Version 6.0 June 2023



Proposed Change 6 (National Policy Statement on Urban Development) To the Bay of Plenty Regional Policy Statement

STAFF RECOMMENDATIONS ON PROVISIONS WITH SUBMISSIONS AND FURTHER SUBMISSIONS

This report presents the changes to the Proposed Change 6 as recommended by staff prior to the Hearing.

Bay of Plenty Regional Council PO Box 364 Whakatāne 3158 New Zealand

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Chapter: Whole of Change 6 (general submission points)

Section: Whole of Change 6 (general submission points)

Staff Recommendation

Retain Proposed Change 6 (NPS-UD) to the RPS subject to amendments recommended elsewhere in this report.

Staff Reason

Proposed Change 6 (PC6) to the Regional Policy Statement (RPS) is required to implement the National Policy Statement on Urban Development 2020 (NPS-UD). This change does not seek to amend the RPS beyond the scope of the NPS-UD.

Submissions 5-7, 9-1 11-9, FS 3-2, 12-5, 26-5, 29-1, 31-1, FS 9-19 and 33-1 support Proposed Change 6 subject to the relief sought on specific provisions provided in other submission points. A fulsome recommendation in response to those points are made in the relevant sections of this report. These submissions are accepted in part based on the staff recommendations detailed further within this report.

Submissions 1-4, 7-1 seeks to retain Proposed Change 6 and supports the addition of Te Tiriti o Waitangi principles through Proposed Change 6. This submission recognises that unplanned development can have detrimental effects on the wellbeing of the community and seeks that there should be a requirement for proposals to demonstrate why they should go ahead.

Staff acknowledge the concerns raised within this submission. Unplanned development in reference to Policy 8 of NPS-UD refers to unanticipated or out of sequence developments. Proposed Policy UG 7A sets out the criteria for consideration of a proposal that would be considered as unplanned. If these criteria can be met, the other relevant urban growth policies and Method 18 shall be considered to ensure that such proposals contribute to well-functioning urban environments.

Submission 21-1 support for Proposed Change 6 is noted. Proposed Policy UG 7A seeks to implement Clause 3.8(3) of the NPS-UD. It sets out criteria for determining whether unanticipated or out of sequence urban development proposals will add significant development capacity, and how the merits of individual proposals will be consistently assessed. It applies to both residential and business development proposals.

Submissions 2-1, 25-10 support for Proposed Change 6 is noted.

Submissions 3-1, 3-2, 14-1, 14-2, 23-1, FS 5-3, 24-1, FS 5-4, relate to tangata whenua consultation and participation (and raise issues with tangata whenua engagement in Council processes, cultural off-setting and that Western Bay of Plenty District Council ("WBOPDC") should not be considered a Tier 1 local authority.

Care has been taken to undertake consultation consistent with the Resource Management Act requirements, RPS consultation Policy IR 4B 'Using consultation in the identification and resolution of resource management issues' and RPS Method 41 'Promote consultation with potentially affected tangata whenua'. Staff take an open-door policy approach to consultation and have afforded genuine opportunities to tangata whenua and representatives of hapu and iwi authorities to be consulted during the process of developing Proposed Change 6. The specific details on consultation undertaken with iwi and hapu representatives and tangata whenua consulted are documented in the Section 32 report.

Issues of tangata whenua lacking capability and capacity is acknowledged. This is a wider issue and partly the result of the scale of policy and plan changes underway to implement various national directives. Regional Council are required to notify this RPS change by August 2022 and used the full time available before the deadline to try and effectively engage tangata whenua, iwi and hapu interested.

Concerns in relation to cultural offsetting are acknowledged. Cultural offsetting is a novel process and specific provision for it as a method or policy was opposed by tangata whenua representatives consulted. A cultural offsetting research project was being progressed by the SmartGrowth Combined Tangata Whenua Forum. The desire is that project would build a better understanding of how cultural offsetting can be applied in practice. Reference to cultural offsetting in the explanation text to Policy UG 22B is recommended to be deleted. Tangata whenua still have discretion whether or not to employ offsetting as a mechanism in their own processes.

For these reasons, staff recommend accepting submissions seeking to remove reference to offsetting in the explanation text for Policy UG 22B.

In terms of WBOPDC, the NPS-UD defines Tauranga as a Tier 1 urban environment, and WBOPDC (specifically Te Puke and Omokoroa) form part of that urban environment. To not include WBOPDC as part of the Tier 1 urban environment would be contrary to the NPS-UD.

In relation to the 'Wananga Report' prepared by Nga Aho and Papa Pounamu key recommendations are included in Section 5.1 which include that the Productivity Commission consider the following:

1) Acknowledgment of Maori histories in urban areas, and Maori aspirations for urban planning and development.

2) The diverse roles and interests of Maori communities in urban planning, and ensure these roles and interests are provided for in any recommendations to reform the urban planning system.

3) Providing further support for the Maori planning and design community to continue this conversation about 'the future of planning.

Staff consider Policy UG 22B in combination with existing operative RPS lwi Resource Management and Matters of National Importance policies (e.g. Policies IW 2B, IW 2B, IW 5B, MN 1B and MN 8B) also apply to future urban development proposals. Collectively these provisions can be relied on to give effect to Policy 9 of the NPS-UD and address tangata whenua values as part of urban planning related decision-making processes.

With respect to submission 23-1 support for removal of the Appendix E urban limits line and policy to support increased density and intensification is noted.

Submission 34-1 raises various concerns and questions about the process, involve matters beyond scope and unable to be addressed by staff recommendations. For example, the submitter raises questions on notification and a referendum process for Proposed Change 6, questions about the current urban limits and suggestions on returning land in Tauriko West back to farming/horticulture activities. The submitter offers no relief sought on specific provisions within Proposed Change 6. Staff contacted the submitter to discuss and better understand their concerns. The submitter did not want to further discuss their submission.

Proposed Change 6 has followed the Resource Management Act Schedule 1 process for the preparation of an RPS change and give effect to the NPS-UD. The scope of Proposed Change 6 is limited to those necessary to give effect to the NPS-UD. The urban limits are proposed to be removed to be more flexible and responsive to urban development opportunities. This is aligned with guidance from the Ministry for the Environment that states; 'a hard rural urban boundary without the ability to consider change or movement of that boundary would not meet the requirements of the responsive planning policy.'

Staff consider that removing the urban limits within the western bay is the most practical approach to enable more land and infrastructure supply to give effect to the NPS-UD. For this reason, staff recommend that this submission is declined.

Other policy changes proposed as part of Proposed Change 6 include amendments to enable more land and infrastructure supply, growth (both up and out) and direction to support well-functioning urban environments.

The operative RPS continues to provide a framework for the sustainable management of the regions natural and physical resources including land, fresh and coastal water, issues of significance to iwi, biodiversity and infrastructure. These matters will remain relevant to future urban development proposals.

Submission 4-1 raises a number of concerns including not understanding the purpose of Proposed Change 6, lack of maps clearly articulating the areas affected and confusion over the meaning of terms. Staff attempted to contact the submitter to arrange a meeting, discuss and better understand their concerns. No response was received from the submitter.

The submitter also raises concerns with the removal of urban limits as this could create effects on the natural environment, infrastructure costs and additional carbon emissions. The relief sought by this submitter is that land use rights are protected, and that infill of existing areas occurs rather than sprawl.

Proposed Change 6 and Policy UG 7Ax 'Enable increased-density urban development – urban environments' seeks to provide for the intensification of existing urban environments. This aligns with the submitter's relief sought that existing urban areas should be infill and go up not out.

The purpose of Proposed Change 6 is clearly articulated and substantiated in the Section 32 report and that is to give effect to the NPS-UD requirements. Proposed Change 6 does not affect or distinguish peoples lawfully established existing use rights.

The operative RPS Appendix E urban limits maps set for the western bay of plenty subregion are proposed to be removed to be more flexible and responsive to development opportunities. The Ministry for the Environment Responsive Planning Guidance Fact Sheet states: 'a hard rural urban boundary without the ability to consider change or movement of that boundary would not meet the requirements of the responsive planning policy.' Retaining the urban limits would mean both a district/city plan change and RPS change would be required for unanticipated urban development proposals. This would be an inefficient policy approach. In addition, other Proposed Change 6 policy amendments seek to enable more land and infrastructure supply, growth of urban centres and direction to support well-functioning urban environments.

The operative RPS continues to provide a broader policy framework for the sustainable management of the regions natural and physical resources including land, fresh and coastal water, issues of significance to iwi, biodiversity, energy and infrastructure. These provisions will continue to apply including where relevant to future urban growth development proposals.

Submissions 10-1, FS 3-1, 32-1, FS 3-5, FS 5-5, FS 5-3, FS 5-4 oppose Policy UG 22B as notified on the basis that the policy does not recognise existing use rights and the reverse sensitivity effects that occur from existing activities.

Policy UG 22B aims to protect against incompatible uses or development and reverse sensitivity effects, and the explanation statement recognises that 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.

Objective 5 and Policy 9 of the NPS-UD require decision makers to take into account the Treaty of Waitangi Principles. The Treaty principle of active protection involves an obligation to take positive steps toward ensuring Maori interests are protected. This is primarily in association with property interests but also includes an active duty to protect taonga which includes and encompass marae.

The operative RPS defines reverse sensitivity as being "the potential for the operation of an existing lawfully established activity to be compromised, constrained or curtailed by the more recent establishment of other activities which are sensitive to the adverse environmental effects being generated by the pre-existing activity".

New proposed developments (including industrial activities) that could generate reverse sensitivity effects on existing marae would be contrary to Policy UG 22B. Existing lawfully established industrial activities are protected under sections 10, 10A and 20A of the Resource Management Act. Under Policy UG 22B if existing industrial activities propose to operate outside their existing use rights or in breach of a resource consent or regional or district planning rules, a concerted effort will be needed to demonstrate how marae or Papakainga will be protected from further reverse sensitivity effects.

Staff recognise that the Resource Management Act functions under sections 10, 10A and 20A are relevant to existing lawful activities and sets a baseline for a degree of effect that is accepted. Giving effect to the Treaty of Waitangi means that further adverse effects are not acceptable, and Policy UG 22B aims to enforce this. For these reasons, staff recommend that those submissions in opposition to Policy UG 22B are declined.

Submissions 15-12, FS 5-1 18-1, FS 3-4, 20-1, FS 5-2 raise concerns with urban growth and development in proximity to existing activities and critical infrastructure and how reverse sensitivity effects can arise. An integrated approach to planning is necessary to support increasing urban development.

