

5 September 2022



The Chief Executive
Bay of Plenty Regional Council
PO Box 364
Whakatāne 3158

By email to: rpschange6@boprc.govt.nz

Tauranga City Council Submission on Proposed Change 6 (NPS-UD) to the Bay of Plenty Regional Policy Statement

Please find attached a submission from Tauranga City Council (TCC) on Proposed Change 6 (NPS-UD) to the Bay of Plenty Regional Policy Statement (RPS).

TCC has been engaging with Bay of Plenty Regional Council (BoPRC) regarding the implementation of the National Policy Statement on Urban Development (2020) (NPS-UD) and the development of Proposed Change 6.

Our approach focussed on the matters required to be included by the NPS-UD, as informed by the Ministry for the Environment's 'Understanding and implementing the responsiveness planning policies' guidance.

We are pleased to note that the issues we identified previously have been addressed in Proposed Change 6, and our submission therefore is broadly in support.

The details of our submission are outlined in the attached table, together with a number of recommendations for minor amendments and clarification.

Please direct any queries regarding our submission to Simon Banks (Project Leader: Urban Planning) on 027 283 9107 or at simon.banks@tauranga.govt.nz in the first instance.

Yours sincerely

Andrew Mead
Manager: City Planning and Growth
027 763 5762
andrew.mead@tauranga.govt.nz

The specific provisions of the proposal that our submission relates to are:

Page No.	Reference	Support/ Oppose	Decision Sought (changes highlighted in yellow with additions <u>underlined</u> , deletions struck-out , and text to be reconsidered highlighted in blue)	Reasons
4	2.8	Support with amendments	<p>... The Bay of Plenty's population is steadily growing with the western Bay of Plenty sub-region projected to contain most of the population growth to 2021. Growth in the other districts is not expected to exceed 5% (Statistics New Zealand).</p> <p>The western Bay of Plenty sub-region has determined through its 50-year growth management strategy (SmartGrowth Strategy and Implementation Plan, 2007 2013) how the pressures of growth will be best managed in a time, resource and cost-effective manner. <u>This strategy was refreshed through the Urban Form and Transport Initiative (UFTI) Connected Centres Programme (2020), which set out an integrated land use and transport programme, and delivery plan for the western Bay of Plenty. UFTI caters for projected population growth, housing demand, and additional transport movements within the next 30 to 70 plus years.</u></p> <p>The districts of Rotorua, Whakatāne, Ōpōtiki and Kawerau have different pressures. Rotorua and Whakatāne District Councils have undertaken their own urban growth strategies.</p> <p>The management of growth in western Bay of Plenty sub-region has been provided for through policies in this section and through the identification of Growth Management Areas as detailed in Appendices C, D and E. In order to achieve an integrated management approach to urban development in these areas, as required under section 30(1)(a) of the Act, it is appropriate that all relevant objectives and policies shall be considered together to provide for sustainable growth of the sub-region and give effect to this Regional Policy Statement.</p>	<p>The statement that “the western Bay of Plenty sub-region projected to contain most of the population growth to 2021” is vague and is no longer relevant in 2022. It should be deleted or revised to reflect updated population growth projections. For example, UFTI uses a 30-year population forecast from the National Institute of Demographic and Economic Analysis (NIDEA) of reaching a western Bay of Plenty population of approximately 269,000 people requiring an additional 35,000 plus homes. For the long term (70 plus years), UFTI uses a population scenario of reaching a western Bay of Plenty population of approximately 400,000 people requiring an additional 62,000 plus homes.</p> <p>This section should be amended to include reference to the UFTI Connected Centres Programme, which in effect represents the most up-to-date SmartGrowth Settlement Pattern. In the absence of a Future Development Strategy (FDS), it is the UFTI Connected Centres Programme that would allow us to determine when urban development is anticipated vs unanticipated, and in or out of sequence for the purposes of the responsive planning policies.</p> <p>Support the removal of the reference to growth management areas and associated appendices which are inconsistent with the NPS-UD.</p>
5-6	2.8.1	Additional change suggested	<p>1 - Un-coordinated growth and development</p> <p>Sporadic and un-coordinated, <u>and poorly connected</u> growth and development can adversely affect urban and rural amenity values, heritage, health and safety, <u>accessibility</u>, transportation costs, the provision and operation of infrastructure, the use and development of productive rural land and important mineral resources, and access to community, social, employment and commercial facilities.</p>	<p>Include “poorly connected” in the description of growth and development which can have adverse effects, to reinforce the integration of urban form and transport.</p> <p>Include “accessibility” in the list of matters which can be adversely affected by un-coordinated growth and development, as accessibility is a key part of a well-functioning urban environment as described in Policy 1 of the NPS-UD.</p>
		Support	<p>2 - Land supply and inefficient patterns of land use</p> <p>An imbalance of land supply, demand, and uptake can have adverse economic and social effects, yet it is very difficult to plan and predict. Inefficient <u>and low density</u> patterns of land use and ad hoc development, are difficult and costly to service and maintain, <u>and contribute to increasing greenhouse gas emissions. A shortage of developable land and housing supply reduces housing choices and leads to increases in prices.</u> Unplanned growth and inefficient land use also have the potential to adversely affect rural production activities and to reduce the ability of versatile land to be used for a range of productive purposes.</p>	<p>Support inclusion of references to emissions, housing choice, and affordability as these are key issues for our community.</p>
		Support	<p>9 - Intensive urban development</p> <p>More intensive urban development is necessary to accommodate growth but has the potential to:</p> <ul style="list-style-type: none"> Adversely impact on the residential character and amenity values of existing urban areas. Create unforeseen social, economic and cultural effects. Increase road congestion leading to restricted movement of goods and services to, from, and within the region, and <u>compromising the efficient operation of the transport network, if not undertaken in conjunction with well-planned transport improvements.</u> 	<p>Support removal of character and amenity values as adverse impacts on these matters are not limited to intensive urban development and are best managed through District and City Plans.</p> <p>Support inclusion of reference to well-planned transport improvements to reinforce the integration of urban form and transport.</p>
7-13	Table 8	-	<p>Urban and rural growth management objectives and titles of policies and methods to achieve the objectives.</p>	<p>Comments on objectives, policies and methods below should be reflected in Table 8 as appropriate.</p>
9	Objective 25	Support	<p><u>Urban</u> subdivision, use and development, in the western Bay of Plenty is located and staged in a way that integrates with the long term planning and funding mechanisms of local authorities, central government agencies and network utility providers and operators whilst <u>also being responsive</u> having regard to the growth plans of relevant industry sector groups <u>and other development entities.</u></p>	<p>Amendments are consequential only. Comma to be added.</p>
21	Policy UG 4A	Support	<p>Providing for residential development yields in district plans - western Bay of Plenty sub-region</p> <p>Provide for dwelling yields per hectare of developable land within identified urban areas to be delivered as follows:</p>	<p>Support removal of yield requirements from the RPS, particularly as the number of dwellings per hectare was significantly below current best practice and market trends. As outlined in the explanation to Policy UG 7Ax, we agree</p>

