

Minutes of Proposed Change 4 (Tauriko West Urban Limit) to the Regional Policy Statement Hearing: 6 August 2018 in Mauao Rooms 1 and 2, Bay of Plenty Regional Council, First Avenue, Tauranga

Present:

Chairperson: Greg Hill (Independent)

Commissioners: Elva Conroy (Independent), Gina Sweetman (Independent)

In Attendance:

Bay of Plenty Regional Council:

David Phizacklea- Regional Integrated Planning Manager; Rebekah Waltham- Planner; Ruth Feist - Team Leader: Integrated Planning; Marie Radford- Planning Coordinator; Clarke Koopu - Senior Treaty Advisor and Merinda Pansegrouw - Hearing Advisor.

Submitters:

Campbell Larking - Tauranga City Council; Gareth Pottinger - Tauranga City Council; Phillip Martelli- Western Bay of Plenty District Council; Kim Harris Cottle- NZ Transport Agency; Wayne Troughton - NZ Transport Agency; Neil Cree - Consultant for NZ Transport Agency; Peter Cooney - Tauriko Property Group; Nicola O'Donoghue; Bryce Donne - Element IMF Ltd; Grace Burman- Kitchener Trust; Tracy Hayson- Kitchener Trust; John Coster; Keith Catran; George and Shirley Marriott and Heather Jones.

The hearing commenced at 11.00a.m Monday, 6 August 2018

1 Tabled Items

The Hearing Panel for Proposed Change 4 (Tauriko West Urban Limit) to the Regional Policy Statement considered the following tabled items at the hearing:

Document Number	Submitter
Tabled item (1)	SmartGrowth (Submission #16)
Tabled item (2)	Tauranga City Council (Submission #15)
Tabled item (3)	Nicola O'Donoghue (Submission #17)
Tabled item (4)	New Zealand Transport Agency (Submission #13)

Document Number	Submitter
Tabled item (5)	Tauriko Property Group (Submission #02)
Tabled item (6)	Kitchener Trust (Submission #11)

2 Opening Karakia

Kalani Tarawa opened the hearing with a karakia.

3 Introductions

Chairperson Greg Hill welcomed all present and introduced the Hearing Panel. He outlined the hearing process and timeframes and thanked submitters for taking the time to engage in this process. He outlined the following:

- In accordance with clause 78 of Schedule 1 of the Resource Management Act 1991, the Minister for the Environment had directed that a Streamlined Planning Process be used for Proposed Change 4 (Tauriko West Urban Limit) to the Bay of Plenty Regional Policy Statement
- The Panel of independent Hearing Commissioners would hear the submissions to Proposed Change 4 where after their recommendations would be provided to Regional Council and subsequently sent to the Minister for the Environment by 3 September 2018
- The Minister would make the final decision, with limited rights of appeal
- The s42A report setting out staff recommendations was not a binding document.

4 Commissioners' Declarations of Interest

The Hearing Panel confirmed there were no declarations of interest.

5 Staff Overview of the Report on Decisions Requested for Proposed Change 4 (Tauriko West Urban Limit)

Bay of Plenty Regional Council Planner Rebekah Waltham presented an overview of the report as follows:

Key Points

- The purpose of Proposed Change 4
- Background to the process
- The statutory framework
- An overview of the key points arising from submissions received on Proposed Change 4

- Requirements by the National Policy Statement on Urban Development Capacity (NPS-UDC) which provided direction to address the sub-region's growth
- Tauranga City, Western Bay of Plenty District and Bay of Plenty Regional Council's collective responsibility for implementing the NPS-UDC for the Tauranga Urban Area