The RPS defines reverse sensitivity as being "the potential for the operation of an existing lawfully established activity to be compromised, constrained or curtailed by the more recent establishment of other activities which are sensitive to the adverse environmental effects being generated by the pre-existing activity".

The RPS recognises reverse sensitivity effects on existing lawfully established activities through various policies. Of relevance to the submissions are the following operative RPS policies:

- Policy UG 20B: Managing reverse sensitivity effects on rural production activities and infrastructure in rural areas.
- Policy El 7B: Managing the effects of infrastructure development and use.
- Policy AQ 1A: Discouraging reverse sensitivity effects associated with odours, chemicals and particulates.
- Policy EI 3B: Protecting nationally and regionally significant infrastructure

The primary purpose of Proposed Change 6 is to give effect to the responsive planning and intensification requirements of the NPS-UD. Broader urban and rural growth management issues will need to be addressed as part of the pending RPS review. In the interim, staff consider reverse sensitivity effects are appropriately recognised by the aforementioned RPS provisions which remain relevant to new urban growth proposals.

Submissions 18-1 and FS 3-4 has raised concern with the interaction between the NPS-UD and the National Policy Statement on Highly Productive Land (NPS-HPL).

Proposed Change 6 was notified prior to the NPS-HPL's gazettal on 17 October 2022. Proposed Change 6 was not developed with the intention of giving effect to the NPS-HPL and submissions on it are considered out of scope.

The RPS already addresses rural growth management issues pertaining to reverse sensitivity and the protection of versatile/highly productive land. The operative RPS uses the term 'versatile land' which is defined as 'land under the New Zealand Land Use Capability Classification System categorised as being in Classes 1, 2 and 3.' Consequently, operative RPS references to versatile land will need to be amended to refer instead to highly productive land.

Except for differences in key terminology (i.e. versatile v highly productive) the RPS rural growth management Objective 26 and its corresponding policies are considered generally in alignment with the NPS-HPL policy framework.

Rural growth management Objective 26 states: 'The productive potential of the region's rural land resources is sustained and the growth and efficient operation of rural production activities are provided for.'

Policy UG 17B addresses urban growth management outside the western Bay of Plenty sub-region by ensuring it is undertaken following sound resource management principles including the efficient development and use of the finite land resource (including versatile land).

Policy UG 18B seeks to protect versatile land and the productive rural land resource for rural production activities, ensuring proposals have particular regard to any loss of productivity to rural areas, including versatile land, and cumulative impacts that would reduce the potential for food or other primary production.

Policy UG 19B requires the productive potential of versatile land is not compromised when providing for rural lifestyle activities.

Policy UG 20B requires that subdivision, use and development in rural areas does not compromise or result in reverse sensitivity effects on rural production activities and the operation of infrastructure.

Policy UG 23B provides for the operation and growth of rural production activities including having regard to appropriate plan (and zone) provisions, access to and use of rural resources, and protection from reverse sensitivity effects.

A separate program of works is underway to implement the NPS-HPL. In the interim, Implementation 3.5, clause 7 of the NPS-HPL outlines that until the RPS is amended to include maps of the highly productive land, each relevant territorial authority and consent authority must apply the NPS-HPL as if reference to highly productive land:

- Is zoned general rural or rural production; and

- Is LUC 1, 2 or 3 but;

Is not

- Identified for future urban development; or

- Subject to Council initiated or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.

Staff consider the best option is to give effect to the NPS-HPL on a comprehensive basis as part of Proposed Change 8 (NPS-HPL) to the RPS, which in turn, may require further amendments or additions to the existing operative RPS rural growth management provisions.

For these reasons, staff do not consider it appropriate to incorporate NPS-HPL provisions into Proposed Change 6 and recommend this submission is declined.

Submission 26-1 seeks to ensure the requirement for development capacity to be 'infrastructure ready' be expressly recognised in RPS policies. In the NPS UD 'development capacity' is defined as: 'the capacity of land to be developed for housing or for business use, based on:

a. the zoning, objectives, policies, rules and overlays that apply in the relevant proposed and operative RMA planning documents, and

b. the provision of adequate development infrastructure to support the development of land for housing or business use'.

Therefore, capacity does not just mean spatial area, it means a spatial area that can be serviced with adequate infrastructure. Whilst none of the new or amended Proposed Change 6 policies expressly use the term infrastructure ready, indeed that is the intent of the existing Urban Growth Management provisions. In particular Policies UG 6A Efficient use of land and infrastructure for urban growth and development' and Policy UG 9B 'Co-ordinating new urban development with infrastructure'.

Submission 17-1 seeks decision sought to amend Proposed Change 6 to incorporate relevant aspects of the National Policy Statement on Indigenous Biodiversity. (NPS-IB) Further submission 3-3 opposes this relief sought.

Staff recommend that this submission be declined on the basis that the NPS-IB is still under development and is yet to be gazetted.

Submission 27-1 seeks changes to various Proposed Change 6 policies to recognise and provide for the National Grid and ensures that the operation, maintenance, upgrading and development of the National Grid.

RPS operative Policy EI 3B: 'Protecting nationally and regionally significant infrastructure' seeks to protect the ability to develop, maintain, operate and upgrade existing, consented and designated infrastructure from incompatible subdivision, use or development.

This policy sets out how district councils and infrastructure providers shall determine an appropriate buffer corridor to ensure that inappropriate development in proximity to infrastructure, including reverse sensitivity effects, is avoided.

Additionally, large scale urban development and land use change is subject to structure planning under Method 18. Method 18 requires that a structure plan is prepared for all large-scale land use changes to ensure coordinated development through integrated provision of infrastructure and integrated management of related environmental effects. Of relevance to significant infrastructure, clause (f) of Method 18 requires that structure plans shall identify all existing and consented, designated or programmed infrastructure and infrastructure corridors.

Staff consider the operative RPS already includes appropriate provisions protecting significant infrastructure such as the National Grid which negates the need to introduce further provisions recognising the National Grid within Proposed Change 6.

For these reasons, staff recommend that this submission is declined.

Submissions

Submis

sion	Number:	1:	4
3011	number.	1.	-

Submission Type:

Support in Part

Report: Staff Recommendations on Provisions

Submitter:	Element IMF	
Submission Summary:	The submitter is concerned that Proposed Change 6 I consideration of out-of-sequence urban growth.	acks sufficient certainty in the process of
Decision Sought:	Retain Proposed Change 6 with amendements to incr proposal through reference to FDS.	rease certainty for out-of-sequence urban growth
Staff Recommendations:	Accept in Part	
Submission Number:	2: 1 Submissio	on Type: Support
Submitter:	Bayliss Ham Group Ltd	
Submission Summary:	Support entire Proposed Change 6.	
Decision Sought:	Retain Proposed Change 6.	
Staff Recommendations:	Accept	
Submission Number:	3: 1 Submissio	on Type: Oppose
Submitter:	Retimana Whanau Trust	
Submission Summary:	Tangata whenua capability and capacity is severely la the myriad of Regional, City and District Plan change central government requirements. Proposed Change need specific technical and independent advice and a timely, effective, relevant and appropriate input to these processes.	processes being hammered through to comply will 6 (NPS-UD) is just one example. Tangata whenua
	It is not fair to say Tangata whenua consultation has t tangata whenua don't fully understand the totality of th iwi Maori. This situation will only worsen with all the re	ne changes proposed and their true implications fo
	Tangata whenua/mana whenua interests are hardly re clear obligations to consult or be involved in decision intended to make intensive urban development easier	making. This is a Developers Facilitation model
	Reference to Te Tiriti obligations just doesn't do it. Th may be fine for intensive urban environments like Tau district.	
	Compliance with the NPSUD requirements means de Implementation is purely a management administrativ irrelevancy effectively a non-event.	
	Cultural offsetting must be placed into statutory contex words.	xt for consideration. Without that context it is mere
	Where intensive development results in sacred sites h must be amended to include appropriate compensation	
	These concerns require specific mention in Proposed	Change 6 - not a mere mention in a side note.
Decision Sought:	The thrust of this submission is withdrawal of WBOPD urban in nature. It is not involved in any intensive urban development.	DC from Tier 1 on the basis that it is rural rather the
	Strengthening Maori involvement in decision making r Whenua Manawhenua assessment for effects and options	requiring that all applications be subject to Tangata
Staff Recommendations:	Accept in Part	
	3: 2 Submissio	on Type: Neutral
Submission Number:		
Submission Number: Submitter:	Retimana Whanau Trust	

