



1

Submitter List Plan Change 73 - Financial Contributions

Sorted by: Name

<u>Full Name</u>	<u>Submitter ID</u>	<u>Page Ref</u>	<u>To Be Heard</u>	<u>Joint Case</u>
ACCO BUILDING LIMITED	10	35	Y	N
CHARLEY FARLEY LTD	6	24	Y	N
CLASSIC GROUP OXFORD LIMITED	11	38	Y	N
DORR BELL LIMITED	12	41	Y	N
HARRISON GRIERSON CONSULTANTS LTD	4	17	Y	N
LOMAY PROPERTIES LIMITED	2	8	Y	N
NEIL CONSTRUCTION LTD	9	33	Y	N
NZ TRANSPORT AGENCY	1	3	Y	N
OMOKOROA DEVELOPMENTS LTD	7	27	Y	N
REYNOLDS, GRAEME	14	47	Y	N
S & L CONSULTANTS LTD	3	14	Y	N
THE GRANGE JOINT VENTURE	8	30	Y	N
VEROS PROPERTY PARTNERS	5	21	Y	N
YOUNG, BILL	13	44	Y	N



Submitter List ²

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CLASSIC GROUP OXFORD LIMITED	11	38	Y	N
DORR BELL LIMITED	12	41	Y	N
YOUNG, BILL	13	44	Y	N
REYNOLDS, GRAEME	14	47	Y	N

New Zealand Transport Agency Submission on the First Review of Western Bay of Plenty District Plan - Plan Change 73 Financial Contributions (Revised)

Section	Support/ Oppose/ Amend	Submission	Decision sought	Ref.
Plan Change 73 in its entirety	Support with amendments	<p>The Transport Agency supports having Financial Contribution requirements in the District Plan to ensure that growth in the District is supported by appropriate levels of infrastructure.</p> <p>This promotes sustainable management of physical resources, including the transport network, an important resource, 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 (as per Section 5 of the RMA).</p> <p>The Transport Agency supports the inclusion of Rules that require financial contributions for Transportation in both Rural and minor settlements, and Urban catchments.</p> <p>The Transport Agency also supports the continued collection of a district wide Strategic Transportation contribution.</p>	Retain plan change subject to amendments listed below.	①

A2678152

Section	Support/ Oppose/ Amend	Submission	Decision sought	Ref.
11.3(b)	Amend	It is unclear how this plan change seeks to change the financial contribution elements of the recent Post Harvest agreements. Provision 11.3(b)(vi) states that a financial contribution is required for "land use consent applications for significant expansion to the Post Harvest Zone". It is unclear if this provision is a rule or how it fits within the existing rule frame work, particularly within the context of Post Harvest Zone Rule 22.4.1(r) and 22.4.3 that trigger a financial contribution for any increase in throughput above the consent level or for the upgrading and storage of crops other than kiwifruit or avocado.	Further clarify when and how financial contributions would apply to a Post Harvest Zones, and what a "significant" expansion to the Post Harvest Zone is, or retain existing provisions unchanged.	②
11.6 Subdivision and land use consent in the Commercial, Commercial Transition and Industrial Zones	Amend	Financial contributions provide the ability to mitigate effects through the contribution of land or money or both (S. 108(9) of the RMA). By excluding Industrial and Commercial zone subdivisions and activities Council is limiting the ability to mitigate effects from a development where a financial contribution (such as land/money or both) may be appropriate. While some specific activities have been included it is unclear why only these activities have been identified. The proposed approach does not facilitate a 'beneficiary pays' approach. For example this is likely to be an issue where larger operators or unanticipated high	That Council include provisions to require financial contributions (being land/money or both) for activities and subdivisions located in industrial and commercial zones. That Council undertake additional Section 32 analysis that demonstrates the rationale for the approach taken.	③

Section	Support/ Oppose/ Amend	Submission	Decision sought	Ref.
		<p>trip generator land uses occupy commercial or industrial land and are not required make financial contributions to mitigate their effects, resulting in the cost landing on the wider residential community. The proposed approach would mean that Council, as the decision-maker is not able to require consent holders to mitigate the effects of their developments by using financial contributions.</p> <p>Section 8.4 of the Section 32 analysis that states "There are large permitted activity generators of traffic in the Commercial and Industrial Zones that are likely to create the need for network improvements, and therefore financial contributions would be appropriate". However, the concern is that proposed changes (particularly in 11.6.1) that result from this Section 32 analysis are unclear. The specific Commercial and Industrial Zone activities that trigger financial contributions in 11.6.1 are a mix of permitted and discretionary activities and it is not clear how these activities were chosen over other activities or how they fit within the existing District Plan framework. For example service stations and depots are a permitted activity in the Industrial Zone while building and construction wholesalers and retailers (exceeding a gross area of 2,500m²) are discretionary in the Industrial Zone and both require</p>		

Section	Support/ Oppose/ Amend	Submission	Decision sought	Ref.
		<p>financial contributions calculated from an Integrated Transport Assessment. However, education facilities (also a discretionary activity in the Industrial zone, and likely to be a higher trip generator) and subdivision has not been included.</p> <p>This results an inconsistent District Plan framework as some existing permitted activities (that currently require no assessment or mitigation) will have to provide an Integrated Transport Assessment for the sole purpose of evaluating financial contributions, while other activities that may also result in increased transport effects do not have any requirement to be assessed for financial contributions.</p> <p>The Operative District Plan defines an Integrated Transport Assessment as a "Comprehensive review of all of the potential transport impacts of a development proposal...". We question whether this is the more effective method for working out the household equivalent for a financial contributions. An alternative method might be to focus on equivalent vehicle movements. Additionally, requiring an Integrated Transport Assessment for permitted activities complicates the existing District Plan framework, makes it uncertain for plan users, and has the potential to increase</p>		

Section	Support/ Oppose/ Amend	Submission	Decision sought	Ref.
		compliance costs to both developer and Council with limited gain.		

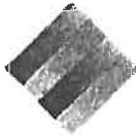
- a) This is a submission on Plan Change 73 Financial Contributions to the Western Bay of Plenty District Council.
- b) The Transport Agency could not gain an advantage in trade competition through this submission.
- c) The Transport Agency does wish to be heard in support of its submission.
- d) The Transport Agency does not wish to present joint evidence.



 Signed by Alistair Talbot
 Planning and Investment Manager BoP (Acting)
 Pursuant to the Authority of NZ Transport Agency

1 June 2016

 Date



District Plan Change 73 – Financial Contributions

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



Submissions close 4.00pm Friday 3 June 2016

Name:

Mr/Mrs/Ms/Miss

Organisation

Address for Service:

E-mail Address:

Telephone Number:

Lonay Properties Limited	
c/o Todd Whittaker	
11 Beech Court RDS	Post Code: 3175
Tauranga toddkat2016@gmail.com	
021 676377	
(home)	(work)

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

Yes No Please tick

Signed:

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

Date:

3/June/2016

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.

see attached

Name:

Submission Sheet No:

Specific Plan Change	Submission (State in summary your submission. Clearly indicate whether you support or oppose the provision or wish to have amendments made, giving reasons)	Decision Sought (Give precise details)	Submission Ref. No. Office Use Only
Example: PC 101	Support the provision of medium density housing in identified areas but seek the addition of a specific medium density area for Te Puke to give certainty to Te Puke residents that this area will be used for medium density development.	Add to the District Plan Maps for Te Puke an area for higher density development.	

Submission on Plan Change 73 – Financial Contributions

1: General Submission points.

The principle of Council applying appropriate and reasonable contributions for the upgrading of infrastructure is supported.

In addition, any system of charging contributions needs to be effective and simple to administer and be capable of being updated and implemented across development and infrastructure planning over the long term. We note that the application of financial contributions based on a per ha assessment will need to be recorded and applied to future development to avoid double counting. This will present some difficulties for implementation and may open the process up to manipulation as the lowest amount of financial contributions may be applied to the first round of subdivision/development to protect any future contributions from being applied. Council will need to be satisfied that this model can work effectively in terms of future demand on services.

④

Council will need to be satisfied that the appropriate mechanisms are in place to ensure that a fair and equity method of charging financial contributions is applied to current development and future development.

The provision for reductions and waivers (section 11.3 (d)) is not proposed to be amended however this seems to conflict with the new provisions which allow for specific assessment of the financial contributions through the resource consent process. It is considered appropriate that there is a mechanism through the resource consent process to consider and determine the appropriate level of contributions in line with specific resource consent and development proposals for all financial contribution levies.

②

Lomay Properties Limited has recently been granted an approval for a subdivision at Number 1 Road, Te Puke (see attached approved scheme plan). We have attempted to provide a range of lot sizes appropriate to the shape and size of the subject site. This has resulted in an average lot size (according to our assessment of the new rules) of 692m² which would lead to a higher financial contribution assessment than the existing regime. It is notable that the 'high' average takes into account the common access and if the access leg is excluded, then the average size of the lots including the existing house site (Lot 9) is 655m². The layout and size of the lots has been undertaken despite professional advice that we should be providing for larger lots and that the demand for sections in Te Puke is for larger sites than what we have proposed. The Council perspective of appropriate lot sizes that provide for a per ha average may therefore not be aligned with the market demand for sections as advised to us. This may then lead to a lower uptake of sections as there is disconnect with the Council planning and financial contribution policies and enabling development which meets a market demand.