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			<p>(a) Greenfield urban growth areas</p> <p>— An average net yield of 12 dwellings or more per hectare from 1 July 2012, rising progressively to 15 dwellings or more per hectare by 1 July 2037.</p> <p>(b) Urban intensification areas</p> <p>— An average net yield of 20 dwellings or more per hectare of developable land within each urban intensification area.</p> <p>Explanation</p> <p>The western Bay of Plenty subregion has a growth management strategy (SmartGrowth) which forms the basis of a number of Urban and Rural Growth Management policies.</p> <p>Greenfield development should ultimately deliver 15 dwellings per hectare across the developable land in the entire growth area shown in Appendix C. Development in urban intensification areas should deliver a yield of at least 20 dwellings per hectare within each identified area.</p> <p>The policy provides for the yield target for Greenfield urban growth areas to be achieved progressively over time, acknowledging that there may be situations where the ultimate target yield of 15 dwellings per hectare cannot always be achieved.</p> <p>For the avoidance of doubt, yields below the stated target achieved prior to 1 July 2037 are not required to be off-set by the achievement of yields greater than the stated target after 1 July 2037.</p> <p>The mechanism of how to achieve the target yields through subdivision and land use development is to be provided in the relevant district plan.</p> <p>The requirement for new residential development to achieve higher densities than in the past is to promote a more compact urban form and so create vibrant areas for people to live, work and play. Density is important in terms of determining land requirements and influencing urban form.</p> <p>Increasing the development densities for greenfield development within the urban limits is a means of restraining urban sprawl and the impact that may have on versatile highly productive land. Achievement of a more compact urban form requires a comprehensive planning approach and the provisions of a mix of housing types to appeal to future residents. This applies particularly to the urban intensification areas where significant redevelopment of existing housing stock is expected to achieve the yield target.</p> <p>Increasing dwelling density is recognised internationally as having a number of benefits, including:</p> <ol style="list-style-type: none"> 1. Increased transport choice and viability of public transport; 2. Reduced environmental impacts from slower urban expansion; 3. Reduced infrastructure costs; 4. More walkable neighbourhoods; 5. Greater housing choice and affordability. <p>Before rezoning land for urban purposes (large scale land use change of 5 hectares or more) councils are required to ensure that structure plans are put in place (see Policy UG 9B and Method 18).</p> <p>Table reference: Objective 25, Method 1</p>	<p>that density targets and provisions are best set (if they are to be set at all) in District Plans relative to local opportunities and constraints (including infrastructure and transport systems).</p>
22	Policy UG 5A	Support	<p><u>Establishing urban limits – western Bay of Plenty sub-region</u></p> <p>Establish urban limits as provided in Appendix E within which urban activities shall occur up to at least 2051.</p> <p>Explanation</p> <p>In association with the nature of long term urban boundaries provided in Appendix C, Diagram 1 (Appendix D) and Maps 5 to 15 (Appendix E), urban development is enabled with a high degree of long term certainty as to location, yield, sequencing and timing. This assists long term strategic planning and also provides considerable certainty as to the future of land outside the urban limits, providing a strong basis for assuming that such land will have a non-urban future until at least 2051.</p> <p>Method 14 (Monitor and review growth) provides a strict but comprehensive methodology on how and when amendments to the urban limits may be made, with an assumption that changes will not be made lightly, and will need to be well justified in terms of the outcomes sought across all the western Bay of Plenty sub-region growth management policies.</p> <p>Table reference: Objective 25, Methods 1, 14 and 16</p>	<p>Support removal of urban limits as these are inconsistent with the responsive planning policies of the NPS-UD.</p>