	and Further S	udmissions	
	Draft Report. A wananga was held at June 2016, and a 'Wananga Report' prepresentatives in July 2016. The 'Wa • 'Maori communities have strong and	outcomes. In December 2 sues Paper to assist people to work with Papa Pounar with the Productivity Comm prepared subsequently by N manga Report' made the fo	015 the Productivity Commission to participate in the inquiry. The mu to inform their 'Better Urban Planning nission at Te Noho Kotahitanga on 17 Nga Aho and Papa Pounamu ollowing points about urban planning: urban planning
	 A better urban planning system nee Better urban planning must focus or The existing planning framework do There is a lack of guidance and cap Kaitiakitanga is more than 'preserva' Rangatiratanga is more than 'consu 	holistic outcomes es not deliver outcomes for acity tion; and	-
	In response the NPS-UD contains dir whenua values and aspiration, e.g., N		
	Proposed Change 6 (NPSUD) must a issues identified in the Nga Aho and I		quirements to address the urban planning Report'.
Decision Sought:	We e support the key points of the No NPS-UD Policies 1 and 9 and seek to decisions that address tangata when	ensure Proposed Change	6 (NPS-UD) enables urban planning
Staff Recommendations:	Accept		
Submission Number:	4: 1	Submission Type:	Oppose
Submitter:	lan and Elizabeth Gargan		
Submission Summary:		s and terminology are amb	fusing, there are no clear maps to clarify iguous and confusing when definitions
	the current urban limits tehn we object	t to this on the basis it will o have concerns about the	destruction of the natural environment in
	We would prefer to see existing urban	areas infilled and go up no	ot out.
	is not right, and there should be no ne	ed to legislate for the same /land bankers etc) know that	o covet our property then we believe this e as all prospective purchasers we have at all properties are saleable if the sale
	Our fee simple rights and existing lan	d use rights are paramount	t at all times.
Decision Sought:	Infill existing urban areas by providing sprawl. Protect our existing land use		development rather then conventional
Staff Recommendations:	Accept in Part		
Submission Number:	5: 7	Submission Type:	Support in Part
Submitter:	Kainga Ora		
Submission Summary:			
Decision Sought:	Overall, Kainga Ora supports the upd RPS in the following topic areas:	ated RPS provisions. The s	submission seeks amendments to the
			corporated within Policy UG7Ax. The lack Ora and how this directly affects housing
	that provide public transport options f	or all and to service those r increase or be required (i.e	e., new network connections) due to the
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	 iii. Infrastructure – Kainga Ora seeks that policies relating to infrastructure are updated to align with the NPS-UD and to provide more clarity on the level of service required for infrastructure to support increased urban intensification. iv. Te Tiriti o Waitangi - Kainga Ora support the inclusion of a policy or policies focusing on marae and papakainga, Kainga Ora seeks that the RPS promotes urban papakainga to recognise that the diverse need for housing typologies and layouts.
	The changes requested are made to:
	i. Ensure that Kainga Ora can carry out its statutory obligations;
	ii. Ensures that the proposed provisions are the most appropriate way to achieve the purpose of the Resource Management Act 1991;
	iii. Reduce interpretation and processing complications for decision makers so as to provide for plan enabled development;
	iv. Provide clarity for all plan users; and
	v. Allow Kainga Ora to fulfil its urban development functions as required under the Kainga Ora–Homes and Communities Act 2019.
	Kainga Ora seeks the retention of RPS Change 6 subject to specific amendments, additions or retentions including such further, alternative or consequential relief as may be necessary to fully achieve the relief sought in this submission.
Staff Recommendations:	Accept in Part
Submission Number:	7: 1 Submission Type: Support in Part
Submitter:	Toi Te Ora Public Health
Submission Summary:	In line with the National Policy Statement – Urban Development, we fully support the addition of Te Tiriti o Waitangi principles into the regional policy statement. We also support that these principles underline all decisions, and that local and regional councils work in partnership with iwi.
	We note that the purpose of the plan change is to provide criteria for assessing private plan changes for unanticipated or out-of-sequence urban development and proposals for urban environments. Toi Te Ora would like to support Council by providing advice to develop the assessment criteria to prevent unanticipated or out-of-sequence urban development from harming human health for generations. Unplanned development has the potential to be detrimental to the well-being of the whole community. We would like to see the regional policy statement include a requirement for planned and unplanned urban environment proposals to demonstrate why the development should go ahead. This can be done by assessing the direct and wider community health impacts of the proposal.
	 Toi Te Ora acknowledges the significance of enabling intensification to promote healthy environments. This is because when our environments support our health and promote wellbeing - individuals, and communities' flourish. To do this, it is important that urban development processes include: healthy, safe, and resilient communities wai ora – healthy environments equity
	climate change mitigation and adaptation (Ministry of Health, 2022).
	For humans to thrive and be healthy the natural and built environment needs to be healthy. Biophilic cities is an international urban development and design planning concept that benefits the environment and health. The concept is aligned to Wai Ora and the core kaupapa of Maori understanding that the health of nature and of people is entwined and interconnected.
	We have various position statements which may assist Council is developing criteria for assessing private plan changes, enable intensification of urban environments in a healthy way. These include; active transport, built environment , food security, housing and health and sanitary services. To learn more about biophilic public health and how this plan change could take it into account go to https://toiteora.govt.nz/public/biophilic- public-health/

Toi Te Ora support Council with their approach to responsive planning. It is important that Council does this in a way that safeguards public health. Urban development should avoid increasing the population density in areas known to be of high risk to natural hazards, particularly areas that have multiple natural

hazard risks.

Therefore, promoting development of an approach that reduces people in harm's way and manages the effects of natural hazards, including those derived from climate change, will increase community resilience, and assist council respond to climate change.

Decision	Sought:	Retain RPS Change 6.	
Staff Rec	commendations:	Accept	
Submissi	ion Number:	9: 1	Submission Type: Support in Part
Submitte	r:	Tauranga City	y Council
Submissi	ion Summary:		entified through engagement have been addressed in Proposed Change 6, and TCC is poort RPS Change 6
Decision	Sought:	Retain RPS C	Change 6 with amendment,
Staff Rec	commendations:	Accept in Par	t
Submissi	ion Number:	10: 1	Submission Type: Oppose
Submitte	r:	Balance Agri-	Nutrients
Submissi	ion Summary:	Consistency of	of treatment of exisiting lawful activities as referred in below rows.
Decision	Sought:		endments to the Plan Change in so far as it is necessary to ensure recognition of existing es and their future needs.
Staff Rec	commendations:	Reject	
Further	Submission(s)		
	Further Submiss	ion No:	3 - 1 Submission Type: Support
	Further Submitte	er:	Fonterra Ltd.
	Submission Sum	nmary:	For the reasons outlined in the Ballance Agri-Nutrients submission. Fonterra agrees with Ballance Agri-Nutrients that PC6 should recognise and provide for existing lawful activities.
	Decision Sought		Accept Submission
	Staff Recommer	ndation:	Reject
Submissi	ion Number:	11: 9	Submission Type: Support in Part
Submitte	r:	Bell Road Lin	nited Partnership
Submissi	ion Summary:	In broad term	is, we support the proposed Plan Change 6.
			on mainly concerns policy UG7A Providing for unanticipated or out-of-sequence urban an environments. Our key issues are:
		 The criteria should refer to the FDS and RMA plans, 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 technic analysis that is not subject to formal consultation nor decision making under the RMA or LGA. The criteria as drafted does not give adequate consideration to the opportunities within a developmer area to create a well-functioning urban environment. We also seek that that Policy UG 18B: Managing rural development and protecting versatile land explain that the use of versatile land for urban development may be justified where there are limited alternatives available and efficient use (i.e. high intensity use) is made of that land to achieve a well-functioning urban environment. Ensuring the integration of land use and transportation acknowledges the benefits of proximity to existing and proposed sub-regional centres. 	
Decision	Sought:	Retain RPS C	Change 6 with amendment
Staff Rec	commendations:	Accept in Par	t

Further Submission	n(s)			
Further Subr	mission No:	3 - 2	Submission Type:	: Support in Part
Further Subr	nitter:	Fonterra Ltd.		
Submission	Summary:	provision enabling urb		owever Fonterra considers that any ognise existing lawfully established ensitivity is considered.
Decision So	ught:	Accept submissionin p	art	
Staff Recom	mendation:	Accept in Part		
Submission Number:	12: 5		Submission Type:	Support in Part
Submitter:		nvestments Limited		
Submission Summary:			Change 6, and support it in pri	inciple.
	considering	unanticipated or out of se when considered against	quence urban growth proposa	sufficient certainty in the process for als. Plan Change 6 has potential to ally developed spatial plans for the
	spatial plann		various stages of developmer	n SmartGrowth and several other nt that have yet to completed,
	and have ye		s understood will be re-initiate	views were initiated several years ago d in 2023. These are key strategic
	 The UFTI, SmartGrowth 	where there are gaps that h joint draft spatial plan/F	at need to be addressed ahea DS.	d of it being integrated into the
	and is currer tangata whe	ntly a draft with no formal	status. Gaps are fundamenta	report is acknowledged as a 'first step I and include the need to understand o the FDS required by the NPS-UD.
		tGrowth Housing Action F ramework is finalised.	Plan is only a stop gap measu	re and an evolving plan, while the
	sequence ur	ban growth under propos		ne to assess unanticipated or out-of- ure to delete the Management and Spatial Plan/FDS.
Decision Sought:	Retain RPS	Change 6 with amendme	nt.	
Staff Recommendation	s: Accept in Pa	art		
	14: 1			Oppose in Part
Submission Number:			Submission Type:	Oppose in Part
Submitter: Submission Summary:	the myriad o central gove need specific	enua capability and capa f Regional, City and Distr rnment requirements. Pro c technical and independ	ict Plan change processes be pposed Change 6 (NPS-UD) is	najor impediment to actively engage in ing hammered through to comply with s just one example. Tangata whenua sourcing to enable us to produce
				implemented in any real sense when roposed and their true implications for
				form pending under the Natural and e Climate Adaptation Act (CAA).
			nents means decision making ent administrative matter. Gov	is effectively over and concluded. vernance becomes almost an
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	Cultural offsetting must be placed into sta	tutory context for withou	ut that context it is mere words.
	Where intensive development results in sa must be amended to include appropriate of		
	These concerns require specific mention i	n Proposed Change 6 -	- not a mere mention in a side note.
Decision Sought:	Amend RPS 6 to strengthen Maori involve subject to Tangata Whenua Manawhenua		
Staff Recommendations:	Accept in Part		
Submission Number:	14: 2	Submission Type:	Support in Part
Submitter:	Ngati He hapu		
Submission Summary:	In 2015 the NZ Productivity Commission of from first principles, the most appropriate economic, environmental and cultural outor released a 'Better Urban Planning' Issues Commission then contracted Nga Aho to v Draft Report. A wananga was held at with June 2016, and a 'Wananga Report' prepa- representatives in July 2016. The 'Wanan 'Maori communities have strong and van A better urban planning system needs to Better urban planning must focus on ho The existing planning framework does r There is a lack of guidance and capacity Kaitiakitanga is more than 'preservation Rangatiratanga is more than 'consultation In response the NPS-UD contains direction whenua values and aspiration. For examp implement these requirements to address Pounamu Wananga report.	system for allocating la comes. In December 20 Paper to assist people work with Papa Pounan the Productivity Comm ared subsequently by N ga Report' made the fol ried interests in better u o recognise planning ba- listic outcomes not deliver outcomes for y ; and on'	nd use to support desirable social, 15 the Productivity Commission to participate in the inquiry. The nu to inform their 'Better Urban Planning' lission at Te Noho Kotahitanga on 17 Iga Aho and Papa Pounamu llowing points about urban planning: urban planning ased on matauranga Maori Maori communities ning decision provide for tangata cy 9. Proposed Change 6 must actively
Decision Sought:	We support the key points of the Nga Aho UD Policies 1 and 9 and seek to ensure P that address tangata whenua values and a	roposed Change 6 (NP	S-UD) enables urban planning decisions
Staff Recommendations:	Accept		
Submission Number:	15: 12	Submission Type:	Support in Part
Submitter:	Fonterra Ltd.		
Submission Summary:	Reasons for Submission		
	Fonterra supports the intent of PC6 in givi on Urban Development 2020 ("NPS-UD"). required in order to ensure that urban dev land use conflicts as far as practicable, inc	However, Fonterra cor elopment and intensific	nsiders that further refinement is ation occurs in a manner that minimises
	Reverse sensitivity is a well-established p Management Act 1991 ("RMA").	lanning principle, and is	s an adverse effect under the Resource
	Reverse sensitivity refers to the susceptib cannot internalise all of their effects) to co activities nearby. Reverse sensitivity is browide wide range of effects including vibration a the operation of established activities, as extreme cases, reverse sensitivity effects	mplaints or objections a bader than just being at nd odour. Such compla well as their potential fo	arising from the location of new sensitive bout noise – concerns can relate to a ints can place significant constraints on or future growth and development. In
	Reverse sensitivity effects are a key issue experience, they can occur regardless of performance standards in a District or Reg	compliance with resour	ce consent conditions or with

effects which are not substantiated can result in reverse sensitivity effects (such as complaints, or submissions by neighbours against ongoing operations).