③

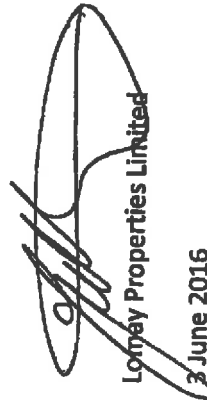
①

The quantum of financial contributions charged within WBOPDC is significantly more expensive than some other areas. While Council needs to ensure that infrastructure upgrades are undertaken and attributed to new growth as appropriate, developers may well compare the respective development costs including Council financial contributions as a disincentive to development which will result in lower development rates than what otherwise may have been projected. This will in turn have a negative effect on Council's projected financial contribution income.

⑤

2: Specific Submission Points

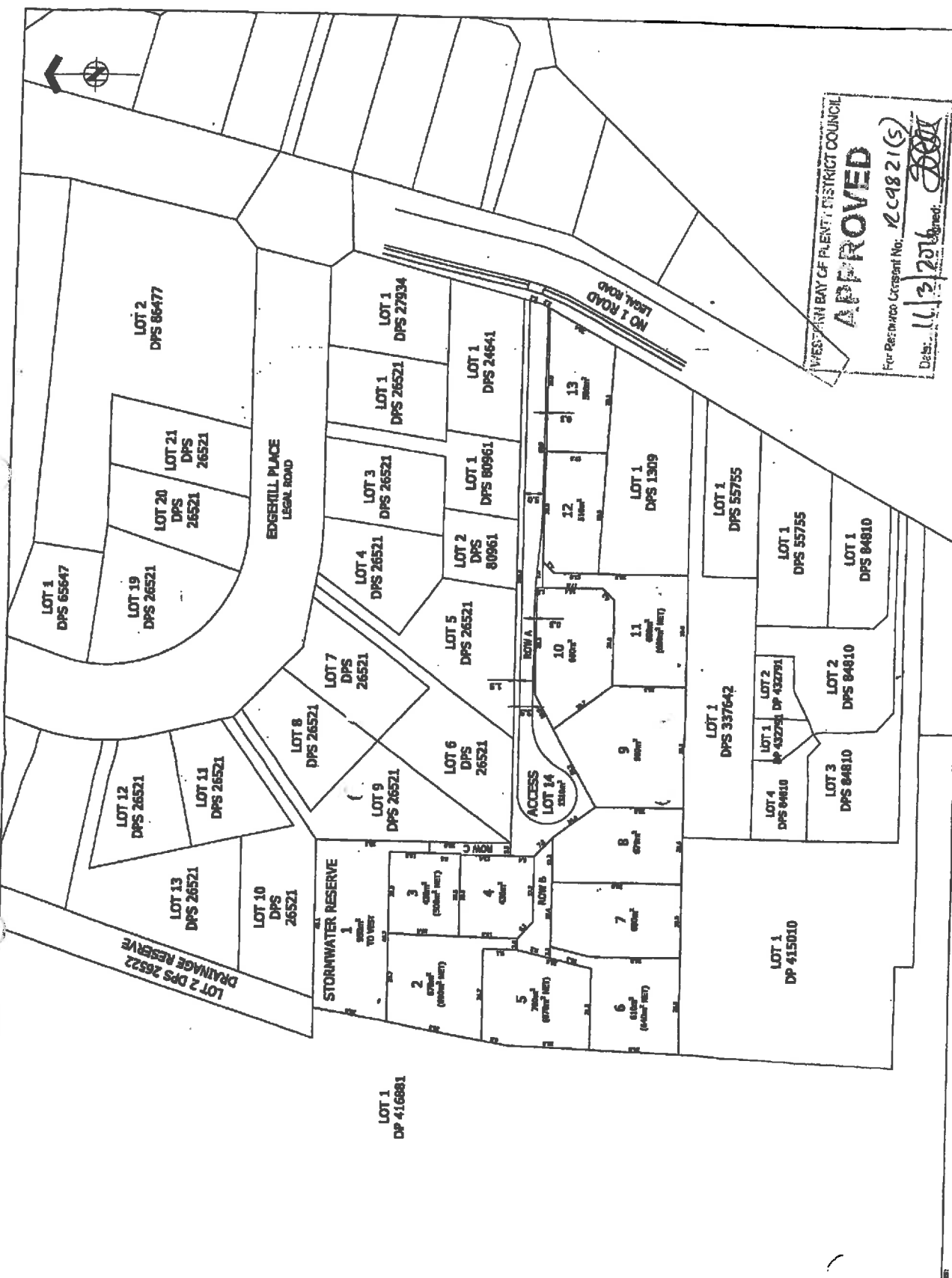
Specific Plan Change	Submission	Decision Sought	Submission Ref No.
Definition of Net Developable Area	<p>The definition includes reference to <i>geotechnically constrained</i>. In a number of situations, there will be geotechnical constraints on a site and these will be addressed by building line restrictions, consent notices for specific designs and/or specific recommendations on foundation design, ie mandatory pile foundation. The current definition will lead to some ambiguity as to what area is included and what is excluded. Also is the excluded area post development or pre development as in many cases the geotechnical constraints will be mitigated by site earthworks and geotechnical recommendations for future development.</p>	<p>Clarify in more precise terms the exclusion for areas that are <i>geotechnically constrained</i>.</p>	<p>6</p>
Rule 11.4.2, 11.6.4	<p>New provisions are proposed to recognise situations whereby on site methods are utilised to mitigate the effects of additional run off. These provisions are appropriate and necessary particularly in cases where Council's SW network does not have additional capacity.</p>	<p>Retain 11.4.2</p>	<p>7</p>
Various (HHE) area of 625m2	<p>While this average land area will not necessarily provide a practical average for all development sites, the 625m2 is a much superior standard than the earlier provision which was previously notified. This new average area should be maintained or increased.</p>	<p>Maintain or Increase the standard 625m2 area for a HHE.</p>	<p>8</p>


 Lomay Properties Limited
 3 June 2016

EXISTING TITLE	
DESCRIPTION	OR AREA
LOT 2 DRAINAGE RESERVE	1.4320ha
LOT 2 STORMWATER RESERVE TO WEST	0.4270ha
LOT 14 ACCESS LIP	0.4270ha
WORK	1.4320ha

SCHEDULE OF PROPOSED ENHANCEMENT	
REMARK	REMARK
A	1-43
A	0-42
B	0.427
C	1.432

AMALGAMATION CONDITION
 LOT 14 SHALL BE USED TO PROVIDE ACCESS TO THE PROPOSED SUBDIVISION AND SHALL BE AMALGAMATED WITH THE BALANCE OF LOT 14 AND THE STORMWATER RESERVE TO WEST.



APPROVED
 WEST TOWN BAY OF PLENTY DISTRICT COUNCIL
 For Part 1400 Consent No: 12C4821(S)
 Date: 11/3/2016
 (Signature)

PROPOSED SUBDIVISION OF LOT 2 DPS 1309 SCHEME PLAN	
OWNER LOWAY PROPERTIES LTD 17 NO 1 ROAD TE PUKE	FOR CONSENT NAME: JAMES AL NUMBER: 138875-RC100 DATE: 11/3/2016
CONSULTANT cds CIVIL DESIGN SERVICES LTD	PLAN NO 138875-RC100 REV: R2



**Western Bay of Plenty
District Council**

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Submission No

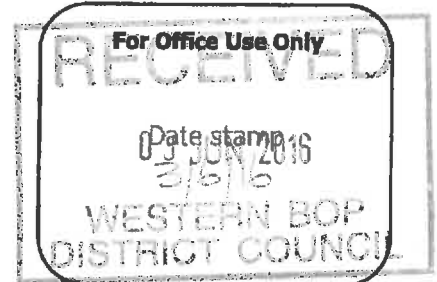
3

District Plan Change 73 – Financial Contributions

Submission Form

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



Submissions close 4.00pm Friday 3 June 2016

Name:

Mr/Mrs/Ms/Miss

Organisation

S & L Consultants Limited

Address for Service:

S & L Consultants Limited

P.O. Box 231, Tauranga

Post Code:
3140

E-mail Address:

jhexall@sltga.co.nz

Telephone Number:

07 577 6069

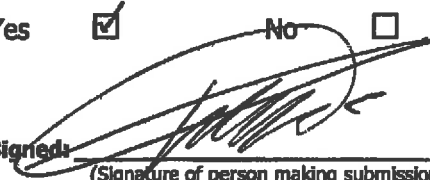
(home)

(work)

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

Yes No Please tick

Signed:


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

Date: 3 June 2015

Please use the reverse of this form for your submission

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Name: S & L Consultants Limited

