

BEFORE THE ENVIRONMENT COURT

ENV-

UNDER The Resource Management Act 1991

IN THE MATTER of an application under clause 14(1) of Schedule 1

BETWEEN **ROTORUA DISTRICT COUNCIL**

Appellant

AND **WESTERN BAY OF PLENTY DISTRICT COUNCIL**

Respondent

AND **QUAYSIDE PROPERTIES LIMITED**

Applicant

**NOTICE OF APPEAL AGAINST THE DECISION OF WESTERN BAY OF
PLENTY DISTRICT COUNCIL IN RESPECT OF PLAN CHANGE 72**

Dated: 22 June 2016

Counsel: L F Muldowney
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**TOMPKINS
WAKE
LAWYERS**

**To: The Registrar
Environment Court
Auckland**

1. Rotorua District Council known as Rotorua Lakes Council (“RLC”) appeals the decision of Western Bay of Plenty District Council (“WBPDC”) on the following matter:
 - (a) Proposed Plan Change 72: Rangiuru Business Park to the Western Bay of Plenty District Plan First Review (“PC72”).
2. RLC made a submission and further submissions on PC72.
3. RLC is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (“RMA”).
4. RLC received notice of the Decision (“Decision”) on 16 May 2016.
5. The Decision was made by the WBPDC Regulatory Hearings Committee.
6. PC72 introduces amendments to the operative provisions of the District Plan in relation to the Rangiuru Business Park (“Rangiuru”). This appeal relates to the decision, and in particular those provisions of PC72 which relate to the Community Service Areas (“CSA”) and the retail and office land use activities within Rangiuru.

Parts of Decision being appealed

7. The specific parts of the Decision that RLC is appealing are determinations:
 - (a) That the location and size of the CSAs be retained as notified (see paragraph 7 of the Decision); and
 - (b) That Rule 21.3.2 be amended as follows (see paragraph 8 of the Decision):

21.3.2 Additional Permitted Activities (Rangiuru Business Park only)

(c) ~~In the Community Service Areas of the Business Park only;~~

~~Within 250m of the intersections marked “Community Service Area” on the Rangiuru Business Park Structure Plans the following activities are also permitted:~~

Community Service Areas within the Business Park that meet the following criteria;

(i) Are located within 250m of either of the two intersections marked for such on the Rangiuru Business Park Structure Plan; and

(ii) Development within each of the two Community Service Areas must form a single contiguous development having a minimum net land area of 6,000m² and a maximum net land area of 20,000m²;

(iii) The combined total development area across both of the two Community Service Areas shall not exceed a maximum net land area of 2.6ha.

Note: Land uses within a Community Service Area may be held in lots which are smaller than the 6,000m² minimum provided they have contiguous boundaries and together exceed the minimum 6,000m² net land area.

~~The maximum net land area collectively of activities pursuant to this rule shall be 2.6ha. Any individual development within this 2.6ha shall have a minimum net land area of 6,000m² and a maximum net land area of 20,000m². There shall be up to one such development within each Community Service Area.~~

~~Explanatory Note:~~

~~For clarification, this rule allows for smaller individual land uses but requires that activities are bundled together in a comprehensive manner of at least 6,000m² net land area so as to function as a Service Area rather than individual uses. The individual uses can be held in smaller lots but these must have contiguous boundaries.~~

(d) In the Community Service Areas of the Business Park only:

(i) Offices (not covered by 21.3.1(p));

(ii) Retailing (not covered by 21.3.1(c) and involving a maximum floor area of 100m²;

(iii) Places of assembly;

(iv) Educational Facilities (limited to childcare/day-care/pre-school facilities).

8. Alternatively, if the appellant's relief sought in paragraph 12 (a) and (b) is declined, then RLC appeals the entire decision to grant PC72.

Reasons for appeal

9. While generally supportive of the original strategic intent of Rangiuru, PC72 departs from this intent in respect of its management of non-industrial land uses within the Business Park.

10. The provisions of PC72 as set out in the Decision:
 - (a) Will have an adverse effect on the sustainability, vitality and viability of the industrial and commercial land resources in the wider region including within the Rotorua District;
 - (b) Are inappropriate and inconsistent with the relevant higher order objectives and policies in the Plan and the Regional Policy Statement;
 - (c) Will create adverse effects which have not been properly quantified, evaluated or weighted as part of the s 32 evaluation;
 - (d) Do not represent the most appropriate means of exercising the respondent's functions, having regard to the efficiency and effectiveness of other available means and are therefore not appropriate in terms of s 32 and other provisions of the RMA; and
 - (e) Fail to achieve the sustainable management of the region's natural and physical resources and are therefore contrary to Part 2 of the RMA.

11. In particular, and without limiting the generality of paragraph 9 above:
 - (a) RLC's original submission was opposed to PC72 in its entirety, and in particular, opposed to any proposed amendments that will make the current regime more permissive in respect of the establishment of non-industrial activities in Rangiuru. In particular, the provisions relating to the CSAs, including but not limited to Rule 21.3.2 and the location and split of the CSA in the absence of a retail and office cap.
 - (b) Rangiuru as originally conceived was intended to enable an industrial land resource within the region which provided limited mixed use commercial land to support the industrial land uses within Rangiuru. Under the Decision, the rules pertaining to the CSAs and to offices and retail generally in Rangiuru lack meaningful control over the overall scale and design of the activities and fail to achieve Rangiuru's intended purpose.

- (c) The absence of a cap on the gross floor area for office and retail activities within the CSAs creates a planning framework which enables the establishment of a significant mixed use commercial centre in and around the CSA nodes. Such a development is:
- (i) Inconsistent with the original strategic intent of Rangioru in respect of its purpose, and its position within the network of commercial centres in the region;
 - (ii) Inconsistent with the policies and objectives of the operative Western Bay of Plenty District Plan which seek to ensure the viability of existing centres by *inter alia* limiting the establishment of non-industrial activities in the Industrial Zone; and
 - (iii) A significant threat to the viability of existing (and proposed) commercial centres within the region.

Relief sought

12. RLC seeks the following relief:

- (a) Amend Rule 21.3.2(c) and Rule 12.4.13.1 as follows:

21.3.2 Additional Permitted Activities (Rangioru Business Park only)

(c) Community Service Areas within the Business Park that meet the following criteria:

(i) Are located within 250m of either of the two intersections marked for such on the Rangioru Business Park Structure Plan; and

(ii) Development within each of the two Community Service Areas must form a single contiguous development having a minimum net land area of 6,000m² and a maximum net land area of 20,000m²;

(iii) The combined total development area across both of the two Community Service Areas shall not exceed a maximum net land area of 2.6ha; and

(iv) The maximum cumulative gross floor area for all office and retail activities allowed under 21.3.2 (d) (i) and (ii) below shall be a total of 1,000m² for each CSA.

Note: Land uses within a Community Service Area may be held in lots which are smaller than the 6,000m² minimum provided they have contiguous boundaries and together exceed the minimum 6,000m² net land area. The limitation on maximum

cumulative gross floor area for retail and office is for the purpose of ensuring the Community Service Area continues to provide a service function principally to the local business community.

(d) In the Community Service Areas of the Business Park only:

(i) Offices (not covered by 21.3.1(p));

(ii) Retailing (not covered by 21.3.1(c) and involving a maximum floor area of 100m²;

(iii) Places of assembly;

(iv) Educational Facilities (limited to childcare/day-care/pre-school facilities).

12.4.13 Ranguru Business Park Structure Plan

12.4.13.1 General

(d) Where a Community Service Area is included in the subdivision, the location, layout, and design shall be shown in order to demonstrate how it will meet the primary local business community service function.

; or

- (b) That the amendments to all provisions relating to the CSA including Rule 21.3.2(c) and (d) introduced through PC72 be rejected in their entirety; or
- (c) That PC72 be declined in its entirety.

13. The appellant also seeks:

- (a) Such further other orders, relief or other consequential or other amendments as considered appropriate and necessary by the Court to address the concerns set out in this notice; and
- (b) Costs of and incidental to this appeal.

14. RLC attaches the following documents to this notice:

- (a) A copy of the Decision (**Attachment 1**);
- (b) A copy of RLC's original submission (**Attachment 2**) and further submissions (**Attachment 3**);

- (a) A copy of the Decision (**Attachment 1**);
- (b) A copy of RLC's original submission (**Attachment 2**) and further submissions (**Attachment 3**);
- (c) A list of the names and addresses of persons to be served with this Notice (**Attachment 4**).



.....
L F Muldowney
Counsel for Rotorua Lakes Council

Dated: 23 June 2016

Address for service of the appellant:

Westpac House
Level 8
DX GP20031
Hamilton 3240

Telephone: 07 839 4771

Fax: 07 839 4855

Email: lmuldowney@tomwake.co.nz/sthomas@tomwake.co.nz

Contact person: Lachlan Muldowney/Shaye Thomas

Documents for service on the appellant party may be:

- (a) Left at the address for service; or
- (b) Posted to the solicitor at PO Box 258, Hamilton; or
- (c) Left for the solicitor at a document exchange for direction to DX GP20031, Hamilton.

Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- (a) within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- (b) within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).



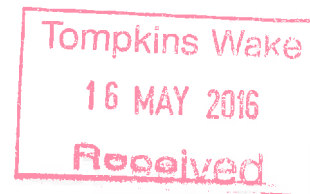
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10 May 2016

Submission ID: 2015*PC15C*11/FS28

Rotorua District Council
C/- Tompkins Wake Lawyers
Level 8, Westpac House
430 Victoria Street
HAMILTON 3240
Attention: Lachlan Muldowney



Dear Sir/Madam

Notification of Decisions on Proposed Plan Change 72 to the District Plan First Review

Pursuant to Clause 11 of the First Schedule of the Resource Management Act 1991 the Western Bay of Plenty District Council gives notice of decisions on Proposed Plan Change 72 to the District Plan First Review.

Enclosed with this letter is the public notice and the Decision Report relating to the following Plan Change that you made a submission or further submission on.

- District Plan – Plan Change 72 – Rangiuru Business Park

A copy of this Decision Report on Plan Change 72, as well as re-drafted versions of those Sections of the District Plan First Review changed as a consequence to these decisions, can also be viewed at;

- Western Bay of Plenty District Council offices at Barks Corner, Tauranga;
- Katikati, Te Puke, Omokoroa and Waihi Beach Library and Service Centres;
- Council’s website www.westernbay.govt.nz/planchanges69-74

If you wish to appeal Council’s decision, you have 30 working days to lodge an appeal with the Environment Court. Advice from a solicitor is recommended for any person considering lodging an appeal.

If you have any queries relating to Plan Change 72 please do not hesitate to contact me on 07 579 6682 or at phillip.martelli@westernbay.govt.nz.

Yours faithfully

Phillip Martelli
Resource Management Manager



Decision Report

Plan Change 72 – Rangioru Business Park

1. Introduction

This report shows the decisions made on the topics in the Planning Report and then shows the whole of the Plan Change i.e. how the full notified Plan Change and subsequent decisions on topics are proposed to change the District Plan First Review.

For topics, any changes to rules are shown as follows; existing District Plan text in black, proposed changes as included in the Section 32 Report in **red**, and any changes resulting from decisions in **blue**.

For the whole of the Plan Change, any changes to rules are shown as follows; existing District Plan text in black, and changes (being the culmination of the notified Plan Change and subsequent decisions) in **red**.

2. Topic 1: Whole of Plan Change

Decision

THAT Plan Change 72, Rangioru Business Park, is retained as notified except as amended in response to submissions identified under the specific Topics below.

The following submissions are therefore:

Accepted

Submission	Point Number	Name
3	1	BOP Regional Council
5	1	Hickson
6	6	Walker
18	1	Te Puke Economic Development Group
20	1	Te Puke Community Board
FS22	1,2,15,16,17	Tauranga City Council
FS25	4	Carrus
FS26	1,2	SmartGrowth Implementation Committee
FS27	18	Seeka Kiwifruit Industries

Accepted in Part

Submission	Point Number	Name
2	1	NZ Transport Agency
12	1,3	Whakatane District Council
13	1	Hebland Holdings
15	1	Attwood
FS29	1,2	Hebland Holdings
FS30	1,2,3	Attwood

Rejected

Submission	Point Number	Name
7	1	Stafford Rise Trust
11	1	Rotorua District Council
16	2	Paterson
21	1	Archbold
FS23	6	Pukeroa Oruawhata Trust
FS28	1,2,4,6,12,14,15,17,21,22,	Rotorua District Council

Reasons for Decision

Plan Change 72 introduces specific changes to the operative provisions of the District Plan in relation to Rangiuru Business Park. It is the Committee's opinion that the District Plan already contains a suite of provisions and the changes sought by Plan Change 72 seek to modify these by reviewing the structure plan and Infrastructure Schedule to provide a better layout and to enhance the deliverability of the Rangiuru Business Park given the development of the Tauranga Eastern Link.

The majority of submissions support Plan Change 72. Several submitters oppose it, principally due to concerns that a significant mixed use commercial centre might develop in this industrial zone. On balance the Committee believes the Plan Change is appropriate, but with certain modifications that are addressed in the respective Topics to these decisions.

The Committee notes that both SmartGrowth and the Bay of Plenty Regional Council provided evidence that the Business Park and Plan Change 72 were consistent with the relevant planning documents that they were responsible for, namely the SmartGrowth Strategy and the Regional Policy statement. We are therefore perplexed at some submitters' stance that they were not consistent.

3. Topic 2: Roading - Issue 1: Tauranga Eastern Link (TEL) Interchange Design

Decision

THAT:

1. Rule 12.4.13.5, third bullet point be deleted and replaced as follows: "Principal access to the Park is via a 4 legged interchange with the Tauranga Eastern Link".
2. Operative Appendix 7, 11.5 - the diagram "Interchange with Proposed Tauranga Eastern Motorway" be retained.
3. The Roading (3 Legged Interchange) option be deleted from Table 1 of the Financial contributions.

The following submissions are therefore:

Accepted

Submission	Point Number	Name
17	2	Rotorua Chamber of Commerce
21	2	Archbold
FS23	4	Pukeroa Oruawhata Trust
FS28	20,23	Rotorua District Council

Rejected

Submission	Point Number	Name
6	1	Walker

Reasons for Decision

It is the Committee's view that the four legged option is preferred from a transport efficiency and land use integration perspective when taken in the context of the whole of the eastern corridor, which includes linkages further east to the central North Island including Rotorua and Whakatane.

Given that the Committee considers that the majority of the traffic passing by the Business Park along the Tauranga Eastern Link will be from out of the region access to and from the Park in all directions is critical.

The Committee acknowledges that some submitters raised concerns about road safety caused by the increased traffic generated through the three legged option on the local roading network.

When the three legged interchange is considered with the additional road upgrades associated elsewhere within the business park and surrounding it, that

will be required for Stage 1 to operate effectively, the total cost is only marginally cheaper than a four legged interchange, and this cost difference does not outweigh the long term benefits of the four legged option.

The Committee acknowledges that cost is a relevant consideration. Whilst a scenario based on costs for a three legged interchange was put forward the Committee did not consider that this was sufficient to outweigh the traffic safety and efficiency benefits of the four legged option outlined above.

4. Topic 2: Roading - Issue 2: Te Puke Highway

Decision

THAT the second paragraph, first sentence of 12.4.13.7(a) be reworded as follows:

"Monitoring shall commence at the completion of the Stage One access to Young Road and shall be undertaken annually for safety and biennially for capacity."

The following submissions are therefore:

Accepted in Part

Submission	Point Number	Name
2	2	NZTA

Rejected

Submission	Point Number	Name
13	6	Hebland Holdings
15	5	Attwood, Wesley Blythe (Estate)

Reasons for Decision

Monitoring should only commence when changes occur arising from the development.

In response to the submission by Hebland the proposed cap of 70ha is considered an efficient and effective method of providing a trigger as to when upgrades are likely to be required to the Maketu and Pah Road intersections. There is also provision within the Rule (clause (b)) to delay the upgrade if monitoring shows that the thresholds have not been met.

5. Topic 2: Roading - Issue 3 Internal Network

Decision

THAT the internal road network and associated rules remain as notified.

The following submissions are therefore:

Accepted in Part

Submission	Point Number	Name
21	3	Archbold

Rejected

Submission	Point Number	Name
2	3	NZTA
21	4	Archbold

Reasons for Decision

NZTA (2): The matter raised is a detailed matter that is normally addressed at the design stage.

Archbold (21.3): The threshold has been deleted by Plan Change 72. The midway link is still available as an option.

Archbold (21.4): Speed limits are monitored and addressed as development occurs. It is not appropriate to impose a ban on exhaust brakes in Industrial Zones.

6. Topic 2: Roading - Issue 4: Kaituna Link

Decision

THAT Appendix 7 Map 11.6 "Roading Layout, Land Use and Staging Plan" be amended by changing the wording "Reserved Land" to "[Land for possible roading link to Te Tumu](#)".

The following submissions are therefore:

Accepted in Part

Submission	Point Number	Name
8	1	Te Tumu Landowners Group
8	7	Te Tumu Landowners Group
9	1	Te Tumu Kaituna 14 Trust
9	7	Te Tumu Kaituna 14 Trust

Submission	Point Number	Name
10	1	Ford Landholdings
10	7	Ford landholdings

Rejected

Submission	Point Number	Name
FS28	7	Rotorua District Council

Reasons for Decision

The proposed wording better describes the intent for future use of the land as referenced in the SmartGrowth Strategy (Map 6 – Eastern Corridor) and the Bay of Plenty Regional Land Transport Plan 2015-2045 (Pg 88). The “Roading Layout, Land Use and Staging Plan” is the appropriate map to show it on.

Also for this reason it is not necessary to add words to Rule 12.4.13.5.

7. Topic 3: Community Service Areas - Issues 1 & 2: Objectives and Policies, Location and Size

Decision

THAT the location and the size of the Community Service Areas be retained as notified.

The following submissions are therefore:

Accepted

Submission	Point Number	Name
8	2	Te Tumu Landowners Group
9	2	Te Tumu Kaituna 14 Trust
10	2	Ford Land Holdings
FS22	3,4,7,11,	Tauranga City Council
FS25	1	Carrus
FA26	3	SmartGrowth

Rejected

Submission	Point Number	Name
4	1	Bluehaven
15	3	Attwood
FS23	1	Pukeroa Oruawhata Trust
FS28	3,8,19	Rotorua District Council

Reasons for Decision

Plan Change 72 is not seeking to increase the developable area but to retain what is in the Operative Plan and to give effect to any minor locational change that may be required. The Operative Community Services Area is in the new Stage 2, so the proposal to split the Community Services Area into two is to enable activities that would be established in a Community Services Area to be available to the first stage of development.

Plan Change 72 seeks to modify the location of the Community Services Area, change the area from gross to net, and add a new permitted activity for childcare.

The Committee's consideration is limited to these particular amendments. The first two would not have any material effect on the purpose and function of the Business Park. The inclusion of childcare facilities is considered to provide a clear benefit.

Rule 21.3.2 provides that there can only be one development per site and its size has to be between 6,000m² and 2 ha. This is to ensure a comprehensive development, rather than piecemeal small ones that may or may not join up.

The location restriction to 250m is important to ensure that the Community Services Areas and their activities are internal to Rangiuru Business Park, rather than on the edge in order to attract passing traffic.

Submissions for a cap on the gross floor area for offices and retail are considered to be outside the scope of what is a very limited Plan Change. This Plan Change is not an opportunity to revisit such matters as these would have to be addressed by way of a further Plan Change.

Notwithstanding that this was considered outside the scope of the Plan Change there was no evidence (such as economic analysis) other than theoretical planning scenarios given to justify a cap of any size.

Nor was there any evidence provided to support submissions claiming the potential for negative effects of the Community Services Areas on nearby town centres such as Rotorua, Te Puke and Wairakei. On the contrary submissions from the Te Puke community were in full support of all aspects of the Plan Change.

8. Topic 3: Community Services Areas - Issue 3: Activities

Decision

THAT Rule 21.3.2(c) be modified as follows:

21.3.2 Additional Permitted Activities (Rangiuru Business Park only)

(c) ~~In the Community Service Areas of the Business Park only;~~

~~Within 250m of the intersections marked "Community Service Area" on the Rangioru Business Park Structure Plans the following activities are also permitted:~~

~~Community Service Areas within the Business Park that meet the following criteria;~~

- ~~(i) Are located within 250m of either of the two intersections marked for such on the Rangioru Business Park Structure Plan; and~~
- ~~(ii) development within each of the two Community Service Areas must form a single contiguous development having a minimum net land area of 6,000m² and a maximum net land area of 20,000m²;~~
- ~~(iii) the combined total development area across both of the two Community Service Areas shall not exceed a maximum net land area of 2.6ha.~~

~~Note: Land uses within a Community Service Area may be held in lots which are smaller than the 6,000m² minimum provided they have contiguous boundaries and together exceed the minimum 6000m² net land area.~~

~~The maximum net land area collectively of activities pursuant to this rule shall be 2.6ha. Any individual development within this 2.6ha shall have a minimum net land area of 6,000m² and a maximum net land area of 20,000m². There shall be up to one such development within each Community Service Area.~~

~~Explanatory Note;~~

~~For clarification, this rule allows for smaller individual land uses but requires that activities are bundled together in a comprehensive manner of at least 6,000m² net land area so as to function as a Service Area rather than individual uses. The individual uses can be held in smaller lots but these must have contiguous boundaries.~~

Insert new 21.3.2(d) as follows:

(d) In the Community Service Areas of the Business Park only;

- (i) Offices (not covered by 21.3.1(p));
- (ii) Retailing (not covered by 21.3.1(c)) and involving a maximum floor area of 100m²;
- (iii) Places of assembly.
- (iv) Educational Facilities (limited to childcare/day-care/pre-school facilities)**

The following submissions are therefore:

Accepted

Submission	Point Number	Name
6	3	Walker
15	2	Attwood
FS22	3	Tauranga City Council
FS26	3	SmartGrowth

Rejected

Submission	Point Number	Name
4	1	Bluehaven
FS23	1	Pukeroa Oruawhata Trust
FS28	3,18,19	Rotorua District Council

Reasons for Decision

The only change to the list of permitted activities is Educational Facilities and those are limited to childcare/day-care/pre-school facilities. These are intended to cater for the needs of parents working at Rangiuru Business Park, and the distance from urban centres means they will not be attractive to people living and working in those centres.