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22	Policy UG 6A	Support with amendments	<p>Sequencing of Efficient use of land and infrastructure for urban growth and development – western Bay of Plenty sub-region</p> <p>Manage urban development within each identified management area in a way that provides for:</p> <p>(a) The efficient use of land and infrastructure within the immediately preceding growth area stage before the development of the subsequent growth area stage as shown in Appendix C and Appendix D; and</p> <p>(b) <u>The integration of land use and infrastructure provision. Network infrastructure is able to be provided to serve the proposed new growth area, or new infill/intensification areas shown in Appendix C and Appendix D.</u></p> <p>Urban growth area development may proceed in a manner other than sequential growth as per (a) where it can be demonstrated that concurrent development of a subsequent growth area stage will provide more efficient use of land and network infrastructure overall and the conditions in (b) are met.</p> <p>For the purpose of this policy, efficient use of land and infrastructure shall include consideration of the matters referred to in Policy UG 10B.</p> <p>Appendices C and D are indicative guides for the expected timing and sequencing of growth areas.</p> <p>Explanation</p> <p>The servicing <u>(including provision of access)</u> sequencing and timing of urban development within the urban limits for the western Bay of Plenty is critical to achieving integrated and sustainable growth management. Each Large-scale urban growth development of 5 hectares or more (greenfield and brownfield) area in Appendix C and Appendix D and shown on Maps 5 to 15 (Appendix E) must be subject to detailed structure planning to address, among other matters, urban design, and provisions and funding of network infrastructure and funding of that infrastructure.</p> <p>Note that the indicative sequencing and time frames are at a level of detail appropriate for this Statement. They are intentionally indicative given the uncertainties inherent in population forecasts.</p> <p><u>Table reference: Objective 25, Methods 1, 18, 50 and 51</u></p>	<p>Support the intent of this policy but request minor amendments for clarification and consistency with the wording used in the NPS-UD and elsewhere in the RPS.</p> <p>Add “(including provision of access)” to clarify that servicing includes access.</p> <p>Replace “Large-scale urban growth” with “Large-scale urban development of 5 hectares or more”. The term “urban development” encompasses a wider variety of activities than “urban growth”, better describes brownfield redevelopment situations, and more accurately reflects the language of the NPS-UD. The addition “of 5 hectares or more” clarifies what is intended by “large scale” and ensures consistency with the proposed text of Policy UG 7A(b) and the current application of Method 18. We note this clarifying text was previously used in Policy UG 4A.</p>
23	Policy UG 7A	Support	<p>Providing for the expansion of existing business land – western Bay of Plenty sub-region</p> <p>Provide for the expansion of existing business activities or existing zoned business land outside the urban limits shown in Appendix E, only if the proposal will:</p> <p>(a) For the expansion of existing zoned business land, not be able to be accommodated within existing business zoned land in the western Bay of Plenty sub-region;</p> <p>(b) Be contiguous with the site of an existing business activity or existing zoned business land;</p> <p>(c) Not require new connections to urban water supply distribution, stormwater or wastewater infrastructure located within the urban limits;</p> <p>(d) Avoid, remedy or mitigate effects on rural production activities;</p> <p>(e) Not compromise access to identified regionally significant aggregate and other mineral resources; and</p> <p>(f) Not adversely affect existing, consented, designated or programmed regionally significant network utilities and infrastructure.</p> <p>Explanation</p> <p>Restrictions on the expansion of existing business activities and existing zoned business land outside the urban limits are necessary in order to minimise urban expansion and provide for the efficient use of existing infrastructure. The policy presumes that the expansion of existing business activities and existing business zoned areas outside the urban limits will not be allowed unless all of the listed matters are satisfied.</p> <p><u>Table reference: Objective 25, Methods 1 and 67</u></p>	<p>Support removal of current Policy UG 7A as it includes reference to urban and is inconsistent with the responsive planning policies of the NPS-UD.</p>
23	Policy UG 7A	Support with amendments	<p>Providing for unanticipated or out-of-sequence urban growth – urban environments</p> <p><u>Private plan changes, submissions on plan changes, or submissions on plan reviews providing for urban development of urban environments and urban growth that forms part of an urban environment, that is unanticipated or out-of-sequence, will be treated, for the purpose of implementing Policy 8 of the NPS-UD, as adding significantly to development capacity based on the extent to which the proposed development satisfies the following criteria:</u></p>	<p>Support the intent of this policy, however the proposed wording is confusing and overly complex. Taking guidance from Objective 6, Policy 8, and Clause 3.8 of the NPS-UD, we have requested changes to the proposed wording to remove complexity, duplication, and better align with the wording used in the NPS-UD itself.</p> <p>With regard to the explanation, we have requested some minor amendments for clarification. We particularly support the clarification that this policy applies</p>

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			<p>(a) The development is of large enough scale to contribute to meeting demand for additional urban land identified through the HBA for the area, including meeting housing bottom lines or meeting needs for specific housing typologies or price points, or business types. Where there is no HBA, there is evidence that there is a need for additional urban land, and</p> <p>(b) For Tauranga City and Western Bay of Plenty District urban environments, the development is large scale (5 hectares or more), and <u>sufficient able</u> to support multi modal transport options, and</p> <p>(c) For all other urban environments, the development is at a scale commensurate with the size of the urban environment and includes a structure plan for the land use change that meets the requirements of Method 18, and</p> <p>(d) The development is located with good accessibility between housing, employment, community and other services and open space, and</p> <p>(e) The development is likely to be completed earlier than the anticipated urban development and/or land release sequence, and</p> <p>(f) Required development infrastructure can be provided efficiently, including the delivery, funding and financing of infrastructure without materially reducing the benefits of other existing or planned development infrastructure, or undermining committed development infrastructure investment.</p> <p>Explanation</p> <p>Policy UG 7A implements Policy 8 and Clause 3.8(3) of the National Policy Statement on Urban Development 2020. It requires that the RPS include criteria for determining whether unanticipated or out-of-sequence urban development proposals will add significantly to development capacity.</p> <p><u>This policy applies to Māori urban development enabled by Policy UG 22B: Te Tiriti o Waitangi Principles, where that development is unanticipated or out-of-sequence.</u></p> <p><u>This policy does not apply to small scale alterations to urban environments that have minor effects.</u></p> <p><u>In addition to these criteria the development must be well-connected to existing or planned multi modal transport corridors and must contribute to a well-functioning urban environment.</u></p> <p><u>Unanticipated urban development is urban development (subdivision, use and development) that is not identified as being provided for in an adopted local authority Future Development Strategy, growth strategy, RMA plan, Long Term Plan, or 30-year infrastructure strategy. Out of sequence development is development that is not consistent with the development sequence set out in one or more of those documents.</u></p> <p><u>The criteria apply to private plan change requests, submissions on plan changes and submissions on plan reviews seeking additional greenfield or brownfield urban development. Plan changes and plan reviews initiated by local authorities do not fall within this policy, as they are anticipated.</u></p> <p><u>Where urban development satisfies the criteria, local authorities must respond by removing unnecessary constraints and focusing resources and attention to expedite decision making processes.</u></p> <p><u>These criteria do not negate the requirement for urban development to give effect to the RPS as a whole, including all other relevant objectives and policies, satisfying other criteria, and implementing relevant methods.</u></p> <p><u>Policies UG 6A, 9B, 10B and 11B and Method 18 are particularly relevant to ensure proposals are designed so that infrastructure, including multi-modal transport and three-waters infrastructure, provides for longer-term development</u></p> <p><u>Climate change and natural hazards can have significant impacts on the region’s urban growth aspirations and on people, property and infrastructure. Prior to ‘live zoning’ land for structure planning and development purposes, consideration is to be given to whether a site is significantly constrained by the effects of climate change or natural hazards.</u></p> <p><u>For avoidance of doubt, giving effect to meeting the criteria in Policy UG 7A does not negate the requirement to prepare a risk assessment (Policy NH 9B) and achieve a low level of risk as required by Policy NH 4B on the development site without increasing risk outside of the development site. Further consideration of hazards and infrastructure related matters are set out in RPS Policies IR 5B, UG 10B and UG 11B.</u></p> <p><u>Table reference: Objective 23 and 25, Methods 1, and 3 and 18</u></p>	<p>only to urban development proposals arising from private plan changes, or privately initiated submissions to council plan changes or plan reviews.</p> <p>The explanation states that this policy applies to Māori urban development enabled by Policy UG 22B where that development is unanticipated or out of sequence, mirroring a similar statement in Policy UG 22B itself. This would mean that for Tauranga City and Western Bay of Plenty District urban environments, the scale of the development would need to be 5 hectares or more for the responsive planning policies to apply. This threshold may not be feasible in relation to Māori development, and we suggest that this statement is reconsidered to avoid any unintended restrictions on the development of Māori land.</p> <p>In addition to the changes requested, we suggest that the explanation is revised to group the various statements together under new sub-headings in a more logical order. The matters covered in the explanation are broad, and the text as proposed jumps around in a slightly scattered fashion. While this would not alter the intent of the policy, it would perhaps improve usability.</p> <p>With these amendments, we are satisfied that this policy meets the requirements of the NPS-UD in relation to responsive planning policies.</p> <p>Note typo in spelling of “infrastructure” in clause (f).</p>
24	Policy UG 7Ax	Support with amendments	<p>Enable increased-density urban development – urban environments</p> <p>Provide for and enable increased-density urban development in urban environments that:</p> <p>(a) Contributes to a well-functioning urban environment,</p> <p>(b) Encourages increased density in areas of identified demand, and</p> <p>(c) Is well served by existing or planned development infrastructure and <u>multi modal transport corridors public transport.</u></p>	<p>Support the intent of this policy but request minor amendments for clarification and consistency with the wording used in the NPS-UD itself.</p> <p>Amend clause (c) to refer to “multi modal transport corridors” rather than just “public transport”. Walking and cycling are also critical to delivery of increased density urban development, and should be considered as part of integrated corridors.</p>