Plan Change	Submission	Decision Sought	Submission Ref. No.
PC 73	Support the principle of reducing financial contributions to facilitate affordable housing	Ensure final FINCO rationale provides for a significant reduction of FINCO's.	①
PC 73	For clarity it is desirable to have planning maps clearly identifying which areas come within the urban growth areas specified.	Provide FINCO 'catchment' maps clearly identifying areas subject to different FINCO regimes.	②
PC 73	It would be useful to clearly show how the formula works to calculate actual FINCO's within the Plan. Although reasonably clear in the supporting documentation to ensure certainty of interpretation the formula should be explicitly stated for residential developments. For example the FINCO payable for a new lot is calculated by: Net lot size (developable land) /625xBase Area FINCO.	Provide formula/method to clearly demonstrate how FINCO's will be calculated. Oppose unless satisfactory.	③
PC 73 11.5.2 (ii)	To ensure that the intent is clear it would be useful to make explicit that the "additional lot" is only in regard to residential lots.	Amend 11.5.2 (ii) to read as follows: "Each additional lot <u>for residential purposes</u> or dwelling"	④
PC 73 11.5.2	The Proposed Plan Change states that: "Financial contributions for a subdivision with an average lot size smaller than 500m ² shall be determined by a special assessment". It is understood from discussion with Council staff that this is intended to be applicable to "Residential" zoned land only rather than "Medium Density" zoned land where the density is required to be less than 500m ² and the zoning has taken into consideration infrastructure requirements. This is not explicitly stated in the Plan Change.	Amend Section 11.5.2 to ensure that this provision does not apply to Medium Density zoned land. The second sentence should read: " <u>In the Residential Zone</u> , financial contributions for a subdivision with an average lot size smaller than 500m ²" Or words to that effect.	⑤
PC 73 11.5.2	The Proposed Plan Change states that: "Financial contributions for a subdivision with an average lot size smaller than 500m ² shall be determined by a special assessment". There is no obvious assessment criteria stated as to what the basis for the "special assessment" will be and it is unclear as to whether this changes the status of an application or how it is to be addressed. For infill subdivisions it is likely that they will often result in lots less than 500m ² and there needs to be greater certainty as to what FINCO quantum's will apply. These are unlikely to lead to any increased	Provide assessment criteria and clarify any implications to activity status. Exempt infill subdivision from special assessment requirements. Oppose unless satisfactory.	⑥

	pressure on infrastructure than already anticipated.		
PC 73	The Plan includes a definition for Net developable hectare which for the most part have been taken into consideration in the FINCO rules. However as currently written the method for calculating the applicable FINCO does not explicitly exclude "geotechnically constrained" land which may often be incorporated into lot areas. This results in the land area being 'inflated' and similarly the applicable FINCO charge.	Amend method to explicitly exclude geotechnically constrained land for purposes of calculation.	⑦
PC 73	The FINCO formula has been derived to give effect to a 12 lot per hectare yield basis. However there are situations where this density is being met but the formula results in a much higher FINCO than the 'current quantum' which is inconsistent with the intent. A FINCO 'ceiling' needs to be provided. These situations will be when the developments do not need to provide public roading and the lots on average will be larger than 625m ² . With larger lots these are likely to have better capacity for on-site stormwater management by having proportionally a larger area of pervious surfaces and less need for public reserve areas while still likely to generate the same effects on roading, water and sewerage systems as smaller sites. Although the general philosophy of a more compact urban footprint is supported it is still desirable to have a mix of urban form and there is a risk of a 'sameness' of design based on minimising FINCO costs.	Ensure that any development that meets the 12 lot per hectare of developable land basis has FINCO's that are no greater than the 'base' area FINCO.	⑧



Western Bay of Plenty
District Council

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Submission No

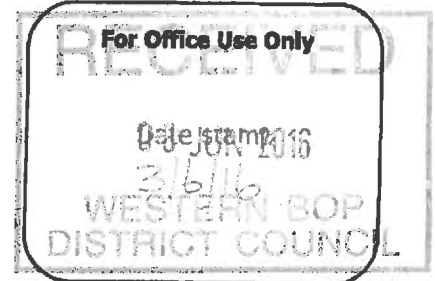
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Chief Executive Officer
Western Bay of Plenty District Council
Private Bag 12803
TAURANGA 3143



Submissions close 4.00pm Friday 3 June 2016

Name:

Mr/Mrs/Ms/Miss

Organisation

Address for Service:

E-mail Address:

Telephone Number:

Harrison Grierson

PO Box 1199 Tauranga

Attn: D Needham Post Code: 3140

d.needham@harrisongrierson.com

5780023

(home) (work)

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

Yes No Please tick

Signed:

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

Date:

3 June 2016

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).

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Specific Plan Change	Submission (State in summary your submission. Clearly indicate whether you support or oppose the provision or wish to have amendments made, giving reasons)	Decision Sought (Give precise details)	Submission Ref. No. Office Use Only
<p>Example: PC 101</p>	<p>Support the provision of medium density housing in identified areas but seek the addition of a specific medium density area for Te Puke to give certainty to Te Puke residents that this area will be used for medium density development.</p>	<p>Add to the District Plan Maps for Te Puke an area for higher density development.</p>	
	<p><i>see attached</i></p>		

Submission on Plan Change 73 – Financial Contributions**1: General Submission points.**

The principle of Council applying appropriate and reasonable contributions for the upgrading of infrastructure is supported. However any regime needs to be accountable and robust in how it is implemented including appropriate checks and balances to ensure that individual development proposals are not unduly affected by fees.

The financial contribution regime must enable the ability to assess and review the nature and type of any specific development proposal to ensure that there is ultimately a fair and reasonable nexus between the scale and nature of development and the financial contributions which may be levied.

In addition, any system of charging contributions needs to be effective and simple to administer and be capable of being updated and implemented across development and infrastructure planning over the long term.

2: Specific Submission Points

Specific Plan Change	Submission	Decision Sought	Submission Ref No.
Rule 11.4.2, 11.6.4	New provisions are proposed to recognise situations whereby on site methods are utilised to mitigate the effects of additional run off. These provisions are appropriate and necessary particularly in cases where Council's SW network does not have capacity.	Retain 11.4.2	①
Various	In some cases developers will undertake a staged subdivision to create land blocks designed for future subdivision, These blocks may be on sold to other developers. Financial Contributions should not be levied on 'development' blocks as this would artificially inflate the level of contributions on the initial stage of the subdivision which will not in itself provide the final development yield..	Provide a mechanism to exclude lots from paying a per ha contribution where the subdivision potential is reserved for a future stage. A land area threshold may be necessary to implement this rule, for example 1 ha.	②
Rule 11.5.3.2 Retirement Villages	<p>This rule provides a standard reduction from the FIFE for 1 and 2 bedroom units in a retirement village. This approach is supported and it is widely recognised that retirement units place a lower demand of infrastructure networks per unit than residential dwellings.</p> <p>However, it is considered that individual assessments should be undertaken based on the nature and type of retirement village which is proposed. Retirement villages will provide a range of villa/unit typologies ranging from 'lifestyle' units for young retirees right through to full medical care units.</p> <p>The plan provisions should therefore enable specific assessment of retirement village applications based on the actual scale and nature of villas and units proposed.</p>	That the rule be amended to enable specific assessment of retirement villages based on a cases by case assessment.	③



Western Bay of Plenty
District Council

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Submission No

5

District Plan Change 73 – Financial Contributions

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TAURANGA 3143



Submissions close 4.00pm Friday 3 June 2016

Name: MICHAEL KEMEYS & DUARNE LANKSHEAR.
Mr/Mrs/Ms/Miss

Organisation: VEROS PROPERTY PARTNERS.

Address for Service: PO BOX 324
TAURANGA Post Code: 3140

E-mail Address: michaelk@veros.co.nz duarne@veros.co.nz

Telephone Number: (home) 07 5799747 (work)

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

Yes No Please tick

Signed: [Signature] Date: 3/6/16
(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).

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3 June 2016

Western Bay of Plenty District Council
 1484 Cameron Road,
 Greerton, Tauranga

Attn: The Chief Executive

Re: Plan Change 73 – Submission

In regards to the Section 32 report on amendments made under Plan Change 73 to the policy for calculating and imposing Financial Contributions on development (with particular regard to subdivision) we make the following submission.

In general, we support Council's decision to review of financial contributions imposed on subdivision. The proposed plan change is a significant step in making development more affordable in the greater Western Bay region, however, we note the following. ①

1. The level of financial contributions proposed on subdivision remains excessive for conventional section sizes (500m² - 800m²) and constrains development in the region. ②
2. A per hectare (or similar) ratio with no controls encourages small lot subdivision and does not encourage diversity of section size. An implemented cap at a suitable level (\$25,000 per lot) would ensure the value difference does not prejudice section size. ③

For example under the proposal, Omokoroa has a potential contribution differential of \$23,850,

- the smallest allowable lot size of 350m² would incur a financial contribution of \$18,500
- the largest allowable lot size of 800m² would incur a financial contribution of \$42,350

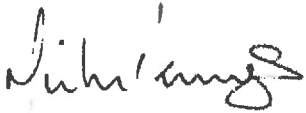
If a cap was implemented at \$25,000 per lot, the reduced differential is \$6,500 and is less of an impediment on section size diversity.

3. Financial Contributions should be split over subdivision and building consents. This is more reflective on actual or 'real' demand for infrastructure. ④
4. The table provided, at the end of the proposal, is complicated to follow. Under the proposal development is charged, more or less, on a per hectare ratio. However, the table is complex and results in a per square meter rate for developable area with no definition. It would be ⑤

simpler to understand and calculate if it was based on a value per developable hectare with the option to use a per lot value (i.e. \$25,000 as noted above). A definition for developable land would be required. This methodology would be consistent with modelling and does not assume development efficiency (net developable area), as this ranges significantly from development to development.