The notified rule combined the activities located within the Community Services Area, with the criteria for the Community Services Area itself. A separate rule has been created to provide for the permitted land use activity of a "Community Services Area" with associated qualifying criteria for that activity. Within those areas, certain activities are then permitted (addressed through a separate permitted activity rule). The substance of these provisions has not changed from the notified version, although the activities have been separated into two rules and the wording has been tweaked for clarity.

9. Topic 4: Industrial Zone - Issue 1: Offices

Decision

THAT Rule 21.3.11(a) be modified as follows:

Offices accessory to Permitted Activities 21.3.1 and 21.3.2(b) ~~which are not on the same lot as provided that the office is on a lot adjoining the Permitted Activities~~ Activity to which the office is accessory to.

And that 21.6.5.(d)(i) be consequentially amended by replacing the word "near" with "adjoining".

The following submissions are therefore:

Accepted

Submission	Point Number	Name
12	2	Whakatane District Council

Accepted in Part

Submission	Point Number	Name
6	4	Walker
8	3,4	Te Tumu Landowners Group
9	3,4	Te Tumu Kaituna 14 Trust
10	3,4	Ford Land Holdings
FS22	5,6,8,9,12,13,	Tauranga City Council
FS25	2,3	Carrus

Rejected

Submission	Point Number	Name
FS23	2	Pukeroa Oruawhata Trust
FS28	9,10,13	Rotorua District Council

Reasons for Decision

Industrial Zone Objectives 1, 3, 4 and Policy 6, along with the Assessment Criteria in 21.6.5, Commercial Zone Policy 3, and the recommendation provide strong direction with regard to the justification for and location of "offsite" accessory offices. Requiring the office to adjoin the principal activity should reinforce the need for a functional need to establish there.

The discretionary activity status and the associated assessment criteria and the requirement that the office be adjoining the principal activity are sufficient to address any concerns submitters may have about offices locating in the Business Park without a functional need to be there.

10. Topic 4: Industrial Zone - Issue 2: Education Facilities

Decision

THAT there are no changes to 21.6.5.

The following submissions are therefore:

Accepted

Submission	Point Number	Name
FS22	10,14	Tauranga City Council

Rejected

Submission	Point Number	Name
8	5	Te Tumu Landowners
9	5	Te Tumu Kaituna 14 Trust
10	5	Ford Landholdings
FS28	11	Rotorua District Council

Reason for Decision

The part of the District Plan that is being sought to be changed is not part of Plan Change 72. Thus there is no jurisdiction to amend 21.6.5.

11. Topic 5: Staging

Decision

THAT 12.3.13.6, 12.4.13.7, 12.3.13.8 are retained as notified.

The following submissions are therefore:

Accepted

Submission	Point Number	Name
6	2	Walker
13	7	Hebland

Rejected

Submission	Point Number	Name
FS28	5,16	Rotorua District Council

Reason for Decision

Plan Change 72 is about funding the necessary infrastructure, not managing effects on the existing infrastructure. Thus it will affect landowners involved in development of the Rangiuru Business Park.

12. Topic 6: Infrastructure - Issue 1: General

Decision

THAT 12.4.13, 12.4.13.2, 12.4.13.3, and 12.4.13.4 are retained as notified.

The following submissions are therefore:

Accepted

Submission	Point Number	Name
6	5	Walker
FS30	4	Attwood

Accepted in Part

Submission	Point Number	Name
16	1	Paterson

Rejected

Submission	Point Number	Name
13	3	Hebland Holdings
15	4	Attwood
17	1	Rotorua Chamber of Commerce
FS23	3	Pukeroa Oruawhata Trust

Reason for Decision

These rules provide flexibility for those who are funding the development to choose the most appropriate option.

13. Topic 6: Infrastructure - Issue 2: Water Supply

Decision

THAT Rule 12.4.13.3 be retained as notified.

The following submissions are therefore:

Rejected

Submission	Point Number	Name
14	1,2	New Zealand Fire Service

Reason for Decision

Firefighting provisions are already covered by Rule 12.4.7.2(b) and in Council's Development Code.

14. Topic 7: Financial Contributions - Issue 1: General

Decision

1. THAT the land purchase and construction costs for the Kaituna Link connection to the Tauranga Eastern Link not be included in the Financial Contributions Schedule.

2. THAT the land value of the Hebland stormwater pond remain as notified.

The following submissions are therefore:

Rejected

Submission	Point Number	Name
8	6	Te Tumu Landowners Group
9	6	Te Tumu Kaituna 14 Trust
10	6	Ford Land Holdings
13	4,5	Hebland Holdings

Reasons for Decision

Although there is reference to the Kaituna Link in various planning documents (see decision 7.5 above), there is currently no commitment to it, therefore it is inappropriate to include any costs associated with that link in the Rangiuuru Business Park Financial Contributions Schedule. Also the purpose of the Link would be to serve the population of Te Tumu, it is not necessary for the functioning of the Business Park, and therefore it would not be appropriate to introduce a financial contribution for the Kaituna Link.

The figures in the Financial Contributions Schedule are estimates only and replaced by actuals when such are known.

15. Topic 8: Miscellaneous - Issue 1: Rail Access

Decision

THAT 12.4.13.1(a) is amended as follows:

Local purpose reserves within the relevant development stage except where required for rail access purposes.

The following submissions are therefore:

Accepted in Part

Submission	Point Number	Name
13	2	Hebland Holdings

Reason for Decision

The opportunity to use the rail corridor for access to transport goods should be provided for. The proposed amendment allows for this while retaining amenity planting adjoining the railway as it travels alongside the Te Puke Highway.

16. Topic 8: Miscellaneous - Issue 2: Drainage Effects

Decision

THAT for stormwater mitigation, PC72 be retained as notified.

The following submission is therefore:

Rejected

Submission	Point Number	Name
19	1	Pamment

Reason for Decision

Stormwater modelling was reviewed through PC72 to ensure adequacy of the infrastructure proposed.

17. Whole of Plan Change 72 - Changes to the District Plan First Review

THAT changes be made to the following sections/appendices as shown on the pages to follow:

Section 11 – Financial Contributions

Section 12 – Subdivision

Section 21 – Industrial

Appendix 7 – Structure Plans

11. Financial Contributions

11.3 Rules

11.3.1 Interpretation

(c) NZOCR means the New Zealand Official Cash Rate.

11.3.3 Financial Contribution Formulae for Controlled and Restricted Discretionary Land Use Activities and all Subdivisions

These formulae are used to set the catchment financial contribution amounts and the values applied to the variables within the formulae will be updated annually.

(e) **Rangiuru Business Park**

The equitable provision and funding of *infrastructure* and the need for full recovery of *infrastructure* costs (as set out in the financial contributions schedules) is a key driver for the Rangiuru Business Park. For Rangiuru Business Park the infrastructure required is anticipated to be built and funded by private developers as opposed to the Council. Accordingly, full recovery of financial contributions by the Council to refund the entities which build/fund that work (in order of construction) is appropriate.

Financial contributions will be calculated on the basis of available areas able to be developed as opposed to actual site utilisation or building area, and notwithstanding that different activities place different actual demand on *infrastructure* networks. The infrastructure cost contained in Appendix 7 are able to be updated annually through the *Annual Plan* and/or LTP as set out below.

As outlined in Chapter 12, Infrastructure for the Rangiuru Business Park will be constructed generally in accordance with the designs specified in Appendix 7. Where Council identifies a more cost effective means of delivering future infrastructure for the park, the future infrastructure cost for that line item may be used as replacement infrastructure. Where the cost of infrastructure is lower than the anticipated cost, only the lower amount can be recovered.

Developers wishing to occupy land within these areas must make their decisions on location in full awareness that financial contributions are payable on the basis of site area without refinements for specific proposals.

- (i) As set out below, financial contributions shall be payable for subdivision and *development* in the Rangiuru Business Park to pay for trunk infrastructure as identified in the

Structure Plans and the associated financial contribution schedule in Appendix 7;

Where any circumstances exist that mean these provisions are inconsistent with the general provisions then this section shall prevail.

(ii) With regard to any resource consent which is granted subject to a condition imposing a financial contribution for Rangiuru Business Park, that condition shall provide for the amount of any financial contributions.

(iii) Any financial contribution which is not paid in full within two years from the date of commencement of the consent or any subsequent two year period shall be adjusted so that the amount of the financial contribution required by the resource consent shall be the per square meter amounts as set out in the Rangiuru Rangiuru Financial Contributions Schedule in Appendix 7 using the inputs to that schedule as updated annually through the Annual Plan and/or the LTP process, as detailed below.

(iv) The financial contribution shall be in accordance with the approved Rangiuru financial contribution schedule in Appendix 7 (specified dollar amount per square metre of site area so used), adjusted annually to reflect updated construction cost estimates or completed actual project construction costs, and the financing costs (based on the 90-day bank rate [BKBM-FRA NZOCR rate] plus 1.5%).

(v) The financing costs are to be charged quarterly in arrear on the last day of March, June, September and December in each year on the actual capital expenditure at the start of the quarter as approved in the Rangiuru financial contribution schedule less the financial contributions received during the quarter₂.

~~(vi) In addition further financing costs (based on the 90-day bank rate [BKBM-FRA rate] plus 1.5%) resulting from the assumed average delay of three years between the setting of financial contributions and their receipt are to be charged annually on 1 July on:~~

~~(a) the capital expenditure as approved in the Schedule;~~

~~(b) the financing costs calculated as in (ii) and (iii) above.~~

~~If, as a consequence of any amendments to the capital works programme, the allocation between public/network and developer benefit needs to be updated, this may also occur through the Annual Plan process (excluding those items listed in Appendix 7, Section 7 under "1.00 Roading infrastructure", where the 'public/network' contribution will remain at 0%).~~

- (vii) ~~The costs in the financial contribution schedule in Appendix 7 including the holding financing costs are indicative only as they are based on [August] 2015 costs and will be updated annually through the Annual Plan and/or LTP process to reflect up-to-date estimated costs (based on the rate of movement of the Cost of Construction Index) and/or actual costs of the provision of infrastructure and the financing costs (based on the NZOCR rate plus 1.5%.~~
- (viii) ~~The actual financial contributions payable will reflect the completed actual construction costs and the financing costs (based on the NZOCR rate plus 1.5%) to be determined at the time resource consents commence, ~~taking into account the amounts as listed in the financial contributions schedule in Appendix &7 and any relevant costs listed in updated through the Council's Annual Plan and/or LTP.~~~~
- (ix) ~~Actual financial contributions may also be payable based on updated construction cost estimates in order to fairly contribute towards the funding of trunk infrastructure as identified in the Structure Plans and the associated Rangiora financial contribution in Appendix 7 (for example, part funding of trunk infrastructure identified as part of a future stage).~~
- (x) ~~If any developed or agency elects not to recover the cost of trunk infrastructure which has been identified in the Structure Plans and the associated financial contribution schedule in Appendix 7, it may notify the Council accordingly and the relevant line item in the financial contribution schedule will be updated to reflect the lower amount to be recovered through the Annual Plan and/or LTP process.~~
- (xi) ~~Discretionary and non-complying activities shall pay financial contributions on a full per square metre basis as set out on Appendix 7.~~

- (xii) 'Site area':
- Excludes the areas set aside for trunk infrastructure as identified on the *Structure Plan*, such as local purpose reserves (stormwater), local purpose reserves (amenity), pedestrian/cycle access, collector and entrance roads, areas for treatment of water and/or wastewater and the Tauranga Eastern Motorway Link interchange.
 - Includes the area of all local and private roads and other *infrastructure* not specifically required by the *Structure Plans*.
 - The total net developable area is 148ha.

In respect of *development*, 'site area' relates to the total area of the *lot* or the total area of the tenancy area in which the *development* is located.

For the Seeka site being Lots 1 and 2 DPS 3521 the sites are area shall excluded from the developable area. shown on Plan 011318-S-R400-Rev A in Appendix 6 - Financial Contribution Calculations of the Private Plan Change Request - Metroplex Rangiuru Business Park Volume 1 November 2005.

- (vixiii) The financial contribution is payable at the time of subdivision or *development*, whichever happens first. Where a financial contribution has already been paid at the time of subdivision in respect of the total area of the lot any land, there shall be no further contributions payable at the time of *development*. Where a financial contribution has already been paid at the time of *development* in respect of any land, there shall be no further contributions payable for the same land at the time of any subsequent subdivision;
- (viixiv) Financial contributions at the time of subdivision are payable at subdivision completion stage (i.e. Section 224 application). Financial contributions at the time of *development* are payable at building consent stage or at the time land is used for Rangiuru Business Park purposes;
- (viii) In respect of the Rangiuru Business Park, where *Council* does not expect to be able to fund much of the trunk infrastructure needs for the foreseeable future, financial contributions from developers or agencies shall be

collected by *Council* and paid directly to any prior developer or agency (in the order of investment) which has funded trunk infrastructure services in accordance with the financial contribution schedule and the *Structure Plans*.

12. Subdivision and Development

12.4.13 Rangiuru Business Park Structure Plan

The rules below specify how the Rangiuru Business Park will be developed. To summarise how the required infrastructure operates in relation to the stages at the Park, the first developer of Stage 1 is responsible for developing the Rangiuru Interchange on the Tauranga Eastern Link, and also must construct at least 50% of the water and wastewater capacity for Stage 1. Stages 2, 3 or 4 may proceed provided at least 50% of the land in Stage 1 is in use. Subsequent stages must carry through the infrastructure options employed in stage 1 to the standard required in the Plan, and must also connect that infrastructure to the existing infrastructure at the Park.

12.4.13.1 General

(a) Local purpose reserves within the relevant development stage except where required for rail access purposes.

(b) Finished contours

All subdivision use and *development* in the Rangiuru Business Park shall result in finished contours that are in accordance with those shown in the *Structure Plan* in Appendix 7 (refer to "Structure Plan Proposed Contours with Proposed Layout Details" Plan). For clarity the purpose of this plan is to ensure that the stormwater drainage patterns and levels as set out in the structure plan are provided for as staged development occurs.

~~(c) To ensure the remediation of contaminated soil all earthworks shall comply with Condition 8 of Resource Consent No. 66312 issued by the Regional Council.~~

12.4.13.2 Stormwater - General

~~(b) Stormwater systems shall be in accordance with the Stormwater Management Plan that formed part of the application to the Regional Council for stormwater discharge permits for the Rangiuru Business Park (dated August 2005), specifically those in relation to the discharges from Stormwater Ponds 1 (Carrs) and 2 (Diagonal) as shown on the Structure Plans.~~

12.4.13.3 Water Supply – General

Water supply servicing in the Rangiuru Business Park is possible via two distinct options as follows:

Option A - Eastern Water Supply Network – which constitutes:

- New reservoir at Rangiuru Road (5,500m³);
- Gravity supply main from Rangiuru Road reservoir to Business Park (450mm diameter, approximately 7.8km length);
- Rising main from existing Eastern Supply water source to new reservoir at Rangiuru Road (225mm diameter, approximately 9.0km length);
- Temporary pump station, Stage 1;
- Pah Road/Young Road/ State Highway 2 reticulation loop (375mm diameter, approximately 5.3km length);
- Internal Park trunk reticulation.

Option B - On Site Water bore and Treatment Plant – which constitutes:

- On site water bores;
- Treatment plant;
- On site reservoirs;
- Associated and ancillary equipment;
- Internal Park trunk reticulation as shown on the structure plan.

Both options are viable options. Option B will require resource consent from the Bay of Plenty Regional Council. Selection of the option to serve the Business Park to be determined by the developer of the first land use or subdivision within Stage 1 who must provide sufficient capacity for 50% of the land in Stage1.

Once a preferred option is chosen this is the option to serve the entire Business Park. A combination of options is not permissible unless demonstrated as being more cost effective.

12.4.13.4 Wastewater – General

Wastewater supply servicing in the Rangiuru Business Park is possible via two distinct options as follows:

Option A – Te Puke Wastewater Treatment Plant and Trunk reticulation – which constitutes:

- Main pump stations and associated emergency generator and emergency storage;
- Sanitary sewer rising main to the Te Puke Wastewater Treatment Plant (350mm diameter, approximately 5.8km length), including associated pipeline crossings under the Kaituna River and Waiari Stream;

- Upgrades of the capacity of the Te Puke Sewage Treatment Plan (upgrades triggered by stages of *development* above 60, 100 and 140ha).
- Sewer reticulation, including pump stations and associated emergency storage, within the relevant *development* stage area.

Option B - On Site Treatment and Disposal

- On site Sequencing Batch Reactor (SBR) treatment plant and wetland disposal area in four distinct modules;
- Wetland treatment and disposal ponds;
- Internal park trunk reticulation as shown on the structure plan.

Both options are viable options. Option B will require resource consent from the Bay of Plenty Regional Council. Selection of the option to serve the Business Park to be determined by the developer of the first land use or subdivision within Stage 1 who must provide sufficient capacity for 50% of the land in Stage 1.

Once a preferred option is chosen this is the option to serve the entire park. A combination of options is not permissible unless demonstrated as being more cost effective.

12.4.13.5 Roading – General

- Roading infrastructure provision/upgrading required by the Structure Plan and Appendix 7 shall be developed as required (unless stated otherwise in this Plan) prior to the issuing of a Section 224 certificate for any subdivision or building consent or any industrial use of the land.
- Local Roads - In addition to the Structure Plan, local roads shall be designed and constructed where necessary to provide for the future roading access and needs of adjoining undeveloped land.
- Principal access to the Park is via a four legged interchange with the Tauranga Eastern Link the State Highway interchange which has 2 options. Either a 3 legged interchange or a 4 legged interchange. Both options are viable options with assets to vest in WBOPDC or NZTA as appropriate. Selection of the option to serve the Business Park to be determined by the developer of the first land use or subdivision within Stage 1. Once a preferred option is chosen this is the option to serve the entire Business park. A combination of options is not permissible.
- Stage 1 of the Rangioru Business Park will include as lead infrastructure the construction of the Rangioru Interchange to the Tauranga Eastern Link. The Interchange must be built by the first land use or subdivision developer in Stage 1.

12.4.13.36 Interim Development (Stage 1)– General

~~An interim development, Stage 1, shall comprise not more than 25ha (gross) of the land in the area indicated on the Structure Plan as "Stage 1 Area" (plus the stormwater management areas north east of the Proposed Tauranga Eastern Motorway) provided that all of the following infrastructure provision/upgrading required by the Structure Plan and Appendix 7 has been completed, or will be completed (generally to the standard and form as specified in the Structure Plans) prior to the issuing of a Section 224 certificate for any subdivision or building consent or any industrial use of the land:~~

~~(a) Roading~~

- ~~(i) Collector and entrance roads within the interim development area, including associated roundabouts and associated road reserve widening for Young Road and an 'entrance threshold' feature and associated signage to advise of a Bylaw restricting Business Park traffic from using Young Road east of the Seeka packhouse site (including the Maketu Road/State Highway 2 intersection);~~
- ~~(ii) Upgrading of Young Road between the interim development area and the Pah Road intersection, including associated road reserve widening;~~
- ~~(iii) Pah Road/Young Road intersection upgrade (roundabout);~~
- ~~(iv) Upgrade of Pah Road to 10m wide sealed rural road standard;~~
- ~~(v) Upgrade of the Pah Road/State Highway 2 intersection to a roundabout subject to final design and construction methodology being approved by the New Zealand Transport Agency;~~
- ~~(vi) Installation of barrier arms at the Pah Road railway crossing;~~
- ~~(vii) The area of road subject to the "access restriction" notation on the Structure Plans in Appendix 7 cannot be used to provide direct access from the Tauranga Eastern Motorway or Entrance Road to adjacent land.~~

~~(b) Water supply~~

- ~~(i) Water reticulation within the interim development area;~~
- ~~(ii) New reservoir at Rangiuru Road (5,500m³);~~

- ~~(iii) Gravity supply main from Rangioru Road reservoir to Business Park (450mm diameter, approximately 7.8km length);~~
- ~~(iv) Rising main from existing Eastern Supply water source to new reservoir at Rangioru Road (225mm diameter, approximately 9.0km length);~~
- ~~(v) Temporary pump station, Stage 1;~~
- ~~(vi) Pah Road/Young Road/State Highway 2 reticulation loop (375mm diameter, approximately 5.3km length).~~

~~(c) Wastewater~~

- ~~(i) Sewer reticulation within the interim development area;~~
- ~~(ii) Main pump station in Stage 1 area and associated emergency generator and emergency storage;~~
- ~~iii) Sanitary sewer rising main to the Te Puke Wastewater Treatment Plant (350mm diameter, approximately 5.8km length), including associated pipeline crossings under the Kaituna River and Waiari Stream;~~
- ~~(iv) Partial upgrade of the capacity of the Te Puke Sewage Treatment Plant (22.5% of the total capacity upgrade needed);~~

~~(d) Stormwater~~

- ~~(i) Stormwater Pond 1 (Carrs), including vesting of associated local purpose reserve, creation of 60% of the pond (starting from the outlet structure at the northern end) and the corresponding proportion of earthworks, landscaping, walkways, boardwalks and associated works, and all inlet and outlet structures;~~
- ~~(ii) Stormwater reticulation (drains and pipes) within the interim development area;~~
- ~~(iii) Stormwater reticulation between the interim development area and Stormwater Pond 1, namely:

 - ~~Swale (9m bottom width) north east of proposed Tauranga Eastern Motorway;~~
 - ~~Swale (35m bottom width) north east of proposed Tauranga Eastern Motorway;~~~~

~~Swale (4m bottom width) south west of proposed Tauranga Eastern Motorway;~~

~~Swale (9m bottom width) south west of proposed Tauranga Eastern Motorway;~~

~~Creation of associated easements north east of proposed Tauranga Eastern Motorway and vesting of associated local purpose reserves (stormwater), including associated landscaping, fencing and walkways, south west of proposed Tauranga Eastern Motorway.~~

~~(e) **Local purpose reserves (amenity)**~~

~~Local purpose reserves within the interim development area, including associated landscaping, fencing and walkways.~~

~~The Rangioru Business Park shall be developed in stages. The first stage of development shall be Stage 1 as shown on the structure plan drawings (Appendix 7). Stage 1 area is approximately 45ha gross.~~

~~Infrastructure provision/upgrading required by the Structure Plan and Appendix 7 shall be developed for Stage 1 generally to the standard and form as specified in the Structure Plans (unless stated otherwise) prior to the issuing of a Section 224 certificate for any subdivision or building consent or any industrial use of the land. Sub-staging is permissible as long as it is demonstrated that infrastructure provision for the whole of the stage is not compromised.~~

~~The estimated percentage of infrastructure works for each stage are also set out in the Rangioru contributions tables contained in Appendix 7.~~

12.4.13.7 Interim Development – Roading

~~Te Puke Highway (formerly SH2)/Pah Road intersection and Maketu Road/ Te Puke highway intersection upgrade timing:~~

- ~~(a) For the first 70ha of development, no upgrade to the existing intersection is required unless:~~
- ~~i. either intersection is classified as a "High Risk" intersection in terms of the NZTA High Risk Intersection Guide, or~~
 - ~~ii. (for Te Puke Highway/Pah Road only) if the average peak hour delays to side road traffic exceed 45s.~~

~~Biennial Monitoring (by Western Bay of Plenty District Council) of the safety and capacity performance should shall be undertaken biennially until traffic from~~

~~activities established within RBP access Young Road, and from such time monitoring shall be annual. Monitoring shall commence at the completion of the Stage One access to Young Road and shall be undertaken annually for safety and biennially for capacity. If either (i) and/or (ii) are met, the upgrades required in below must be put in place.~~

(b) ~~To enable development of greater than 70 ha of RBP, completion of the following infrastructure is required:~~

- ~~• Upgrade of the intersection of Pah Road/Te Puke Highway to a roundabout or, other suitably designed form.~~
- ~~• A left turn out slip lane shall be installed at the Maketu Road intersection with Te Puke Highway~~

~~The upgrade of either intersection may be delayed subject to annual monitoring (by Western Bay of Plenty District Council) of the safety and capacity performance to demonstrate the following thresholds have not been met:~~

- ~~• "High Risk" intersection in terms of the NZTA High Risk Intersection Guide or, in the case of Pah Road intersection, if the average peak hour delays to side road traffic exceed 45s or, in the case of Maketu Road intersection, if the peak hour queues on Maketu Road prevent right turning traffic from approaching the intersection.~~

~~If the threshold trigger for intersection treatment is reached at any of the above stages of development the council will, within 18 months, implement appropriate measures designed to improve the performance of the intersection.~~

~~Note: An alternative exists known as the "Mid Block" Intersection. This option is not shown on the structure plan and therefore requires a resource consent as a discretionary activity (refer to 12.4.9.4). If obtained the reallocation of any contributions collected for existing intersections can be used for the Mid-Block intersection subject to the road controlling authorities' approval.~~

~~12.4.13.4 Subsequent Development (Stage 2,3 and 4)~~

~~Any subdivision or development beyond the above specified interim development (Stage 1) provided that all of the following infrastructure provision/upgrading (as applicable) and as specified on the Structure Plans and in Appendix 7 has been completed or will be completed (generally to the standard and form as specified in the Structure Plans) prior to the issuing of a Section 224 certificate for any subdivision or a building consent or any industrial use of the land:~~

~~(a) Roading~~

- ~~(i) The Tauranga Eastern Motorway and its associated interchange and portion of entrance road to join with~~

~~that in the interim development area (also see stormwater infrastructure below for multiple box culverts to be installed under Tauranga Eastern Motorway at time of construction). The location of the Tauranga Eastern Motorway interchange as shown on the *Structure Plans* in Appendix 7 may not be the optimal location in terms of access to the business park *development* and the wider transport network. Therefore, following further analysis, the affected parties may agree to alter the location of the interchange. A further plan change or variation, and associated notice of requirement, may be required to give effect to such agreement.~~

Provided that:

~~The area of road subject to the "access restriction" notation on the *Structure Plans* in Appendix 7 cannot be used to provide direct access from the Tauranga Eastern Motorway or Entrance Road to adjacent land;~~

- ~~(ii) Collector and entrance roads within the relevant *development* stage area, including associated roundabouts and road reserve widening for Young Road;~~
- ~~(iii) Upgrade of Young Road from the Business Park to Maketu Road to 10m wide sealed rural road standard.~~

~~**(b) Water supply**~~

- ~~(i) Water reticulation within the relevant *development* stage area;~~
- ~~(ii) New primary water supply bore adjacent to Rangioru Road reservoir (applicable for stages of *development* after the first 40ha);~~
- ~~(iii) Treatment plant adjacent to Rangioru Road reservoir (applicable for stages of *development* after the first 40ha);~~
- ~~(iv) New secondary water supply bore adjacent to Rangioru Road reservoir (applicable for stages of *development* after the first 80ha);~~
- ~~(v) New primary water supply bore adjacent to Business Park (applicable for stages of *development* after the first 120ha).~~

~~(c) Wastewater~~

- ~~(i) Sewer reticulation, including pump stations and associated emergency storage, within the relevant development stage area;~~
- ~~(ii) Partial upgrades of the capacity of the Te Puke Sewage Treatment Plan (upgrades triggered by stages of development above 60, 100 and 140ha).~~

~~(d) Stormwater~~

- ~~(i) Stormwater Pond 1 (Carrs), creation of remaining 40% of the pond (in two stages as required by development staging) and the corresponding remaining proportions of earthworks, landscaping, walkways, boardwalks and associated works;~~
- ~~(ii) Stormwater Pond 2 (Diagonal), including vesting of local purpose reserve, all associated earthworks, inlet and outlet structures, landscaping and associated works (applicable only to development stages wholly or partly in the associated stormwater catchment for Pond 2, as shown in the Structure Plans);~~
- ~~(iii) Stormwater reticulation (drains and pipes) within the relevant development stage area including vesting of associated local purpose reserves (stormwater), stormwater reticulation between the relevant development stage area and the stormwater pond serving that catchment, including swales, culverts (under the Tauranga Eastern Motorway) and vesting of associated local purpose reserves (stormwater) including associated landscaping, fencing and walkways.~~

~~(e) Local purpose reserves (amenity)~~

~~Local purpose reserves within the relevant development stage area, including associated landscaping, fencing and walkways/cycleways.~~

~~(f) Local Roads~~

~~In addition to the Structure Plan roads required by (a) above, local roads shall be designed and constructed where necessary to provide for the future roading access and needs of adjoining undeveloped land.~~

12.4.13.8 Subsequent Stages

Any subsequent stages of development can proceed following Stage 1. All infrastructure for the whole of the relevant stage, as set out on the Structure Plans and Rangiuru Financial Contributions Schedule, plus any off site infrastructure, shall be in place before any industrial land use, the first application for building consent, or issuing of a Section 224 certificate for any subdivision is undertaken.

Once 50% of the land in Stage 1 is in industrial use, is subject to building consent or 224c certificate issued then infrastructure may be developed in in Stages 2,3 or 4 in part as long as it is demonstrated that infrastructure provision for the whole of the stage is not compromised.

Note: Subsequent stages must provide infrastructure generally in accordance with the designs and other specifications in Appendix 7 and using the option determined in accordance with 12.4.13.3 and 12.4.13.4. This Infrastructure must be connected to existing infrastructure at the Park.

21. Industrial

21.3.2 Additional Permitted Activities (Rangiuru Business Park only)

- (a) Takeaway food outlets with a maximum floor area of 350m². Such outlets can include dine in facilities where aligned to a permitted use in 21.3.1(g).
- (b) Handling, storage, processing, consignment and transportation of cargo.
- (c) In the Community Service Area of the Business Park only;

Within 250m of the intersections marked "Community Service Area" on the Rangiuru Business Park Structure Plans the following activities are also permitted:

Community Service Areas within the Business Park that meet the following criteria:

- (i) Are located within 250m of either of the two intersections marked for such on the Rangiuru Business Park Structure Plan; and
- (ii) Development within each of the two Community Service Areas must form a single contiguous development having a minimum net land area of 6,000m² and a maximum net land area of 20,000m²;
- (iii) The combined total development area across both of the two Community Service Areas shall not exceed a maximum net land area of 2.6ha.

Note: Land uses within a Community Service Area may be held in lots which are smaller than the 6,000m² minimum provided they have contiguous boundaries and together exceed the minimum 6000m² net land area.

~~The maximum *net land area* collectively of activities pursuant to this rule shall be 2.6ha. Any individual development within this 2.6ha shall have a minimum *net land area* of 6,000m² and a maximum *net land area* of 20,000m². There shall be up to one such development within each Community Service Area.~~

Explanatory Note;

~~For clarification, this rule allows for smaller individual land uses but requires that activities are bundled together in a comprehensive manner of at least 6,000m² *net land area* so as to function as a Service Area rather than individual uses. The individual uses can be held in smaller lots but these must have contiguous boundaries.~~

(d) **In the Community Service Areas of the Business Park only;**

- (i) *Offices* (not covered by 21.3.1(p));
- (ii) *Retailing* (not covered by 21.3.1(c)) and involving a maximum floor area of 100m²;
- (iii) Places of assembly.
- (iv) *Educational Facilities* (limited to childcare/day-care/pre-school facilities)

21.3.11 Additional Discretionary Activities – Rangiuru Business Park

- (a) **Offices accessory to Permitted Activities 21.3.1 and 21.3.2(b) which are not on the same lot as provided that the office is on a lot adjoining the Permitted Activities Activity to which the office is accessory to.**
- (c) **Any individual activity or land use which exceeds the Maximum Daily Demand for water (54m³/ha/day).**

21.6.5 Assessment Criteria for Discretionary Activities

The assessment and management of effects should include the following:

- (d) The equitable provision and funding of *infrastructure* and the need for full recovery of *infrastructure* costs (as set out in the financial contributions schedules). For ~~Rangiuru Business Park and~~ the Te Puke West Industrial Zone this will be done on the basis of available

areas able to be developed as opposed to actual site utilisation or building area, and notwithstanding that different activities place different actual demand on *infrastructure* networks. Developers wishing to occupy land within these areas must make their decisions on location in full awareness that financial contributions are payable on the basis of site area without refinements for specific proposals unless in exceptional circumstances.

- (i) For the Rangioru Business Park, offices as provided for in 21.3.11(a), with a demonstrated need to be located in the Business Park including a locational requirement to be near adjoining an associated Permitted Activity within the park.

- (i) For any activity that requires consent pursuant to 21.3.11(c) an assessment shall be provided in respect to the impacts on the balance of the relevant stage of development (and measures to address these impacts) in regards water supply and limits on other uses and equitable funding of water supply infrastructure.

Appendix 7

Structure Plans

11. Rangioru Business Park

Metroplex Rangioru Financial Contribution Schedule

~~November 2005–August 2015~~

Rates include allowance for land purchase, contingencies plus design, and supervision and interest. Rates are based on ~~June 2005~~ costs in August 2015, for current values refer to Councils Annual Plan.

Delete and replace

Item	Description	Unit	Quantity	Rate	Amount Total Construction	Percentage of Public/ Network Benefit	Rangioru Contribution
1.00	ROADING INFRASTRUCTURE						
1.01	Eastern Arterial Interchange	LS	1	9,788,000	9,788,000	0%	9,788,000
1.02	SH2 High Road Intersection Upgrade	LS	1	2,217,000	2,217,000	0%	2,217,000
1.03	Young Road/Pah Road Roundabout	LS	1	364,000	364,000	0%	364,000
1.04	Young Road Upgrade Within Site	m	1850	2,350	4,347,500	0%	4,347,500
1.05	Young Road Upgrade Outside Site	m	850	700	595,000	0%	595,000
1.06	Pah Road Upgrade	m	1250	800	1,000,000	0%	1,000,000
1.07	Entrance Road	m	520	1,450	754,000	0%	754,000
1.08	Collector roads	m	2420	1,000	2,420,000	0%	2,420,000
1.09	Roundabouts	ea	3	600,000	1,800,000	0%	1,800,000
	Young Road Bylaw		1	10,000	10,000		10,000
					<u>23,295,500</u>		<u>23,295,500</u>
2.00	STORMWATER						
2.01	Stormwater Pond 1 (Carrs)	LS	1	4,996,000	4,996,000	0%	4,996,000
2.02	Stormwater Pond 2 (Diagonal)	LS	1	361,000	361,000	0%	361,000
2.03	Walkways/Boardwalks	m	1500	65	97,500	0%	97,500
2.04	Stormwater Reticulation						
	(a) 900 dia	m	330	460	151,800	0%	151,800
	(b) 1050 dia	m	305	545	166,225	0%	166,225
	(c) 1350 dia	m	170	670	113,900	0%	113,900
	(d) 1500 dia	m	397	750	297,750	0%	297,750
	(e) 1650 dia	m	662	830	549,460	0%	549,460
	(f) 1800 dia	m	165	950	156,750	0%	156,750
2.05	Roading related Stormwater						
	Type 3 < 500m	m	2850	330	940,500	0%	940,500
2.06	Open Channel Drainage						
2.06.1	Type A (4m base width)	m	470	1,040	488,800	0%	488,800
2.06.2	Type B1 (9m base width, south of TEA)	m	940	1,240	1,165,600	0%	1,165,600
2.06.3	Type B2 (9m base width north of TEA)	m	180	320	57,600	0%	57,600
2.06.4	Type C (13m base width)	m	250	1,530	382,500	0%	382,500
2.06.5	Type D (35m base width, north of TEA)	m	440	740	325,600	0%	325,600
2.07	Multiple Culverts under TEA						
	7 x 1.5m x 1.5m box culverts	m	595	1,000	595,000	0%	595,000
	2 x 1.2m x 1.2m box culverts	m	170	900	153,000	0%	153,000
2.08	Culverts under internal roads						
	2 x 2m dia	m	170	1,250	212,500	0%	212,500
2.09	Investigation and Preliminary design	LS	1	31,500	31,500	0%	31,500
					<u>11,242,985</u>		<u>11,242,985</u>

Item	Description	Unit	Quantity	Rate	Amount Total Construction	Percentage of Public/ Network Benefit	Rangioru Contribution
3.00	SANITARY SEWER						
3.01	Sanitary Sewer Pumping Stations	ea	3	250,000	750,000	0%	750,000
3.02	Major Pump Station	ea	1	800,000	800,000	0%	800,000
3.03	Emergency Generator	ea	1	190,000	190,000	0%	190,000
3.04	Emergency Storage, major pumpstation	ea	1	280,000	280,000	0%	280,000
3.05	Emergency Storage, minor pumpstation	ea	3	75,000	225,000	0%	225,000
3.06	Sanitary Sewer Rising Main (400 dia)	m	5800	400	2,320,000	0%	2,320,000
3.07	Kaituna River Thrust	LS	1	380,000	380,000	0%	380,000
3.08	Waiani River Thrust	LS	1	170,000	170,000	0%	170,000
3.09	Internal Trunk Main (225dia)	m	350	145	50,750	0%	50,750
3.10	Internal Trunk Main (300dia)	m	760	160	121,600	0%	121,600
3.11	Internal rising main (150 dia)	m	910	95	86,450	0%	86,450
3.12	Internal rising mains (200 dia)	m	430	140	60,200	0%	60,200
3.13	Fencing along rising main route	m	900	16	14,400	0%	14,400
3.14	Replace trench spoil with on site sand	LS	1	38,500	38,500	0%	38,500
3.15	Metal Race on Vercoe property	LM	930	36	33,480	0%	33,480
3.16	Te Puke STP capacity upgrade	LS	1	8,500,000	8,500,000	0%	8,500,000
3.17	Investigation and Preliminary design	LS	1	37,400	37,400	0%	37,400
					<u>14,057,780</u>		<u>14,057,780</u>
4.00	WATER RETICULATION						
4.01	Supply and lay 450mm DI/CLMS Gravity Trunk	m	7850	400	3,140,000	0%	3,140,000
4.02	Supply and lay 225mm uPVC pumped main	m	9000	175	1,575,000	0%	1,575,000
4.03	Primary Water Supply Bores adjacent to site	ea	1	1,400,000	1,400,000	0%	1,400,000
4.04	Secondary Water Supply Bores adjacent to site	ea	0	1,000,000	0	0%	-
4.05	Temporary Pump Stage 1	ea	1	300,000	300,000	0%	300,000
4.06	Primary Water Supply Bores adjacent to Rangioru Road	ea	1	1,400,000	1,400,000	0%	1,400,000
4.07	Secondary Water Supply Bores adjacent to Rangioru	ea	1	1,000,000	1,000,000	0%	1,000,000
4.08	Treatment Plant adjacent to Rangioru Road	ea	1	1,500,000	1,500,000	0%	1,500,000
4.09	Reservoir Rangioru Road 5500m ³	ea	1	2,000,000	2,000,000	30%	1,400,000
4.10	Supply and lay 375mm uPVC	m	5250	350.00	1,837,500	0%	1,837,500
4.11	Supply and lay 300mm uPVC	m	3000	235.00	705,000	0%	705,000
4.12	Investigation and Preliminary design	LS	1	47,200.00	47,200	0%	47,200
4.13	Proof testing of supply bore	LS	1	250,000.00	250,000	0%	250,000
					<u>15,154,700</u>		<u>14,554,700</u>
5.00	RESERVES						
	LP Reserves and Cycleways						
5.01	Landscaping	ha	3.96	80,000	316,800	0%	316,800
5.02	Walkways/Cycleways	m	820	65	53,300	0%	53,300
5.03	Fencing (Timber board and batten)	m	420	65	27,300	0%	27,300
5.04	Fencing (Post and Wire)	m	6900	15	103,500	0%	103,500
5.05	Land Purchase	ha	4.04	300,000	1,212,000	0%	1,212,000
					<u>1,712,900</u>		<u>1,712,900</u>
TOTAL					65,463,865		64,863,865
	Development Area (ha)		148.60				

Advice Note

The cost per square meter is based on June 2005 cost

The contributions listed are as at June 2005

For current values refer to Councils current Annual Plan

Financial Contributions Schedule -- Roading (3 Legged Interchange)

TABLE 1: FINANCIAL CONTRIBUTIONS SCHEDULE -- ROADING (3 LEGGED INTERCHANGE)

ITEM	DESCRIPTION	UNIT	QUANTITY	RATE (\$)	COST (\$)	ESTIMATED PERCENTAGE OF WORKS TO BE COMPLETED IN STAGE			
						1	2	3	4
1.1	Tauranga Eastern Arterial (TEL) Interchange	LS	1.0	7,100,000.00	7,100,000.00	100%	0%	0%	0%
1.2	Tauranga Eastern Arterial (TEL) Land Purchase	Ha	1.1	59,125.00	59,125.00	100%	0%	0%	0%
1.3	Pah Rd / State Highway Roundabout Upgrade	LS	1.0	2,397,500.00	2,397,500.00	0%	0%	100%	0%
1.4	Pah Rd / State Highway Roundabout Land Purchase and Legal	m	0.2	107,500.00	25,800.00	0%	0%	100%	0%
1.5	Pah Rd - Initial - Full Rebuild to Rural Standard (8.5m)	m	1486.0	280.85	417,343.10	100%	0%	0%	0%
1.6	Pah Rd - Ultimate - Upgrade (10m)	LS	1486.0	205.50	305,373.00	0%	0%	100%	0%
1.7	Pah Rd - cycle track	LS	1486.0	123.30	183,223.80	100%	0%	0%	0%
1.8	Pah Rd Rail Crossing Barrier Arms	m	1.0	254,000.00	254,000.00	100%	0%	0%	0%
1.9	Pah Rd / Young Rd Intersection Upgrade	m	1.0	109,600.00	109,600.00	0%	0%	100%	0%
1.10	Young Rd - Western Roundabout to Eastern Edge - Overlay & widen existing to Rural standard (8.5m)	m	1450.0	344.50	496,625.00	100%	0%	0%	0%
1.11	Young Rd - Eastern Edge to Maketu - Upgrade to Rural standard (8.5m)	m	1045.0	342.50	357,912.50	100%	0%	0%	0%
1.12	Young Rd - Eastern Edge to Maketu - Widen to final width (10m)	Ha	1045.0	219.20	229,064.00	0%	0%	100%	0%
1.13	Young Rd - Cycle Track	LS	2495.0	123.30	307,633.50	100%	0%	0%	0%
1.14	Entrance Road; from TEL to first roundabout (Type A)	m	125.0	2,740.00	342,500.00	100%	0%	0%	0%
1.15	Entrance Road; from first roundabout to Young Road (Type A1)	Ha	360.0	2,192.00	789,120.00	100%	0%	0%	0%
1.16	Entrance Road; from TEL to Young Rd Land purchase and Legal	LS	1.3	107,500.00	135,450.00	100%	0%	0%	0%

TABLE 1: FINANCIAL CONTRIBUTIONS SCHEDULE – ROADING (3 LEGGED INTERCHANGE)

