



6 September 2022

Chief Executive
Bay of Plenty Regional Council

Proposed Change 6 (NPS-UD) to the Bay of Plenty Regional Policy Statement

Tēnā koe e Rangatira

Bluehaven Investments Limited (**BIL**) has made a submission on Plan Change 6 (NPS-UD) to the Bay of Plenty Regional Policy Statement.

BIL is part of the Bluehaven Group and is the developer of The Sands, the sub-regional centre located at Wairakei (**The Sands**).

The Sands is the principal retail, commercial, entertainment and cultural centre for the Western Bay of Plenty Eastern (**WBOP**) growth corridor.

The scale and form of activities, buildings and facilities in The Sands precinct, reflects its elevated position in the commercial network of Tauranga City and the sub-region. New investment will be attracted to maintain and enhance this position while addressing environmental effects.

The Sands will create a significant hub of economic and employment activity. Private investment exceeding \$1 billion will be made in developing The Sands and adjacent business precinct. Huge employment numbers of 7,050 FTE for the construction and 7,555 FTE associated with The Sands on completion will also be created.

In addition to the above, there will also be development contributions, and significant private and public investment in the enabling infrastructure for transport/roads and three waters networks, as well as major investment in a variety of community facilities such as aquatic, indoor sports, schools, sports fields, parks & reserves in the Wairakei and Te Tumu growth areas.

BIL interest is ensuring that there is an appropriate return on this significant private and public investment, and that this is not undermined by sub-optimal planning decisions within the area of influence of The Sands. For this reason, BIL has taken an active interest in all spatial planning and policy processes undertaken within the subregion to be assured of this outcome, including providing comments on the draft Plan Change 6 when it was released earlier this year.

We understand the reasons for Plan Change 6, and support it in principle.



Our primary concern with Plan Change 6 is to ensure that there is sufficient certainty in the process for considering unanticipated or out of sequence urban growth proposals. Plan Change 6 has potential to create risks when considered against the current backdrop of partially developed spatial plans for the WBOP subregion.

- TCC/WBOPDC/BOPRC have a proposed FDS produced through SmartGrowth and several other spatial planning policy documents, at various stages of development that have yet to completed, including formal public consultation and an approval process:
- A subregional centres strategy & the Tauranga urban strategy reviews were initiated several years ago, and have yet to be completed and it is understood will be re-initiated in 2023. These are key strategic documents for guiding centres development in the subregion.
- The UFTI, where there are gaps that need to be addressed ahead of it being integrated into the SmartGrowth joint draft spatial plan/FDS.
- The Western Bay Joint Spatial Plan (2021) referred to in the s32 report is acknowledged as a 'first step' and is currently a draft with no formal status. Gaps are fundamental and include the need to understand tangata whenua values and aspirations. The draft will be an input to the FDS required by the NPS-UD. Close out of an FDS is mid-2024.
- The SmartGrowth Housing Action Plan is only a stop gap measure and an evolving plan, while the above policy framework is finalised.

These plans do currently form an adequate spatial planning baseline to assess unanticipated or out-of-sequence urban growth under proposed policy UG 7A. It is premature to delete the Management and Growth areas and related policies ahead of formal approval of the Spatial Plan/FDS.

Ngā mihi



Nathan York
Chief Executive



Submission Form

Send your submission to reach us by
4 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: Bluehaven Investments Ltd

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

- 1 I could not gain an advantage in trade competition through this submission.
- 2 The details of my submission are in the attached table.
- 3 I wish to be heard in support of my submission. [*select one]
- 4 If others make a similar submission, I will consider presenting a joint case with them at a hearing.

[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.]

6 September 2022

Date

Submission # 12

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Daytime:

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

Page No	Reference	Support/Oppose	Decision Sought	Reasons
4	2.8 Urban and rural growth management	Oppose	<p>Delete the final paragraph:</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. 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 final paragraph offers little benefit to the Policy. The spatial planning/policy environment is dynamic and the RPS will invariably become out of date through making specific references of this type.</p> <p>For example, the SmartGrowth Strategy and Implementation Plan 2013 is in a process of being replaced by UFTI, a draft Spatial Plan, and an FDS in 2024.</p>
23	Policy UG 7A: Providing for unanticipated or out-of-sequence urban growth – urban environments	Oppose	<p>Amend to refer to the FDS and RMA Plans as the key documents that anticipate and sequence urban development with the following amendments to criterion (a):</p> <p><i>The development is of large enough scale to contribute to meeting demand for additional urban land identified through the HBA for the area FDS or RMA Plans, 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</i></p>	<p>The FDS is the strategic planning document that is recognised in the NPS UD.</p> <p>The criterion should refer to the FDS, not the HBA. The HBA is not a plan. It is a tool used to inform the FDS alongside other inputs and does not deliver capacity on its own. It is a technical analysis that is not subject to formal consultation nor decision making under the RMA or LGA.</p> <p>The explanation does not refer to the HBA, but to the FDS and other plans.</p>
23	Policy UG 7A: Providing for unanticipated or out-of-sequence urban growth – urban environments	Oppose	<p>Amend the Explanation:</p> <p><i>Unanticipated 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, or RMA plan, Long Term Plan, or 30-year infrastructure strategy. Out of sequence development is development that is not consistent with the</i></p>	<p>The explanation lists other plans as ‘or relevant plan or growth strategy, RMA planning document, Long Term Plan, or 30-year infrastructure strategy’.</p> <p>Referring to plans other than the FDS and RMA plans is inappropriate, being inconsistent with the NPS-UD, and will create undesirable uncertainty. These other documents also may not always be aligned, or subject</p>

Page No	Reference	Support/Oppose	Decision Sought	Reasons
			<i>development sequence set out in one or more of those documents.</i>	to the same rigour of analysis, community engagement, or decision making.
45	Appendix E – Management and Growth areas for the Western Bay of Plenty and key related policies.	Oppose	Retain Management and Growth areas for the western Bay of Plenty and related policies UG5A, UG6A, and UG 7A until an FDS (or equivalent) has been formally approved.	<p>TCC/WBOPDC/BOPRC have produced a draft FDS through SmartGrowth and several other spatial planning policy documents are at various stages of development. These have yet to be completed, including a formal public consultation and approval process.</p> <p>A subregional centres strategy and Tauranga Urban Strategy reviews were initiated several years ago but have yet to be completed and it is understood these will be reinitiated in 2023.</p> <p>While the principles of UFTI are generally supported there are gaps in its delivery that need to be addressed ahead of it being integrated into the SmartGrowth joint draft spatial plan/FDA.</p> <p>The Western Bay Joint Spatial Plan (2021) referred to in the s32 report is acknowledged as a 'first step' and is currently a draft with no formal status. Gaps are fundamental and include the need to <i>understand tangata whenua values and aspirations</i>. The draft will be an input to the FDS required by the NPS-UD. Close out of an FDS is mid-2024.</p> <p>The SmartGrowth Housing Action Plan is a stop gap measure and an evolving plan, while the above policy framework is finalised.</p> <p>It would be premature to delete the Management and Growth areas and related policies ahead of formal approval of the Spatial Plan/FDS. This will create a policy vacuum with no credible baseline against which to assess unanticipated or out-of-sequence urban growth under proposed policy UG 7A.</p>