Again, we are supportive of Council in their endeavours to reduce development financial contributions. We are happy to discuss the included further with Council.

Yours sincerely,
Veros Property Partners



Michael Kemeys



Duarne Lankshear

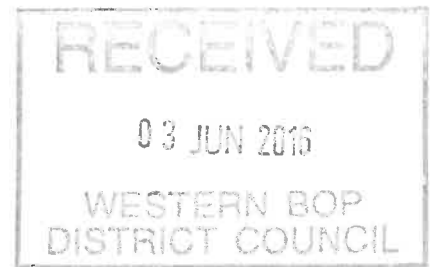
3/6/16

**SUBMISSION ON PROPOSED PLAN CHANGE UNDER CLAUSE 6 OF THE FIRST
SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

TO: Western Bay of Plenty District Council

SUBMISSION ON: Plan Change 73 to the Western Bay of Plenty District Plan

SUBMITTER: CHARLEY FARLEY LIMITED
C/: Aurecon Limited
PO Box 2292
Tauranga
Attention: Aaron Collier



Scope of submission

1. The specific provisions of the Proposed Plan Change to which this submission relates are Plan Change 73 in its entirety. Charley Farley Limited are developers and land owners in the urban growth area at Katikati. Charley Farley Limited is affected by the change to Council's financial contributions (FINCO's) as proposed by Plan Change 73.

Nature of submission

2. The nature of our submission is that we support the plan change which is appropriate. ①

Reasons for submission

3. The reasons for this submission are:
 - (a) That the Plan change:
 - (i) will promote the sustainable management of resources;
 - (ii) will achieve the purpose of the Resource Management Act 1991 ("the RMA");
 - (iii) is not contrary to Part 2 and other provisions of the RMA;
 - (iv) will meet the reasonably foreseeable needs of future generations by enabling growth at Omokoroa;
 - (v) will enable the social, economic and cultural well-being of the Omokoroa community;
 - (vi) represents the most appropriate means of exercising the Western Bay of Plenty District Councils District Council's ("Council")

functions, having regard to the efficiency and effectiveness of other available means and is therefore not appropriate in terms of section 32 and other provisions of the Act.

- (b) In particular, but without limiting the generality of the above, for those additional reasons set out below.
4. We support the Council for taking some positive action to reduce the level of roading contribution payable. Council's philosophical approach to infrastructure provision has been based on a "growth pays for growth" approach. Significant Infrastructure has been provided on the basis that the total cost of infrastructure would therefore be recovered using financial contributions under the Resource Management Act (RMA) from development at the time of subdivision. Because the entire cost of infrastructure is to be recovered, factors such as the affordability/quantum of FINCO's have not been considered to ensure that the levels of contributions are sustainable. We note that Plan Change 73 is the first time that Council have acknowledged this as a consideration in terms of its s.32 analysis.
 5. The Council's "growth provides for growth approach" requires reconsideration. Council should further review the rates funded component in the contribution schedule attached to the Plan Change to more fairly apportion additional costs to ratepayers. This is appropriate given that existing ratepayers and the overall Districts economy will benefit from the growth and the improved infrastructure it creates. Currently the District Rates contribution in the schedule is insufficient.
 6. An issue is that there is still a significant imbalance in the "cost" of developing a section between Tauranga City and the Western Bay of Plenty District. Until this cost imbalance is corrected and the cost to produce a section in the District is on par with Tauranga, the growth of Katikati will continue to struggle when Tauranga is a more affordable alternative. ②
 7. Although the quantum of FINCO's payable per lot is proposed to be reduced under Plan Change 73, the timing applied to the payment will continue to have a significant impact on the number of sections created. In addition to the options considered, Council should consider the option of changes to the charging mechanisms in the context of this timing of charging. This includes partial deferral of payment to the building consent for dwellings as currently undertaken by Tauranga City Council. This will act to reduce the front end cost to subdividers. It will stimulate and increase the supply of sections and subsequent cash flow recovery for Council. We seek that this further option is considered and incorporated in the timing of charging. ④
 8. Currently FINCOs at Katikati are charged on a per-lot/per-dwelling basis, so costs are allocated on the basis of a dwelling unit equivalent. We support the option of charging on a per-hectare approach to divide the cost of servicing across an area of land instead of on a per-lot basis. This approach minimises the risk of under collection, results in an incentive for intensification and increased yield (with FINCOs a fixed cost for developers) and aligns with the primary cost driver for infrastructure which is ultimately based on an area of land to be serviced. We support this being incorporated in the Plan Change.
 9. Infrastructure costs are determined largely through the Council's structure planning process. The Katikati structure plans identify infrastructure to be provided and its costs, and apportions the cost through the FINCO model. Structure plans have the potential to be reviewed through the District Plan process to determine the need and "full" extent of infrastructure to be provided. Plan Change 73 has shown that the ③

removal of large items can have a significant effect on costs (i.e. Hamarana Road). The review of further aspects of the Katikati structure plans, including stormwater infrastructure requirements is seen as a critical consideration for further reducing overall and unsustainable infrastructure costs. Further infrastructure not required or necessary to service development at Katikati should be removed. Plan provisions need to be incorporated to allow for credits to be issued in instances where earlier stages of development have resulted in the collection of FINCOS for infrastructure (land or works) no longer scheduled in the District Plan or proposed. We seek that Council considers amendments to address the above and clarifies what other changes were considered to reduce the level of reserve and stormwater contributions at Katikati.

Decision sought

10. The decision sought from the local authority is that the plan change be approved, with:
 - (a) amendments to address the submitters concerns set out above.
 - (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.
11. We wish to be heard in support of our submission.
12. If others make a similar submission, we are prepared to consider presenting a joint case with them at any hearing.

**AARON COLLIER****Date:** 3 June 2016**Address for Service:**
Charley Farley Limited
C/: Aurecon Limited
PO Box 2292
Tauranga
Attention: Aaron Collier

3/6/16

**SUBMISSION ON PROPOSED PLAN CHANGE UNDER CLAUSE 6 OF THE FIRST
SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

TO: Western Bay of Plenty District Council

SUBMISSION ON: Plan Change 73 to the Western Bay of Plenty District Plan

SUBMITTER: OMOKOROA DEVELOPMENTS LIMITED
C/: Aurecon Limited
PO Box 2292
Tauranga
Attention: Aaron Collier



Scope of submission

1. The specific provisions of the Proposed Plan Change to which this submission relates are Plan Change 73 in its entirety. Omokoroa Developments Limited are developers and land owners in the urban growth area at Omokoroa. Omokoroa Developments Limited are affected by the change to Council's financial contributions (FINCO's) as proposed by Plan Change 73.

Nature of submission

2. The nature of our submission is that we support the plan change which is appropriate. ①

Reasons for submission

3. The reasons for this submission are:
 - (a) That the Plan change:
 - (i) will promote the sustainable management of resources;
 - (ii) will achieve the purpose of the Resource Management Act 1991 ("the RMA");
 - (iii) is not contrary to Part 2 and other provisions of the RMA;
 - (iv) will meet the reasonably foreseeable needs of future generations by enabling growth at Omokoroa;
 - (v) will enable the social, economic and cultural well-being of the Omokoroa community;
 - (vi) represents the most appropriate means of exercising the Western Bay of Plenty District Councils District Council's ("Council")

functions, having regard to the efficiency and effectiveness of other available means and is therefore not appropriate in terms of section 32 and other provisions of the Act.

- (b) In particular, but without limiting the generality of the above, for those additional reasons set out below.
4. We support the Council for taking some positive action to reduce the level of roading contribution payable. Council's philosophical approach to infrastructure provision has been based on a "growth pays for growth" approach. Significant Infrastructure has been provided on the basis that the total cost of infrastructure would therefore be recovered using financial contributions under the Resource Management Act (RMA) from development at the time of subdivision. Because the entire cost of infrastructure is to be recovered, factors such as the affordability/quantum of FINCO's have not been considered to ensure that the levels of contributions are sustainable. We note that Plan Change 73 is the first time that Council have acknowledged this as a consideration in terms of its s.32 analysis.
 5. The Council's "growth provides for growth approach" requires reconsideration. Although Council have significantly reduced the level of roading infrastructure provided through changes to the Omokoroa Structure Plan (Hamurana Road), Council should further review the rates funded component in the contribution schedule attached to the Plan Change to more fairly apportion additional costs to ratepayers. This is appropriate given that existing ratepayers and the overall Districts economy will benefit from the growth and the improved infrastructure it creates. Currently the District Rates contribution in the schedule is insufficient.
 6. An issue is that there is still a significant imbalance in the "cost" of developing a section between Tauranga City and the Western Bay of Plenty District. Until this cost imbalance is corrected and the cost to produce a section in the District is on par with Tauranga, the growth of Omokoroa will continue to struggle when Tauranga is a more affordable alternative. (2)
 7. Although the quantum of FINCO's payable per lot is proposed to be reduced under Plan Change 73, the timing applied to the payment will continue to have a significant impact on the number of sections created. In addition to the options considered, Council should consider the option of changes to the charging mechanisms in the context of this timing of charging. This includes partial deferral of payment to the building consent for dwellings as currently undertaken by Tauranga City Council. This will act to reduce the front end cost to subdividers. It will stimulate and increase the supply of sections and subsequent cash flow recovery for Council. We seek that this further option is considered and incorporated in the timing of charging. (4)
 8. Currently FINCOs at Omokoroa are charged on a per-lot/per-dwelling basis, so costs are allocated on the basis of a dwelling unit equivalent. We support the option of charging on a per-hectare approach to divide the cost of servicing across an area of land instead of on a per-lot basis. This approach minimises the risk of under collection, results in an incentive for intensification and increased yield (with FINCOs a fixed cost for developers) and aligns with the primary cost driver for infrastructure which is ultimately based on an area of land to be serviced. We support this being incorporated in the Plan Change.
 9. Infrastructure costs are determined largely through the Council's structure planning process. The Omokoroa structure plans identify infrastructure to be provided and its costs, and apportions the cost through the FINCO model. Structure plans have the (3)