ITEM	DESCRIPTION	UNIT	QUANTITY	RATE (\$)	COST (\$)	ESTIMATED PERCENTAGE OF WORKS TO BE COMPLETED IN STAGE			
						1	2	3	4
1.17	Entrance Road, from TEL Road Drainage	m	485.0	164.40	79,734.00	100%	0%	0%	0%
1.18	Collector Roads (Type B) excl. Young Road	Ha	3064.0	1,739.90	5,331,053.60	32%	20%	24%	23%
1.19	Collector Roads (Type B) excl. Young Rd. Land Purchase and Legal	LS	8.0	107,500.00	856,345.00	32%	21%	24%	23%
1.20	Collector Roads (Type B) excl. Young Rd - Road Drainage	LS	3064.0	767.20	2,350,700.80	32%	20%	24%	23%
1.21	Young Rd Ultimate Upgrade - Western Roundabout to Eastern Edge (Type B)	LS	1450.0	856.25	1,241,562.50	0%	0%	100%	0%
1.22	Young Rd Ultimate Upgrade - Western Roundabout to Eastern Edge Land Purchase and Legal	LS	0.9	107,500.00	93,525.00	0%	0%	100%	0%
1.23	Young Rd Ultimate Upgrade - Western Roundabout to Eastern Edge (Type B) - Road Drainage	m	1.0	592,251.00	592,251.00	0%	0%	100%	0%
1.24	Young Road / Western Collector Road Intersection	LS	1.0	274,000.00	274,000.00	0%	100%	0%	0%
1.25	Young Rd / Collector Road Roundabout	LS	1.0	548,000.00	548,000.00	0%	0%	100%	0%
1.26	Young Road / Entrance Road Intersection	LS	1.0	274,000.00	274,000.00	100%	0%	0%	0%
1.27	Young Rd / Entrance Road Roundabout	LS	1.0	548,000.00	548,000.00	0%	0%	100%	0%
1.28	Entrance Road / Collector Roundabout (adjacent TEL)	LS	1.0	753,500.00	753,500.00	0%	0%	0%	0%
1.29	Young Rd / Maketu Rd Left Turn-out Slip Lane Upgrade	LS	1.0	479,500.00	479,500.00	100%	0%	0%	0%
Total Cost of Roading					5,269,574,411.80				
Total area					148,601ha				
Per square metre rate					\$ per m ²				

Financial Contributions Schedule – Roading (4 Legged Interchange Option)

TABLE 1: FINANCIAL CONTRIBUTIONS SCHEDULE – ROADING (4 LEGGED INTERCHANGE)

ITEM	DESCRIPTION	UNIT	QUANTITY	RATE (\$)	COST (\$)	ESTIMATED PERCENTAGE OF WORKS TO BE COMPLETED IN STAGE			
						1	2	3	4
1.1	Tauranga Eastern Arterial (TEL) Interchange	LS	1.0	9,950,000.00	9,950,000.00	100%	0%	0%	0%
1.2	Tauranga Eastern Arterial (TEL) Land Purchase	Ha	1.1	53,750.00	59,125.00	100%	0%	0%	0%
1.3	Pah Rd / State Highway Roundabout Upgrade	LS	1.0	2,397,500.00	2,397,500.00	0%	0%	100%	0%
1.4	Pah Rd / State Highway Roundabout Land Purchase and Legal	m	0.2	107,500.00	25,800.00	0%	0%	100%	0%
1.5	Pah Rd - Initial - Full Rebuild to Rural Standard (8.5m)	m	1486.0	280.85	417,343.10	100%	0%	0%	0%
1.6	Pah Rd - Ultimate - Upgrade (10m)	LS	1486.0	205.50	305,373.00	0%	0%	100%	0%
1.7	Pah Rd - cycle track	LS	1486.0	123.30	183,223.80	100%	0%	0%	0%
1.8	Pah Rd Rail Crossing Barrier Arms	m	1.0	254,000.00	254,000.00	100%	0%	0%	0%
1.9	Pah Rd / Young Rd Intersection Upgrade	m	1.0	109,600.00	109,600.00	0%	0%	100%	0%
1.10	Young Rd - Western Roundabout to Eastern Edge - Overlay & widen existing to Rural standard (8.5m)	m	1450.0	342.50	496,625.00	100%	0%	0%	0%
1.11	Young Rd - Eastern Edge to Maketu - Upgrade to Rural standard (8.5m)	m	1045.0	342.50	357,912.50	100%	0%	0%	0%
1.12	Young Rd - Eastern Edge to Maketu - Widen to final width (10m)	Ha	1045.0	219.20	229,064.00	0%	0%	100%	0%
1.13	Young Rd - Cycle Track	LS	2495.0	123.30	307,633.50	100%	0%	0%	0%
1.14	Entrance Road; from TEL to first roundabout (Type A)	m	125.0	2,740.00	342,500.00	100%	0%	0%	0%
1.15	Entrance Road; from first roundabout to Young Road (Type A1)	Ha	360.0	2,192.00	789,120.00	100%	0%	0%	0%
1.16	Entrance Road; from TEL to Young Rd Land purchase and Legal	LS	1.3	107,500.00	135,450.00	100%	0%	0%	0%
1.17	Entrance Road; from TEL - Road Drainage	m	485.0	164.40	79,734.00	100%	0%	0%	0%

TABLE 1: FINANCIAL CONTRIBUTIONS SCHEDULE - ROADING (4 LEGGED INTERCHANGE)

ITEM	DESCRIPTION	UNIT	QUANTITY	RATE (\$)	COST (\$)	ESTIMATED PERCENTAGE OF WORKS TO BE COMPLETED IN STAGE			
						1	2	3	4
1.18	Collector Roads (Type B) excl. Young Road	Ha	3064.0	1,739.90	5,331,053.60	32%	20%	24%	23%
1.19	Collector Roads (Type B) excl. Young Rd. Land Purchase and Legal	LS	8.0	107,500.00	856,345.00	32%	21%	24%	23%
1.20	Collector Roads (Type B) excl. Young Rd - Road Drainage	LS	3064.0	767.20	2,350,700.80	32%	20%	24%	23%
1.21	Young Rd Ultimate Upgrade - Western Roundabout to Eastern Edge (Type B)	LS	1450.0	856.25	1,241,562.50	0%	0%	100%	0%
1.22	Young Rd Ultimate Upgrade - Western Roundabout to Eastern Edge Land Purchase and Legal	LS	0.9	107,500.00	96,750.00	0%	0%	100%	0%
1.23	Young Rd Ultimate Upgrade - Western Roundabout to Eastern Edge (Type B) - Road Drainage	m	1.0	592,251.00	592,251.00	0%	0%	100%	0%
1.24	Young Road / Western Collector Road Intersection	LS	1.0	274,000.00	274,000.00	0%	100%	0%	0%
1.25	Young Rd / Collector Road Roundabout	LS	1.0	548,000.00	548,000.00	0%	0%	100%	0%
1.26	Young Road / Entrance Road Intersection	LS	1.0	274,000.00	274,000.00	100%	0%	0%	0%
1.27	Young Rd / Entrance Road Roundabout	LS	1.0	548,000.00	548,000.00	0%	0%	100%	0%
1.28	Entrance Road / Collector Roundabout (adjacent TEL)	LS	1.0	753,500.00	753,500.00	100%	0%	0%	0%
1.29	Young Rd/ Maketu Rd Left Turn-out Slip Lane Upgrade	LS	1.0	479,500.00	479,500.00	0%	0%	100%	0%
Total Cost of Roading					\$29,782,141.80				
Total area			148.60ha						
Per square metre rate					\$ per m ²				
					\$20.04				

Financial Contributions Schedule - Water Option (on-site)

TABLE 3: FINANCIAL CONTRIBUTIONS SCHEDULE – WATER OPTION – ONSITE

ITEM	DESCRIPTION	UNIT	QUANTITY	RATE (\$)	COST (\$)	ESTIMATED PERCENTAGE OF WORKS TO BE COMPLETED IN STAGE			
						1	2	3	4
2.1	150 mm uPVC/PE Watermain	m	1,070	109.60	117,272.00	100%	0%	0%	0%
2.2	200 mm uPVC/PE Watermain	m	620	184.95	114,669.00	0%	100%	0%	0%
2.3	250 mm uPVC/PE Watermain	m	4,180	239.75	1,002,155.00	32%	33%	19%	16%
2.4	Isolation Valves/Fittings (150-200 mm Watermain)	No.	9	3,151.00	28,539.00	67%	33%	0%	0%
2.5	Isolation Valves/Fittings (250 mm Watermain)	No.	16	4,110.00	65,760.00	31%	38%	19%	13%
2.6	Air/Scour Valves (150-200 mm Watermain)	No.	4	4,110.00	16,440.00	75%	25%	0%	0%
2.7	Air/Scour Valves (250 mm Watermain)	No.	6	4,795.00	28,770.00	33%	33%	17%	17%
2.8	Fire Hydrants	No.	54	3,425.00	184,950	44%	26%	15%	15%
2.9	WTP Earthworks, Sitemwork and Access, Power and Genset	LS	1	1,233,000.00	1,233,000.00	100%	0%	0%	0%
2.10	Water Treatment Plant (WTP)	LS	1	8,910,000.00	8,910,000.00	45%	28%	0%	27%
2.11	Balance Tank	LS	1	274,000.00	274,000	100%	0%	0%	0%
2.12	Storage Reservoir Tanks	No.	4	274,000.00	1,096,000	50%	0%	25%	25%
2.13	Booster Pump Station	LS	1	246,600.00	411,000.00	100%	0%	0%	0%
2.14	Bore, Pumps and Pipework	LS	1	904,000.00	800,000	100%	0%	0%	0%
2.15	Back Up Bore	LS	1	904,000.00	904,000	0%	100%	0%	0%
2.16	Land Purchase and Legal	Ha	1.6	53,750.00	84,387.50	0%	100%	0%	0%
Total Cost of Water					15,210,362.50				

TABLE 3: FINANCIAL CONTRIBUTIONS SCHEDULE – WATER OPTION – ONSITE

ITEM	DESCRIPTION	UNIT	QUANTITY	RATE (\$)	COST (\$)	ESTIMATED PERCENTAGE OF WORKS TO BE COMPLETED IN STAGE			
						1	2	3	4
Total area		148.60ha							
Per square metre rate		\$ per m ²			10.44				

Financial Contributions schedule - Water Option (off site)

TABLE 4: FINANCIAL CONTRIBUTIONS SCHEDULE -- WATER OPTION -- OFF-SITE (EASTERN WATER SUPPLY NETWORK)

ITEM	DESCRIPTION	UNIT	QUANTITY	RATE (\$)	COST (\$)	ESTIMATED PERCENTAGE OF WORKS TO BE COMPLETED IN STAGE			
3.1	200 mm uPVC/PE Watermain	m	270	184.95	49,936.50	100%	0%	0%	0%
3.2	300 mm uPVC/PE Watermain	m	4,390	349.35	1,533,646.50	23%	46%	15%	16%
3.3	375 mm uPVC/PE Watermain	m	740	493.20	364,968.00	100%	0%	0%	0%
3.4	450 mm uPVC/PE Watermain	m	260	712.40	185,224.00	100%	0%	0%	0%
3.5	500 mm uPVC/PE Watermain	m	400	890.50	356,200.00	100%	0%	0%	0%
3.6	500 mm uPVC/PE Gravity Trunk Watermain - Offsite	m	8,950	890.50	7,969,975.00	100%	0%	0%	0%
3.7	Isolation Valves/Fittings (200-375 mm Watermain)	No.	17	5,480.00	93,160.00	41%	35%	12%	12%
3.8	Isolation Valves/Fittings (450-500 mm Watermain)	No.	8	8,220.00	65,760.00	100%	0%	0%	0%
3.9	Air/Scour Valves (200-375 mm Watermain)	No.	6	6,850.00	41,100.00	33%	50%	17%	0%
3.10	Air/Scour Valves (375-500 mm Watermain)	No.	2	9,590.00	19,180.00	100%	0%	0%	0%
3.11	Fire Hydrants	No.	66	4,110.00	271,260.00	45%	33%	11%	11%
3.12	WTP Earthworks, Siework and Access, Power and Genset	LS	1	1,233,000.00	1,233,000.00	100%	0%	0%	0%
3.13	Water Treatment Plant (WTP) Rangioru Road	LS	1	8,910,000.00	8,910,000.00	45%	28%	0%	27%
3.14	Break / Balance Tank	LS	1	753,500.00	753,500.00	100%	0%	0%	0%
3.15	Rangioru Storage Reservoir (5,500m3)	LS	1	2,740,000.00	2,740,000.00	60%	0%	40%	0%
3.16	Booster Pump Station	LS	1	411,000.00	411,000.00	100%	0%	0%	0%

TABLE 4: FINANCIAL CONTRIBUTIONS SCHEDULE - WATER OPTION -- OFF-SITE (EASTERN WATER SUPPLY NETWORK)

ITEM	DESCRIPTION	UNIT	QUANTITY	RATE (\$)	COST (\$)	ESTIMATED PERCENTAGE OF WORKS TO BE COMPLETED IN STAGE		
3.17	225 mm PE pumped main - Offsite	m	10,250	219.20	2,246,800.00	100%	0%	0%
3.18	Primary Bore, Pumps and Pipework - Offsite	LS	1	959,000.00	959,000.00	0%	0%	100%
3.19	Secondary Bore, Pumps and Pipework - Offsite	LS	1	959,000.00	959,000.00	0%	0%	100%
3.20	Bore, Pumps and Pipework - Onsite	LS	1	959,000.00	959,000.00	100%	0%	0%
3.21	Land Purchase and Legal	Ha.	0.82	53,750.00	44,075.00	100%	0%	0%
Total Cost of Water					30,165,785.00			
Total area					148.60ha			
Per square metre rate					\$ per m ²	20.30		

Financial Contributions Schedule - Wastewater Option (on site)

TABLE 5: FINANCIAL CONTRIBUTIONS SCHEDULE -- WASTEWATER -- OPTION (ON-SITE)										
ITEM	DESCRIPTION	UNIT	QUANTITY	RATE (\$)	COST (\$)	ESTIMATED PERCENTAGE OF WORKS TO BE COMPLETED IN STAGE				
						1	2	3	4	
4.1	90 mm OD PE	m	610	61.65	37,606.50	100%	0%	0%	0%	
4.2	110 mm OD PE	m	670	75.35	50,484.50	68%	32%	0%	0%	
4.3	160 mm OD PE	m	1,240	109.60	135,904.00	0%	73%	0%	27%	
4.4	250 mm OD PE	m	2,230	239.75	534,642.50	13%	36%	36%	16%	
4.5	315 mm OD PE	m	600	260.30	156,180.00	100%	0%	0%	0%	
4.6	355 mm OD PE	m	400	287.70	115,080.00	100%	0%	0%	0%	
4.7	Isolation Valves/Fittings (90-160 mm)	No.	20	2,877.00	57,540.00	45%	40%	0%	15%	
4.8	Isolation Valves/Fittings (250-355 mm)	No.	19	5,480.00	104,120.00	63%	16%	16%	5%	
4.9	Operational Valves (90-160 mm)	No.	3	6,165.00	18,495.00	33%	33%	0%	33%	
4.10	Wastewater Treatment Plant (WWTP) includes siteworks and Wetland Construction	LS	1	38,797,650.00	38,797,650.00	28%	21%	33%	18%	
4.11	WWTP and Wetlands Land Purchase and Legal	Ha	12.10	53,750.00	648,762.50	100%	0%	0%	0%	
4.12	Power supply, Transformer and Genset	LS	1	548,000.00	548,000.00	100%	0%	0%	0%	
Total Cost of Wastewater					41,204,465.00					
Total area		148.60ha								
Per square metre rate		\$ per m ²			27.73					

Financial Contributions Schedule - Wastewater Option (off site)

TABLE 6: FINANCIAL CONTRIBUTIONS SCHEDULE – WASTEWATER – OPTION (TE PUKE WWTP)

ITEM	DESCRIPTION	UNIT	QUANTITY	RATE (\$)	COST (\$)	ESTIMATED PERCENTAGE OF WORKS TO BE COMPLETED IN STAGE			
						1	2	3	4
5.1	225 mm uPVC Gravity Main	m	3,220	232.90	749,938.00	33%	29%	21%	18%
5.2	300 mm uPVC Gravity Main	m	2,400	253.45	608,280.00	41%	40%	0%	19%
5.3	Manhole 1050 dia.	No.	56	6,165.00	345,240.00	36%	34%	13%	18%
5.4	SS Pump Station 1	LS	1	527,450.00	527,450.00	100%	0%	0%	0%
5.5	SS Pump Station 2	LS	1	315,100.00	315,100.00	0%	100%	0%	0%
5.6	Major SS Pump Station 3	LS	1	1,205,600.00	1,205,600.00	90%	0%	10%	0%
5.7	Emergency Generator	LS	1	301,400.00	301,400.00	100%	0%	0%	0%
5.8	Emergency Storage , major Pump Station	m ³	420	1,130.25	474,705.00	17%	17%	17%	50%
5.9	Emergency Storage , minor Pump Station	m ³	750	1,130.25	847,687.50	32%	37%	31%	0%
5.10	SS Rising Main to WWTP 350 mm (400 OD) PE	m	4,900	616.50	3,020,850.00	100%	0%	0%	0%
5.11	Onsite Rising Main 220 mm ID (250 OD) PE	m	1,550	239.75	371,612.50	100%	0%	0%	0%
5.12	Onsite Rising Main 140 mm ID (160 OD) PE	m	260.00	109.60	28,496.00	0%	100%	0%	0%
5.13	Sewer Pump Station and Rising Main Land Purchase	Ha	0.30	107,500.00	32,250.00	67%	33%	0%	0%
5.14	Easement for Rising Main (6m wide)	Ha	0.75	85,140.00	63,855.00	100%	0%	0%	0%
5.15	New Resource Consent for WWTP	LS	1	1,250,000.00	1,250,000.00	100%	0%	0%	0%
5.16	Te Puke WWTP capacity Upgrade - Stage 1	LS	1	10,230,654.76	10,230,654.76	100%	0%	0%	0%
5.17	Te Puke WWTP capacity Upgrade - Stage 2	LS	1	8,370,535.71	8,370,535.71	0%	0%	100%	0%
Total Cost of Wastewater					28,743,654.48				
Total area					148.60Ha				
Per square metre rate					\$ per m ²	19.34			

Financial Contributions Schedule – Stormwater

TABLE 7: FINANCIAL CONTRIBUTIONS SCHEDULE - STORMWATER

ITEM	DESCRIPTION	UNIT	QUANTITY	RATE (\$)	COST (\$)	ESTIMATED PERCENTAGE OF WORKS TO BE COMPLETED IN STAGE			
						1	2	3	4
6.1	Stormwater Pond 2 (Carris) including landscaping/fencing	LS	1	5,335,465.00	5,335,465.00	49%	29%	22%	0%
6.2	Stormwater Pond 2 (Carris) Land Purchase and Legal	Ha.	36.80	53,750.00	1,978,000.00	100%	0%	0%	0%
6.3	Stormwater Pond 1 (Diagonal) including landscaping/fencing	LS	1	1,174,946.25	1,174,946.25	0%	0%	0%	100%
6.4	Stormwater Pond 1 (Diagonal) Land Purchase and Legal	Ha.	5.40	107,500.00	575,125.00	0%	0%	0%	100%
6.5	Walkways/ Boardwalks	m	1,500	137.00	205,500.00	33%	33%	17%	17%
6.6	Stormwater Reticulation 825 dia RCRRJ	m	130	739.80	96,174.00	0%	100%	0%	0%
6.7	Stormwater Reticulation 900 dia RCRRJ	m	270	835.70	225,639.00	100%	0%	0%	0%
6.8	Stormwater Reticulation 1050 dia RCRRJ	m	330	1,175.46	387,901.80	0%	56%	0%	44%
6.9	Stormwater Reticulation 1200 dia RCRRJ	m	100	1,438.50	143,850.00	100%	0%	0%	0%
6.10	Stormwater Reticulation 1350 dia RCRRJ	m	180	1,709.76	307,756.80	0%	100%	0%	0%
6.11	Stormwater Reticulation 1500 dia RCRRJ	m	530	1,986.50	1,052,845.00	0%	0%	65%	35%
6.12	Stormwater Reticulation 1650 dia RCRRJ	m	380	2,253.65	856,387.00	0%	47%	0%	53%
6.13	Stormwater Reticulation 1800 dia RCRRJ	m	270	3,425.00	924,750.00	0%	100%	0%	0%
6.14	Stormwater Reticulation 2100 dia RCRRJ	m	120	4,589.50	550,740.00	0%	0%	0%	100%
6.15	Stormwater Reticulation manholes/structures	No.	16	13,700.00	219,200.00	25%	38%	65	31%
6.16	Stormwater Reticulation Land Purchase and Legal	Ha.	1.3	107,500.00	144,050.00	27%	58%	0%	15%
6.17	Stormwater Swale - Type A (18m Reserve)	m	980	372.64	365,187.20	0%	66%	34%	0%
6.18	Stormwater Swale - Type B (21m Reserve)	m	800	431.55	345,240.00	100%	0%	0%	0%
6.19	Stormwater Swale - Type C (23m Reserve)	m	1,135	489.09	555,117.15	100%	0%	0%	0%