In Response to Questions

- Tauranga City, Western Bay of Plenty District and Bay of Plenty Regional Council were collectively responsible for implementing the NPS-UDC for the Tauranga Urban Area
- The Western Corridor Strategic Study SmartGrowth Settlement Pattern Review (SPR) showed that additional greenfield residential land supply was required to address the projected shortfall in development capacity
- It was anticipated that without the additional capacity there would be no more residential greenfield land available by 2026
- The review showed new greenfield areas needed to be identified and planned to ensure capacity. The SmartGrowth Implementation Committee had approved Tauriko West as the next growth area for urban development
- Bay of Plenty Regional Council Staff would provide input into structure al plan to be developed by Tauranga City Council once the current local authority boundary between Tauranga City and the Western Bay of Plenty District had been altered
- Regional Policy Statement Policy UG14B restricted urban activities outside the urban limits
- Sequence of events would be (1) amending the urban limit (Proposed Change 4) to include Tauriko West; (2) altering the current local authority boundary between Tauranga City and the Western Bay of Plenty District under the Local Government Act; (3) followed by the preparation of a structure plan and subsequent plan change to the Tauranga City Plan to rezone the land from rural to residential

6 Submissions

6.1 SmartGrowth (Submission #16)

Tabled Document 1; Refer Objective Folder A2933240

The Hearing Panel noted an apology received from SmartGrowth Independent Chairperson Bill Wasley. *Tabled Document 1* was taken as read.

6.2 Tauranga City Council (Submission #15)

Tabled Document2, Refer Objective Folder A2933314

Senior Project Manager: Urban Growth Campbell Larking and Project Leader Urban Planning Gareth Pottinger

Key Points:

- Tauranga City Council (TCC) supported SmartGrowth and had committed considerable resources to the implementation of the vision
- Emphasised the importance of proposed Change 4 to the wider context of urban growth for the Western Bay of Plenty sub-region
- Tauranga City Council's role and responsibilities regarding the structure planning
- An overview of the schedule of works currently underway within the project
- The sub-regional SmartGrowth Settlement Pattern (SPR) had signalled that the Tauriko West Urban Growth Area had significant benefits for greenfield capacity. Tauriko West was therefore recommended as the next growth area to be developed
- Envisaged a live, learn, work, play community in Tauriko West
- The Tauriko for Tomorrow Project (T4T) focussed on the urbanisation of Tauriko West. Since the process was consequential, the boundaries needed to change first before structural planning could commence
- Partnership approach followed with key responsibilities being
 - Bay of Plenty Regional Council – to amend the urban limit line
 - Western Bay of Plenty District Council – boundary alteration
 - New Zealand Transport Agency – Transport network plan
 - Tauranga City Council – structure plan and City Plan change
- Tangata Whenua Engagement Group had been established to ensure cultural values were recognised (Te Kauae A Roopu)
- TCC, in the preparation of structure planning for Tauriko West, was committed to addressing the requirements of Method 18 of the Bay of Plenty District Council's Regional Policy Statement
- TCC supported the recommendations made to the Hearing Panel.

In Response to Questions

- Consultation with individual land owners had taken place and a series of open days had been conducted
- Ministry of Education was on-board
- Quarterly Newsletters were distributed to communities
- The SPR had determined that the Keenan Road area was suitable for urbanisation in the future. However, there were a number of complex issues in the urbanisation of Keenan Road that would take a number of years to resolve: primarily the fragmented nature of land holdings (48 individual landowners), the typography and the sequencing of infrastructure servicing (stormwater)
- An analysis of the feasibility and appropriateness of the urban development of Tauriko West had confirmed that the land was suitable for development.

6.3 Western Bay of Plenty District Council (Submission #05)

Verbal submission

Resource Management Manager Phillip Martelli

Key Points:

- Western Bay of Plenty District Council (WBOPDC) supported the recommendations made to the Hearing Panel regarding the amendment to the RPS urban limit line
- Noted that the requests for portions of the Redwood Lane area to be kept within a rural-residential area did not fall within the scope of the change of the urban limit line, but would be dealt with at a future stage as part of the structural planning / rezoning
- WBOPDC was currently focusing on the process involved in altering the local authority boundary between Tauranga City and the Western Bay of Plenty District. Continuous consultation in this regard was taking place
- As a partner to the process/project, WBOPDC would also provide input into the rezoning/structural plan to be developed by Tauranga City Council
- Understanding the significance of the values in the Wairoa River Valley Strategy, and the importance of protecting the river formed part of the Tauriko for Tomorrow Project.

