 8 – Geotechnical Investigation Report

## Appendix 9 – Transportation Assessment Report

## Appendix 10 – Road Safety Audit

## Appendix 11 – Supporting RMA Section 32 Analysis

## **Appendix 12 – Hazard Risk Assessment (Appendix L of BOP Regional Policy Statement)**

## Appendix 13 – Landscape and Visual Impact Assessment

## **Appendix 14 – Ministry of Housing and Urban Development House Pricing Extract**