TABLE 7: FINANCIAL CONTRIBUTIONS SCHEDULE - STORMWATER

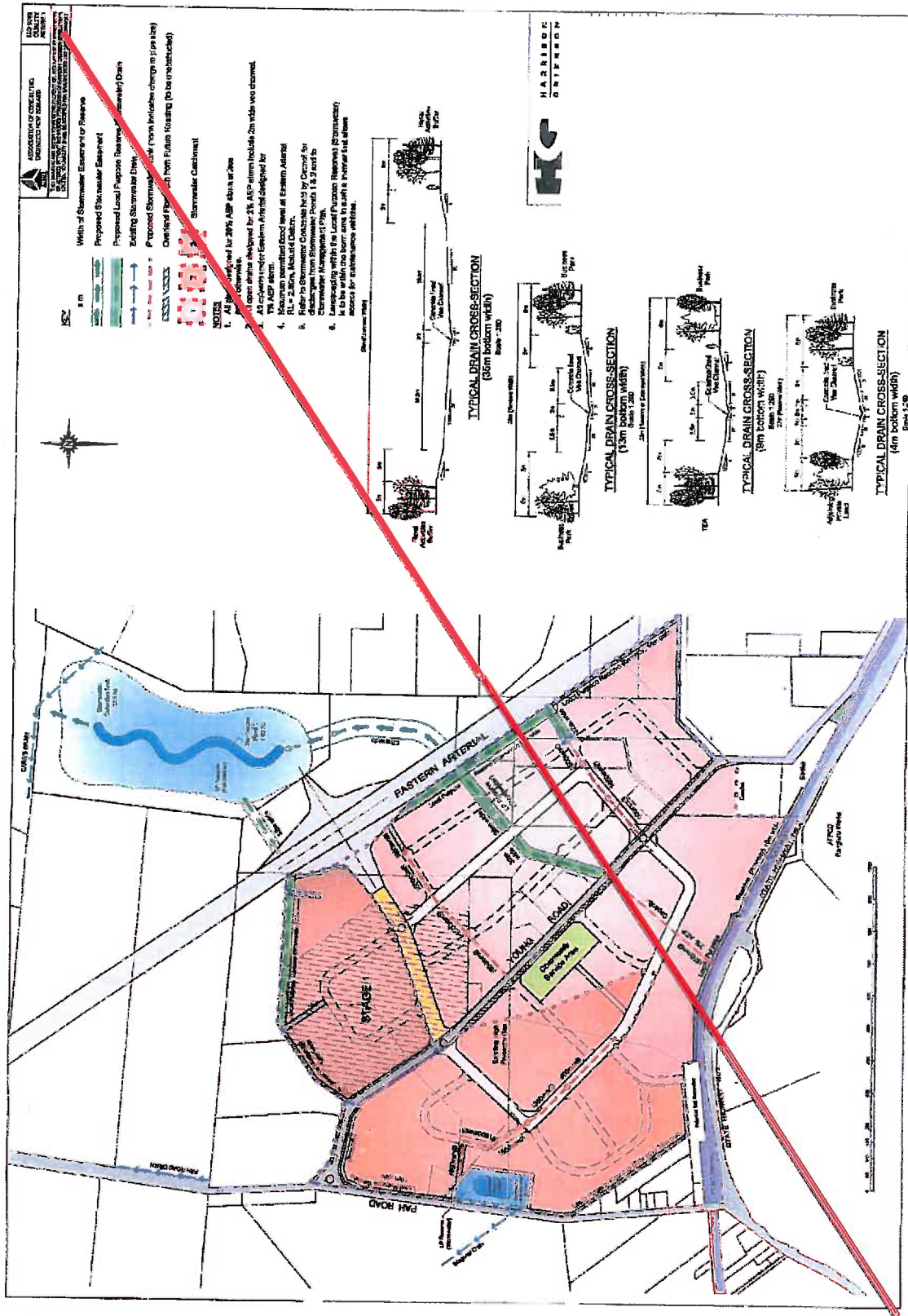
ITEM	DESCRIPTION	UNIT	QUANTITY	RATE (\$)	COST (\$)	ESTIMATED PERCENTAGE OF WORKS TO BE COMPLETED IN STAGE			
						1	2	3	4
6.20	Stormwater Swale Land Purchase and Legal	Ha.	7.70	107,500.00	823,450.00	72%	20%	8%	0%
6.21	TEL Box Culverts	LS	1	3,140,000.00	3,047,838.00	100%	0%	0%	0%
6.22	Box Culverts (4m wide x 0.9m high)	m	180	6,850.00	1,233,000.00	67%	0%	33%	0%
6.2	Box Culverts (4m wide x 1.2m high)	m	70	8,905.00	623,350.00	100%	0%	0%	0%
6.24	Headwalls/ Embankment protection	No.	18	13,700.00	246,600.00	56%	11%	22%	11%
Total Cost of Stormwater					\$21,418,112.00				
Total area					148.60ha				
Per square metre rate					\$ per m ²	14.41			

Financial Contributions Schedule – Reserves

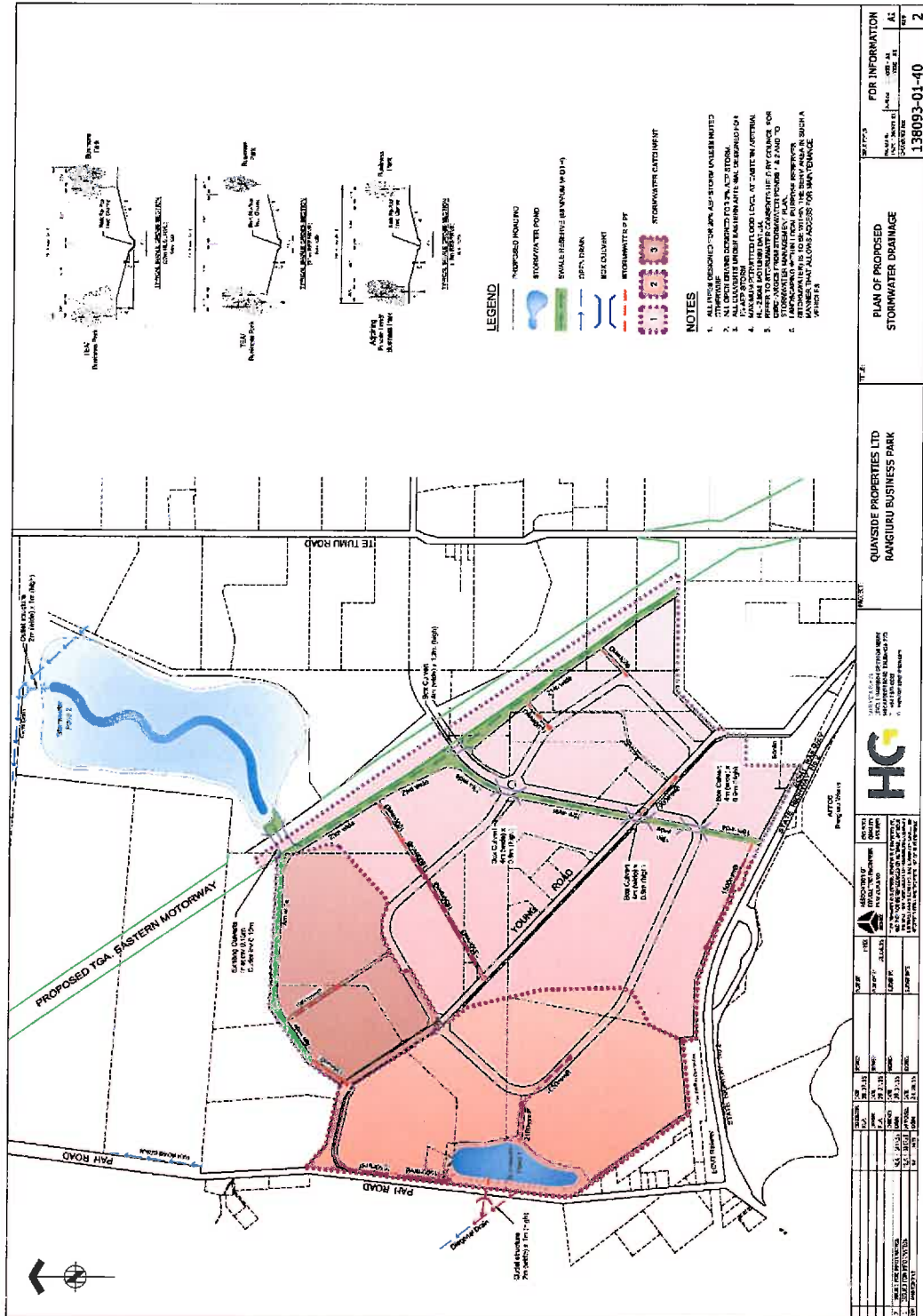
TABLE 8: FINANCIAL CONTRIBUTIONS SCHEDULE – RESERVES

ITE M	DESCRIPTION	UNIT	QUANTITY	RATE (\$)	COST (\$)	ESTIMATED PERCENTAGE OF WORKS TO BE COMPLETED IN STAGE			
						1	2	3	4
7.1	Landscaping	m ²	29,700	27.40	813,780.00	15%	0%	46%	39%
7.2	Walkways/cycleways	m	820	123.30	101,106.00	10%	0%	50%	40%
7.3	Fencing Timber Board and Batton)	m	860	308.25	265,095.00	0%	14%	0%	86%
7.4	Fencing (post and wire)	m	6,900	20.55	141,795.00	48%	29%	17%	7%
7.5	1.2m high noise bund	m	860	109.60	94,256.00	0%	14%	0%	86%
7.6	Land purchase and Legal	Ha	2.97	107,500.00	319,275.00	15%	0%	46%	39%
Total Cost of Reserves					1,735,267				
Total area			148.60ha		\$1.17				
Per square metre rate:			\$ per m ²		1.10				

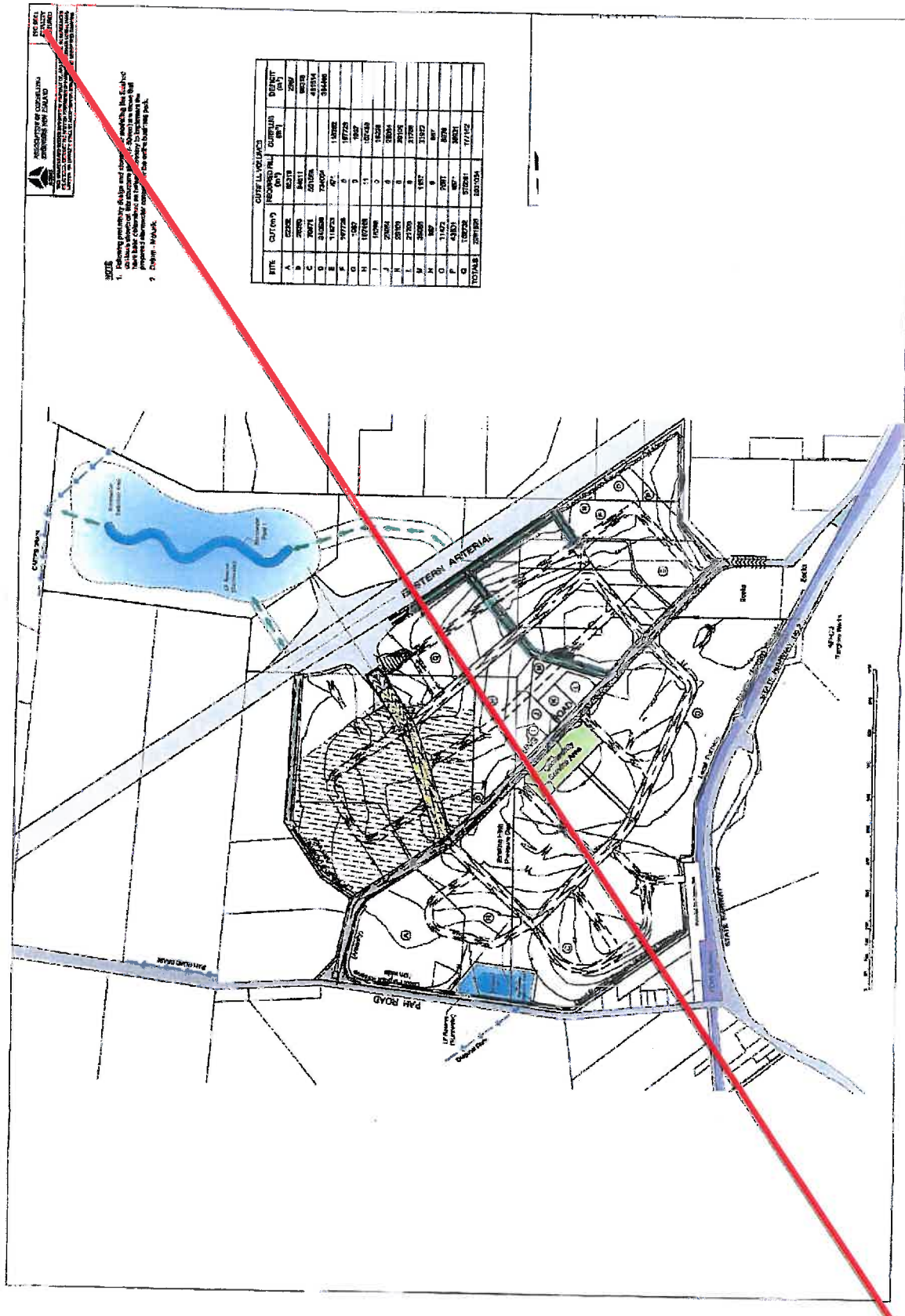
11.1 Proposed Stormwater Catchments and Amenity Reserves - Delete drawing and replace



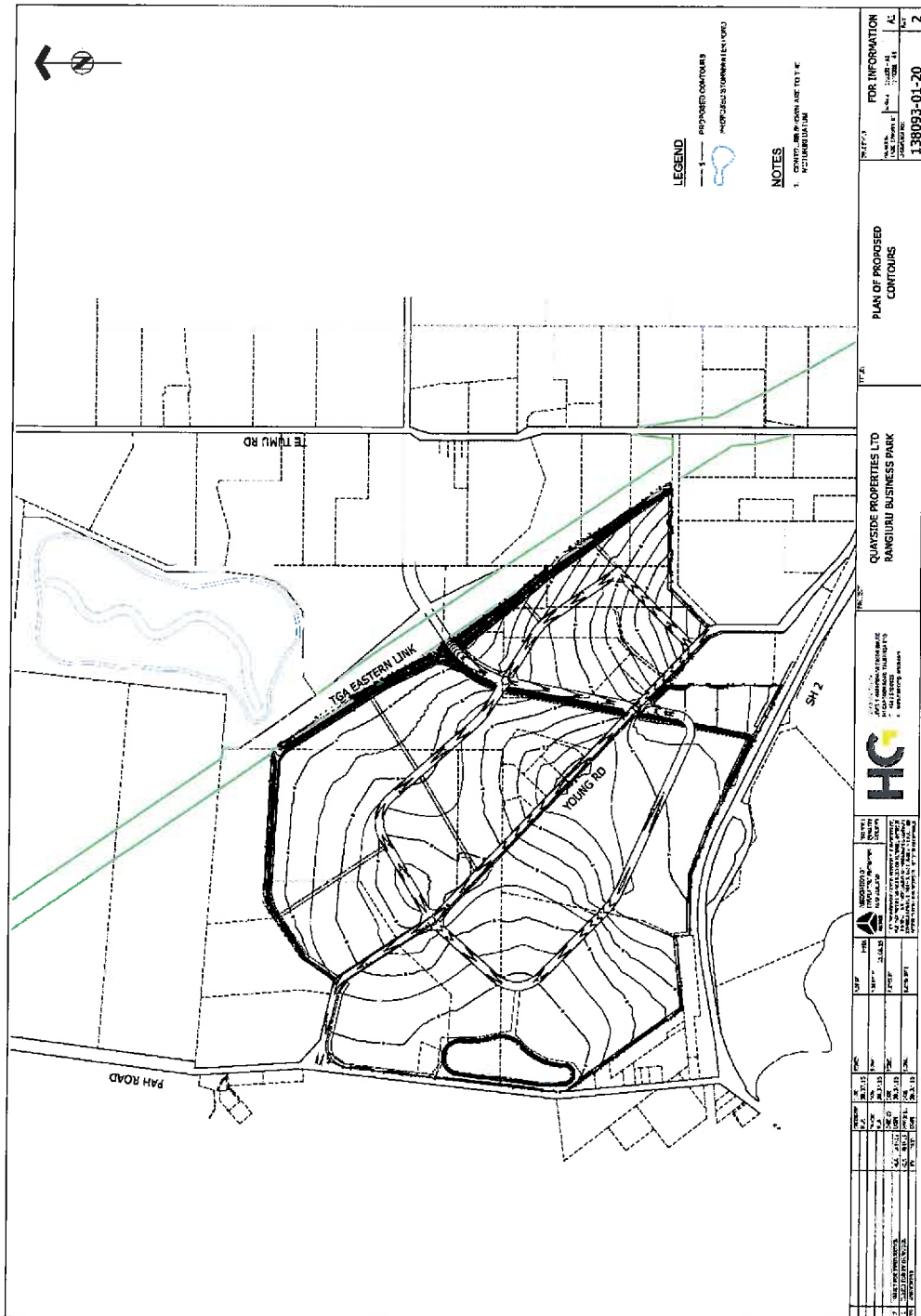
11.1 Proposed Stormwater Catchments and Amenity Reserves



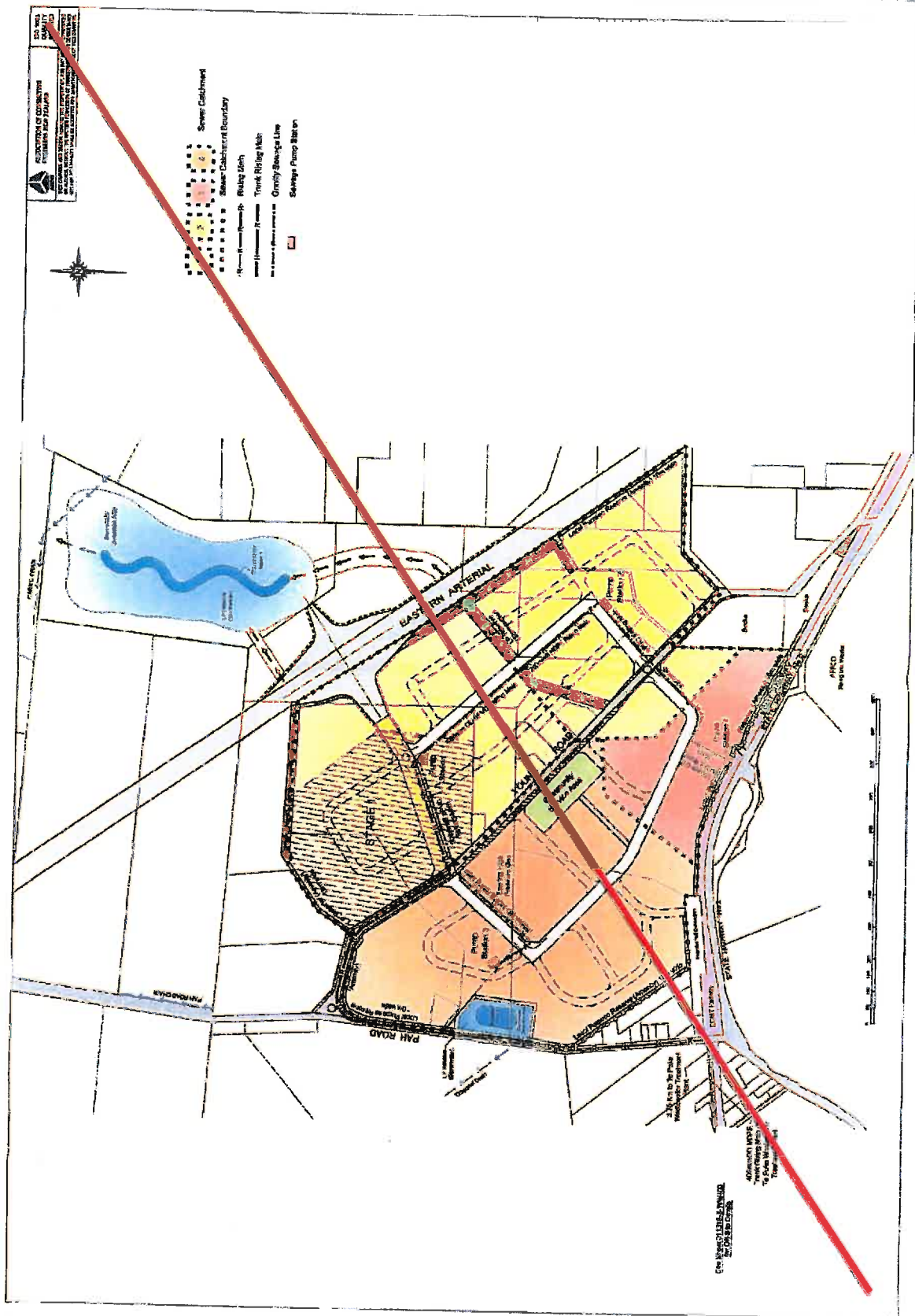
11.2 Proposed Contours with Proposed Layout Details - Delete drawing and replace



