



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: Western Bay of Plenty District Council

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 ~~I am/am not~~ directly affected by an effect of the subject matter of the submission that
 - (a) ~~adversely affects the environment, and~~
 - (b) ~~does not relate to trade competition of the effects of trade competition~~
- 3 The details of my submission are in the attached table.
- 4 I ~~wish/do not~~ wish to be heard in support of my submission.
- 5 ~~If others make a similar submission, I will consider presenting a joint case with them at a hearing.~~

06/09/2022

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

Date

[NOTE: A signature is **not** required if you make your submission by electronic means.]

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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
	Proposed Change 6 (in its entirety)	Support in part	Progress with Proposed Change 6 with amendments as recommended below.	Western Bay of Plenty District Council (WBOPDC) acknowledges that the changes proposed to the Regional Policy Statement (RPS) are generally as a result of the National Policy Statement – Urban Development. They also reflect that times have changed since the RPS was made operative. Change 6 was produced in a collaborative manner with the TLA's and this has been appreciated.
	Policy UG 4A	Support	Delete Policy	Such yield requirements are no longer valid.
	Policy UG 5A	Support	Delete Policy	Urban limits have proved useful in the past, but in the current and future development environment are too rigid. The criteria contained in other policies are appropriate to manage any proposed developments.
	Policy UG 7A	Support	Retain as notified	The criteria listed are important to assess the appropriateness of unanticipated or out of sequence developments. They are essential for the funding of infrastructure and place-making purposes.

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	Policy UG 7AX	Support in part	Change "Provide for and enable" to "Require"	Providing for and enabling increased density does not mean it will happen. To ensure increased density is to occur it needs to be mandated, hence the use of the word "Require". It will then be up to the City/District Plans to set the targets.
	Policy UG 13B	Support in part	Change "regard should" to "regard must"	As with Policy UG7AX above the wording needs to be stronger to ensure that the matters listed are properly addressed.
	Method 18	Support in part	Add a new clause "Show how a variety of dwelling typologies will be provided for".	Unless the provision of a variety of dwelling typologies is mandated there will be a predominance of stand-a-lone houses on their own section which will not meet the housing needs of the community.
	Definitions	Support in part	Provide a definition of "urban environments": means existing urban areas that are serviced by urban level infrastructure including water supply and wastewater disposal.	The term "urban environments" is used in a number of places and clarity is required as to what it covers.
Page 33	Policy UG 22B – Te Tiriti o Waitangi Principles	Support in part	<ol style="list-style-type: none"> Support the deletion of Policy UG 22B <i>Providing for Papakāinga</i> and the insertion of new Policy UG 22B <i>Te Tiriti o Waitangi Principles</i> Add "<i>Provide opportunities, in appropriate circumstances, for Māori involvement in decision-making on resource consents,</i> 	<ol style="list-style-type: none"> The scope of <i>Providing for Papakāinga</i> was narrow and only focused on the development of Māori land outside of planned urban development. We support the move to a more principled approach which more generally focuses on the how planning decisions can reflect the principles of Te Tiriti o Waitangi. Policy UG 22B, largely reflects Policy 9 within the National Policy Statement on Urban Development 2020, however providing

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			<p><i>designations, heritage orders, and water conservation orders” to Policy UG 22B.</i></p>	<p>opportunities for Māori involvement in decision making around resource consents (NPS Policy 9(c)) is not specifically reflected within Policy UG 22B.</p> <p>Policy UG 22B (b) addresses Māori involvement in decision making, however this only reflects NPS Policy 9(d). Including a statement which specifically addresses NPS Policy 9(c) will remove any ambiguity and make it clear how planning decisions on resource consents, designations, and orders should provide for te Tiriti o Waitangi principles.</p>
Pages 33 - 34	Policy UG 22B – Explanation statement	Support in part	<ol style="list-style-type: none"> 1. Paragraph 2 – Amend explanation statement to refer to Policy UG 7A 2. Paragraph 3 – Add “ Whilst outside the responsibilities of local authorities, it should be noted that the difficulties.....” to beginning of paragraph 3. Paragraph 5 – Undertake further engagement with iwi and hapū before including any statement regarding cultural off-setting 	<ol style="list-style-type: none"> 1. The explanation statement incorrectly references Policy UG 7B which is non-existent in the operative Regional Policy Statement, or within the scope of changes set out in Proposed Change 6. 2. WBOPDC understands that the development of Māori land and the barriers that Māori face when developing Māori land is a significant issue for iwi and hapū within the Western Bay District and across the country. However, the factors stated in the explanation are largely outside of the responsibilities, and control of territorial authorities. 3. WBOPDC acknowledges that Bay of Plenty Regional Council has opted to include references to cultural offsetting within the explanation text rather than as a main policy,

				<p>thus giving the statement less weight. WBOPDC recognises that this has been done in recognition of the concerns that some hapū have raised in relation to cultural offsetting.</p> <p>WBOPDC's Tangata Whenua forum Te Ihu o Te Waka o Te Arawa has raised concerns about the concept of cultural offsetting and the impact that this could have on cultural heritage and sites of significance through their engagement with Bay of Plenty Regional Council. While these concerns have been noted, further work needs to be done to fully address these.</p> <p>The concept of cultural offsetting is also still under development and has yet to be developed into a robust framework. It would be prudent to undertake further engagement with hapū before any reference to cultural offsetting is included in the Regional Policy Statement.</p>
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