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			<p>Explanation</p> <p>Increasing density of urban development has a number of benefits, including:</p> <ol style="list-style-type: none"> 1 <u>Increased transport choice and viability of public transport</u> 2 <u>Reduced environmental impacts from reduced need for urban expansion</u> 3 <u>Reduced per unit infrastructure costs</u> 4 <u>More walkable neighbourhoods, supporting active transport modes</u> 5 <u>Reductions in greenhouse gas emissions</u> 6 <u>Greater housing choice and therefore affordability.</u> <p>Increased density refers to development that is higher density than the existing urban form. Increased density development may not be appropriate in some areas and is relative to different urban environments. City and district plans should enable greater building heights and density where there is high housing and business use and demand.</p> <p>The intention of this policy is to encourage increased density, and compact urban form, but not to set density targets for areas or locations. Density targets and provisions are best set in district or city plans relative to local opportunities and constraints (including infrastructure and transport systems).</p> <p>This policy does not negate the requirement for increased density urban development to give effect to other relevant provisions in this policy statement and in particular Policy UG 8B Implementing high quality urban design and live-work-play principles set out in Appendix B. Urban development will also be directed by Future Development Strategies, which must achieve well-functioning urban environments in existing and future urban areas. Territorial authorities may develop spatial plans to assist achieving high quality urban design and outcomes.</p> <p><u>Table reference: Objective 23 and 25, Methods 1, 3 and 18</u></p>	
25	Policy UG 8B	Support with amendments	<p>Implementing high quality urban design and live-work-play principles</p> <p>Demonstrate adherence to the New Zealand Urban Design Protocol (March 2005) key urban design qualities.</p> <p>In achieving this, territorial authorities shall implement the region's "high quality urban design" and "live-learn-work-play" principles as outlined in Appendix B, and additionally appropriate social infrastructure necessary to cater for an aging population, and include appropriate policies, methods and other techniques in their district plans and strategies.</p> <p>This policy shall not apply to land use change (such as rural-residential or lifestyle development) within the rural catchments of the Rotorua lakes where such change will result in a significant reduction in nutrient losses from existing rural land uses.</p> <p>Explanation</p> <p>Growth and the development of new and existing urban areas across the region (particularly in the western Bay of Plenty) should apply urban design principles for the development of connected communities, an effective transport system and creating desirable places for people to live, <u>learn</u>, work and play.</p> <p>The high quality urban design and live-work-play principles are key drivers of sustainable growth management. These principles are considered to be critical tools for ensuring that more intensively developed <u>well-functioning</u> urban environments are achieved, along with high quality urban design.</p> <p><u>Table reference: Objective 23, Methods 3, 4, 17, 18 and 58</u></p>	<p>We note that SmartGrowth now operates live, learn, work play principles. "Learn" should be added to both the policy text and the explanation where it currently refers to live, work, play.</p>
	Policy UG 9B	Support	<p>Co-ordinating new urban development with infrastructure</p> <p>Ensure there is co-ordination between:</p> <ol style="list-style-type: none"> (a) The urban form and layout, location, timing and sequencing of new urban development; and (b) The development, funding, implementation and operation of transport and other infrastructure serving the area in question, <p>so that all infrastructure required to serve new development is available, or is consented, designated or programmed to be available prior to development occurring.</p> <p>For Tauranga City and Western Bay of Plenty District only, in satisfying this policy, regard must be had to the indicative growth area timing shown in Appendix C.</p> <p>Explanation</p> <p>Region-wide:</p>	<p>Support this consequential change to align with other changes.</p>