	measures	n means industrial operators are expected to respond to complaints, and to implement mitigation s. The operator also incurs additional costs in consenting processes and is restricted in its ability p and expand operations.	
	notes tha	tion of the RPS in respect of reverse sensitivity largely relates to rural areas. However, Fonterra t reverse sensitivity effects occur within urban environments, for example when residential and activities are located in close proximity to one another.	
	The more sensitive activities allowed to establish in proximity to existing Fonterra manufacturing sites, or irrigation farms, the greater likelihood that these reverse sensitivity effects will arise.		
	OVERAL	L CONCLUSION	
	In relation	n to the provisions that Fonterra has raised concerns about, without amendment the provisions:	
	• RMA;	will not promote sustainable management of resources, will not achieve the purpose of the	
	•	are contrary to Part 2 and other provisions of the RMA;	
	•	will not enable the social and economic well-being of the community;	
	•	will not meet the reasonably foreseeable needs of future generations;	
	• land and	will not achieve integrated management of the effects of use, development or protection of associated resources in the Bay of Plenty Region;	
	• those res	will not enable the efficient use and development of Fonterra's assets and operations, and of ources; and	
	• section 3	do not represent the most appropriate way to achieve the objectives of the RPS, in terms of 2 of the RMA.	
Decision Sought:		PS Change 6 with amendment per the specific submission points Fonterra has provided, or any e relief which achieves the same or similar outcome.	
Staff Recommendations:	Reject		
Further Submission(s))		

Further Submission No:	5 - 1	Submission Type:	Support
Further Submitter:	Balance Agri-Nutrients		
Submission Summary:		d existing use and reverse sens	with higher order documents and itivity effects for the reasons
Decision Sought:	Accept submission		
Staff Recommendation:	Reject		

Submission Number:	17: 1	Submission Type:	Support in Part
Submitter:	Royal Forest & Bird Protection	Society of NZ - BOP branches	
Submission Summary:			o reduce greenhouse gas emissions from tion to the effects of climate change.
	and/or extend into rural areas	where significant natural areas and e introduction of domestic pets tha	ge urban environments may develop d landscapes may be threatened by t are predators on indigenous fauna and
Decision Sought:	on Indigenous Biodiversity if th	endments to incorporate relevant at is notified before this plan chan from amendments as required.	aspects of the National Policy Statement ge process is complete and

Staff Red	commendations:	Reject	
Further	Submission(s))	
	Further Submiss	sion No:	3 - 3 Submission Type: Oppose
	Further Submitte	er:	Fonterra Ltd.
	Submission Sun	nmary:	Fonterra does not agree that PC6 should be amended if the National Policy Statement on Indigenous Biodiversity is gazetted prior to the completion of the PC6 process. Consideration of any additional national policy direction should be subject to its own statutory process.
	Decision Sough	t:	Reject submission
	Staff Recommen	ndation:	Accept
Submiss	ion Number:	18: 1	Submission Type: Support
Submitte	r:	Horticulture N	New Zealand
Submiss	ion Summary:	excludes area areas into pro	rally supports Change 6 to the Regional Policy Statement (RPS) to the extent that it as outside of urban environments and does not unexpectedly extend the intensification oductive land area. Two key areas that HortNZ would like strengthened are protections rse sensitivity and erosion of highly productive land (HPL).
		move into pro occur as a re reserve sens	sitivity: sitivity issues are becoming an increasing problem for the horticulture sector as more people oductive areas who do not have realistic expectations with regards to the noise that can esult of primary production activities. Horticulture tends to be particularly susceptible to itivity effects due to the location of highly productive land often being located near urban or the land they operate on being subject to demand for urban development.
		productively of operation and devices and l	Ire, reverse sensitive effects are a very real issue, which impacts on the ability of growers to use their land. Agrichemical spraying in terms of chemical use and noise, odour, time of d machinery noise, frost protection including by helicopter and frost fans, bird scaring hours of operation can all be cause for complaint despite the effects of these activities being meet regional plan requirements.
			Ind lifestyle development, as well as other commercial or sensitive activities (e.g. educational nmunity facilities etc.) can result in:
		 Restricts of Increases I Competition Increased state 	pressure on crop rotations (for vegetable growing) pportunities for orchard establishment or expansion land prices n for resources (e.g. water) social tension due to complaints from neighbours about horticultural activities and resulting mitations on the grower reducing their economic viability and social licence to operate.
		rural producti experience th	s can be internalised and the introduction of sensitive activities and urban development by ion environments erodes the accessibility and utility of highly productive land. It is our nat reverse sensitivity is a key planning consideration that is often overlooked is the reverse fects on horticulture from urban encroachment.
		Highly produce HPL is identifing factors such a	fied using the Land Use Capability (LUC) classification system and consideration of other
		 The size of Water avail Access to t 	
		significantly o	e resource and intergenerational asset that is under threat in New Zealand – most due to urban development, as reported in 'Our Land 2021' which states that the area of HPL vailable for horticulture because it had a house on it increased by 54% from 2002 to 20191.
		HPL can be l issues	ost directly to urban development and inappropriate subdivision creates reverse sensitivity
		articulated in	nce of HPL, and the need to manage this natural resource strategically, was clearly the consultation on the proposed NPSHPL, including that the lack of clarity under the RMA is given inadequate consideration by local government35:

"The value of this land for primary production is often given inadequate consideration, with more weight generally given to other matters and priorities. This absence of considered decision-making is resulting in uncoordinated urban expansion over, and fragmentation of, highly productive land when less productive land may be available and better suited for urban use. This is preventing the use of this finite resource by future generations... National direction on highly productive land could provide councils with a clearer framework for managing this resource and assessing trade-offs between competing land uses ..."

1 https://environment.govt.nz/assets/Publications/our-land-2021.pdf

Decision Sought:		Retain RPS	Change 6 with amendments	
Staff Recommendations: Re		Reject		
Further	·Submission(s)			
	Further Submiss	sion No:	3 - 4 Submission Type: Support	
	Further Submitte	er:	Fonterra Ltd.	
	Submission Sun	nmary:	For the reasons outlined in the Horticulture New Zealand submission	
	Decision Sough	t:	Accept submission.	
	Staff Recommen	ndation:	Reject	
Submiss	ion Number:	20: 1	Submission Type: Support in Part	
Submitte	er:	KiwiRail Hold	dings Ltd	
Submiss	ion Summary:		erally supports the intent of PC 6 but considers further amendments are required to ensure opment around transport corridors occurs in an appropriate and integrated way.	
		housing near	ports urban development around transport nodes, and recognises the benefits of co-locating r transport corridors. An integrated approach to planning is critical to support well-functioning nments, as well as to ensure that our transport network can support increasing urban t.	
		infrastructure	nat PC 6 adequately manages the interface between urban development and critical e, such as the railway network. Such management is necessary to ensure communities are althy living environments, and the railway network can operate and continue to develop in the ut constraint.	
co int inc Re eff clc op Wi ap the		corridor bour	of railway operations means KiwiRail cannot fully internalise all its effects within the railway ndaries. Increasing development around railway corridors consequentially means the of more sensitive receivers to adverse effects of existing and lawful railway activities. With an ensitive activities there is an increased risk of reverse sensitivity effects.	
		effects-gene close proxim	sitivity is a well-established planning principle that refers to the susceptibility of established rating activities to complaints or objections arising from new sensitive activities locating in ity to these activities. Such complaints can potentially constrain KiwiRail's ongoing as well as future development.	
		application to there is the p	PS recognises and includes provisions relating to reverse sensitivity, these are limited in o rural areas. Given the railway corridor intersects with urban areas in the Bay of Plenty, potential for reverse sensitivity effects to arise from the operation of the railway corridor and o be recognised in the RPS.	
		It is essentia	I that PC 6 appropriately manages urban development in proximity to the railway corridor.	
			ovisions of PC 6 that require amendment as sought by KiwiRail in Annexure A, those ill not (without the amendments proposed by KiwiRail):	
		(a) p the railway c	romote or enable efficient use and development of railway infrastructure and the operation of orridor;	
		(b) a Plenty;	dequately protect and provide for KiwiRail's current and future operations in the Bay of	
		(c) p	romote sustainable management of resources or achieve the purpose of the RMA, and are	

	and Further Submissions
	contrary to Part 2 and other provisions of the RMA;
	(d) promote or enable the social and economic wellbeing of the community in the Bay of Plenty or reasonably need the needs of future generations; and
	(e) provide positive health and amenity outcomes for people locating in proximity to the railway corridor.
Decision Sought:	Retain RPS Change 6 subject to amendments to
	(a) proposed provisions to be retained, deleted, or amended as set out in this submission (set out above and in Annexure A); and
	(b) such further or other consequential relief as may be necessary to fully give effect to the relief sought in this submission and Annexure A.
Staff Recommendations:	Accept in Part
Further Submission(s	
Further Submis	sion No: 5 - 2 Submission Type: Support
Further Submitt	ter: Balance Agri-Nutrients
Submission Su	mmary: We concur with the recommedations to ensure alignment with higher order documents and to recognise estalished existing use and reverse sensitivity effects for the reasons provided in our submission.
Decision Sough	t: Accept submission.
Staff Recomme	ndation: Reject
Submission Number:	21: 1 Submission Type: Support
Submitter:	Mitre 10 Holdings
Submission Summary:	Application of PC6 to Mitre 10 Holdings Limited
	PC6 proposes a number of amendments that will increase the ability for responsive urban development across the Bay of Plenty and addresses the requirements of the NPS-UD, in particular:
	 The responsive planning requirements. The intensification planning requirements. The requirement to take into account the principles of Te Tiriti o Waitangi.
	Mitre 10 supports the proposal to include provisions that support development outside the extent of the historic urban limits within the Bay of Plenty Region, in particular recognising the need for unanticipated or out-of-sequence urban growth as per Policy 8 of the NPS-UD.
	The NPS-UD requires that additional flexibility be provided within the BOPRC RPS, through the adoption of provisions that will deliver sufficient, feasible, plan-enabled commercial, residential and mixed-use development beyond the confines of the existing urban environment. It is important that the RPS is responsive to the variability of urban development capacity within the lifetime of the RPS and district plans, to ensure the needs of the community are reliably and sustainably met through the well-functioning urban environments.
	Mitre 10 supports PC6 insofar as it will ensure the RPS gives effect to the NPS-UD, as required by section 62(3) RMA.
Decision Sought:	Retain RPS Change 6 with amendment, in particular to recognise the need for unanticipated or out-of- sequence urban growth.
Staff Recommendations:	Accept in Part