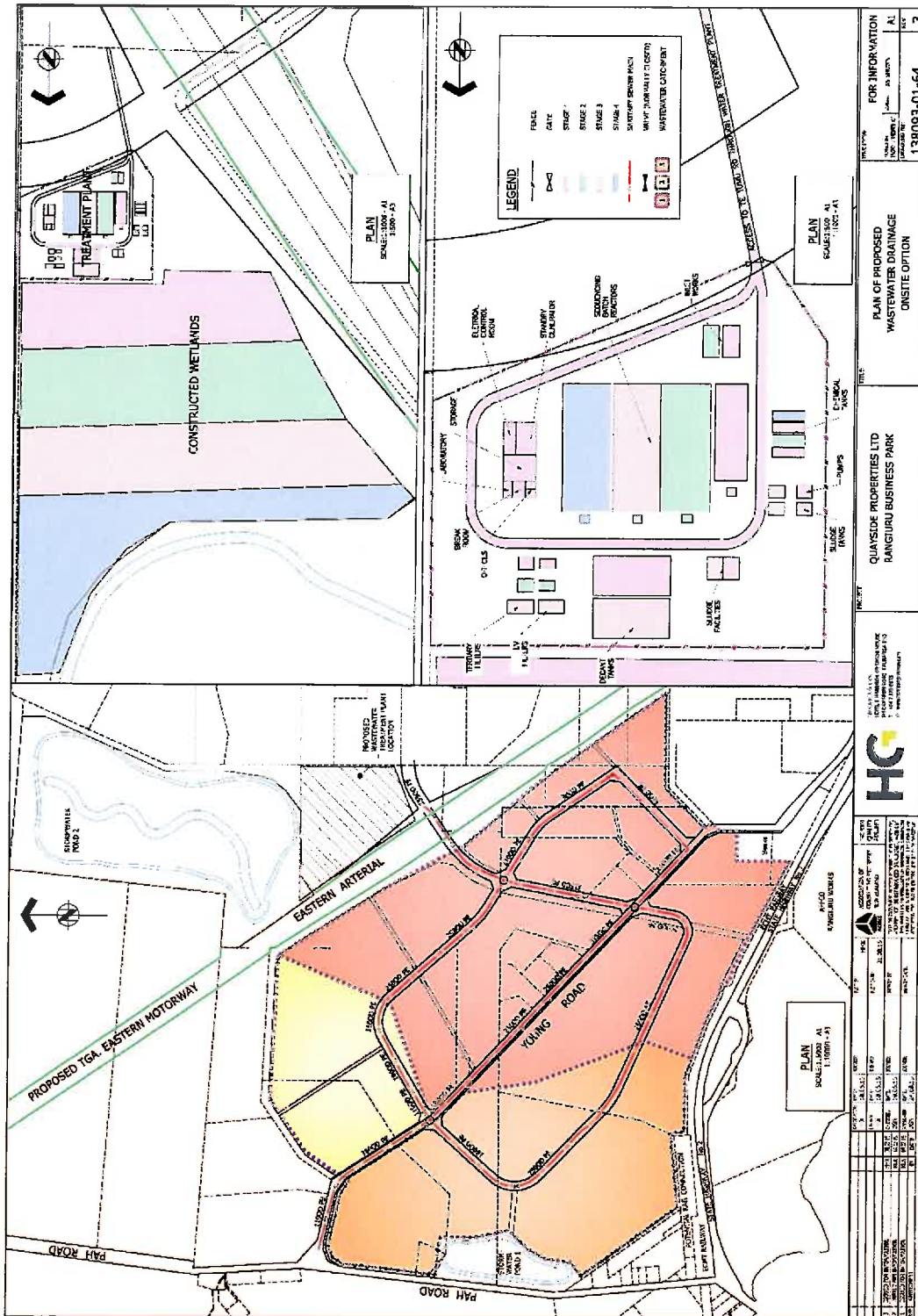
11.2 Proposed Contours



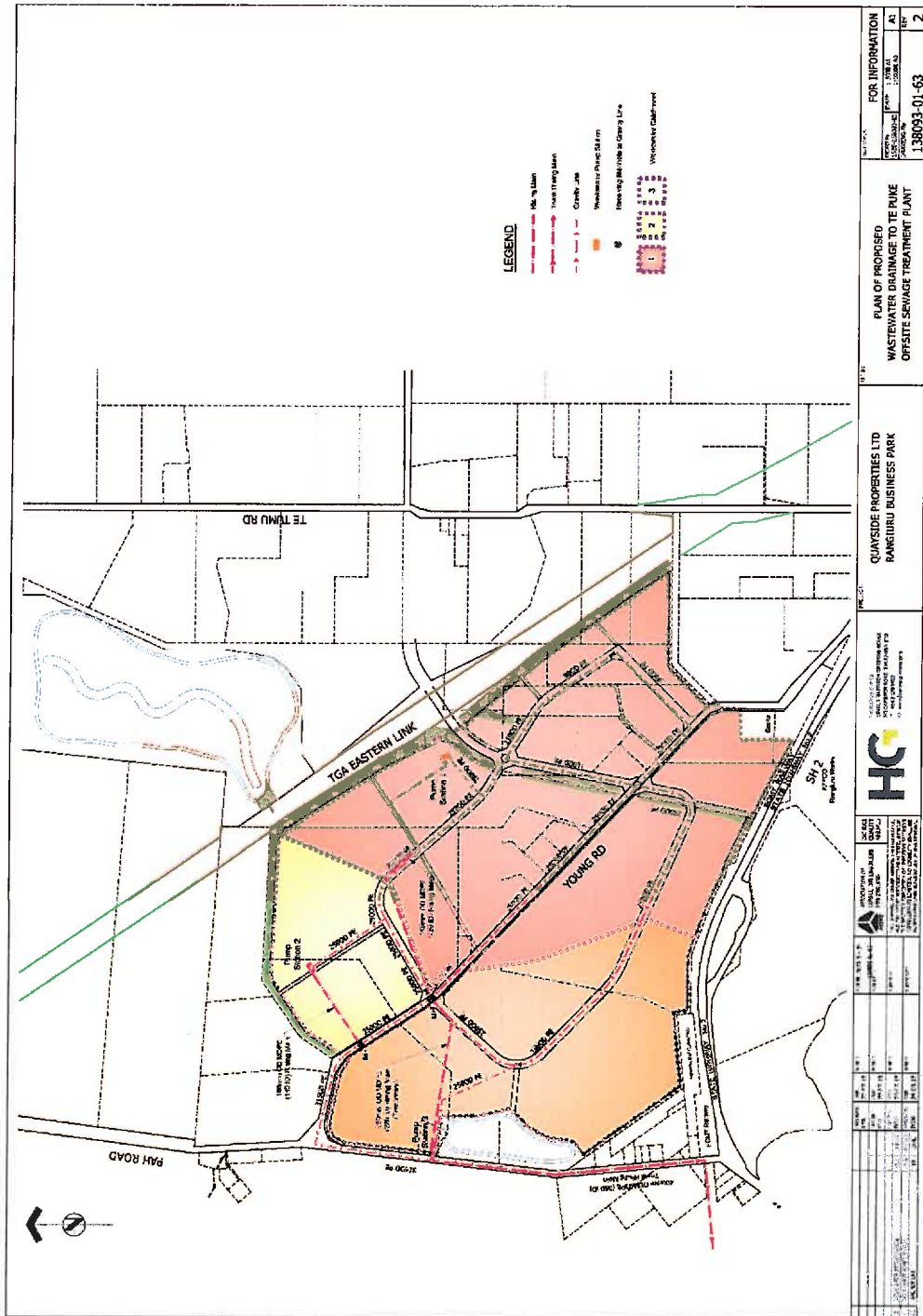
11.3 Sewer Reticulation Layout - Delete and replace



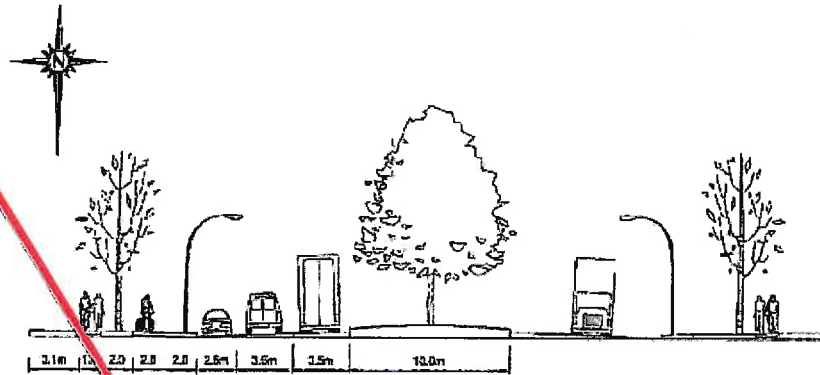
11.3a Sewer Reticulation Layout – On site Option



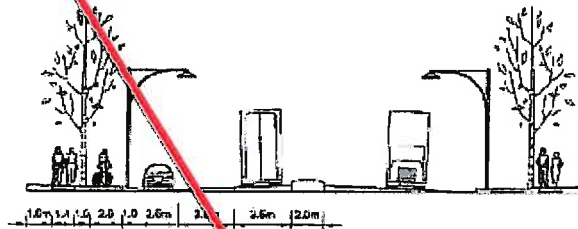
11.3b Sewer Reticulation Layout – Off Site Option



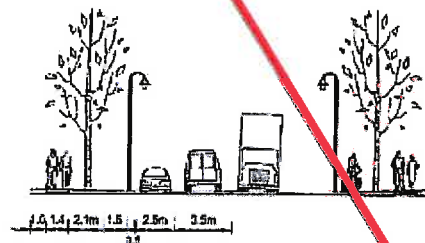
11.4 Roading Features – Delete



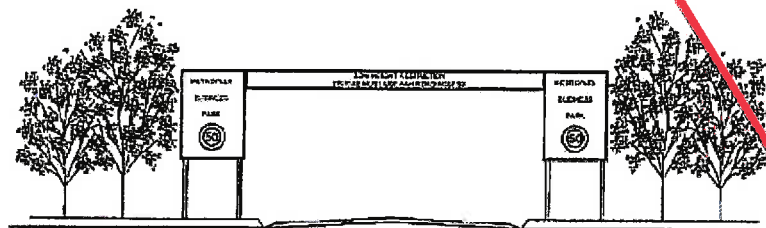
TYPE A
Entrance Road (50m wide)



TYPE B
Collector Road (35m wide)

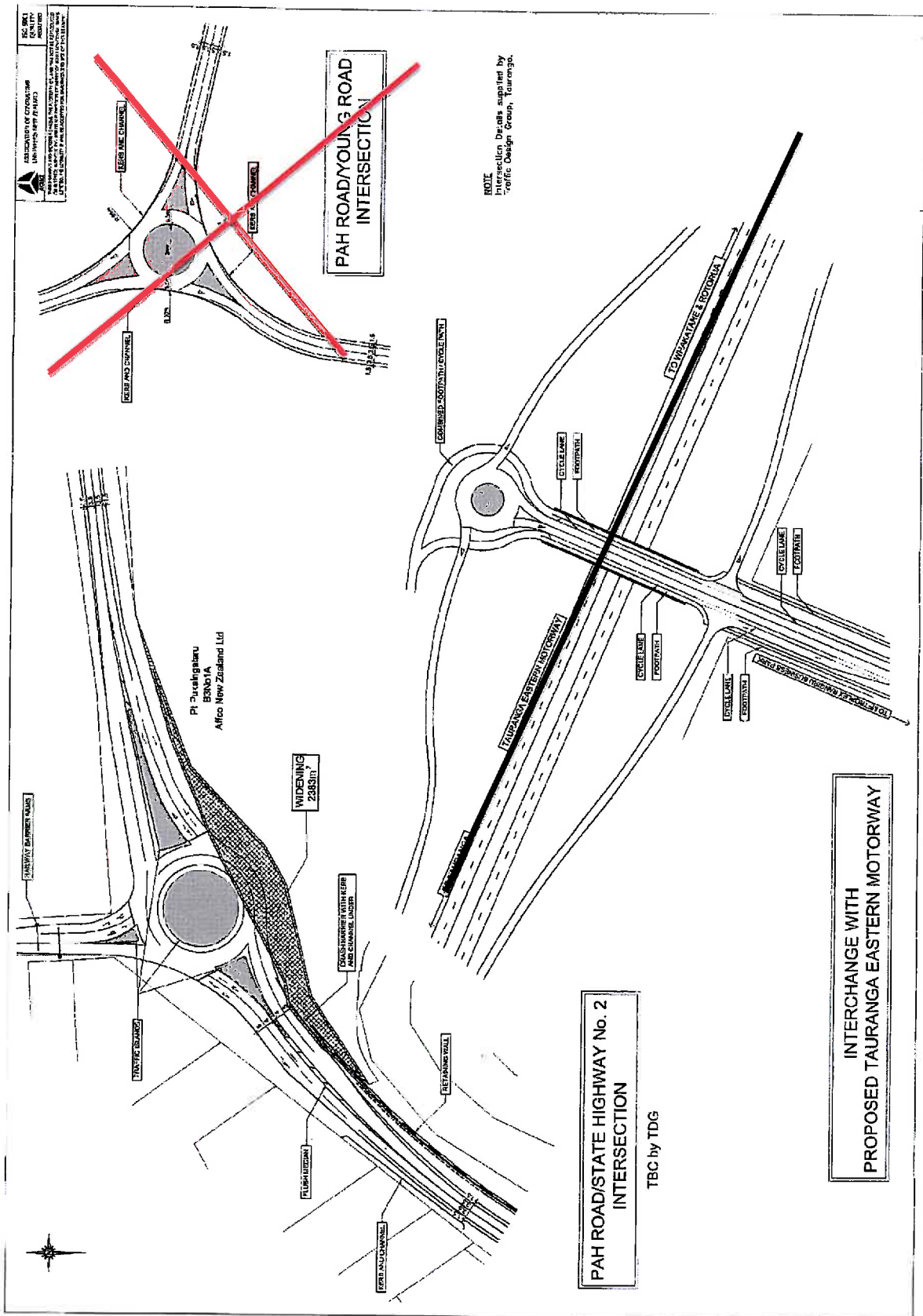


TYPE C
Local Road (25m wide)

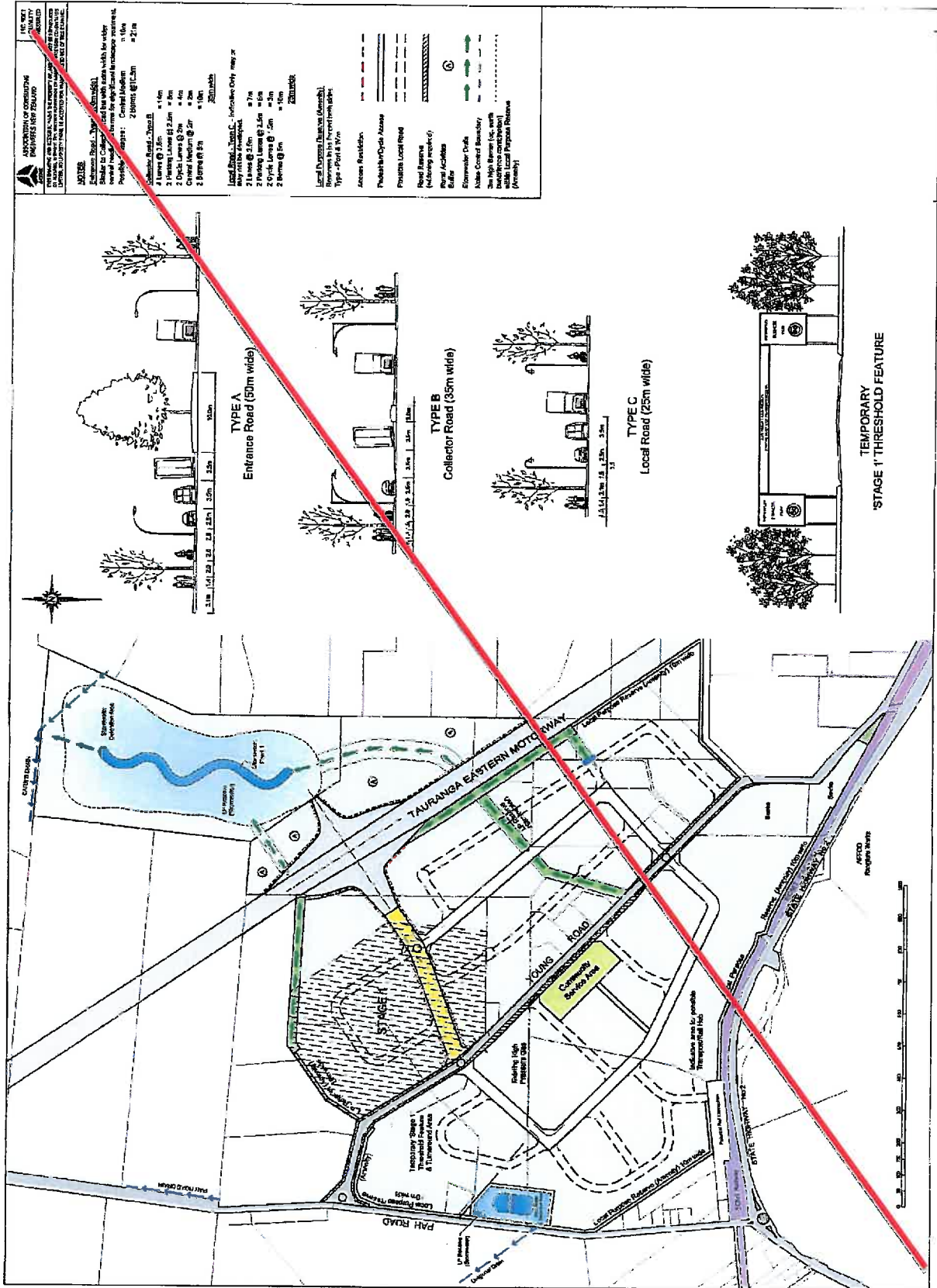


TEMPORARY
'STAGE 1' THRESHOLD FEATURE

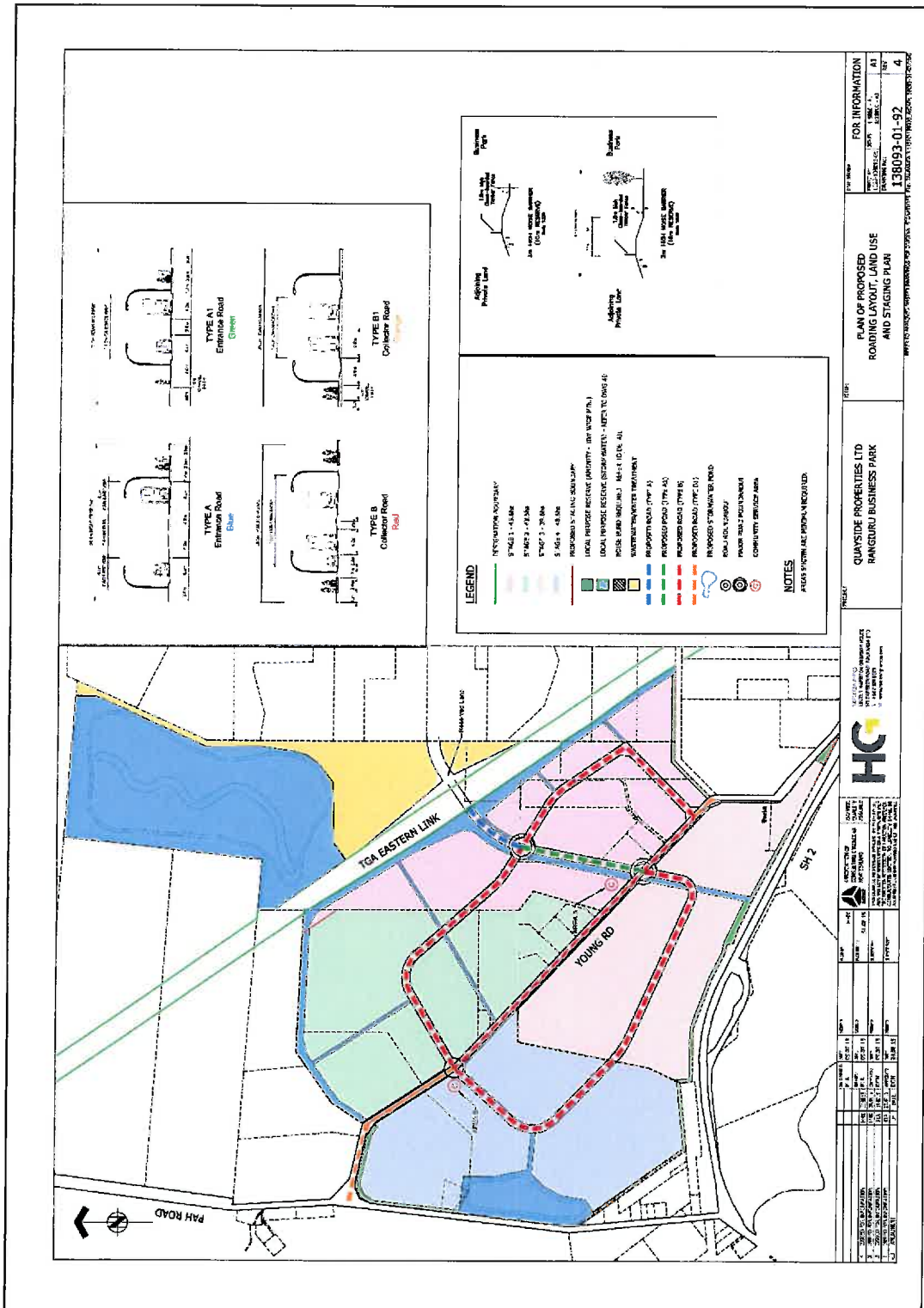
11.5 Intersections - Delete in part



11.6 Roothing Layout and Land Use - Delete and replace



11.6 Rooding Layout and Land Use



1. Change wording on the diagram as follows: Reserved Land Land for possible roading link to Te Tumu
2. Change the Local Purpose Reserve adjoining the Hebland property to be the same as in the Operative Plan.



District Plan Change 72

Submission Form

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

Chief Executive Officer
Western Bay of Plenty District Council
Private Bag 12803
TAURANGA 3143

For Office Use Only

Date stamp

Submissions close 4.00pm on Monday 7 December 2015

Name: Mr/Mrs/Ms/Miss	Geoff Williams, Chief Executive Officer	
Organisation	Rotorua District Council (known as Rotorua Lakes Council)	
Address for Service:	C/- Lachlan Muldowney, Tompkins Wake Lawyers, Level 8 Westpac House	
	430 Victoria Street, Hamilton	Post Code: 3240
E-mail Address:	lmuldowney@tomwake.co.nz	
Telephone Number:	(07) 838 6022	
	(home)	(work)

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

Yes No Please tick

Signed:  Date: 7/12/2015
(Signature of person making submission or person authorised to sign on behalf of person making submissions)

Please use the reverse of this form for your submission

Please submit only one copy of your submission to Council (please don't email plus hardcopy).

Privacy Act 1993 Note: Please be aware when providing personal information that submissions form part of the public consultation process for the District Plan.