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			<p>The policy gives effect to the statutory requirement of regional councils under section 30(1)(gb) of the Act to provide for the strategic integration of land use and infrastructure.</p> <p>Territorial authorities and most network utility operators plan and budget the provision of services many years in advance of their delivery. When constructed, these works (roads, sewers, water supply, stormwater systems, reserves and other community facilities) need to be used in order to recoup the costs of their provision. Therefore, it is important that before new urban development within or outside of existing or future urban areas is proposed, there is certainty that the infrastructure necessary to service such development will actually be available when required. The efficient and effective operation of regionally significant network utility services that traverse areas of urban growth, but that do not necessarily serve them directly must also be considered. Where appropriate, local authorities should also encourage the co-ordination and co-location of works between network utility operators to minimise environmental and amenity impacts and community concern and disruption.</p> <p>Western Bay of Plenty sub-region:</p> <p>Any <u>urban growth and development</u> within a growth area including an intensification area must recognise the impact of growth on existing infrastructure and provide an equitable funding mechanism for the costs of that infrastructure. Other contributions (e.g., recognising the costs and benefits of public transport) towards achieving environmental sustainability in new developments can be estimated and funding sources determined at the national, regional, city and district levels as part of 10-yearly, three yearly and annual budgeting cycles.</p> <p>Table reference: Objective 23, Methods 3, 4, 18, 19, 50 and 51</p>	
28	Policy UG 13B	Support with amendments	<p>Promoting the integration of land use and transportation</p> <p>In promoting the integration of land-use and transport activities, regard should be given to:</p> <ul style="list-style-type: none"> (a) Land use and transport planning being closely linked, (b) The land transport system providing <u>a range of transport mode choices to provide access</u> opportunities and integrated links for both public and private transportation modes, (c) <u>Proximity to commercial centres, places of employment, community services and high amenity are considered in transport planning to support higher density development.</u> (e)(d) Demand management is considered in planning, design and transport investment decisions, (e) <u>The benefits of increased-density urban intensification.</u> (d)(f) Existing and future transport corridors defined and protected, and (e)(g) Integrated transport packages for funding are developed. <p>Explanation</p> <p>Land use and transport systems need to be planned in an integrated manner <u>and support intensification of greenfield and brownfield land</u>. Transport is a key enabler of higher density urban intensification if planned in relation to other enablers like the <u>location of commercial centres, employment areas and areas of high amenity, and community services</u>. Growth management and land use patterns need to support reduced reliance on private motor vehicles and increased accessibility and use of passenger transport, walking and cycling. This can be achieved by planning and providing compact and sustainable urban forms and improving the public transport system.</p> <p><u>In high-growth areas and areas of acute housing need, local authorities should enable increased density urban intensification in locations with good access to infrastructure, employment, services and amenities.</u></p> <p>Table reference: Objective 24, Methods 3 and 18</p>	<p>Support the intent of this policy but request minor amendments for clarification and consistency with the wording used in the NPS-UD itself.</p> <p>Amend clause (b) to include "...a range of transport mode choices to provide access..." to better describe the role of the land transport system.</p>
28	Policy UG 14B	Oppose	<p><u>Restricting urban activities outside urban environments the urban limits – western Bay of Plenty sub-region</u></p> <p>Except as provided for in Policy 7A urban activities shall not be developed outside the urban limits shown on Maps 5 to 15 (Appendix E).</p> <p><u>Restrict the growth of urban activities located outside urban environments unless it can be demonstrated that sound resource management principles are achieved, including:</u></p> <ul style="list-style-type: none"> <u>(a) The efficient development and use of the finite land resource, and</u> <u>(b) Providing for the efficient, planned and co-ordinated use and development of infrastructure.</u> <p>Explanation</p>	<p>We are concerned that this policy conflicts with proposed Policy UG 7A and the intent of the responsive planning policies described in Policy 8 and Clause 3.8 of the NPS-UD. As worded, the purpose of the policy is unclear and appears to duplicate matters covered elsewhere. We therefore oppose the policy as worded and request its removal. Alternatively, the policy could be substantially reworded to address the issues outlined here.</p> <p>Generally, we are unconvinced this policy is necessary at all, as the matters it covers are dealt with elsewhere. The efficient use of land and infrastructure is already covered by Policy UG 6A, while the co-ordinated use and development of infrastructure is covered by Policy UG 9B and Policy UG 13B (in the case of</p>

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			<p>The location and extent of existing and future urban growth to 2051 is provided for by defined urban limits which cover both the Tauranga City and Western Bay of Plenty District. Within the urban limits shown on Maps 5 to 15, are defined greenfield growth areas for residential development and business use. The urban limits also provide for residential infill and intensification of existing urban areas. The term urban activities is defined to allow for rural and lifestyle activities to occur outside of the urban limits. Methods 14 and 16 provide for a review of the urban limits and amendment where necessary as circumstances change.</p> <p>An appropriate mechanism to manage growth is to provide direction through this Statement on where development may occur. This will enable regional and district plans to give effect to that direction. By confining development within identified areas, development can proceed with certainty while achieving the strategic integration of infrastructure services.</p> <p>While areas outside urban environments have not been and are unlikely to face the same growth pressures, some urban growth pressures can be expected. Outside of urban environments and urban growth that forms part of an urban environment, new urban areas (or urban zoning) is not desirable as it can create a sporadic settlement pattern and result in an inefficient use of natural and physical resources.</p> <p>There are however, some limited circumstances where such proposals could be acceptable such as extensions to existing towns that have reticulated water and wastewater services. Therefore, the same overarching growth principles of the National Policy Statement on Urban Development (2020) should apply in other areas to ensure proposals result in an efficient use of land and resources. For the avoidance of doubt, this policy does not enable development in villages and settlements that do not have reticulated water and wastewater services.</p> <p>There may be other provisions in this Regional Policy Statement to consider in proposals to urbanise land which may mean a particular location is unsuitable. These include, but are not limited to, topographical constraints, natural hazards and natural freshwater features.</p> <p>Table reference: Objectives 23, 25 and 26, Methods 1, 3 and 18</p>	<p>transport). Similarly, managing rural development and protecting productive land is covered by Policy UG 18B.</p> <p>In seeking to restrict urban development outside existing urban environments, the policy appears to be re-introducing an urban limit – albeit a soft limit which is not mapped. For example, it is not clear whether an unanticipated or out of sequence plan change which proposed re-zoning an area of rural land directly adjacent to an existing urban area would be able to comply with this policy – or would it be considered urban activities located outside urban environments.</p> <p>Depending on how the definition of urban environment in the NPS-UD is interpreted, this policy may not apply to the situation described above. If this is the case, and the policy is only intended to apply to ad hoc urban development in the wider rural area not associated with an urban environment, or to development of smaller settlements, then it should be re-worded and clarified to be more explicit. However, even if this is the case the need for the policy is still questionable, as Policies UG 6A, UG 9B and UG 13B (referenced above) would still apply and cover the same matters.</p> <p>If the proposal were to be retained in a modified form, refining the application of the policy to consents for activities, rather than plan changes, may also help to clarify the intent. We would also support removal of phrases such as “sound resource management principles” which are vague and do not provide sufficient direction to assess a proposal.</p>
29	Policy UG 15B	Support	<p>Accommodating population growth through greenfield and residential intensification development – western Bay of Plenty sub-region</p> <p>Population growth within the western Bay of Plenty sub-region out to 2051 shall generally be accommodated as follows:</p> <p>(a) By providing for 75% of projected growth within new greenfield development growth areas (e.g., Pāpāmoa East, Ōmokoroa, North-west Bethlehem, Pyes Pa West, To Puke, Katikati and Waihi Beach); and</p> <p>(b) By providing for 25% of projected growth through intensification of residential development within existing urban areas through such techniques as infill development, mixed use zones and specifically identified intensification areas;</p> <p>at densities which aim to achieve the target yields set out in Policy UG 4A.</p> <p>Explanation</p> <p>It is important to make the most efficient use of the available land within the western Bay of Plenty to accommodate expected population growth to 2051, recognising geographical, geotechnical and cultural constraints that prevent urban development in many areas. Research undertaken by the University of Waikato and subsequently Tauranga City Council and Western Bay of Plenty District Council in the development and implementation of the Western Bay of Plenty Sub-region Growth Management Strategy has identified the most appropriate locations for urban development. This has entailed providing for new suburban or greenfield development, while also making efficient use of desirable locations within the existing urban environment of Tauranga City, such as Mount Maunganui and the Tauranga central business district to provide for high density living environments.</p> <p>Monitoring of development trends will enable the split between greenfield and residential intensification to be revised should circumstances change.</p> <p>Table reference: Objective 25, Methods 3, 14 and 16</p>	Support removal of this policy to align with other changes.
30	Policy UG 16B	Support	<p>Providing for new business land – western Bay of Plenty sub-region</p> <p>New large-scale business land shall be provided for generally in accordance with Appendix C and only within the urban limits shown on Maps 5 to 15 (Appendix E).</p> <p>Explanation</p> <p>District Plans provide the key zoning tool for different types of activity. Within the urban limits Western Bay of Plenty District Council and Tauranga City Council need to provide for business land in appropriate locations to meet the economic and social growth needs of the sub-region.</p> <p>Table reference: Objective 25, Methods 3 and 18</p>	Support removal of this policy to align with other changes.