			and Further Submissions		
Submiss	sion Summary:	In general,	Nga Potiki, and its housing and development entities:		
		 support the removal of the current Urban Growth Limits which will provide more flexibility for its greenfield development projects. This will assist with Treaty settlement land that is intended to be developed by the iwi or hapu for its members. 			
		residential	the intention for increased density and residential intensification within existing developed areas, which will allow Nga Potiki and its housing and development entities to provide housing for members and whanau.		
		Principles.	the introduction of a direct policy (UG22B) that seeks to give effect to Te Tiriti o Waitangi This will allow Nga Potiki to develop their land for their needs and also recognises the e of Maori involvement in wider planning proposals.		
Decisior	Sought:	Retain RPS	S Change 6 as notified with amendment to Policy UG 22B		
Staff Re	commendations:	Accept in F			
Furthe	r Submission(s)			
	Further Submis	sion No:	5 - 3 Submission Type: Oppose		
	Further Submitt	ter:	Balance Agri-Nutrients		
	Submission Summary		y: We support retention of the RPS Change as notified however also seek amedment to Policy UG22B. We support the inclusion of UG22B however seek amendment in terms of our submission to ensure alignment with the higher order planning instruments and RMA as per our submission.		
	Decision Sough	nt:			
	Staff Recomme	endation:	Reject		
Submiss	sion Number:	24: 1	Submission Type: Oppose in Part		
Submitte	er:	Ngati Moko	0		
Submiss	sion Summary:	the myriad central gov need speci	henua capability and capacity is severely lacking and a major impediment to actively engage of Regional, City and District Plan change processes being hammered through to comply wit vernment requirements. Proposed Change 6 (NPS-UD) is just one example. Tangata whenua ific technical and independent advice and appropriate resourcing to enable us to produce active, relevant and appropriate input to these processes.		
			r to say Tangata whenua consultation has been properly implemented in any real sense wher nenua don't fully understand the totality of the changes proposed and their true implications fo		
			ion will only worsen with all the resource management reform pending under the Natural and onments Act (NBEA), Spatial Planning Act (SPA) and the Climate Adaptation Act (CAA).		
		clear obliga intended to Reference	henua/mana whenua interests are hardly referenced in Proposed Change 6. There are no ations to consult or be involved in decision making. This is a Developers Facilitation model o make intensive urban development easier in the WBOPDC area. to Te Tiriti obligations just doesn't do it. This is a failure in the NPSUD. Proposed Change 6 e for intensive urban environments like Tauranga but not for the Western Bay of Plenty distric		
			e with the NPSUD requirements means decision making is effectively over and concluded. ation is purely a management administrative matter. Governance becomes almost an /.		
		Cultural off	fsetting must be placed into statutory context for without that context it is mere words.		
		outside urb marae whic	ensive development results in sacred sites having Papakainga including marae-based housing ban areas and the urban limits. The operative policy doesn't recognise nor provide for urban ch have existed for many generations. It is more appropriate to enable Maori land developme and outside urban areas.		
		take into ad broader foo seeks to er	5 and Policy 9 of the NPSUD seek to ensure planning decisions relating to urban environment ccount Te Tiriti o Waitangi principles. The new ·Te Tiriti o Waitangi Principles' policy has a cus on planning decisions and encapsulates both urban and rural marae and papakaing. It nsure planning decisions provide for Te Tiriti o Waitangi principles and expands on the existin 228 by seeking to (e) protect marae and Papakainga from incompatible uses or development		

Staff Recommendations:	Accept in Part
Decision Sought:	Retain RPS Change 6 to the extent that it strengthens Maori involvement in decision making requiring that all applications be subject to Tangata Whenua Manawhenua assessment for effects and options
	The thrust of this submission is withdrawal of WBOPDC from Tier 1 on the basis that it is rural rather than urban in nature. It is not involved in any intensive urban development
	By implementing the NPS-UD, RPS Change 6 is expected to contribute to social, cultural and economic benefits particularly in terms of meeting the government's urban housing objectives. The addition of a new Te Tiriti o Waitangi policy in relation to urban development is expected to clarify the obligations for developers and resource management planning decisions around Te Tiriti o Waitangi principles.
	It also seeks to (d) identify and protect cultural significant areas and view shafts.
	New Policy UG 22B goes further by providing for (b) likanga Maori and opportunities for Maori involvement in Council's decision making processes and (c) enabling early and ongoing engagement with iwi, hapu and affected Maori land trusts and (f) demonstrating how Maori values and aspirations identified during consultation in (c) have been recognised and provided for.
	and reverse sensitivity effects and (a) enabling Maori to develop their land, including but not limited to Papakainga housing, marae and community facilities.' These provisions seek to provide for te Tiriti o Waitangi principle of active protection.

Further Submission(s)

	Further Submission No: Further Submitter:		5 - 4		Submission Typ	e:	Oppose
			Balance Agri-Nutrients				
Submission Summary:		We support the retention of the RPS Change as notified however also seek amendment to Policy UG22B in terms of our submission to ensure alignment with the higher order planning instruments and RMA an recognition of existing use. The proposed amendment is broad and without clear direction and scope. The RMA and higher order planning documents provide for, mandate and indicate how such involvement should and can take place. We support such involvement and consider it to be of benefit to our community and environment as a whole, however by inclusion of such a broad and non-specific policy, we consider confusion may be created at an operational and processing level that will not promoate and efficient and effective admiistration of our built and natural resources.					
	Decision Sough	t:					
	Staff Recomme	ndation:	Reject				
Submiss	ion Number:	25: 10		Subm	nission Type:	Sup	pport
Submitte	r:	Rotorua La	kes Council				
Submission Summary:		the majority	of the existing RPS v	while still being a	able to give effec	t to th	s to a minimum and to preserve e NPS-UD. RLC also oposed by BoPRC through to
		responsive developme that we sup	planning policy for ur nt proposal will 'add s	ban environmen ignificantly to de n existing policy	ts that includes o velopment capa to provide for Pa	criteria city'. A apaka	RPS, which include a new a to determine if an urban Amongst others, a further change inga, by being expanded to a 'Te c of Maori land.
		Of specific relevance to Rotorua are the following policies:					
		•		unanticipated or ased density ur	out of sequence ban developmen	e urba	wth and development n growth-urban environments an environments
		We have provided a submission attached, in support of these policies.					
		give effect t Matters) An	o the NPS-UD as we nendment Act 2021 ("	I as the Resourd the Amend Act"	ce Management). It is our view th	(Enab nat PC	C 9"). The focus of PC 9 is to also ling Housing Supply and other C 9 is generally consistent with to develop well function urban

environments and implement housing intensification standards within the relevant urban areas- including both the existing residential and business zones. RLC believes that Proposed Change 6 supports the District Council in better enabling both medium density and high-density residential development- in suitable locations throughout our urban area.

Of particular relevance to RLC is the inclusion of criteria in RPS for determining what district plan changes will be treated as adding significantly to the development capacity of the District, including out of sequence or unplanned private development proposals. The NPS-UD has required that RLC undertake a Housing and Business Development Capacity Assessment ("HBA"), completed in 2022, as key evidence to support any changes to the District Plan. The objective the HBA was to provide a robust assessment of Rotorua's housing and business market within the urban environment. The reporting undertaken for the HBA was extensive and included a detailed evaluation of housing and business demand and planenabled, feasible, infrastructure ready, and reasonably expected to be realised capacity.

Decision Sought:	Retain RPS Change 6 with minor amendments			
Staff Recommendations:	Accept in Part			
Submission Number:	26: 1 Submission Type: Support in Part			
Submitter: Submission Summary:	 Tauranga Crossing Limited TCL's submission relates to: The amendments to the Regional Policy Statement ("RPS") policies that relate to ensuring efficient use of land and infrastructure servicing for urban growth and development. The amendments to the explanation to policy UG6A which reinforce that large scale urban growth (greenfield and brownfield) must be subject to detailed structure planning to address, among other matters, urban design, and the provision and funding of network infrastructure. New policy UG7Ax, which promotes increased-density urban developments, but which recognises that such urban environments need to be well serviced by existing or planned development infrastructure and public transport. The amendments to policy UG13B, which require consideration of proximity to commercial centres, places of employment, community services, and high amenity values be considered in transport planning to support higher density development. 			
	Summary of position: TCL supports enabling intensification and is supportive of PC6, subject to appropriate provisions being included to ensure that additional development capacity is supported by, and well-integrated with, appropriate development infrastructure. TCL's activities are key to ensuring that additional development capacity and growth within the region has convenient and sustainable access to goods and services. Its activities are largely vehicle orientated and highly sensitive to changes to the performance of the surrounding transport system. TCL seeks to ensure			
	that a framework is established under PC6 that appropriately manages transport effects by ensuring there is development infrastructure to support intensification in the region. The National Policy Statement on Urban Development 2020 ("NPS-UD") requires local authorities to provide "sufficient development capacity" to meet expected demand for housing and business land over the short term, medium term, and long term. Clauses 3.2(2) and 3.3(2) provide that in order to be "sufficient" to meet expected demand for housing and business land, the development capacity provided must (amongst other things) be "infrastructure-ready".			
Decision Sought:	TCL seeks that the requirement for development capacity to be "infrastructure-ready" be expressly recognised in the RPS policies			

Staff Recommendations:	Accept in Part		
Submission Number:	26: 5	Submission Type:	Not Applicable
Submitter:	Tauranga Crossing Limited		
Submission Summary:	intensification and provide for suf	ficient development capacity in	seek to enable and support housing the Bay of Plenty Region. TCL ry real issue and supports a planning

framework that moves towards removing the barriers to the supply of land for residential use and provision of infrastructure to support that use. TCL supports planning provisions that are focused on well-functioning urban environments that enable all people and communities to provide for their social, economic and cultural wellbeing and for their health and safety, now and into the future.