Please refer to 'Attachment 1' for submission

ATTACHMENT 1

INTRODUCTION

1. Rotorua District Council, known as Rotorua Lakes Council (“RLC”) wishes to make a submission on Plan Change 72 Rangiuru Business Park (“PC 72”) publicly notified by the Western Bay of Plenty District Council (“WBPDC”) on 7 November 2015.
2. RLC opposes PC 72 in its entirety on the basis that the amendments proposed to the operative District Plan:
 - (a) Will have an adverse effect on the sustainability, vitality and viability of the industrial and commercial land resources in the Rotorua District and the wider region;
 - (b) Will lead to transport inefficiencies and consequential adverse effects on the local and regional transportation network;
 - (c) Are inconsistent with the higher order planning instruments; and
 - (d) Are inconsistent with the purpose of the RMA in that they fail to achieve the sustainable management of the region’s natural and physical resources.
3. While opposed in its entirety, in particular, RLC’s opposition is focussed on the following parts of PC 72:
 - (a) Chapter 21: The inclusion of additional non-industrial land use activities (permitted and discretionary) in the Industrial chapter applying to the Rangiuru Business Park (“Rangiuru”);
 - (b) Chapter 12: The changes to the provision of roading infrastructure; and
 - (c) Chapter 12: Amendment to expand Stage 1 of development from occupying 25ha (gross) to 45ha (gross) and related rule 12.4.13.8 which sets a development threshold of 50% within Stage 1 before further development beyond that stage can occur.

4. The reasons for RLC's opposition to PC 72 are set out in detail in these submissions as follows.

CONSULTATION

5. Clause 3 of the First Schedule to the Resource Management Act 1991 ("RMA") sets out the consultation requirements that apply during the preparation of a proposed plan. Clause 3 places an obligation on the Council promulgating the plan to consult with parties, including other local authorities who may be affected by the proposed plan.
6. WBPDC did not consult with RLC on PC 72 in a manner which meets the requirements of clause 3. This failure to adequately consult has significantly prejudiced RLC.

REGIONAL STRATEGIC ISSUES

SmartGrowth Strategy

7. Although the SmartGrowth Strategy ("SmartGrowth") is primarily focused on the Western Bay of Plenty sub-region, it is also a component of a wider Bay of Plenty regional framework which has an emphasis on natural resource use, economic development, energy management and transport planning¹. The proposed amendments sought through PC 72 will benefit the sub-region, to the detriment of the region as a whole. While PC 72 gives effect to the SmartGrowth strategies on a sub-regional level, it is not consistent with the wider regional aspirations set out in the Strategy. This includes the following issues identified in SmartGrowth:

- (a) The need to think bigger than the Western Bay of Plenty. SmartGrowth provides:²

The sub-regional economy is part of a wider regional, Upper North Island and national economy. These influences need to be taken into account in any forward thinking on the sub-regional economy. A deepening economy is likely as a result of: growing economies of scale and scope; a focus on the wealth generating capacity of specialist sectors; the growing influence of the Port of Tauranga; the growing integration of the Bay of Plenty into a

¹SmartGrowth Strategy 2013, section 3.1, page 13.

²*Ibid*, section 10B, page 73.

wider Upper North Island economy; the likelihood that investment in the sub-region will complement and build on investment elsewhere in the Upper North Island. *It is important that these factors are viewed from the perspective of strengthening links in the eastern Bay of Plenty and Rotorua as well as the north and the west.* [Emphasis added]

- (b) The need to establish a formal framework to ensure continued engagement with other Councils within the Bay of Plenty region throughout Strategy implementation, including the Rotorua District. In particular, SmartGrowth seeks to:³
 - (i) Identify current and explore future links between the western Bay of Plenty and Rotorua/Taupo basin with a focus on the economic benefits of collaboration.
 - (ii) Contribute relevant information to the development of a Rotorua spatial plan to *ensure that cross sub-regional matters are considered and aligned* where possible between sub-regional spatial plans and can flow into a regional spatial plan. [Emphasis added]

Regional Policy Statement

- 8. The Bay of Plenty Regional Policy Statement ("RPS") identifies that growth is a regional issue "because what occurs in one area will invariably have an effect on other places"⁴. The RPS identifies Rotorua District as containing a key urban area in the region.
- 9. The amendments proposed by PC 72, in particular those set out in paragraph 3 above, are inconsistent with the RPS insofar as it seeks to "direct and maintain compact, well-designed and strongly connected urban areas to effectively and efficiently accommodate growth" in order to "ensure both urban and rural communities are physically connected and developed in an integrated, planned manner"⁵. The proposed changes will encourage inappropriate 'out of zone' development which will undermine existing industrial and commercial land resources within

³*Ibid*, action point 7E, page 47.

⁴ Bay of Plenty Regional Policy Statement, section 2.8, page 84.

⁵ *Ibid*.

Rotorua District, and are likely to reduce connectivity and cohesion between Rangiora and the Rotorua District.

10. Against the backdrop of these strategic policies with a regional focus, the proposed amendments sought through PC 72 do not align with the identified provisions of the RPS and SmartGrowth.
11. PC 72 fails to implement these strategic regional objectives in a manner anticipated and provided for by SmartGrowth and the RPS.

GROWTH PROJECTIONS

12. Rangiora is zoned Industrial under the operative Western Bay of Plenty District Plan ("District Plan"). It is described in SmartGrowth as a "Regional Business Park"⁶. Due to its size and central location in the Bay of Plenty region, Rangiora will have an impact on the surrounding Districts in the Bay of Plenty, including Rotorua.
13. The impetus for the establishment of Rangiora arose out of the long-term growth forecasts⁷ which indicated the need for additional business and industrial land in the Western Bay of Plenty. Rangiora was "planned to provide strategically located sub-regional industrial land in the eastern corridor"⁸. Rangiora is identified in SmartGrowth, and the Western Bay of Plenty District Plan as a location for sub-regional industrial development.
14. The growth forecasts are based on 2006 data which requires updating and re-evaluating to ensure land release is proportionate to regional demand.
15. RLC opposes PC 72 because the growth projections have not been validated to the extent that they support the additional land release.

⁶ *Ibid*, Map 3.

⁷ Business Land Requirements Review, Western Bay of Plenty, Report to SmartGrowth, Phil McDermott Consultants, October 2006.

⁸ SmartGrowth Strategy Update Discussion Document: Business Land, October 2012.

PROVISION FOR ADDITIONAL LAND USE ACTIVITIES

16. RLC opposes the amendments sought to chapter 21 which seek to introduce or create greater flexibility to establish additional non-industrial activities in Rangioru.
17. PC 72 proposes to include additional permitted and discretionary activities in section 21.3.2 and 21.3.11 of the Industrial chapter to apply to Rangioru. RLC opposes:
 - (a) Increased provision for larger takeaway food outlets;
 - (b) The inclusion of educational facilities (limited to childcare/day-care/pre-school facilities) within 250m of intersections marked "Community Service Area" on the Rangioru Business Park Structure Plans;
 - (c) Increased flexibility of office activity.

In addition, RLC opposes all further related provisions providing additional flexibility in anticipated land use beyond the current operative provisions.

Takeaway food outlets

18. Under the operative District Plan, takeaway food outlets with a maximum floor area of 100m² are a permitted activity. RLC considers the current permitted square metre standard to be appropriate for an Industrial Zone. PC 72 proposes permitting takeaway food outlets with a maximum floor area of 350m². Such outlets can include dine in facilities where aligned to a permitted use in 21.3.1(g) (service stations and garages). RLC opposes this proposed amendment on the basis that larger outlets are inappropriate in an Industrial Zone and should be concentrated instead in commercial centres and closer to residential areas.

Educational facilities

19. Under the operative District Plan, educational facilities are not provided for in the Industrial Zone and are specifically excluded as an additional permitted activity in local purpose reserve amenity areas. Educational facilities are an inappropriate activity in an Industrial Zone and should be

concentrated in commercial centres. Reverse sensitivity effects, and an inefficient land use pattern will otherwise arise.

Office activity

20. PC 72 proposes to include additional discretionary activities in section 21.3.11 of the Industrial chapter to apply to Rangioru. The additional discretionary activity that RLC opposes is:
 - (a) Offices accessory to activities 21.3.1 (all permitted industrial activities) and 21.3.2 (b)⁹.
21. Consistent with objective 21.2.1.4, the operative District Plan has limited provision for office activities in the Industrial Zone as it applies to Rangioru. Under the operative plan, office activity is permitted if it is accessory to any of the permitted activities in the Industrial Zone (except for green waste and waste recycling facilities, and aquaculture) or if it is located within the Community Service Area of Rangioru. PC 72 proposes to include, as an additional discretionary activity, offices that are accessory to any of the permitted activities in the Industrial Zone including the proposed additional permitted activities at 21.3.2 (b) *which are not located on the same lot as the permitted activity*. RLC is particularly concerned about this proposed amendment which will provide greater flexibility for office activities to be established in Rangioru.
22. On the Western Bay of Plenty sub-regional level, SmartGrowth supports a 'centres-based' approach to commercial areas, preferring to concentrate business activity closer to the CBD¹⁰. It recognises the importance of locating additional office development within defined commercial areas to complement retail activity and improve the economic and social wellbeing of centres as a whole¹¹. The regional strategic approach should be a coordinated effort to consolidate existing investment in commercial centres by directing non-industrial activities such as office, takeaway outlets and educational activities into existing commercial centres. The establishment of these activities in an Industrial

⁹ Handling, storage, processing, consignment and transportation of cargo.

¹⁰ SmartGrowth Strategy 2013, section 10.2, page 71.

¹¹ *Ibid*, section 17.6, page 112.

Zone potentially undermines the vitality and viability of existing commercial centres and is also likely to lead to increased demand for travel. The RPS contemplates adverse effects of these types occurring when growth and development occurs in an uncoordinated fashion:¹²

Sporadic and uncoordinated growth and development can adversely affect urban and rural amenity values, heritage, health and safety, transportation costs, the provision and operation of infrastructure, the use and development of productive rural land and important mineral resources, and access to community, social, employment and commercial facilities.

23. The approach taken through PC 72 is inconsistent with the aim the RPS strives to achieve to “manage growth in a planned, sustainable manner while minimising the impact on existing communities”¹³.

Inconsistency with Operative District Plan Provisions

24. The provisions in the Industrial chapter of the operative District Plan reflect the land uses anticipated in Rangioru. These are predominantly industrial in nature.
25. The explanatory statement in the Industrial chapter of the District Plan highlights the significance of protecting the Industrial Zone from being diluted by non-industrial activities. It provides:¹⁴

The intention of the Industrial Zone is to locate industrial activities together for the avoidance and management of adverse effects such as traffic, noise, dust, hazardous substances, visual effects and odour.

...

An important resource management issue for maintaining the integrity of the Industrial Zone is ensuring that non-industrial activities such as retailing and residential activities are restricted to ensure that reverse sensitivity effects are avoided.

¹² Bay of Plenty Regional Policy Statement, section 2.8.1, page 85

¹³ *Ibid*, section 2.8, page 84.

¹⁴ Western Bay of Plenty District Plan, chapter 21, pages 2-3.

26. The activities that take place in the Industrial Zone should achieve the objectives set out in section 21.2.1 which include (relevantly):
- (a) The efficient and optimum use and development of industrial resources (including land and buildings) in a manner which provides for the economic well being of the people living in the District.
 - (b) Industrial areas in which industrial activities can operate effectively and efficiently, without undue restraint from non-industrial uses which may require higher amenity values.
 - (c) Viable commercial centres in which commercial activities that do not have a functional need to locate in an industrial area are consolidated.
27. The current Industrial chapter provisions in the operative District Plan seek to ensure that industrial land is not occupied by land uses that are non-industrial, unless they are ancillary to industrial uses. The currently restrictive provisions of the operative District Plan in relation to the establishment of non-industrial activities in Rangiora indicate that Rangiora was intended to be protected for near-exclusive industrial activities. PC 72 deviates from the original intended purpose of Rangiora.
28. RLC opposes any proposed amendments that will make the current regime more permissive in respect of the establishment of non-industrial activities in Rangiora. RLC is concerned that Rangiora will operate more as a mixed use zone as opposed to an Industrial Zone if the amendments proposed by PC 72 are adopted. In effect this may lead to Rangiora becoming a sub-regional centre serving a role and function not anticipated or provided for by SmartGrowth and the RPS. RLC seeks to maintain the integrity of the Industrial Zone in order to avoid such an outcome.

Sustainability, vitality, and viability of existing industrial and commercial land resources

29. The District Plan identifies, as a significant issue, that allowing commercial and retail activities to establish in industrial areas has the potential to

undermine the viability of existing and proposed town centres and retail areas¹⁵. This issue is of paramount concern to RLC.

30. Creating flexibility to establish non-industrial activities will lead to Rangiora undermining the role and function of existing centres which will frustrate investment and economic growth, and lead to resource use inefficiencies. This is inconsistent with the SmartGrowth policy which seeks to ensure that people “meet most of their daily needs within their own local community”, which promotes community cohesion, more harmonious lifestyles, lower demands for travel and opportunities for efficiencies in infrastructure provision¹⁶. Similarly, the RPS recognises that poor urban design can lead to “reduced physical access and connectivity to facilities and open spaces, and a reduction in people’s health and wellbeing”¹⁷. It provides that “patterns of urban growth which fail to reflect the aspirations, needs and concerns of existing affected communities are likely to be problematic”¹⁸.
31. In order to best serve the economic interests of the region, it is important that the limited areas set aside for industrial activities are not compromised by further commercial or other non-industrial activities. To ensure existing centres in the region remain sustainable, urban planning should maintain and enhance existing commercial centres which represent significant investment, and the dispersal of non-industrial activities in an Industrial Zone should be avoided as it has the propensity to erode the viability of those resources.

AMENDMENTS TO TRANSPORT/ROADING INFRASTRUCTURE

32. RLC opposes the amendments sought to chapter 12 insofar as they relate to roading infrastructure.
33. Rangiora is part of an integrated transport strategy for the Eastern Corridor and is of strategic value to Rotorua in terms of transport, access and economic links to other centres. RLC is opposed to any amendments

¹⁵ Western Bay of Plenty District Plan, section 21.1.5, page 3.

¹⁶ SmartGrowth 50 – Year Strategy and Implementation Plan May 2007, page 70.

¹⁷ Bay of Plenty Regional Policy Statement, section 2.8.1, page 85.

¹⁸ *Ibid.*

to the roading provisions of the District Plan which will undermine that strategic value.

34. If additional non-industrial activities are able to be established at Rangiuru, RLC is concerned that as a consequence, there will be unanticipated impacts on the transport network. Traffic may divert from other centres to Rangiuru. The impacts on the current transport network cannot be known without undertaking a detailed traffic assessment. The s 32 analysis does not appear to consider any effects of the activity changes on trip generation and traffic patterns. The assessment appears to consider only the safety and efficiency of the immediate connections. This is also inconsistent with the District Plan which provides that by locating industrial activities together, it enables Council to better manage the provision of infrastructure and better long term planning of transport corridors¹⁹.

35. RLC is particularly concerned about the amendment sought to section 12.4.13.5. The existing Structure Plan included a four legged interchange with the Tauranga Eastern Link (TEL) to provide principal access to Rangiuru. PC 72 proposes to include a three legged interchange as an alternative option to the existing four legged interchange. The option is to be selected by the developer of the first land use or subdivision within Stage 1 which will be the option to serve the entire Rangiuru Business Park. If the three legged interchange is implemented, the proposed south-bound leg out of Rangiuru would be removed. South-bound movements would then occur via the Te Puke Highway. RLC opposes this amendment on the basis that it is likely to result in poorer access outcomes for the Rotorua District and reduce the potential economic benefits of connections between activities in Rangiuru and those in established industrial, commercial and residential zones in Rotorua. In addition, the flexibility of the proposed amendment creates an unacceptable degree of uncertainty concerning the provision of key infrastructure and may not represent the optimal infrastructure option for other centres beyond the sub-region.

¹⁹ Western Bay of Plenty District Plan, chapter 21, explanatory statement, page 2.

SmartGrowth

36. SmartGrowth recognises that significant investment has been made in the sub-region's transportation infrastructure since 2004 as part of the strategic roading network. It describes this investment as having supported and enabled growth in the sub-region and has helped to make Tauranga and the Western Bay of Plenty easier to move around, providing significant competitive advantages²⁰.
37. The proposed investment in roading infrastructure to service Rangiorua is considerable and should also benefit centres in the wider region. RLC is particularly concerned that the proposed amendments to roading infrastructure will divert traffic away from Rotorua to the detriment of the sustainability of resources within the Rotorua District. Such an outcome does not optimise investment in infrastructure from a regional perspective. RLC is opposed to amendments proposed through PC 72 that would have the effect of reducing transport connections to the Rotorua District.

Regional Policy Statement

38. The RPS recognises the important role that the efficient provision of infrastructure plays in supporting settlement growth and prosperity²¹. It promotes protection and development of the region's strategic transport networks and corridors, including on-going connectivity between communities. The RPS recognises that this approach is essential for sustainable growth. It recognises as a regionally significant issue that:²²

A lack of integration between land use and infrastructure may result in poor infrastructure investment decisions, public funding pressures and inefficient land use patterns and may also compromise the operation of existing and proposed transport infrastructure.

39. The RPS also promotes the protection and development of the region's strategic transport networks and corridors, including on-going connectivity between communities. RLC is concerned that the changes proposed to

²⁰ SmartGrowth Strategy 2013, page 114.

²¹ Bay of Plenty Regional Policy Statement, objectives 6-7, 10-12, 23-26, policies EI 3B, EI 4B, EI 7B, IR 3B, IR 4B, IR 6B, UG 1A, UG 2A, UG 3A, UG 6A, UG 7A, UG 8B, UG 9B, UG 10B, UG 11B, UG 13B.

²² *Ibid*, section 2.8.1, page 86.

the provision of roading will reduce connectivity between Rotorua and other centres which will have adverse economic consequences for the District.

District Plan Provisions

40. Because of its central location, Rangiuru is likely to become a prominent gateway location. The District Plan provides:²³

Good urban design outcomes are...important for Industrial Zones especially when they are located in prominent gateway locations to towns.

RLC considers that the proposed changes to roading infrastructure do not achieve good urban design outcomes.

41. RLC considers that the proposed amendment to roading infrastructure through PC 72 does not achieve the objective that development is to be “planned in an integrated manner and provided with the necessary infrastructure and services to ensure that the land is able to be used for its intended purpose”²⁴. PC 72 is not consistent with the policy that development is required to “provide infrastructure and services to meet the reasonably foreseeable needs of other land in the vicinity of the development”²⁵.

STAGED DEVELOPMENT

42. The operative District Plan provides that Stage 1 of development is not to comprise more than 25ha (gross) of the land in the area indicated on the Structure Plan as “Stage 1 Area”²⁶. PC 72 proposes to expand the land area of Stage 1 to 45ha (gross)²⁷. RLC opposes this amendment on the basis that the provision of land for the initial stage of development is too large and is an inefficient approach to the development of the land at Rangiuru.

²³ Western Bay of Plenty District Plan, chapter 21, explanatory statement, page 3.

²⁴ Western Bay of Plenty District Plan, section 12.2.1.2, page 4.

²⁵ *Ibid*, section 12.2.2.4, page 5.

²⁶ Western Bay of Plenty District Plan, section 12.4.13.3, page 41.

²⁷ Plan Change 72, section 12.4.13.6, page 6.

43. RLC also opposes rule 12.4.13.8 which enables development beyond Stage 1 once development has reached a threshold of 50%. This threshold is too low. These staging rules are inconsistent with the integrated approach supported by the higher order planning instruments.
44. As a regionally significant urban and rural growth management issue, the RPS provides:²⁸

An imbalance of land supply, demand and uptake can have adverse economic and social effects yet it is very difficult to plan and predict. Inefficient patterns of land use and ad hoc development are difficult and costly to service and maintain. Unplanned growth and inefficient land use also have the potential to adversely affect rural production activities and to reduce the ability of versatile land to be used for a range of productive purposes.

45. Through its own Council Controlled Organisation, Bay of Plenty Regional Council is actively adding to this imbalance of land supply and demand uptake in a manner which conflicts with its own RPS²⁹.
46. SmartGrowth provides that land use should be contemporaneous with the provision of infrastructure, and with timely and equitable funding as this helps to "anticipate growth, coordinate development and ensure that infrastructure and facilities are developed in an effective and affordable manner"³⁰.
47. Sufficient capacity exists under the current supply of industrial and commercial land within Rotorua District and the wider region to meet projected demand. Enlarging Stage 1 beyond 25ha and setting a further staging threshold of as low as 50% of development will create adverse effects on the efficient uptake and use of current supply, leading to the unsustainable management of the industrial land resource within the region.

²⁸ Bay of Plenty Regional Policy Statement, section 2.8.1.2, page 85.

²⁹ *Ibid*, objectives 25-26, policies UG 6A, UG 9B, UG 10B, UG 11B, UG 13B.

³⁰ SmartGrowth Strategy 2013, section 3.2, page 13.

ADEQUACY OF SECTION 32 EVALUATION

48. The section 32 analysis which accompanies PC 72 is inadequate and fails to meet the requirements of section 32 of the RMA.
49. The section 32 analysis fails to fully evaluate the costs arising from PC 72 relating to:
 - (c) Increased flexibility and non-industrial land use;
 - (d) Amended transportation infrastructure requirements; and
 - (e) Amended staging requirements.
50. The section 32 analysis fails to fully evaluate the benefits arising from the current operative provisions of the operative plan relating to:
 - (c) Limiting non-industrial land use within Rangiuru;
 - (d) Existing transportation infrastructure requirements; and
 - (e) Existing staging requirements.
51. Regarding non-industrial land use, the section 32 analysis fails to address the significant adverse reverse sensitivity effects, the adverse distributional effects, and the adverse transportation and infrastructure effects arising across the region as a consequence of the increased land use flexibility at Rangiuru proposed by PC 72.
52. Regarding transportation infrastructure, the section 32 report and the transport assessment are not sufficient or adequate to identify and assess the benefits and costs of the effects, particularly potential adverse economic effects and effects on transport and land use. There is no consideration of changes or relocation of employment, the residential catchment for potential employees, or the costs of the works associated with the infrastructure changes. There is a potential risk of unforeseen adverse outcomes because of uncertainty and insufficient information associated with the transport assessment.
53. Regarding staging, the section 32 analysis fails to take account of updated growth analysis, current supply and spatial allocation of industrial land

resources within the region, and the significant adverse effects arising from the supply and release of additional land resources at Rangioru.