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30	Policy UG 17B	Support	<p>Urban growth management outside of the western Bay of Plenty sub-region</p> <p>Manage the growth of urban areas located outside of the western Bay of Plenty sub-region in a manner consistent with sound resource management principles, including:</p> <p>(a) The efficient development and use of the finite land resource;</p> <p>(b) Setting defined limits of urban development; and</p> <p>(c) Providing for the efficient, planned and co-ordinated use and development of infrastructure.</p> <p>Explanation</p> <p>While areas outside of the western Bay of Plenty sub-region have not been and are unlikely to be faced with the same growth pressures as those recently and currently being experienced in that sub-region, the same overarching growth management principles should apply in other areas. There may however be factors in other areas (such as topographical constraints and natural hazards) which create different challenges and may necessitate variations in the approaches taken.</p> <p>Table reference: Objectives 23 and 26, Methods 1, 3 and 18</p>	Support removal of this policy to align with other changes.
30	Policy UG 18B	Support with amendments	<p>Managing rural development and protecting versatile land</p> <p>The productive rural land resource shall be protected for rural production activities by ensuring that to the extent practicable subdivision, use and development in rural areas does not result in versatile land being used for non-productive purposes, <u>outside existing and planned urban-zoned areas</u>, or outside the urban limits for the western Bay of Plenty shown in Appendix E, unless it is for:</p> <p><u>(a) Urban development associated with existing and planned urban areas</u></p> <p><u>(b) Regionally significant infrastructure which has a functional, technical or locational need to be located there, or</u></p> <p><u>(c) it is Urban development that has satisfied the criteria in UG 7A.</u></p> <p>Particular regard shall be given to whether the proposal will result in a loss of productivity of the rural area, including loss of versatile land, and cumulative impacts that would reduce the potential for food or other primary production.</p> <p>In the catchments of the Rotorua Te Arawa Lakes, land-use change to achieve reduced nutrient losses may justify over-riding this policy. Any such changes in land use must however be integrated and co-ordinated with the provision of appropriate infrastructure.</p> <p>Explanation</p> <p>It is important to protect the natural productivity of the region's land. Soil and its life-supporting capacity are a finite resource, which need to be managed and sustained for future generations. Rural production is one of the region's economic drivers and this production is reliant on retaining and protecting rural land and soils.</p> <p>In areas where rural production activities occur, the protection of finite versatile land primarily for pastoral farming and horticulture is a priority for sustainable management. However, with respect to planned urban development as well as to the legitimate establishment of rural servicing activities in rural areas, it is inevitable that some versatile land will be lost to productive use. The issue then becomes one of ensuring that the extent of such loss is minimised through the efficient use and development of the finite land resource.</p> <p>In the Rotorua Te Arawa Lakes area, protecting water quality from increased nutrient losses may also be given priority over protection of versatile land. Water quality in Rotorua Te Arawa Lakes' catchments has been degraded mainly by human activities and nutrient losses from pastoral farming and sewage leachate from residential areas.</p> <p>Reducing nutrient losses into these lakes is a priority. Rotorua District Council, regional councils, central government and Te Arawa Lakes Trust are working together on a range of initiatives designed to mitigate the effects of nutrients into these lakes.</p> <p>The need to avoid nutrient losses into the receiving waters of some regional catchments at risk may result in rural lifestyle subdivision being a preferred option. However, forward planning and care is needed to prevent the loss of rural character and inefficient land, infrastructure and energy use.</p> <p><u>Table reference: Objective 26, Methods 1, 3, 18, 52 and 67</u></p>	<p>Support the intent of this policy (which is largely a consequential change) but request minor amendments for clarification and consistency with the wording used in the NPS-UD itself.</p> <p>Amend structure of the policy to list the exceptions and improve readability. Remove the use of the word "outside" (which implies a soft urban limit) and improve clarity around development of existing and planned urban areas. In our view this would not change the intent or effect of the policy but make it much clearer and easier to read.</p> <p>We also note that emerging national direction on highly productive land may require revision to this policy and provide further direction for the management of urban development and the productive rural land resource.</p>
31	Policy UG 19B	Support	<p>Providing for rural lifestyle activities – western Bay of Plenty sub-region</p> <p>Require that the productive potential of versatile land is not compromised when providing for rural lifestyle activities outside <u>existing and planned urban areas</u> the urban limits for the western Bay of Plenty shown on Maps 5 to 15 (Appendix E).</p>	Support this consequential change to align with other changes.