potential to be reviewed through the District Plan process to determine the need and "full" extent of infrastructure to be provided. Plan Change 73 has shown that the removal of large items can have a significant effect on costs (i.e. Hamarana Road). The review of further aspects of the Omokoroa structure plans, including stormwater infrastructure requirements is seen as a critical consideration for further reducing overall and unsustainable infrastructure costs. Further infrastructure not required or necessary to service development at Omokoroa should be removed. Plan provisions need to be incorporated to allow for credits to be issued in instances where earlier stages of development have resulted in the collection of FINCOS for infrastructure (land or works) no longer scheduled in the District Plan or proposed. We seek that Council considers amendments to address the above and clarifies what other changes were considered to reduce the level of reserve and stormwater contributions at Omokoroa.

Decision sought

10. The decision sought from the local authority is that the plan change be approved, with:
 - (a) amendments to address the submitters concerns set out above.
 - (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.
11. We wish to be heard in support of our submission.
12. If others make a similar submission, we are prepared to consider presenting a joint case with them at any hearing.



AARON COLLIER

Date: 3 June 2016

Address for Service:
Omokoroa Developments Limited
C/: Aurecon NZ Limited
PO Box 2292
Tauranga
Attention: Aaron Collier / Peter Cooney

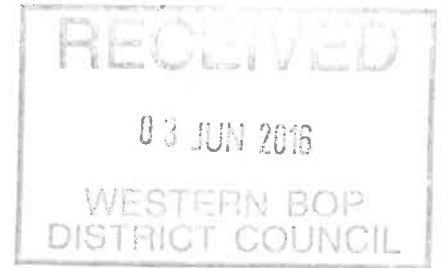
3/6/16

**SUBMISSION ON PROPOSED PLAN CHANGE UNDER CLAUSE 6 OF THE FIRST
SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

TO: Western Bay of Plenty District Council

SUBMISSION ON: Plan Change 73 to the Western Bay of Plenty District Plan

SUBMITTER: THE GRANGE JV AND AXION LIMITED
C/: Aurecon Limited
PO Box 2292
Tauranga
Attention: Aaron Collier



Scope of submission

1. The specific provisions of the Proposed Plan Change to which this submission relates are Plan Change 73 in its entirety. The Grange JV and Axiom Limited are developers and land owners in the urban growth area at Omokoroa. The Grange JV and Axiom Limited are affected by the change to Council's financial contributions (FINCO's) as proposed by Plan Change 73.

Nature of submission

2. The nature of our submission is that we support the plan change which is appropriate. ①

Reasons for submission

3. The reasons for this submission are:

- (a) That the Plan change:
 - (i) will promote the sustainable management of resources;
 - (ii) will achieve the purpose of the Resource Management Act 1991 ("the RMA");
 - (iii) is not contrary to Part 2 and other provisions of the RMA;
 - (iv) will meet the reasonably foreseeable needs of future generations by enabling growth at Omokoroa;
 - (v) will enable the social, economic and cultural well-being of the Omokoroa community;
 - (vi) represents the most appropriate means of exercising the Western Bay of Plenty District Councils District Council's ("Council")

functions, having regard to the efficiency and effectiveness of other available means and is therefore not appropriate in terms of section 32 and other provisions of the Act.

- (b) In particular, but without limiting the generality of the above, for those additional reasons set out below.
4. We support the Council for taking some positive action to reduce the level of roading contribution payable. Council's philosophical approach to infrastructure provision has been based on a "growth pays for growth" approach. Significant Infrastructure has been provided on the basis that the total cost of infrastructure would therefore be recovered using financial contributions under the Resource Management Act (RMA) from development at the time of subdivision. Because the entire cost of infrastructure is to be recovered, factors such as the affordability/quantum of FINCO's have not been considered to ensure that the levels of contributions are sustainable. We note that Plan Change 73 is the first time that Council have acknowledged this as a consideration in terms of its s.32 analysis.
 5. The Council's "growth provides for growth approach" requires reconsideration. Although Council have significantly reduced the level of roading infrastructure provided through changes to the Omokoroa Structure Plan (Hamurana Road), Council should further review the rates funded component in the contribution schedule attached to the Plan Change to more fairly apportion additional costs to ratepayers. This is appropriate given that existing ratepayers and the overall Districts economy will benefit from the growth and the improved infrastructure it creates. Currently the District Rates contribution in the schedule is insufficient.
 6. An issue is that there is still a significant imbalance in the "cost" of developing a section between Tauranga City and the Western Bay of Plenty District. Until this cost imbalance is corrected and the cost to produce a section in the District is on par with Tauranga, the growth of Omokoroa will continue to struggle when Tauranga is a more affordable alternative. ②
 7. Although the quantum of FINCO's payable per lot is proposed to be reduced under Plan Change 73, the timing applied to the payment will continue to have a significant impact on the number of sections created. In addition to the options considered, Council should consider the option of changes to the charging mechanisms in the context of this timing of charging. This includes partial deferral of payment to the building consent for dwellings as currently undertaken by Tauranga City Council. This will act to reduce the front end cost to subdividers. It will stimulate and increase the supply of sections and subsequent cash flow recovery for Council. We seek that this further option is considered and incorporated in the timing of charging. ④
 8. Currently FINCOs at Omokoroa are charged on a per-lot/per-dwelling basis, so costs are allocated on the basis of a dwelling unit equivalent. We support the option of charging on a per-hectare approach to divide the cost of servicing across an area of land instead of on a per-lot basis. This approach minimises the risk of under collection, results in an incentive for intensification and increased yield (with FINCOs a fixed cost for developers) and aligns with the primary cost driver for infrastructure which is ultimately based on an area of land to be serviced. We support this being incorporated in the Plan Change.
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potential to be reviewed through the District Plan process to determine the need and "full" extent of infrastructure to be provided. Plan Change 73 has shown that the removal of large items can have a significant effect on costs (i.e. Hamarana Road). The review of further aspects of the Omokoroa structure plans, including stormwater infrastructure requirements is seen as a critical consideration for further reducing overall and unsustainable infrastructure costs. Further infrastructure not required or necessary to service development at Omokoroa should be removed. Plan provisions need to be incorporated to allow for credits to be issued in instances where earlier stages of development have resulted in the collection of FINCOS for infrastructure (land or works) no longer scheduled in the District Plan or proposed. We seek that Council considers amendments to address the above and clarifies what other changes were considered to reduce the level of reserve and stormwater contributions at Omokoroa.

Decision sought

10. The decision sought from the local authority is that the plan change be approved, with:
 - (a) amendments to address the submitters concerns set out above.
 - (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.
11. We wish to be heard in support of our submission.
12. If others make a similar submission, we are prepared to consider presenting a joint case with them at any hearing.



AARON COLLIER

Date: 3 June 2016

Address for Service:

The Grange JV and Axiom Limited
C/: Aurecon NZ Limited
PO Box 2292
Tauranga
Attention: Aaron Collier / Peter Cooney



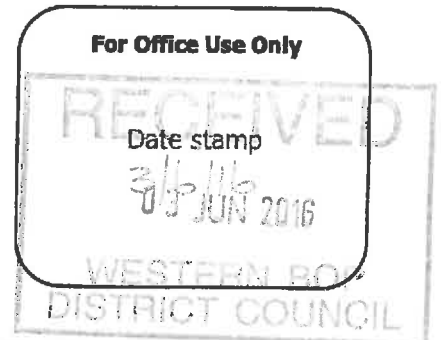
District Plan Change 73 – Financial Contributions

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



Submissions close 4.00pm Friday 3 June 2016

Name:

Mr/Mrs/Ms/Miss

Organisation

Neil Construction Limited

Address for Service:

c/- S & L Consultants Limited

P.O. Box 231, Tauranga

Post Code:
3140

E-mail Address:

jhextall@sltga.co.nz

Telephone Number:

07 577 6069

(home)

(work)

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

Yes



No



Please tick

Signed:

on behalf

Date: 3 June 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.