While TCL is supportive of the proposal, it seeks some changes to the notified provisions to ensure that intensification and urban development are supported by, and integrated with, appropriate development infrastructure. In particular, TCL seeks changes to ensure that development capacity is provided in a manner that is both "plan-enabled" and "infrastructure-ready" as those terms are defined in the NPS-UD. With the amendments set out below, TCL considers that the proposal will contribute to well-functioning urban environments in the Bay of Plenty Region now and in the future.

Decision Sought:	TCL seeks the following decision from the local authority:
-	(a) That the RPS Change 6 be amended as set out within this submission.
	(b) Such further or other consequential relief as may be necessary to fully give effect to the relief
	sought in this submission.

Staff Recommendations:	Accept in Part		
Submission Number:	27: 1	Submission Type:	Support
Submitter:	Transpower New Zealand Ltd		
Submission Summary:	Council must ensure its planning framework under Proposed Change 6 appropriately recognises and provides for the National Grid. Specifically, from Transpower's perspective, the provisions of Proposed Change 6 need to ensure that it: Gives effect to the National Policy Statement on Electricity Transmission 2008 ("NPSET" or "NPS"); Recognises the need to sustainably manage the National Grid as a physical resource of national significance; Recognises the benefits of the National Grid at local, regional and national levels, and Provides for the effective operation, maintenance, upgrading and development of the National Grid. Transpower generally supports Proposed Change 6. Transpower understands that under the National Grid. While Transpower is generally supportive, some specific amendments are sought to ensure Proposed Change 6 appropriately recognises the National Grid and provides for its ongoing operation, maintenance, upgrade and developments'. While Transpower is generally supportive, some specific amendments are sought to ensure Proposed Change 6 appropriately recognises the National Grid and provides for its ongoing operation, maintenance, upgrade and development. Specifically, Transpower seeks clarification of the relationship between the new urban development provisions and the operative RPS provisions and seeks recognition of the National Grid in order to give effect to the NPSET. To support clarity, Transpower seeks amendments to the draft wording to include specific reference to the National Grid.		
Decision Sought:	Retain RPS Change 6 with amen	dment to recognise and provid	e for the National Grid
Staff Recommendations:	Reject		
Submission Number:	29: 1	Submission Type:	Support in Part
Submitter:	Urban Taskforce for Tauranga		
Submission Summary:	changes to address matters raise The Urban Taskforce for Taurang connected governments and stro Change 6 is consistent with the p effective in achieving the intended RPS should be based on sound p avoiding unnecessary and ineffici	ed in our submission. ga (UTF) advocates for connecting leadership. UTF's submission olicies and requirements of the d outcomes required by the NP planning policy which will rectify tent process and uncertainty. U	riate amendments and further wording ted thinking, connected planning, on is primarily focused on ensuring that NPS-UD and that the Change 6 will be S-UD. UTF consider that changes to the or the capacity shortage, whilst also TF's view is that incorporating clear, sustainable and efficient growth of the

Change 6 to the RPS is required to be responsive and to enable plan changes that add significantly to development capacity and contribute to a well-functioning urban environment. UTFs view is that further enabling amendments are required to Change 6 to achieve this. Changes are required to provide for unanticipated or out of sequence development, as set out in the submission table below.

Decision Sought:	UTF seeks that Change 6 be approved with:			
	(a) amendments to address UTFs submission.			
	(b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out in the attached table.			
Staff Recommendations:	Accept in Part			
Submission Number:	31: 1 Submission Type: Support in Part			
Submitter:	Waka Kotahi			
Submission Summary:	Waka Kotahi supports the intent and content of the National Policy Statement on Urban Development (NPS- UD). This Policy Statement recognises the national significance of having well-functioning urban environments that enable people and communities to provide for their social, economic and cultural well- being and for their health and safety. The NPS-UD has a strong focus on ensuring that increased densities are provided in the most accessible parts of urban areas, where communities are able to access jobs, services and recreation by active and public transport modes. While the proposed RPS change 6 responds to the requirements to provide for growth, it is also vital to ensure that this growth occurs in the way intended by the NPS-UD. Waka Kotahi is of the view that the proposed changes to the RPS would benefit from amendments to support a greater focus on accessibility by public and active transport; and on enabling urban form that supports emissions reduction.			
Decision Sought:	Retain RPS Change 6 with amendments that consider adoptions of the necessary accessibility and emissions reduction.			
Staff Recommendations:	Accept in Part			
Further Submission(s))			
Further Submiss	sion No: 9 - 19 Submission Type: Not Applicable			
Further Submitte	ter: Kainga Ora			
Submission Sur	mmary: Kainga Ora supports the relief sought.			
Decision Sough	t: Accept submission.			
Staff Recomme	endation: Accept in Part			
Submission Number:	32: 1 Submission Type: Oppose			
Submitter:	Waste Management NZ Limited			
Submission Summary:	The submission relates to PC6 in its entirety (and jurisdiction in respect of PC6 in its entirety is sought to be retained through this submission), but Waste Management's submission is particularly focused on proposed Policy UG 22B: Te Tiriti o Waitangi Principles.			
	Waste Management opposes PC6 insofar as it will result in adverse effects on Waste Management and its essential waste infrastructure and operations in the region. In particular, Waste Management opposes the current proposed form of Policy UG 22B, although (as set out in more detail below) it considers its concerns capable of being addressed collaboratively with other interested parties.			
	The reasons for this submission are that PC6 and Policy UG 22B in particular:			
	(a) will not promote sustainable management of resources, and therefore will not achieve the purpose and principles of the Resource Management Act 1991 ("RMA");			
	(b) are contrary to Part 2 and other provisions of the RMA;			
	(c) will not meet the reasonably foreseeable needs of future generations;			

	(d)	will not enable social, economic and cultural wellbeing;
	(e) document	are contrary to the purposes and provisions of the RMA and other relevant planning s including the Bay of Plenty Regional Policy Statement ("RPS");
	(f)	are inappropriate and inconsistent with the purpose and principles of the RMA;
	(g)	are not necessary to avoid, remedy or mitigate adverse effects on the environment; and
	(h) section 32	do not represent the most appropriate way to achieve the objectives of the RPS, in terms of of the RMA.
	ensure that industrial a	niting the generality of paragraph 7 above, Waste Management is particularly concerned to at PC6, including Policy UG 22B, appropriately provides for the needs of existing lawful activities located adjacent to marae and papakainga. This includes Waste Management's Oil site, which is located immediately adjacent to the Whareroa Marae.
	reduce eff	ar, Waste Management is very cognisant of the need to continually improve its operations to ects on the environment, including by internalising as far as practicable the effects of its s such that any offsite effects on its neighbours are correspondingly reduced or eliminated.
	mean that occur bey operations	the nature of essential industrial operations like those undertaken by Waste Management can , from time to time, discharges to air of odour and other contaminants (within guideline limits) ond the boundaries of industrial sites. There may also be other off-site effects of industrial s that can be appropriately managed within relevant plan, consent and / or guideline limits by for, but which cannot be avoided in their entirety.
	It is crucia	I that PC6, and Policy UG 22B in particular, appropriately acknowledge this reality.
	Plenty, inc interested Policy UG final policy adjacent to	this submission, Waste Management wishes to acknowledge its neighbours in the Bay of cluding in particular Whareroa Marae, and to express its desire to work constructively with all parties to address the concerns set out in this submission. Waste Management considers 22B could be worked through collaboratively together with all interested parties, such that the <i>y</i> appropriately balances the ongoing needs of existing lawful industrial activities located on marae and papakainga, with the needs of mana whenua and their interests in their existing marae, papakainga and the natural and physical resources of the region as a whole.
Decision Sought:	in proximit discussed	C6 to more appropriately balance the ongoing enablement of lawful existing industrial activities by to marae and papakainga and specifically amend Policy UG 22B to address the issues above and such further other orders, relief or other consequential or other amendments as d appropriate and necessary to address the concerns set out above.

Staff Red	commendations: Reject			
Further	Submission(s)			
	Further Submission No:	3 - 5	Submission Type:	Support
	Further Submitter:	Fonterra Ltd.		
	Submission Summary:	For the reasons outlined in the Waste Management NZ Limited submission in respect of ensuring that Policy UG 22B includes consideration of reverse sensitivity effects.		
	Decision Sought:	Accept submission.		
	Staff Recommendation:	Reject		
	Further Submission No:	5 - 5	Submission Type:	Support
	Further Submitter:	Balance Agri-Nutrients		
	Submission Summary:			ent with higher order documents ensitivity effectsfor the reasons
	Decision Sought:	Accept submission.		
	Staff Recommendation:	Reject		

Submission Number:	33: 1 Submission Type: Support in Part			
Submitter:	Western BOP District Council			
Submission Summary:	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.			
Decision Sought:	Retain Proposed Change 6 with amendments as recommended below [see subsequent submission points]			
Staff Recommendations:	Accept in Part			
Submission Number:	34: 1 Submission Type: Oppose			
Submitter:	Yvonne James			
Submission Summary:	Re notification of August 5 2022 delivered August 19 2022 proposed plan change 6 BOP Regional Po Statement			
	Submission and Notification of objection to plan change 6			
	Notice to Principal is Notice to Agent, Notice to Agent is Notice to Principal			
	Please notice I use the word 'submission' only so that my document is counted as an objection. I do submit to any decisions made by local government corporations.			
	 like answers to my questions in time to potentially include the information you provide at the hearing September 22. This hearing seems to be being pushed through in undue haste. 1 Why was there such a delay from the date of the documents to delivery of them? 2 Why is there not a referendum on this change, given the huge potential impact and cost to every ratepayer in the Bay of Plenty? 3 Why, therefore, has not every ratepayer in the region been given written information and notification of this proposed plan change? As there is no legal requirement for anyone to buy newspapers, TVs, radios, or computers, I believe it is not the regional council's place to tell people w to look things up, but rather to provide this information to ratepayers. I believe ratepayers are being deliberately disenfranchised. 4 Why are there no maps included showing the current urban limits? Please supply these. 5 Where are the definitions? For example, 'urban' 'urban limits', 'remove urban limits'. The statement 'remove urban limits' is in itself ambiguous. Does it mean extend outwards or does it mean remove the limits on what can be built within the current urban boundary? 6 The legislation is dated 2020. What is the BOPRC's current document on urban limits, an why now does it need to be changed? 7 Given the above questions, how can anyone be expected to make an informed decision or even understand what this is all about? 			
	I can see nothing about removing urban limits in the directives and everything about working within current limits. Your plan of removing urban limits seems to contradict the intent of the policy statement I observe that your documents state that I 'received' this notification 'because your property is within a current western Bay urban limits and is not otherwise zoned.' It is zoned rural residential. My land is I in fee simple and I hold existing land use rights. Your document states that the directive is 'to be more responsive to urban development proposals and provide more intensification of urban areas.' I notice use only of the co-ordinating conjunction with no punctuation of separation, which thereby makes this statement one item and intention. This would mean the intention is to intensify within the current urbat areas only. Is this correct?			
	Council and the Bay of Plenty Regional Council appear to do this already, although a definition of 'ou sequence' would be helpful. Does this mean putting in 'developments' before infrastructure to cope with the 'development' is in place? Or do you mean allowing a private property developer to excavate a huge, clearly visible area of land without a resource consent, then telling him he needs or which he immediately applies for, thereby avoiding any chance of prosecution once his application is the consent for which is then granted retrospectively? (Bay of Plenty Times, 2006) Then there are the 'private development proposals' at least some of which have historically had a 'hands-off' (Judge Dic p18 s79, Bryce Donne court case 2021) approach by local councils. It would seem your proposed changes may well increase such happenings of poor, if any, monitoring. Not only do these cost			

ratepayers huge amounts, but the damage to the environment is also substantial. Some examples, I believe, are:

- Retrospective resource consents (2006 TCC)
- Bella Vista (TCC)
 - Water discharge convictions related to the Tauriko Business Estate (2011, 2014, 2021)

Removing urban limits, if this means extending outwards, allows for open slather of all rural land with extra costs for infrastructure, and added food mile costs once horticultural and farm food producing land is gone for good. This would also not be responsive to climate change directives. For example, the highest part of my farm has been decreed a flood zone by Tauranga City Council which says I am not allowed to build there. Yet from such lofty heights I can see the Tauriko Business Estate industrial area and a large part of the proposed Tauriko West housing 'development' some 10 metres below me, both in the Wairoa River catchment area (contaminated drainage going into the river) and adjacent to the tidal Wairoa River. Should this plan change go ahead and climate change related damage occur (slips, flooding etc) then I believe those who made this unwise decision and developers who benefitted financially should be named and made financially accountable, not ratepayers.

It also appears from the latest Kiwibank housing report that within the next 12 months there will be a housing surplus, in part from people leaving NZ, currently started housing and apartments, and because of a lot more building work is being completed now that gib wallboards are being made available, not hoarded, making the Tauriko West 'development' and the Winstone wallboard factory surplus to requirements before they are started/completed.

I suggest that the Tauriko West land be returned to farming/horticulture and that no further 'development' of any sort be done in areas likely to suffer flood related damage, such damage already happening in record fashion throughout New Zealand this year. I believe new housing restrictions to meet climate change are due out next year so perhaps such decisions should wait for that, unless, of course council's intention is to put things in place to avoid the new legislation.

Y James Auth Rep All rights reserved

Decision Sought:

No specific decisions sought.

Staff Recommendations: Reject

Chapter: Part two – Resource management issues, objectives ... (general submission points on issues and obje

Section: Part two – Resource management issues, objectives ... (general submission points on issues an

Staff Recommendation

Amend paragraph 21 in section 2.11 'Natural Hazards' on page 110c to read:

"Similarly, the management of urban growth in the region has been provided for in district plans and through the Urban and Rural Growth Management policies and methods and in section 2.9. As more detailed planning and consenting is undertaken for urban growth, the natural hazard risk will need to be identified and managed. This Statement anticipates the need to manage natural hazard risk by, for example, influencing the design and location of urban development. Method 18 of this Policy Statement is a key means by which that can occur.

Amend paragraph 1 in Section 2.2.3 'Use and allocation of coastal resources' on page 27/28 to read:

"Coastal use and development can also result in conflict and competition for space, where uses and activities are not compatible or are not managed proactively and effectively. Management of coastal space to avoid conflicts, protect the rights of existing and lawfully established uses, retain amenity values and meet safety and navigation requirements is crucial and requires direction on which activities take priority, as well as guidance on managing the cumulative effects of coastal development. This can be achieved by providing direction (including in resource management planning documents) on the appropriate location and form of use and development within the coastal environment, encouraging development in areas where the natural character has already been highly compromised and is (except where areas and opportunities for restoration and rehabilitation have been identified) unconstrained.

Staff Reason

Submissions 16-14 and 28-13 seek changes to Section 2:11: Natural Hazards under the operative RPS. Submissions 16-15 and 28-15 seek changes to Section 2.2.3: Use and Allocation of Coastal Resources.

These submissions recognise references to Appendix E within the Coastal Environment Chapter of the RPS under Section 2.2.3: Use and Allocation of Coastal Resources, and references to Appendix D and E within the Natural Hazards Chapter of the RPS under Section 2.11: Natural Hazards.

Change 6 proposes the deletion of:

- Appendix D – Indicative growth area sequencing.

Appendix E – Management and Growth areas for the western Bay of Plenty.

Change 6 recognises the deletion of Appendices D and E within the urban and rural growth management chapter but has not sought changes elsewhere in Part Two of the RPS. Staff note that the sections referred to within the submissions are the only two remaining sections that refer to Appendices D and E within the operative RPS.

Staff accept the submissions in part as it relates to the removal of reference to Appendices D and E from the Natural Hazards and Coastal Environment Chapters and consider their removal will have no more than a minor effect. Sections 23, 24 and 25 of the Staff Overview report provide a full response to application of 'minor effect' and why staff propose further amendments to these sections of the operative RPS.

Further Submissions 13-10, and 13-11 support in part original submission. These further submissions consider that identified urban areas should be provided for in an adopted Future Development Strategy as other strategies are confusing or unnecessary. Staff consider that reference to other growth strategies and plans do align with the direction of the NPS-UD. Of relevance, Tier 1 and 2 local authorities are the only authorities that must adopt a Future Development Strategy (FDS) as directed under subpart 4, section 3.12 of the NPS-UD.

The Bay of Plenty Region includes Tier 3 urban environments including Opotiki, Whakatane and Kawarau of which those authorities have aligned in preparation of their own urban growth plans. Identified and adopted 'other' strategies and plans are important to provide for well-functioning urban environments for Tier 3 authorities and differentiates what the NPS-UD requires of Tier 1 authorities.

Staff recommend that further submissions 13-10 and 13-11 are declined on the basis that the recognition of adopted local authority RMA plans, Long Term Plan or 30-year infrastructure strategies are important to recognise for Tier 3 authorities.

Submissions

Submission Number:	16: 14	Submission Type:	Support in Part		
Submitter:	Ford Land Holdings Pty				
Submission Summary:	Re Section 2.11: Natural Hazards: Gives effect to the NPS-UD and provides for the sustainable management of growth in the region.				
Decision Sought:	Consequential Amendment of second paragraph on p110c, as follows:				
However, the Statement anticipates that any required risk reduction can be achieved w development areas that have been identified as being provided for in an adopted local Development Strategy, growth strategy, RMA plan, Long Term Plan, or 30-year infrastr					

Staff Recommendations: Accept in Part

Further	r Submission(s	s)			
	Further Submis	ssion No:	13 - 10	Submission Type:	: Support in Part
	Further Submit	tter:	Urban Taskforce for Tauranga		
Submission Summary:		The submission should be accepted in part. Urban development areas that have been identified should be provided for in an adopted Future Development Strategy (FDS). Other strategies and plans mentioned are unnecessary and many are contrary to the direction under the NPS-UD.Priority must be given to the development of an FDS.			
	Decision Sought: Staff Recommendation:		Accept in part. Reject		
Submiss	Submission Number: 16: 15			Submission Type:	Support in Part
Submitte	er:	Ford Land I	Holdings Pty		
Submiss	j		2.11: Natural Hazards - 2.2.3 Use and allocation of coastal resources: Gives effect to the d provides for the sustainable management of growth in the region.		
Decision	Coastal use activities are space to avo		equential amendments to second paragraph of Section 2.11 on page 28, as follows:		
			e not compatible or are oid conflicts, protect th	e rights of existing and lawfully es	tition for space, where uses and fectively. Management of coastal stablished uses, retain amenity values s direction on which activities take

priority, as well as guidance on managing the cumulative effects of coastal development. This can be achieved by providing direction (including in resource management planning documents) on the appropriate location and form of use and development within the coastal environment, encouraging development in areas where the natural character has already been highly compromised (except where areas and opportunities for restoration and rehabilitation have been identified) and constraining development on undeveloped land (except where urban development areas have been 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.

	plan, Long Term Plan, or 30-y			
Staff Recommendations:	Accept in Part			
Further Submission(s)				
Further Submissi	ion No: 13 - 11	Submission Type: Support in Part		
Further Submitter	r: Urban Taskford	e for Tauranga		
Submission Sum	identified shoul strategies and	The submission should be accepted in part. Urban development areas that have been identified should be provided for in an adopted Future Development Strategy (FDS). Other strategies and plans mentioned are unnecessary and many are contrary to the direction under the NPS-UD.Priority must be given to the development of an FDS.		
Decision Sought:	Accept in part.			
Staff Recommend	dation: Reject			
Submission Number:	28: 13	Submission Type: Support in Part		
Submitter:	Tumu Kaituna 14 Trust			
Submission Summary:	Section 2.11: Natural Hazards			
	Gives effect to the NPS-UD ar	Gives effect to the NPS-UD and provides for the sustainable management of growth in the region.		
Decision Sought:	Make Consequential Amendment to second paragraph on p110c, as follows:			
	However, the Statement anticipates that any required risk reduction can be achieved within urban development areas that have been 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.			
Staff Recommendations:	Accept in Part			
Submission Number:	28: 15	Submission Type: Support in Part		
Submitter:	Tumu Kaituna 14 Trust			
Submission Summary:	Section 2.11: Natural Hazards	, 2.2.3 Use and allocation of coastal resources		
	Gives effect to the NPS-UD ar	to the NPS-UD and provides for the sustainable management of growth in the region.		
Decision Sought:	Make Consequential Amendm	ake Consequential Amendment to second paragraph of Section 2.11, 2.2.3 on page 28, as follows:		
	activities are not compatible of space to avoid conflicts, prote- and meet safety and navigatio priority, as well as guidance of achieved by providing direction appropriate location and form development in areas where the areas and opportunities for residevelopment on undeveloped	can also result in conflict and competition for space, where uses and r are not managed proactively and effectively. Management of coastal ct the rights of existing and lawfully established uses, retain amenity value n requirements is crucial and requires direction on which activities take n managing the cumulative effects of coastal development. This can be n (including in resource management planning documents) on the of use and development within the coastal environment, encouraging ne natural character has already been highly compromised (except where storation and rehabilitation have been identified) and constraining land (except where urban development areas have been identified as ed local authority Future Development Strategy, growth strategy, RMA ear infrastructure strategy.		