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			<p><u>In the catchments of the Rotorua Te Arawa Lakes, land-use change to achieve reduced nutrient losses may justify over-riding this policy. Any such changes in land use must meet the nutrient management rules.</u></p> <p>Explanation</p> <p>Many people across the region (particularly in the western Bay of Plenty sub-region) have chosen to live in rural areas for lifestyle reasons, rather than farming, and this has resulted in fragmentation of productive land through subdivision. In other parts of the region, this pressure may not have been realised as yet and therefore forward planning will prevent these cumulative effects on rural land and versatile land.</p> <p>It is important to protect the natural productivity of land. Soils and their life-supporting capacity are finite resources, which need to be managed and sustained for future generations. Rural production is one of the region's economic drivers and this production is reliant on retaining and protecting its rural land and soils.</p> <p><u>Table reference: Objective 26, Methods 3, 52 and 67</u></p>	
32	Policy UG 20B	Support	<p>Managing reverse sensitivity effects on rural production activities and infrastructure in rural areas</p> <p>Require that subdivision, use and development of rural areas does not compromise or result in reverse sensitivity effects on:</p> <p>(a) Rural production activities, and</p> <p>(b) The operation of infrastructure</p> <p>located beyond the urban limits or existing and planned urban zone areas.</p> <p>Explanation</p> <p>Rural production activities are defined in Appendix A.</p> <p>Geothermal systems are a type of resource that also needs to be protected from incompatible land uses and land use practices.</p> <p>Unplanned rural lifestyle living and fragmentation of rural land through subdivision has occurred in some areas with reverse sensitivity concerns from these new dwellers resulting in associated adverse effects on the productive capacity of the land and its versatility, as well as on the efficient operation and growth of rural production activities. Many of these rural lifestyle lots are in areas that have poor infrastructure.</p> <p>Rural farming and horticultural practices can have effects which may affect the wellbeing of people, including spray drift, noise from frost fans, shading from shelterbelts etc. Similarly, quarrying and mining activities have the potential to create adverse landscape, visual, noise, dust and traffic effects. The potential for some of these activities and their associated practices to be constrained has increased due to the growing number of people choosing to live in rural areas but not work in rural occupations. The cumulative effect of unplanned rural subdivision has in some areas led to inefficient use of physical resources and a gradual loss of rural production activities.</p> <p>Table reference: Objective 26, Methods 3 and 67</p>	Support this consequential change to align with other changes.
33	Policy UG 22B	Support	<p><u>Providing for papakāinga</u></p> <p>Outside existing urban areas and the urban limits shown on Maps 5 to 15 (Appendix E), Enable the development of new, and protection of existing, papakāinga including marae-based housing shall be provided for.</p> <p>Explanation</p> <p>Māori housing and associated activities around rural marae have been in existence for many decades. Provision is made for accommodating growth through papakāinga development on ancestral land both within and outside of existing and planned urban areas. The utilisation of multiple owned Māori land for housing is the most affordable option for many whanau. In the western Bay of Plenty sub-region papakāinga development is not bound by urban activities being restricted outside the urban limits.</p> <p>The continuation and expansion of papakāinga and other marae based activities, subject to relevant statutory processes, gives effect to the requirements of sections 6(e), 7(a) and 8 of the Act and also recognises the statutory provisions in the Te Ture Whenua Māori Act 1993. This policy provides tangata whenua with the potential to meet their housing and economic development requirements.</p> <p>Table reference: Objectives 16, 21 and 25, Method 3</p>	Support removal of current Policy UG 22B to more broadly reflect the application to te Tiriti o Waitangi principles to local authority decisions on urban development, which go well beyond enabling development of papakāinga.
33	Policy UG 22B	Support with amendments	<p><u>Te Tiriti o Waitangi Principles</u></p> <p><u>Ensure planning decisions provide for te Tiriti o Waitangi principles by:</u></p> <p><u>(a) Enabling Māori to develop their land, including but not limited to papakāinga housing, marae and community facilities;</u></p>	Support full replacement of Policy UG 22B to more broadly reflect the application to te Tiriti o Waitangi principles to local authority decisions on urban development. However, we request minor amendments and clarifications for consistency as follows.