6.4 Nicola O'Donoghue (Submission #17)

Tabled Document3, Refer Objective Folder A2933225

Key Points:

- Did not oppose the development itself, however, there were a few uncertainties
- Acknowledged that the nature of submissions by members of the public was more focussed on matters that related to the structure plan. However, understanding what would happen within the structure plan was critical to enable an informed decision about the urban line boundary
- Having prior strategic information on the envisaged structure plan would have been helpful
- Would appreciate clarity on the points in her written submission prior to the commencement of the development
- Requested that land be set aside for a new co-educational secondary school within Tauriko West and ideally fast-tracked to open as soon as possible
 - Tauranga was New Zealand's sixth largest local authority in terms of population, with an estimated resident population of 131,500 people as at 30 June 2017
 - Currently in Tauranga there were only 3 public state secondary schools: Otumoetai College, Tauranga Boys College and Tauranga Girls College – these schools were at capacity and would not offer space to out of boundary applications
 - It was estimated that by 2033 the population would reach 164,084
 - A map indicating where schools were required was provided (*Tabled Document3*)

In Response to Questions

- As a future step in the process, after addressing the need for the urban line limit change, Tauranga City Council would prepare a structure plan in accordance with the Bay of Plenty District Council's Regional Policy Statement Method 18, which required the structure plan identify land which was to be used or developed for urban purposes and show proposed land uses, including schools
- Noted that since the provision of schools was a responsibility of the Ministry of Education, consultation with the Ministry had commenced.

6.5 **NZ Transport Agency (Submission #13)**

Tabled Document 4, Refer Objective Folder A2933230

Principal Planner New Zealand Transport Agency Kim Harris Cottle, Senior Project Manager New Zealand Transport Agency Wayne Troughton, and Transportation Planner/Consultant Neil Cree

Key Points:

- *Tabled Document 4* was taken as read
- Confirmed support for the recommendations contained in the Section 42A report
- Acknowledged the collaborative approach taken by the SmartGrowth Strategy partners to develop the Tauriko for Tomorrow project, enabling the integrated land use and transport system planning of Tauriko West
- Supported the collaborative work with the SmartGrowth partners as the Tauriko for Tomorrow project further progressed
- Considered that a continuation of the collaborative approach to the planning of this area would help to achieve the desired community outcomes and individual partners project objectives
- Noted that part of the Tauriko for Tomorrow project included the development of the Tauriko West Network Connections Business Case (currently at Detailed Business Case stage), which was being developed jointly by the SmartGrowth project partners and the Transport Agency
- The focus of the Business Case was on identifying the transport system that enabled the urbanisation of the Tauriko West area, integrated with the surrounding area, and supported the nationally significant freight route (State Highway 29) that extended through Tauriko.
- Viewed the development of the Tauriko West Network Connections Business Case as an important part of the assessment and information gathering process towards urbanisation of Tauriko West
- The Business Case would identify a transport system for the next 30 years, including and implementation plan and co-investment delivery approach. Considered that this would include a transport system that was multi-modal, safe, accessible and resilient
- Looked forward to continuing to work with the Project partners to deliver a community where locals could live, learn work and play.

In Response to Questions

- NZTA was currently in the long-listing stage, with no final solutions identified so far

- Multi-party consultation / community engagement had recently commenced: an information day had taken place as well as a series of meetings with affected landowners
- Feedback received had been entered into the system
- A multi-modal transport system would make provision for more than motorways, and would include walk-ways, cycling networks and bus routes
- Confirmed that continuous conversations with all partners of the Tauriko for Tomorrow Project would take place to make it the best possible process
- Once the long-listing process had been completed and options had been shortlisted, consultation with the community on preferred solutions would take place. Only once consultation had taken place, would a final recommendation be developed.

12:48 am - The hearing **adjourned**.

1:45 pm - The hearing **reconvened**.