Name: Neil Construction Limited

Plan Change	Submission	Decision Sought	Submission Ref. No
PC 73	Support the principle of reducing financial contributions to facilitate affordable housing	Ensure final FINCO rationale provides for a significant reduction of FINCO's.	①
PC 73	<p>It would be useful to clearly show how the formula works to calculate actual FINCO's within the Plan. Although reasonably clear in the supporting documentation to ensure certainty of interpretation the formula should be explicitly stated for residential developments.</p> <p>For example the FINCO payable for a new lot is calculated by: Net lot size (developable land) /625xBase Area FINCO.</p>	Provide formula/method to clearly demonstrate how FINCO's will be calculated. Oppose unless satisfactory.	②
PC 73 11.5.2 (ii)	To ensure that the intent is clear it would be useful to make explicit that the "additional lot" is only in regard to residential lots.	Amend 11.5.2 (ii) to read as follows: "Each additional lot for <u>residential purposes</u> or dwelling"	③
PC 73 11.5.2	The Proposed Plan Change states that: "Financial contributions for a subdivision with an average lot size smaller than 500m ² shall be determined by a special assessment". It is understood from discussion with Council staff that this is intended to be applicable to "Residential" zoned land only rather than "Medium Density" zoned land where the density is required to be less than 500m ² and the zoning has taken into consideration Infrastructure requirements. This is not explicitly stated in the Plan Change.	Amend Section 11.5.2 to ensure that this provision does not apply to Medium Density zoned land. The second sentence should read: " <u>In the Residential Zone</u> , financial contributions for a subdivision with an average lot size smaller than 500m ²" Or words to that effect.	④
PC 73 11.5.2	The Proposed Plan Change states that: "Financial contributions for a subdivision with an average lot size smaller than 500m ² shall be determined by a special assessment". There is no obvious assessment criteria stated as to what the basis for the "special assessment" will be and it is unclear as to whether this changes the status of an application or how it is to be addressed.	Provide assessment criteria and clarify any implications to activity status. Oppose unless satisfactory.	⑤
PC 73	The Plan includes a definition for Net developable hectare which for the most part have been taken into consideration in the FINCO rules. However as currently written the method for calculating the applicable FINCO does not explicitly exclude "geotechnically constrained" land which may often be incorporated into lot areas. This results in the land area being 'inflated' and similarly the applicable FINCO charge.	Amend method to explicitly exclude geotechnically constrained land for purposes of calculation.	⑥

3/6/16

**SUBMISSION ON PROPOSED PLAN CHANGE UNDER CLAUSE 6 OF THE FIRST
SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

TO: Western Bay of Plenty District Council

SUBMISSION ON: Plan Change 73 to the Western Bay of Plenty District Plan

SUBMITTER: ACCO BUILDING LIMITED
C/: Aurecon Limited
PO Box 2292
Tauranga
Attention: Aaron Collier



Scope of submission

1. The specific provisions of the Proposed Plan Change to which this submission relates are Plan Change 73 in its entirety. Acco Building Limited are developers and land owners in the urban growth area at Katikati. Acco Building Limited is affected by the change to Council's financial contributions (FINCO's) as proposed by Plan Change 73.

Nature of submission

2. The nature of our submission is that we support the plan change which is (1) appropriate.

Reasons for submission

3. The reasons for this submission are:

(a) That the Plan change:

- (i) will promote the sustainable management of resources;
- (ii) will achieve the purpose of the Resource Management Act 1991 ("the RMA");
- (iii) is not contrary to Part 2 and other provisions of the RMA;
- (iv) will meet the reasonably foreseeable needs of future generations by enabling growth at Omokoroa;
- (v) will enable the social, economic and cultural well-being of the Omokoroa community;
- (vi) represents the most appropriate means of exercising the Western Bay of Plenty District Councils District Council's ("Council")

functions, having regard to the efficiency and effectiveness of other available means and is therefore not appropriate in terms of section 32 and other provisions of the Act.

- (b) In particular, but without limiting the generality of the above, for those additional reasons set out below.
4. We support the Council for taking some positive action to reduce the level of roading contribution payable. Council's philosophical approach to infrastructure provision has been based on a "growth pays for growth" approach. Significant Infrastructure has been provided on the basis that the total cost of infrastructure would therefore be recovered using financial contributions under the Resource Management Act (RMA) from development at the time of subdivision. Because the entire cost of infrastructure is to be recovered, factors such as the affordability/quantum of FINCO's have not been considered to ensure that the levels of contributions are sustainable. We note that Plan Change 73 is the first time that Council have acknowledged this as a consideration in terms of its s.32 analysis.
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 6. An issue is that there is still a significant imbalance in the "cost" of developing a section between Tauranga City and the Western Bay of Plenty District. Until this cost imbalance is corrected and the cost to produce a section in the District is on par with Tauranga, the growth of Katikati will continue to struggle when Tauranga is a more affordable alternative. ②
 7. Although the quantum of FINCO's payable per lot is proposed to be reduced under Plan Change 73, the timing applied to the payment will continue to have a significant impact on the number of sections created. In addition to the options considered, Council should consider the option of changes to the charging mechanisms in the context of this timing of charging. This includes partial deferral of payment to the building consent for dwellings as currently undertaken by Tauranga City Council. This will act to reduce the front end cost to subdividers. It will stimulate and increase the supply of sections and subsequent cash flow recovery for Council. We seek that this further option is considered and incorporated in the timing of charging. ④
 8. Currently FINCOs at Katikati are charged on a per-lot/per-dwelling basis, so costs are allocated on the basis of a dwelling unit equivalent. We support the option of charging on a per-hectare approach to divide the cost of servicing across an area of land instead of on a per-lot basis. This approach minimises the risk of under collection, results in an incentive for intensification and increased yield (with FINCOs a fixed cost for developers) and aligns with the primary cost driver for infrastructure which is ultimately based on an area of land to be serviced. We support this being incorporated in the Plan Change.
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removal of large items can have a significant effect on costs (i.e. Hamarana Road). The review of further aspects of the Katikati structure plans, including stormwater infrastructure requirements is seen as a critical consideration for further reducing overall and unsustainable infrastructure costs. Further infrastructure not required or necessary to service development at Katikati should be removed. Plan provisions need to be incorporated to allow for credits to be issued in instances where earlier stages of development have resulted in the collection of FINCOS for infrastructure (land or works) no longer scheduled in the District Plan or proposed. We seek that Council considers amendments to address the above and clarifies what other changes were considered to reduce the level of reserve and stormwater contributions at Katikati.

Decision sought

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 - (a) amendments to address the submitters concerns set out above.
 - (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.
11. We wish to be heard in support of our submission.
12. If others make a similar submission, we are prepared to consider presenting a joint case with them at any hearing.



AARON COLLIER

Date: 3 June 2016

Address for Service:
Acco Building Limited
C/: Aurecon Limited
PO Box 2292
Tauranga
Attention: Aaron Collier

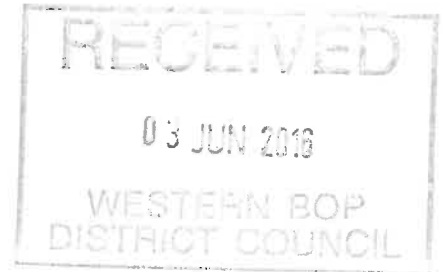
3/6/16

**SUBMISSION ON PROPOSED PLAN CHANGE UNDER CLAUSE 6 OF THE FIRST
SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

TO: Western Bay of Plenty District Council

SUBMISSION ON: Plan Change 73 to the Western Bay of Plenty District Plan

SUBMITTER: CLASSIC GROUP LIMITED
C/: Aurecon Limited
PO Box 2292
Tauranga
Attention: Aaron Collier / Peter Cooney



Scope of submission

1. The specific provisions of the Proposed Plan Change to which this submission relates are Plan Change 73 in its entirety. Classic Group Limited are developers and land owners in the urban growth area at Omokoroa. Classic Group Limited is affected by the change to Council's financial contributions (FINCO's) as proposed by Plan Change 73.

Nature of submission

2. The nature of our submission is that we support the plan change which is appropriate. ①

Reasons for submission

3. The reasons for this submission are:
 - (a) That the Plan change:
 - (i) will promote the sustainable management of resources;
 - (ii) will achieve the purpose of the Resource Management Act 1991 ("the RMA");
 - (iii) is not contrary to Part 2 and other provisions of the RMA;
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functions, having regard to the efficiency and effectiveness of other available means and is therefore not appropriate in terms of section 32 and other provisions of the Act.

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 7. Although the quantum of FINCO's payable per lot is proposed to be reduced under Plan Change 73, the timing applied to the payment will continue to have a significant impact on the number of sections created. In addition to the options considered, Council should consider the option of changes to the charging mechanisms in the context of this timing of charging. This includes partial deferral of payment to the building consent for dwellings as currently undertaken by Tauranga City Council. This will act to reduce the front end cost to subdividers. It will stimulate and increase the supply of sections and subsequent cash flow recovery for Council. We seek that this further option is considered and incorporated in the timing of charging. (4)
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 9. Infrastructure costs are determined largely through the Council's structure planning process. The Omokoroa structure plans identify infrastructure to be provided and its costs, and apportions the cost through the FINCO model. Structure plans have the (3)

potential to be reviewed through the District Plan process to determine the need and "full" extent of infrastructure to be provided. Plan Change 73 has shown that the removal of large items can have a significant effect on costs (i.e. Hamarana Road). The review of further aspects of the Omokoroa structure plans, including stormwater infrastructure requirements is seen as a critical consideration for further reducing overall and unsustainable infrastructure costs. Further infrastructure not required or necessary to service development at Omokoroa should be removed. Plan provisions need to be incorporated to allow for credits to be issued in instances where earlier stages of development have resulted in the collection of FINCOS for infrastructure (land or works) no longer scheduled in the District Plan or proposed. We seek that Council considers amendments to address the above and clarifies what other changes were considered to reduce the level of reserve and stormwater contributions at Omokoroa.