54. These elements of PC 72 are not the most appropriate to achieve the objectives of the plan and in turn, give effect to the RPS. In this respect, the section 32 analysis fails to directly identify the most appropriate provisions to support the higher order objectives and policies and in turn cannot achieve sustainable management of natural and physical resources.

INCONSISTENT WITH THE PURPOSE OF THE RMA

55. The amendments proposed through PC 72 are inconsistent with the purpose of the RMA under s 5, whereby it does not promote the sustainable management of natural and physical resources. "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 wellbeing and for their health and safety while:

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

(b) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

56. For the particular reasons canvassed in this submission, RLC considers that, taking into account the impact the proposed changes will have on the wider region, PC 72 does not achieve the purpose of the RMA.

DECISION SOUGHT

57. Accordingly, RLC opposes PC 72 in its entirety.
58. RLC wishes to be heard at any hearing of this matter and depending on the nature of other submissions received, may consider presenting jointly.
59. RLC seeks that Plan Change 72 be declined.



District Plan Change 72

Further Submission Form

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

Chief Executive Officer
Western Bay of Plenty District Council
Private Bag 12803
TAURANGA 3143

For Office Use Only

Date stamp

Further Submissions close 4pm Tuesday 9 February 2016

Name: Mr/Mrs/Ms/Miss	Geoff Williams, Chief Executive Officer	
Organisation	Rotorua District Council (known as Rotorua Lakes Council)	
Address for Service:	C/- Lachlan Muldowney, Tompkins Wake Lawyers, Level 8, Westpac House	
	430 Victoria Street, Hamilton	Post Code: 3240
E-mail address:	lmuldowney@tomwake.co.nz	
Telephone Number:	(07) 838 6022	
	(home)	(work)

I am (please tick the one applicable to you)

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

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

Refer to Attachment 1

Hearings are to be held on April 5 and 6, 2016.

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

Yes No Please tick

Signed:

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

Date:

9/2/2016

Please use the reverse of this form for your submission

Please submit only one copy of your submission to Council (don't email plus hardcopy plus fax).

Privacy Act 1993 Note: Please be aware when providing personal information that submissions form part of the public consultation process for the District Plan.

ATTACHMENT 1

FURTHER SUBMISSIONS IN SUPPORT AND IN OPPOSITION TO SUBMISIONS ON PUBLICLY NOTIFIED PROPOSED PLAN CHANGE 72 Clause 8 of Schedule 1, Resource Management Act 1991

TO: Western Bay of Plenty District Council

NAME: Rotorua District Council

1. Rotorua District Council, known as Rotorua Lakes Council (“RLC”) wishes to make further submissions in support of and in opposition to submissions on Plan Change 72 Rangiuru Business Park (“PC 72”) publicly notified by the Western Bay of Plenty District Council (“WBPDC”) on 7 November 2015. Submissions closed on 7 December 2015 and the summary of all submissions received was notified on 23 January 2016.
2. RLC, as a local authority within the Bay of Plenty region, represents a relevant aspect of the public interest and has an interest in the proposal that is greater than the interest the general public has.
3. RLC’s further submissions are outlined in the attached table (“Attachment 2”).
4. RLC does wish to be heard in support of its further submission.
5. If others make similar submissions, RLC will consider presenting a joint case with them at any hearing.

ATTACHMENT 2

Submitter	Sub ID/Sub point	Support/Oppose	Reasons for support/opposition	Decision sought
New Zealand Transport Agency PO BOX 13055, Tauranga Central, Tauranga 3141	2/1	Oppose	<ol style="list-style-type: none"> 1. RLC opposes the submission. 2. RLC considers that the changes proposed by Plan Change 72 ("PC 72") are inconsistent with SmartGrowth and the provisions of the Western Bay of Plenty District Plan ("WBDP"). 	Reject the submission.
Bay of Plenty Regional Council PO Box 364, Whakatane 3158	3/1	Oppose	<ol style="list-style-type: none"> 1. RLC opposes the submission that PC 72 gives effect to the SmartGrowth Strategy. 2. RLC considers that PC 72 is inconsistent with the SmartGrowth Strategy. 	Reject the submission.
Bluehaven Management Limited Att: Craig Batchelar C/- Boffa Miskell Ltd, PO Box 13373, Tauranga Central, Tauranga 3141	4/1	Support in part	<ol style="list-style-type: none"> 1. RLC supports the submission. 2. Non-industrial land uses are inappropriate in an Industrial zone and the greater flexibility to establish such activities afforded under PC 72 is inconsistent with the objectives and policies in the WBDP. 3. The more permissive regime will undermine the centres-based approach that the higher order planning instruments seek to achieve. 4. RLC agrees that the s 32 analysis is inadequate as it fails to fully evaluate the costs, benefits and adverse effects arising from PC 72. 	Accept the submission, but in relation to the decision sought, RLC only supports the rejection of the proposed amendments. RLC does not support the alternative decisions sought.
Paul James Hickson PO Box 197, Te Puke 3153	5/1	Oppose	<ol style="list-style-type: none"> 1. RLC opposes the submission. 2. Expediting the Park development is not a sensible approach when there is insufficient data available to determine what effect the proposed changes PC 72 seeks to impose will have on transport networks and existing 	Reject the submission.

			<p>industrial and commercial land resources.</p> <p>3. Affording greater flexibility to establish non-industrial land uses in the Park is inconsistent with the higher order planning instruments.</p>	
<p>Graeme Francis Walker</p> <p>16 Saunders Place, Te Puke 3119</p>	6/2	Oppose	<p>1. RLC opposes the submission.</p> <p>2. RLC is concerned that the proposal to provide an option to the developer of first land use or subdivision to select to implement a three legged interchange with the Tauranga Eastern Link (“TEL”) will result in poorer access outcomes for the Rotorua District and reduce the potential economic benefits of connections between Rangiuru and Rotorua which is contrary to the higher order planning instruments.</p> <p>3. The proposed amendments to the staging rules under PC 72 will create an imbalance of land supply, demand and uptake and are inconsistent with the integrated approach supported by the higher order planning instruments.</p> <p>4. Non-industrial land uses are inappropriate in an Industrial zone and not supported by the objectives and policies in the WBDP. RLC opposes the greater flexibility PC 72 affords to establish such activities.</p> <p>5. The changes proposed by PC 72 will have an adverse effect on the sustainability, vitality and viability of the industrial and commercial land resources in the Rotorua District and the wider region.</p>	Reject the submission.
<p>Stafford Rise Trust Ltd</p> <p>PO Box 547, Rotorua 3040</p>	7/1	Support	<p>1. RLC supports the submission.</p> <p>2. RLC agrees that PC 72 will undermine the vitality and viability of existing industrial and commercial land resources.</p>	Accept the submission.

			<p>3. RLC agrees that PC 72 is inconsistent with the higher order planning instruments.</p> <p>4. Non-industrial land uses are inappropriate in an Industrial zone and not supported by the objectives and policies in the WBDP. RLC opposes the greater flexibility PC 72 affords to establish such activities.</p> <p>5. RLC agrees that the s 32 analysis is inadequate as it fails to fully evaluate the costs, benefits and adverse effects arising from PC 72.</p> <p>6. The proposed amendments to the staging rules under PC 72 will create an imbalance of land supply, demand and uptake and are inconsistent with the integrated approach supported by the higher order planning instruments.</p>	
<p>Te Tumu Landowners Group</p> <p>C/O Jeff Fletcher, PO Box 13428, Tauranga Central, Tauranga 3141</p>	<p>8/1</p> <p>Corresponding submissions: 9/1, 10/1.</p>	Oppose	<p>1. RLC opposes the submission.</p> <p>2. RLC opposes the amendment to Rule 12.4.13.5 under PC 72 which allows the developer of the first land use or subdivision to elect to include a three legged interchange as an alternative to the existing four legged interchange.</p> <p>3. The decision sought by Te Tumu Landowners Group confirms the option to include a three legged interchange and seeks further changes to ensure the eastern connection is reserved/protected.</p> <p>4. Implementation of the three legged interchange is likely to result in poorer access outcomes for the Rotorua District and reduce the potential economic benefits of connections between activities in Rangiuru and Rotorua.</p>	Reject the submission.

<p>Te Tumu Landowners Group</p> <p>C/O Jeff Fletcher, PO Box 13428, Tauranga Central, Tauranga 3141</p>	<p>8/2</p> <p>Corresponding submissions: 9/2, 10/2.</p>	<p>Oppose</p>	<ol style="list-style-type: none"> 1. RLC opposes the submission. 2. RLC opposes the change proposed by PC 72 to increase the number, and change the location of, Community Service Areas (“CSAs”) in the Park. 3. RLC is concerned that PC 72 seeks to provide greater flexibility within the CSAs to provide for non-industrial land uses. 4. The non-industrial land uses are inappropriate in an Industrial zone and should be concentrated in existing commercial centres. 	<p>Reject the submission.</p>
<p>Te Tumu Landowners Group</p> <p>C/O Jeff Fletcher, PO Box 13428, Tauranga Central, Tauranga 3141</p>	<p>8/3</p> <p>Corresponding submissions: 9/3, 10/3.</p>	<p>Oppose</p>	<ol style="list-style-type: none"> 1. RLC opposes the submission. 2. RLC opposes providing greater flexibility for the establishment of non-industrial land uses within the Industrial zone. 3. This is inappropriate in the Industrial zone and contrary to the higher order planning instruments. 	<p>Reject the submission.</p>
<p>Te Tumu Landowners Group</p> <p>C/O Jeff Fletcher, PO Box 13428, Tauranga Central, Tauranga 3141</p>	<p>8/4</p> <p>Corresponding submissions: 9/4, 10/4.</p>	<p>Oppose</p>	<ol style="list-style-type: none"> 1. RLC opposes the submission. 2. RLC opposes providing greater flexibility for the establishment of non-industrial land uses within the Industrial zone. 3. This is inappropriate in the Industrial zone and contrary to the higher order planning instruments. 	<p>Reject the submission.</p>
<p>Te Tumu Landowners Group</p> <p>C/O Jeff Fletcher, PO Box 13428, Tauranga Central, Tauranga 3141</p>	<p>8/5</p> <p>Corresponding submissions: 9/5, 10/5.</p>	<p>Oppose</p>	<ol style="list-style-type: none"> 1. RLC opposes the submission. 2. RLC opposes providing greater flexibility for the establishment of non-industrial land uses within the Industrial zone. 3. This is inappropriate in the Industrial zone and contrary to the higher order planning instruments. 	<p>Reject the submission.</p>

<p>Whakatane District Council</p> <p>Private Bag 1002, Whakatane 3158</p>	12/1	Oppose	<ol style="list-style-type: none"> 1. RLC opposes the submission. 2. The changes proposed by PC 72 will undermine the vitality and viability of the existing industrial and commercial land resources in the Rotorua District and the wider region. 3. RLC opposes the decision sought to make amendments or additions to the Industrial zone objectives, policies and rules. 4. RLC seeks that any changes proposed by PC 72 are rejected. 	Reject the submission.
<p>Whakatane District Council</p> <p>Private Bag 1002, Whakatane 3158</p>	12/2	Support in part	<ol style="list-style-type: none"> 1. RLC supports the submission. 2. RLC agrees that the greater flexibility afforded to establish non-industrial activities in CSAs will produce inadvertent planning outcomes that are inconsistent with the higher order planning instruments. 3. RLC does not support the decision sought to amend the provisions of the WBDP. 4. RLC seeks that PC 72 be rejected in its entirety. 	Accept the submission but decline the decision sought.
<p>Whakatane District Council</p> <p>Private Bag 1002, Whakatane 3158</p>	12/3	Support in part	<ol style="list-style-type: none"> 1. RLC supports the submission. 2. RLC agrees that the greater flexibility afforded to establish non-industrial activities is contrary to the higher order planning instruments. 3. RLC does not support the decision sought to amend the PC 72 provisions to reinforce the industrial activities the Park is intended to provide for. 4. RLC seeks that PC 72 be rejected in its entirety. 	Accept the submission but decline the decision sought.
<p>Hebland Holdings Limited</p> <p>Att: Richard</p>	13/1	Oppose	<ol style="list-style-type: none"> 1. RLC opposes the submission. 2. RLC is opposed to PC 72 in its entirety and seeks that it be 	Reject the submission.

<p>Coles C/- Boffa Miskell Ltd, PO Box 13373, Tauranga Central, Tauranga 3141</p>			<p>rejected in its entirety because the changes proposed to the WBDP:</p> <p>(a) Will have an adverse effect on the sustainability, vitality and viability of the industrial and commercial land resources in the Rotorua District and the wider region;</p> <p>(b) Will lead to transport inefficiencies and consequential adverse effects on the local and regional transportation network;</p> <p>(c) Are inconsistent with the higher order planning instruments; and</p> <p>(d) Are inconsistent with the purpose of the Resource Management Act 1991 ("RMA") in that they fail to achieve the sustainable management of the region's natural and physical resources.</p>	
<p>Hebland Holdings Limited</p> <p>Att: Richard Coles C/- Boffa Miskell Ltd, PO Box 13373, Tauranga Central, Tauranga 3141</p>	13/7	Oppose	<ol style="list-style-type: none"> 1. RLC opposes the submission. 2. RLC opposes the changes PC 72 seeks to make to the stages of development on the basis that the provision of land for the initial stage of development is too large and is an inefficient approach to the development of land at the Park. 3. The development threshold PC 72 seeks to introduce (50% for Stage 1) is too low which is contrary to the higher order planning instruments. 	Reject the submission.
<p>Estate of WB Attwood</p> <p>Att: Richard Coles C/- Boffa Miskell Ltd, PO Box 13373,</p>	15/1	Oppose	<ol style="list-style-type: none"> 1. RLC opposes the submission. 2. RLC is opposed to PC 72 in its entirety and seeks that it be rejected in its entirety because the changes proposed to the WBDP: 	Reject the submission.

Tauranga Central, Tauranga 3141			<p>(a) Will have an adverse effect on the sustainability, vitality and viability of the industrial and commercial land resources in the Rotorua District and the wider region;</p> <p>(b) Will lead to transport inefficiencies and consequential adverse effects on the local and regional transportation network;</p> <p>(c) Are inconsistent with the higher order planning instruments; and</p> <p>(d) Are inconsistent with the purpose of the RMA in that they fail to achieve the sustainable management of the region's natural and physical resources.</p>	
Estate of WB Attwood Att: Richard Coles C/- Boffa Miskell Ltd, PO Box 13373, Tauranga Central, Tauranga 3141	15/2	Oppose	<ol style="list-style-type: none"> 1. RLC opposes the submission. 2. RLC opposes the greater flexibility afforded to establish non-industrial activities. 3. This is inappropriate in the Industrial zone and contrary to the higher order planning instruments. 	Reject the submission.
Estate of WB Attwood Att: Richard Coles C/- Boffa Miskell Ltd, PO Box 13373, Tauranga Central, Tauranga 3141	15/3	Oppose	<ol style="list-style-type: none"> 1. RLC opposes the submission. 2. RLC is opposed to providing greater flexibility within the CSAs which allow additional non-industrial land use activities to establish. 3. This is inappropriate in the Industrial zone and contrary to the higher order planning instruments. 	Reject the submission.
Rotorua Chamber of Commerce Mr Darrin Walsh Chief Executive	17/2	Support	<ol style="list-style-type: none"> 1. RLC supports the submission. 2. RLC also opposes the suggested changes to the interchange as it may result in poorer access 	Accept the submission.

Officer PO Box 385, Rotorua 3040			outcomes for the Rotorua District and reduce the potential economic benefits of connections between Rangiuru and Rotorua which is contrary to the relevant higher order planning instruments.	
Te Puke Economic Development Group 130A Jellicoe Street, Te Puke 3119	18/1	Oppose	<p>1. RLC opposes the submission.</p> <p>2. RLC is opposed to PC 72 in its entirety and seeks that it be rejected in its entirety because the changes proposed to the WBDP:</p> <p>(a) Will have an adverse effect on the sustainability, vitality and viability of the industrial and commercial land resources in the Rotorua District and the wider region;</p> <p>(b) Will lead to transport inefficiencies and consequential adverse effects on the local and regional transportation network;</p> <p>(c) Are inconsistent with the higher order planning instruments; and</p> <p>(d) Are inconsistent with the purpose of the RMA in that they fail to achieve the sustainable management of the region's natural and physical resources.</p>	Reject the submission.
Te Puke Community Board C/O Chairperson 246 Te Matai Road, RD 8, Te Puke 3188	20/1	Oppose	<p>1. RLC opposes the submission.</p> <p>2. RLC is opposed to PC 72 in its entirety and seeks that it be rejected in its entirety because the changes proposed to the WBDP:</p> <p>(a) Will have an adverse effect on the sustainability, vitality and viability of the industrial and commercial land resources in the Rotorua District and the wider region;</p>	Reject the submission.

			<p>(b) Will lead to transport inefficiencies and consequential adverse effects on the local and regional transportation network;</p> <p>(c) Are inconsistent with the higher order planning instruments; and</p> <p>(d) Are inconsistent with the purpose of the RMA in that they fail to achieve the sustainable management of the region's natural and physical resources.</p> <p>3. RLC opposes the flexibility afforded to the stages of development on the basis that the provision of land for the initial stage of development is too large and is an inefficient approach to the development of the land at the Park.</p> <p>4. Furthermore, the development threshold PC 72 seeks to introduce (50% for Stage 1) is too low.</p>	
<p>Mark and Brenda Archbold</p> <p>150 Young Road, RD9, Te Puke 3189</p>	21/2	Support	<p>1. RLC supports the submission.</p> <p>2. RLC opposes the interim road development options.</p> <p>3. RLC is concerned that the proposal to provide an option to the developer of first land use or subdivision to select to implement a three legged interchange with the Tauranga Eastern Link ("TEL") will result in poorer access outcomes for the Rotorua District and reduce the potential economic benefits of connections between Rangiuru and Rotorua which is contrary to the higher order planning instruments.</p>	Accept the submission.

ATTACHMENT 4

Name	Contact	Email	Address
NZTA	Kim Harris Cottle	kim.harriscottle@nzta.govt.nz	PO Box 13055 Tauranga Central TAURANGA 3141
Bay of Plenty Regional Council Bluehaven Management Ltd	David Phizacklea Craig Batchelar	David.Phizacklea@boprc.govt.nz craig.batchelar@boffamiskell.co.nz kate@kbplawyer.co.nz	PO Box 364 WHAKATANE 3158 C/- Boffa Miskell PO Box 13373 Tauranga Central TAURANGA 3141 Att: Craig Batchelar
Paul Hickson		m98@bopis.co.nz	PO Box 197 TE PUKE 3153
Graeme Walker		graemebaw@gmail.com	16 Saunders Place TE PUKE 3119
Stafford Rise Trust Ltd	Ryan Holmes	ryanholmes@holmesgrp.co.nz	PO Box 547 ROTORUA 3040
Te Tumu Landowers Group	Jeff Fletcher	jfletcher@fordland.co.nz	C/- Jeff Fletcher PO Box 13428 Tauranga Central TAURANGA 3141
Te Tumu Kaituna 14 Trust	Jeff Fletcher	jfletcher@fordland.co.nz	C/- Jeff Fletcher PO Box 13428 Tauranga Central TAURANGA 3141
Ford Land Holdings Pty Ltd	Jeff Fletcher	jfletcher@fordland.co.nz	PO Box 13428 Tauranga Central TAURANGA 3141
Rotorua District Council	Shaye Thomas	stomas@tomwake.co.nz lmuldowney@tomwake.co.nz	C/- Lachlan Muldowney Tompkins Wake Lawyers Level 8, Westpac House 430 Victoria Street HAMILTON 3240
Whakatane District Council	David Bewley	david.bewley@whakatane.govt.nz	Private Bag 1002 WHAKATANE 3158 Attention: Marty Grenfell
Hebland Holdings Ltd	Richard Coles	richard@mpad.co.nz	C/- Richard Coles Momentum Planning and Design Ltd 56 Blackberry Way TAURANGA 3175
NZ Fire Service	Mikyla Davidson	mikyla.davidson@beca.com	C/- Beca Ltd PO Box 6345 AUCKLAND 1141 Attention: Mikyla Davidson
Estate WB Attwood	Richard Coles	richard@mpad.co.nz	C/- Richard Coles Momentum Planning and Design Ltd 56 Blackberry Way TAURANGA 3175
Rob Paterson		roblegal@actrix.co.nz	5 Banksia Dell MOUNT MAUNGANUI 3116
Rotorua Chamber of Commerce	Darrin Walsh	ceo@rotoruachamber.co.nz	Mr Darrin Walsh Chief Executive Officer PO Box 385 ROTORUA 3040
Te Puke Economic Development Group	Mark Boyle	markrboyle@me.com	130A Jellicoe Street TE PUKE 3119
D & P Pamment		trishpamment@xtra.co.nz	546 Pah Road RD 9 TE PUKE 3189
Te Puke Community Board	Peter Miller	millerph@kinect.co.nz	C/- Chairperson 246 Te Matai Road RD 8 TE PUKE 3188
M & B Archbold			150 Young Road RD9 TE PUKE 3189
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