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			<p>(b) Providing for tikanga Māori and opportunities for Māori involvement in Council's decision-making processes, including the preparation of RMA planning documents and Future Development Strategies;</p> <p>(c) <u>Enabling early and ongoing engagement with iwi, hapū and affected Māori land trusts;</u></p> <p>(d) Identifying and protecting culturally significant areas and view shafts</p> <p>(e) Protecting marae and papakāinga from incompatible uses or development and reverse sensitivity effects; and</p> <p>(f) Demonstrating how Māori values and aspirations identified during consultation in (c) have been recognised and provided for.</p> <p>Explanation</p> <p>Objective 5 and Policy 9 of the National Policy Statement on Urban Development 2020 seeks to ensure planning decisions relating to urban environments take into account te Tiriti o Waitangi principles and Treaty settlement outcomes. This policy extends those principles to all Maori development. Local authorities must consider iwi and hapū values and aspirations for urban development and provide opportunities for hapū and iwi involvement in decision making.</p> <p><u>Policy UG 7BA applies to Māori development where it relates to urban environments and is unanticipated or out of sequence.</u></p> <p>The difficulties involved in developing multiple owned Māori land remains a real and significant barrier for many whānau. Loan criteria from lending institutions are stricter than for lending against general title land. Governance structures for Māori land blocks vary and can be difficult to contact and administer. Obtaining formal occupation rights is often time consuming and can generate tension amongst whānau, particularly in relation to those with competing interests.</p> <p>Local authorities have a role in giving effect to the Crown's Tiriti o Waitangi obligations. Commonly recognised Tiriti o Waitangi principles include but are not limited to partnership, active protection, mutual benefit and rangatiratanga.</p> <p>One of the means of giving effect to these principles is through methods developed in conjunction with tangata whenua to offset the impacts of urban development on culturally significant values, sites or areas.</p> <p>Local authorities must also meet their obligations to Māori under other legislation including Te Ture Whenua Māori Act 1993, the Local Government Act 2002, and relevant Treaty settlement legislation.</p> <p>Opportunities for ensuring tikanga Māori and Māori involvement in decision making processes should be afforded particularly when there are issues or sites of significance to Māori affected. This may involve appointing independent hearing commissioners with Māori cultural expertise or observing kawa (traditional customs) of tangata whenua in a particular area. It could involve holding hearings on marae in proximity to the area of a proposal.</p> <p>Māori housing and associated activities around marae have been in existence for many decades. Provision is made for accommodating growth through papakāinga development on ancestral land both within and outside of existing and planned urban areas. The utilisation of multiple owned Māori land for housing is the most affordable option for many whānau.</p> <p>The continuation and expansion of papakāinga and other marae-based activities, subject to relevant statutory processes, gives effect to the requirements of sections 6(e), 7(a) and 8 of the Act and also recognises the statutory provisions in the Te Ture Whenua Māori Act 1993. This policy provides tangata whenua with the potential to meet their housing and economic development requirements.</p> <p>This policy also seeks to protect marae from reverse sensitivity effects generated by incompatible uses or development occurring in their proximity that could constrain or inhibit cultural activities expected on a marae. Industrial development undertaken around marae that have existed for decades have compromised culturally significant viewshafts and the enjoyment of normal cultural activities. This policy seeks to avoid these outcomes from occurring.</p> <p>Table reference: Objective 25, Methods 1,2, 3 and 18</p>	<p>Correction of reference to Policy "UG 7B" – should be UG 7A.</p> <p>As noted in relation to Policy UG 7A, the explanation to this policy states that Policy UG 7A applies to Māori development where it relates to urban environments and is unanticipated or out of sequence, mirroring a similar statement in Policy UG 7A itself. This would mean that for Tauranga City and Western Bay of Plenty District urban environments, the scale of the development would need to be 5 hectares or more for the responsive planning policies to apply. This large scale may not be feasible in relation to Māori development, and we suggest that this statement is reconsidered to avoid any unintended restrictions on the development of Māori land.</p>
35	Policy UG 24B	Support	<p>Managing reverse sensitivity effects on existing rural production activities in urban areas</p> <p>Manage reverse sensitivity effects on existing rural production activities located within the urban limits of existing and planned urban zoned areas.</p> <p>Explanation</p> <p>Some existing rural production activities are located within existing and planned urban areas or urban limits (as identified in Appendix E). These activities may be impacted by urban expansion and change that may result in reverse sensitivity effects on them.</p> <p>Table reference: Objective 26, Methods 3 and 20</p>	Support this consequential change to align with other changes.
36	Table 13	N/A	Methods to implement policies.	Comments on methods below should be reflected in Table 13 as appropriate

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37	Method 14	Support	Monitor and review growth – western Bay of Plenty sub-region Deleted in full.	Support this consequential change to align with other changes.
37	Method 16	Support	Consider amendments to the urban limits – western Bay of Plenty sub-region Deleted in full.	Support this consequential change to align with other changes.
38	Method 18	Support	Structure plans for land use changes (e) Show how the target yields set out in Policy UG 4A will be met; (o) Show how <u>efficient infrastructure servicing the sequencing of urban growth requirements detailed</u> in Policy UG 6A will be achieved,	Support these consequential changes to align with other changes.
39	Method 67	Support	Support rural structure plans Support the development of rural structure plans for rural areas outside the urban limits or existing and planned urban zone areas that are subject to growth pressure. Implementation: Regional council and city and district councils.	Support this consequential change to align with other changes.
40	Appendix A	Support with amendments	Definitions Terms are not included if they are: <ul style="list-style-type: none"> defined in the Resource Management Act 1991 or other commonly used Acts, the usual dictionary meaning, referred to only in the explanatory text, not the policies, <u>and or</u> referred to in National Policy Statements. Business land: Areas of land used or zoned for commercial or industrial activities and includes areas shown in Appendix C. ... Existing urban area: Those <u>existing developed urban zoned areas reticulated with wastewater and water supply infrastructure that are outside of the greenfield development growth area.</u> Urban limits: The outer extent of the areas (shown on Maps 5 to 15 in Appendix E) which urban activities are located or which are committed for future urban expansion.	The list of criteria for terms not to be included should have “or” rather than “and” – i.e. terms only have to fit one of the criteria, not all of them, to not require definition in the RPS.
41	Appendix C	Support	Indicative growth area timing and business land provision Deleted in full.	Support this consequential change to align with other changes.
43	Appendix D	Support	Indicative growth area sequencing Deleted in full.	Support this consequential change to align with other changes.
45	Appendix E	Support	Management and Growth areas for the western Bay of Plenty Deleted in full.	Support this consequential change to align with other changes.



Submission Form

Send your submission to reach us by
4:00 pm on Tuesday, 6 September 2022

Submission number
Office use only

Post: The Chief Executive Bay of Plenty Regional Council PO Box 364 Whakatāne 3158	or Fax: 0800 884 882	or Email: rpschange6@boprc.govt.nz
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Submitter: _____

This is a submission on **Proposed Change 6 (NPS-UD) to the Bay of Plenty Regional Policy Statement**

- 1 I **could** / **could not*** gain an advantage in trade competition through this submission. [*select one]
- 2 ~~I am / I am not*~~ directly affected by an effect of the subject matter of the submission that: [*select one]
 - (a) ~~adversely affects the environment, and~~
 - (b) ~~does not relate to trade competition or the effects of trade competition~~

~~[Delete the entire paragraph if you could not gain an advantage in trade competition through this submission.]~~
- 3 The details of my submission are in the attached ~~table.~~ letter
- 4 I **wish** / **do not wish*** to be heard in support of my submission. [*select one]
- 5 ~~If others make a similar submission, I will consider presenting a joint case with them at a hearing. [Delete if you would not consider presenting a joint case.]~~

[Signature of person making submission or person authorised to sign on behalf of person making submission.]
[NOTE: A signature is **not** required if you make your submission by electronic means.]

Date

Contact person: [Name and Designation if applicable]

Name:

Designation:

Telephone:

Daytime:

After Hours:

Email/Fax:

Email:

Fax:

Address for Service of Submitter:

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The specific provisions of the proposal that my submission relates to are:

Page No	Reference (Issue, Objective, Policy, or Method)	Support/Oppose	Decision sought What changes you would like to see?	Give reasons

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