Decision sought

10. The decision sought from the local authority is that the plan change be approved, with:
 - (a) amendments to address the submitters concerns set out above.
 - (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.
11. We wish to be heard in support of our submission.
12. If others make a similar submission, we are prepared to consider presenting a joint case with them at any hearing.

**AARON COLLIER****Date:** 3 June 2016**Address for Service:**

Classic Group Limited
C/: Aurecon NZ Limited
PO Box 2292
Tauranga
Attention: Aaron Collier / Peter Cooney

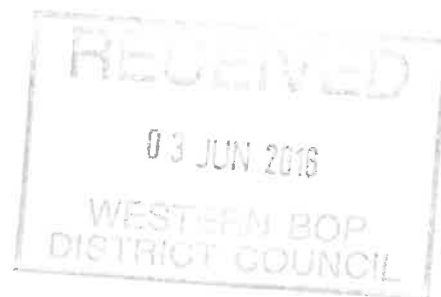
2/6/16

SUBMISSION ON PROPOSED PLAN CHANGE UNDER CLAUSE 6 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991

TO: Western Bay of Plenty District Council

SUBMISSION ON: Plan Change 73 to the Western Bay of Plenty District Plan

SUBMITTER: DORR BELL LIMITED
C/: Aurecon Limited
PO Box 2292
Tauranga
Attention: Aaron Collier



Scope of submission

1. The specific provisions of the Proposed Plan Change to which this submission relates are Plan Change 73 in its entirety. Dorr Bell Limited are developers and land owners in the urban growth area at Te Puke. Dorr Bell Limited is affected by the change to Council's financial contributions (FINCO's) as proposed by Plan Change 73.

Nature of submission

2. The nature of our submission is that we support the plan change which is appropriate. ①

Reasons for submission

3. The reasons for this submission are:
 - (a) That the Plan change:
 - (i) will promote the sustainable management of resources;
 - (ii) will achieve the purpose of the Resource Management Act 1991 ("the RMA");
 - (iii) is not contrary to Part 2 and other provisions of the RMA;
 - (iv) will meet the reasonably foreseeable needs of future generations by enabling growth at Omokoroa;
 - (v) will enable the social, economic and cultural well-being of the Omokoroa community;
 - (vi) represents the most appropriate means of exercising the Western Bay of Plenty District Councils District Council's ("Council")

functions, having regard to the efficiency and effectiveness of other available means and is therefore not appropriate in terms of section 32 and other provisions of the Act.

- (b) In particular, but without limiting the generality of the above, for those additional reasons set out below.
4. We support the Council for taking some positive action to reduce the level of roading contribution payable. Council's philosophical approach to infrastructure provision has been based on a "growth pays for growth" approach. Significant Infrastructure has been provided on the basis that the total cost of infrastructure would therefore be recovered using financial contributions under the Resource Management Act (RMA) from development at the time of subdivision. Because the entire cost of infrastructure is to be recovered, factors such as the affordability/quantum of FINCO's have not been considered to ensure that the levels of contributions are sustainable. We note that Plan Change 73 is the first time that Council have acknowledged this as a consideration in terms of its s.32 analysis.
 5. The Council's "growth provides for growth approach" requires reconsideration. Council should further review the rates funded component in the contribution schedule attached to the Plan Change to more fairly apportion additional costs to ratepayers. This is appropriate given that existing ratepayers and the overall Districts economy will benefit from the growth and the improved infrastructure it creates. Currently the District Rates contribution in the schedule is insufficient.
 6. An issue is that there is still a significant imbalance in the "cost" of developing a section between Tauranga City and the Western Bay of Plenty District. Until this cost imbalance is corrected and the cost to produce a section in the District is on par with Tauranga, the growth of Te Puke will continue to struggle when Tauranga is a more affordable alternative. ②
 7. Although the quantum of FINCO's payable per lot is proposed to be reduced under Plan Change 73, the timing applied to the payment will continue to have a significant impact on the number of sections created. In addition to the options considered, Council should consider the option of changes to the charging mechanisms in the context of this timing of charging. This includes partial deferral of payment to the building consent for dwellings as currently undertaken by Tauranga City Council. This will act to reduce the front end cost to subdividers. It will stimulate and increase the supply of sections and subsequent cash flow recovery for Council. We seek that this further option is considered and incorporated in the timing of charging. ④
 8. Currently FINCOs at Te Puke are charged on a per-lot/per-dwelling basis, so costs are allocated on the basis of a dwelling unit equivalent. We support the option of charging on a per-hectare approach to divide the cost of servicing across an area of land instead of on a per-lot basis. This approach minimises the risk of under collection, results in an incentive for intensification and increased yield (with FINCOs a fixed cost for developers) and aligns with the primary cost driver for infrastructure which is ultimately based on an area of land to be serviced. We support this being incorporated in the Plan Change.
 9. Infrastructure costs are determined largely through the Council's structure planning process. The Te Puke structure plans identify infrastructure to be provided and its costs, and apportion the cost through the FINCO model. Structure plans have the potential to be reviewed through the District Plan process to determine the need and "full" extent of infrastructure to be provided. Plan Change 73 has shown that the ③

removal of large items can have a significant effect on costs (i.e. Hamarana Road). The review of further aspects of the Te Puke structure plans, including stormwater infrastructure requirements is seen as a critical consideration for further reducing overall and unsustainable infrastructure costs. Further infrastructure not required or necessary to service development at Te Puke should be removed. Plan provisions need to be incorporated to allow for credits to be issued in instances where earlier stages of development have resulted in the collection of FINCOS for infrastructure (land or works) no longer scheduled in the District Plan or proposed. We seek that Council considers amendments to address the above and clarifies what other changes were considered to reduce the level of reserve and stormwater contributions at Te Puke.

Decision sought

10. The decision sought from the local authority is that the plan change be approved, with:
 - (a) amendments to address the submitters concerns set out above.
 - (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.
11. We wish to be heard in support of our submission.
12. If others make a similar submission, we are prepared to consider presenting a joint case with them at any hearing.

**AARON COLLIER****Date:** 3 June 2016**Address for Service:**

Dorr Bell Limited

C/: Aurecon Limited

PO Box 2292

Tauranga

Attention: Aaron Collier

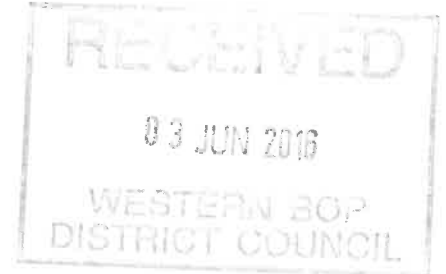
3/6/16

**SUBMISSION ON PROPOSED PLAN CHANGE UNDER CLAUSE 6 OF THE FIRST
SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

TO: Western Bay of Plenty District Council

SUBMISSION ON: Plan Change 73 to the Western Bay of Plenty District Plan

SUBMITTER: BILL YOUNG
C/: Aurecon Limited
PO Box 2292
Tauranga
Attention: Aaron Collier



Scope of submission

1. The specific provisions of the Proposed Plan Change to which this submission relates are Plan Change 73 in its entirety. Bill Young is a developer and land owner in the urban growth area at Waihi Beach. Bill Young is affected by the change to Council's financial contributions (FINCO's) as proposed by Plan Change 73.

Nature of submission

2. The nature of our submission is that we support the plan change which is appropriate.

Reasons for submission

3. The reasons for this submission are:

(a) That the Plan change:

- (i) will promote the sustainable management of resources;
- (ii) will achieve the purpose of the Resource Management Act 1991 ("the RMA");
- (iii) is not contrary to Part 2 and other provisions of the RMA;
- (iv) will meet the reasonably foreseeable needs of future generations by enabling growth at Omokoroa;
- (v) will enable the social, economic and cultural well-being of the Omokoroa community;
- (vi) represents the most appropriate means of exercising the Western Bay of Plenty District Councils District Council's ("Council") functions, having regard to the efficiency and effectiveness of other available means and is therefore not appropriate in terms of section 32 and other provisions of the Act.