6.6 Tauriko Property Group (Submission #02)

Tabled Document5; Refer Objective Folder A2933232

Peter Cooney, Director, Classic Group of Companies

Key Points:

- Supported Proposed Change 4
- Considered that there was an urgent need to bring land forward into the urban limit
- The National Policy Statement (NPS) on Urban Development Capacity required that there was at least 10 years supply of land plus at least 20% of extra zoned and serviced land. Currently TCC's land supply fell short in terms of what was required under the NPS in both the medium (3-10 years) and the long term (10-30 years) periods. Any delay would worsen the situation
- There was a reliance on achieving 25% through residential intensification. This target was unrealistic because of both regulatory hurdles and the lack of available land for redevelopment in the existing urban areas. Recent trends showed that only 15% of new housing supply in Tauranga was delivered through intensification/infill. Tauriko West therefore needed to be brought forward to assist with the shortfall
- There was a lack of land available for housing in the market. This was a direct result of the supply situation and Councils' residential aspirations around infill /intensification in existing urban areas, and created housing affordability challenges
- The pace of development and demand for housing in Tauranga was continuing and was not anticipated to slow any time soon. SmartGrowth had predicted that 43,000 dwellings would be required over the next 30 years
- Tauriko West was the obvious next urban growth area based on its location and ease of servicing. Having a limited number of parties owning a large contiguous block of land, and being committed to development, was quite unique and meant that development plans/housing delivery could progress quickly

- The Classic Group had significant experience, both locally and nationally, in the delivery of a wide range of housing outcomes. Plans for Tauriko West included a mix of housing types and price points.

In Response to Questions

- The Classic Group was currently engaged with Tauranga City Council in a collaborative design process involving all three of the landowners (Element IMF, The Hopping Family Trust and the Tauriko Property Group) taking into consideration current and future market needs.

6.7 **Element IMF Limited (Submission #19)**

Verbal Submission

Bryce Donne, Director

Key Points:

- Element IMF Ltd as a property development management company undertaking projects primarily in the Tauriko area of Tauranga and landowner was a key stakeholder
- Element IMF was one of the three large owners in Tauriko West, which would ultimately provide Tauranga with an additional 3,000 new dwellings
- Was heavily involved in the structure planning phase of the development process
- Element IMF supported the proposed change to the RPS to bring the Tauriko West growth area within the urban limit.

6.8 **George and Shirley Marriot (Submission #09)**

Verbal submission

Key Points:

- Owned a Blueberry Farm in the area
- Had been uncertain about the future / way forward for the past 11 years
- Reluctant to develop property due to the uncertainty
- Would like to see the development completed in a much shorter timeframe (by 2030 at the latest)
- Requested that the negative effect on quality of life in Tauriko West be restricted by defining a shorter development period
- Tauriko West should be used as an opportunity to offer residential alternatives and affordable housing
- Was an opportunity to stipulate that the area could play a role in mitigating the housing affordability crisis
- Suggested that Tauriko West be used for genuine accommodation alternatives, such as tiny houses, shared community, and emergency housing for people experiencing homelessness.

6.9 Kitchener Trust (Submission #11)

Tabled Document 6 Refer Objective Folder A2933226

Grace Burman, Consultant Planner, Wasley Knell Consultants Ltd and Tracy Hayson

Key Points:

- The submitter had land holdings within the Keenan Road Urban Growth Area
- The purpose of Proposed Change 4 was to adjust the current Urban Limits Line and indicative timing of growth in the Regional Policy Statement to provide for the development of Tauriko West to meet councils obligations under the National Policy Statement Urban Development Capacity (UDC)
- Tauranga had been classified as a high-urban growth area under the UDC and therefore needed to meet the requirements to provide land supply in order to meet the targets under the legislation to optimise the supply of land for urban development
- Tauriko West, Keenan Road and the Urban Development in the Eastern Corridor were projected to meet the demand projected by both the UDC and SmartGrowth for residential land supply
- Since the Keenan Road area was already identified as an UGA for 2021 the Keenan Road area should be included in Proposed Change 4.

Comments by Hearing Panel:

- The request by the Kitchener Trust fell outside the scope of the Hearing
- Reiterated a point highlighted by Tauranga City Council earlier in the hearing that the SPR had determined that the Keenan Road area was suitable for urbanisation in the future. However, there were a number of complex issues in the urbanisation of Keenan Road that would take a number of years to resolve: fragmented nature of land holdings, the typography and sequencing of infrastructure servicing
- Viewed the submission by the Kitchener Trust as a signal from the landowner to Council to commence further discussion.