①

- (b) In particular, but without limiting the generality of the above, for those additional reasons set out below.
4. We support the Council for taking some positive action to reduce the level of roading contribution payable. Council's philosophical approach to infrastructure provision has been based on a "growth pays for growth" approach. Significant Infrastructure has been provided on the basis that the total cost of infrastructure would therefore be recovered using financial contributions under the Resource Management Act (RMA) from development at the time of subdivision. Because the entire cost of infrastructure is to be recovered, factors such as the affordability/quantum of FINCO's have not been considered to ensure that the levels of contributions are sustainable. We note that Plan Change 73 is the first time that Council have acknowledged this as a consideration in terms of its s.32 analysis.
 5. The Council's "growth provides for growth approach" requires reconsideration. Council should further review the rates funded component in the contribution schedule attached to the Plan Change to more fairly apportion additional costs to ratepayers. This is appropriate given that existing ratepayers and the overall Districts economy will benefit from the growth and the improved infrastructure it creates. Currently the District Rates contribution in the schedule is insufficient.
 6. An issue is that there is still a significant imbalance in the "cost" of developing a section between Tauranga City and the Western Bay of Plenty District. Until this cost imbalance is corrected and the cost to produce a section in the District is on par with Tauranga, the growth of Waihi Beach will continue to struggle when Tauranga is a more affordable alternative. (2)
 7. Although the quantum of FINCO's payable per lot is proposed to be reduced under Plan Change 73, the timing applied to the payment will continue to have a significant impact on the number of sections created. In addition to the options considered, Council should consider the option of changes to the charging mechanisms in the context of this timing of charging. This includes partial deferral of payment to the building consent for dwellings as currently undertaken by Tauranga City Council. This will act to reduce the front end cost to subdividers. It will stimulate and increase the supply of sections and subsequent cash flow recovery for Council. We seek that this further option is considered and incorporated in the timing of charging. (4)
 8. Currently FINCOs at Waihi Beach are charged on a per-lot/per-dwelling basis, so costs are allocated on the basis of a dwelling unit equivalent. We support the option of charging on a per-hectare approach to divide the cost of servicing across an area of land instead of on a per-lot basis. This approach minimises the risk of under collection, results in an incentive for intensification and increased yield (with FINCOs a fixed cost for developers) and aligns with the primary cost driver for infrastructure which is ultimately based on an area of land to be serviced. We support this being incorporated in the Plan Change.
 9. Infrastructure costs are determined largely through the Council's structure planning process. The Waihi Beach structure plans identify infrastructure to be provided and its costs, and apportions the cost through the FINCO model. Structure plans have the potential to be reviewed through the District Plan process to determine the need and "full" extent of infrastructure to be provided. Plan Change 73 has shown that the removal of large items can have a significant effect on costs (i.e. Hamarana Road). The review of further aspects of the Waihi Beach structure plans, including stormwater infrastructure requirements is seen as a critical consideration for further reducing overall and unsustainable infrastructure costs. Further infrastructure not (3)

required or necessary to service development at Waihi Beach should be removed. Plan provisions need to be incorporated to allow for credits to be issued in instances where earlier stages of development have resulted in the collection of FINCOS for infrastructure (land or works) no longer scheduled in the District Plan or proposed. We seek that Council considers amendments to address the above and clarifies what other changes were considered to reduce the level of reserve and stormwater contributions at Waihi Beach.

Decision sought

10. The decision sought from the local authority is that the plan change be approved, with:
 - (a) amendments to address the submitters concerns set out above.
 - (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.
11. We wish to be heard in support of our submission.
12. If others make a similar submission, we are prepared to consider presenting a joint case with them at any hearing.



AARON COLLIER

Date: 3 June 2016

Address for Service:

Bill Young

C/: Aurecon Limited

PO Box 2292

Tauranga

Attention: Aaron Collier

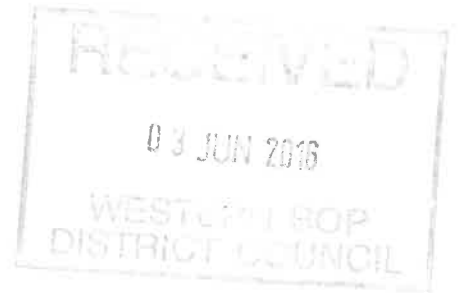
2/6/16

**SUBMISSION ON PROPOSED PLAN CHANGE UNDER CLAUSE 6 OF THE FIRST
SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

TO: Western Bay of Plenty District Council

SUBMISSION ON: Plan Change 73 to the Western Bay of Plenty District Plan

SUBMITTER: GRAEME REYNOLDS
C/: Aurecon Limited
PO Box 2292
Tauranga
Attention: Aaron Collier



Scope of submission

1. The specific provisions of the Proposed Plan Change to which this submission relates are Plan Change 73 in its entirety. Graeme Reynolds is a developer and land owner in the urban growth area at Waihi Beach. Graeme Reynolds is affected by the change to Council's financial contributions (FINCO's) as proposed by Plan Change 73.

Nature of submission

2. The nature of our submission is that we support the plan change which is appropriate. ①

Reasons for submission

3. The reasons for this submission are:
 - (a) That the Plan change:
 - (i) will promote the sustainable management of resources;
 - (ii) will achieve the purpose of the Resource Management Act 1991 ("the RMA");
 - (iii) is not contrary to Part 2 and other provisions of the RMA;
 - (iv) will meet the reasonably foreseeable needs of future generations by enabling growth at Waihi Beach;
 - (v) will enable the social, economic and cultural well-being of the Waihi Beach community;
 - (vi) represents the most appropriate means of exercising the Western Bay of Plenty District Council's District Council's ("Council")

functions, having regard to the efficiency and effectiveness of other available means and is therefore not appropriate in terms of section 32 and other provisions of the Act.

- (b) In particular, but without limiting the generality of the above, for those additional reasons set out below.
4. We support the Council for taking some positive action to reduce the level of roading contribution payable. Council's philosophical approach to infrastructure provision has been based on a "growth pays for growth" approach. Significant Infrastructure has been provided on the basis that the total cost of infrastructure would therefore be recovered using financial contributions under the Resource Management Act (RMA) from development at the time of subdivision. Because the entire cost of infrastructure is to be recovered, factors such as the affordability/quantum of FINCO's have not been considered to ensure that the levels of contributions are sustainable. We note that Plan Change 73 is the first time that Council have acknowledged this as a consideration in terms of its s.32 analysis.
 5. The Council's "growth provides for growth approach" requires reconsideration. Although Council have significantly reduced the level of roading infrastructure provided through changes to the Waihi Beach Structure Plan (Hamurana Road), Council should further review the rates funded component in the contribution schedule attached to the Plan Change to more fairly apportion additional costs to ratepayers. This is appropriate given that existing ratepayers and the overall Districts economy will benefit from the growth and the improved infrastructure it creates. Currently the District Rates contribution in the schedule is insufficient.
 6. An issue is that there is still a significant imbalance in the "cost" of developing a section between Tauranga City and the Western Bay of Plenty District. Until this cost imbalance is corrected and the cost to produce a section in the District is on par with Tauranga, the growth of Waihi Beach will continue to struggle when Tauranga is a more affordable alternative. (2)
 7. Although the quantum of FINCO's payable per lot is proposed to be reduced under Plan Change 73, the timing applied to the payment will continue to have a significant impact on the number of sections created. In addition to the options considered, Council should consider the option of changes to the charging mechanisms in the context of this timing of charging. This includes partial deferral of payment to the building consent for dwellings as currently undertaken by Tauranga City Council. This will act to reduce the front end cost to subdividers. It will stimulate and increase the supply of sections and subsequent cash flow recovery for Council. We seek that this further option is considered and incorporated in the timing of charging. (4)
 8. Currently FINCOs at Waihi Beach are charged on a per-lot/per-dwelling basis, so costs are allocated on the basis of a dwelling unit equivalent. We support the option of charging on a per-hectare approach to divide the cost of servicing across an area of land instead of on a per-lot basis. This approach minimises the risk of under collection, results in an incentive for intensification and increased yield (with FINCOs a fixed cost for developers) and aligns with the primary cost driver for infrastructure which is ultimately based on an area of land to be serviced. We support this being incorporated in the Plan Change.
 9. Infrastructure costs are determined largely through the Council's structure planning process. The Waihi Beach structure plans identify infrastructure to be provided and its costs, and apportions the cost through the FINCO model. Structure plans have the (3)

potential to be reviewed through the District Plan process to determine the need and "full" extent of infrastructure to be provided. Plan Change 73 has shown that the removal of large items can have a significant effect on costs (i.e. Hamarana Road). The review of further aspects of the Waihi Beach structure plans, including stormwater infrastructure requirements (as we are required to provide our own on site mitigation of stormwater) is seen as a critical consideration for further reducing overall and unsustainable infrastructure costs. Further infrastructure not required or necessary to service development at Waihi Beach should be removed. Plan provisions need to be incorporated to allow for credits to be issued in instances where earlier stages of development have resulted in the collection of FINCOS for infrastructure (land or works) no longer scheduled in the District Plan or proposed. We seek that Council considers amendments to address the above and clarifies what other changes were considered to reduce the level of reserve and stormwater contributions at Waihi Beach.

Decision sought

10. The decision sought from the local authority is that the plan change be approved, with:
 - (a) amendments to address the submitters concerns set out above.
 - (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.
11. We wish to be heard in support of our submission.
12. If others make a similar submission, we are prepared to consider presenting a joint case with them at any hearing.

**AARON COLLIER****Date:** 3 June 2016**Address for Service:**
Graeme Reynolds
C/: Aurecon NZ Limited
PO Box 2292
Tauranga
Attention: Aaron Collier