6.10 Keith Catran (Submission #08)

Verbal submission

Key Points:

- No problem with the proposed change to the RPS to bring the Tauriko West growth area within the urban limit
- Sought that his property in Redwood Lane be excluded from proposed new urban limits
- Did not want to become part of the city and including his property was not necessary for the development
- Properties were privately owned by people who bought it for its rural character – sought to retain that
- The properties were all independently serviced for water and sewage disposal and managed their own storm water. Most had river access corridors, which made some of them unsuitable for further subdivision

- Preferred to remain part of Western Bay District Council which had a good understanding of the requirements of rural and lifestyle areas
- Did not wish to become subject to the rating increases which would inevitably follow from inclusion in the city with its funding constraints and debt
- Did not wish to become subject to any requirement to join into reticulated city infrastructure such as water supply and/or sewerage
- Requested that Redwood Lane be left alone.

In Response to Questions

- Approximately five properties formed part of Redwood Lane.

6.11 **John Coster (Submission #03)**

Verbal submission

Key Points:

- Archaeologist by trade, submitting in his personal capacity
- Noted that his submission applied more to the structural plan phase
- Requested the extension of the riparian strip along the east bank of the Wairoa River at Tauriko West to a minimum width of 100 metres, to form a riverside park
- A riverside park reserve would provide much needed open green space for the community
- Suggested that a full archaeological survey of Tauriko West be undertaken in order to identify sites of archaeological or historic significance.

6.12 **Heather Jones (Submission #14)**

Verbal submission

Key Points:

- Concerned about a proposed motorway to be constructed through her family's new property
- Had been in the new home for the past two years and her daughter and family lived adjacent
- The news was upsetting and devastating and had consumed her life
- No money in the world would be able to compensate for a lifetime's worth of savings/work to build their dream home
- Existence of the map was not public knowledge; it was outdated and incomplete and had not been disclosed
- NZTA was unable to provide any further detail on plans for the future
- Critical that communication/information was shared openly
- Not all the neighbours were aware of the proposed developments
- Opposed the proposed change to the RPS to bring the Tauriko West growth area within the urban limit due to the impact it would have on the lives of people currently residing in the area.

6.13 Ms Shirley Marriot (Submission #09) Continued

Verbal submission

Key Points:

- Had been on the property for the past 11 years, however, no development had taken place to date. Requested that the development take place sooner rather than later, to provide clarity on the way forward.

6.14 Staff Reply to Submissions

Bay of Plenty Regional Council Planner Rebekah Waltham commented on the submissions made as follows:

Key Points

- Acknowledged the submissions and sentiments shared by the submitters
- Proposed Change 4: The scope of the hearing for Proposed Change 4 pertained to including Tauriko West within the Regional Policy Statement Urban Limit only
- Timing of the proposed change: Pertained to a change to the Regional Policy Statement and not the development
- Keenan Road Area: was already committed for future urban expansion in the Regional Policy Statement (Start post 2021)
- Redwood Lane: Excluding Redwood Lane area from the urban limit would result in a pocket of isolated land falling within the Western Bay of Plenty District Council boundary
- The Resource Management Act provided for protection of certain existing uses in relation to land, therefore owners would still have rights and choices to be considered
- Heritage NZ: The structure planning process for the area would take into consideration any proposed reserves, and archaeological or historic significance of sites
- NZTA: Planning by the agency is underway but a final business case was still to be developed
- Sequence of development: The Regional Council's Policy Statement, Policy UG 14B "Restricting urban activities outside the urban limits – Western Bay of Plenty sub-region" and Policy UG 15B "Accommodating population growth through greenfield and residential intensification development – Western Bay of Plenty sub-region" provided the requirements to determine the sequence.

7 Chairperson's Announcement

The Chairperson advised that the Panel would adjourn the Hearing to determine if any additional factual evidence would be required. The Hearing would then close and the Panel would commence deliberations and provide its recommendations to the Bay of Plenty Regional Council for submission to the Minister for the Environment within 20 working days, as determined by the Streamlined Planning Process.

The hearing adjourned at 2:57 pm.

The hearing closed at 3:14 pm on 6 August 2018.

A handwritten signature in black ink, appearing to read "A. Patel".

Confirmed

20 August 2018

Chairperson

Date 20 August 2018.