Section: 2.8 Urban and rural growth management (submission points on whole section and changes in se

Staff Recommendation

Delete the remaining sentence in paragraph 10 of section 2.8 'Urban and rural growth management' which currently reads: '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.'

Staff Reason

Submissions 6-2 and FS 3-6 refer to the interaction between the NPS-UD and NPS-HPL. Proposed Change 6 was notified prior to the NPS-HPL's gazettal on 17 October 2022. Proposed Change 6 was not developed with the intention of giving effect to the NPS-HPL and submissions on it are considered out of scope.

The RPS already addresses rural growth management issues pertaining to reverse sensitivity and the protection of versatile/highly productive land. The operative RPS uses the term 'versatile land' which is defined as 'land under the New Zealand Land Use Capability Classification System categorised as being in Classes 1, 2 and 3.' Consequently, operative RPS references to versatile land will need to be amended to refer instead to highly productive land.

Except for differences in key terminology (i.e. versatile v highly productive) the RPS rural growth management Objective 26 and its corresponding policies are considered generally in alignment with the NPS-HPL policy framework.

A separate program of works is underway to implement the NPS-HPL. Staff consider the best option is to give effect to the NPS-HPL on a comprehensive basis as part of Proposed Change 8 (NPS-HPL) to the RPS, which in turn, may require further amendments or additions to the existing operative RPS rural growth management provisions.

For these reasons, staff do not consider it appropriate to incorporate NPS-HPL provisions into Proposed Change 6 and recommend submission 6-2 is declined.

Further submission 3-6 recognizes the RPS will need to go through further evaluation rather than being incorporated into Proposed Change 6.

Submission 12-1 and FS 8-1 seeks for the removal of the final paragraph in Section 2.8. Staff consider that references to the current Smartgrowth Strategy are still valuable in demonstrating how the pressure of growth will be best managed in the absence of a published and consulted on Future Development Strategy or Spatial Plan.

Submission 9-2 and FS 9-3 seeks wording changes to Section 2.8, as it relates to growth within the Western Bay of Plenty subregion, specifically population projections to the year 2021. Staff agree with this submission and outdated population projections can be removed.

Submission 9-2 notes that Smartgrowth has been refreshened through the Urban Form and Transport Initiative (UFTI) and seeks changes to Issue Statement 2.8 to recognize UFTI to reflect the most up-to-date SmartGrowth Settlement Pattern.

The SmartGrowth Strategy is in the process of being updated (SmartGrowth Strategy 2023) and will build on the direction and programme laid out in UFTI and include the requirements of the Future Development Strategy under the NPS-UD. The Draft SmartGrowth Strategy will follow a special consultative procedure (SCP) between August and October 2023, with finalisation of the plan between December 2023 and March 2024.

UFTI is informing the preparation of the SmartGrowth Strategy 2023. Until such time that the strategy has gone through the SCP, staff consider it to be inappropriate to refer to UFTI and the updated strategy within the Issue Statement. For these reasons, staff recommend that this part of the submission is declined.

Submissions

Submission Number:	6: 2	Submission Type:	Seek Amendment
Submitter:	Federated Farmers NZ (BOP and Rotoru	51	
Submission Summary:	Federated Farmers notes that there is a l under the RMA, and that the value of this consideration. It is agreed that this abser urban expansion over, and fragmentation usually available and better suited for urb While not yet adopted, the National Polic local authorities to identify highly product considers factors such as soil, erosion, a production) to Class 8 (low production) b While it is accepted that the Land Use Cl uses this as the basis for the definition of unproductive land but are limited in some more suitable for growing some crops du types tend to be less suitable for resident and inundation.	a land for primary production in the primary production of the productive land of the productive land by productive land y Statement for Highly F ive land through the Lar nd climate. Land would ased on its versatility ar asses I to III are conside the versatile land'), it does a way. In fact, the land ic e to the limitations. We	tion is often given inadequate on-making is resulting in uncoordinated nd when less productive land is both Productive Land (NPS-HPL) will require nd Use Capability system, which be categorised from Class 1 (high ad ability to sustain productive uses. ered the most versatile (and the RPS not mean that the lower classes are dentified in the lower classes may be also note that LUC classes IV – VII land

			and Further Submissions		
		is imperati Recogni production Maintain 	re that consideration of the NPS-UD must dovetail neatly alongside the proposed NPS- HPL. It tive that development and housing growth must also: hise the full range of values and benefits associated with the use of high-class soils for primary n. In the availability of high-class soils for primary production for future generations, and high class soils from inappropriate subdivision, use and development		
Decision Sought:			esponse as to how the NPS-HPL may be incorporated into the RPS in the future and what ns this may have on the proposed changes.		
Staff Red	commendations:	Reject			
Further	Submission(s	;)			
	Further Submis	sion No:	3 - 6 Submission Type: Oppose		
Further Submitter:		ter:	Fonterra Ltd.		
	Submission Su	mmary:	Fonterra acknowledges that the National Policy Statement for Highly Productive Land ha been gazetted following the notification of PC6. Fonterra considers that specific changes are required to the RPS (including specific section 32 evaluation reports) to give effect to the national direction, rather than those being incorporated into an existing change.		
	Decision Sough	nt:	Reject submission.		
	Staff Recomme	endation:	Accept		
Submiss	ion Number:	9: 2	Submission Type: Support in Part		
Submitter: Tauranga C		Tauranga	City Council		
Submiss	ion Summary:	growth to 2 updated po National Ir population (70 plus ye	ment that "the western Bay of Plenty sub-region projected to contain most of the population 2021" is vague and is no longer relevant in 2022. It should be deleted or revised to reflect population growth projections. For example, UFTI uses a 30-year population forecast from the nstitute of Demographic and Economic Analysis (NIDEA) of reaching a western Bay of Plenty n of approximately 269,000 people requiring an additional 35,000 plus homes. For the long terr years), UFTI uses a population scenario of reaching a western Bay of Plenty population of ately 400,000 people requiring an additional 62,000 plus homes.		
		This section	an about the emended to include reference to the LIFTI Connected Control Draggement while		

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.

Support the removal of the reference to growth management areas and associated appendices which are inconsistent with the NPS-UD.

Decision Sought: Page 4, para 9:

Reconsider this: ... The Bay of Plenty's population is steadily growing with the western Bay of Plenty subregion projected to contain most of the population growth to 2021.

Delete: Growth in the other districts is not expected to exceed 5% (Statistics New Zealand).

Page 4, para 10 - amend as follows:

The western Bay of Plenty sub-region has determined through its 50-year growth management strategy (SmartGrowth Strategy and Implementation Plan, 2013) how the pressures of growth will be best managed in a time, resource and cost-effective manner. 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.

The districts of Rotorua, Whakatane, Opotiki and Kawerau have different pressures. Rotorua and Whakatane District Councils have undertaken their own urban growth strategies.

Staff Recommendations: Accept in Part

Further Submission(s)

	sion No:	9 - 3	Submission Type	e: Sı	ıpport
Further Submitte	er:	Kainga Ora			
Submission Summary: Decision Sought:		Kainga Ora supports the need to remove reference to out of date documents, and supports specific reference to the SmartGrowth Strategy and Implementation Plan, 2013 and Urban Form and Transport Initiative (UFTI) Connected Centres Programme (2020). Accept submission,			
					Staff Recomme
Submission Number:	12: 1		Submission Type:	Oppose	
Submitter:	Bluehaven In	vestments Limited			
Submission Summary:			ittle benefit to the Policy. The become out of date through r		
		, the SmartGrowth Strategy and Implementation Plan 2013 is in a process of being replaced raft Spatial Plan, and an FDS in 2024.			
Decision Sought:	Delete the following final paragraph:				
	(SmartGrowt managed in a and Kawerau	h Strategy and Impleme a time, resource and co	n has determined through its entation Plan, 2007 2013) hov st effective manner. The distr es. Rotorua and Whakatane I	v the pres ricts of Ro	sures of growth will be best torua, Whakatane, Opotiki
	own urban gr	ommonatogioo			
Staff Recommendations:	Reject				
	Reject				
	Reject	8 - 1	Submission Typ	e: Su	upport in Part
Further Submission(s)	Reject) sion No:			e: Su	upport in Part
Further Submission(s)	Reject) sion No: er:	8 - 1 Bluehaven Investmer The particular part of an overview of the su	ts Limited the submission I support in pa bmission. upport in part are that there is	art is the c	overing letter which provide
Further Submitte	Reject) sion No: er:	8 - 1 Bluehaven Investmer The particular part of an overview of the su The reasons for my s	its Limited the submission I support in pa bmission. upport in part are that there is er letter.	art is the c	covering letter which provide
Further Submission(s) Further Submiss Further Submitte	Reject) sion No: er:	8 - 1 Bluehaven Investmer The particular part of an overview of the su The reasons for my s paragraph of the cove The final paragraph s These plans do not c unanticipated or out-o premature to delete th formal approval of the	its Limited the submission I support in pa bmission. upport in part are that there is er letter.	art is the c at typogra atial plann der propos areas and id as a wh	covering letter which provide aphical error in the final ing baseline to assess sed policy UG 7A. It is related policies ahead of ole the intention of the
Further Submission(s) Further Submiss Further Submitte	Reject) sion No: er: mmary:	8 - 1 Bluehaven Investmer The particular part of an overview of the su The reasons for my s paragraph of the cove The final paragraph s These plans do not c unanticipated or out-of premature to delete th formal approval of the submission is clear. H	Its Limited the submission I support in pa bmission. upport in part are that there is er letter. hould read: urrently form an adequate spa of-sequence urban growth und he Management and Growth a 9 Spatial Plan/FDS. When rea	art is the c at typogra atial plann der propos areas and id as a wh peyond an	covering letter which provide aphical error in the final ing baseline to assess sed policy UG 7A. It is related policies ahead of ole the intention of the y doubt.

Section: 2.8.1 Regionally significant urban and rural growth management issues (submission points on w

Staff Recommendation

Amend issue 2.8.1.1 'Un-coordinated growth and development' to read: Sporadic un-coordinated and poorly connected growth and development can adversely affect urban and rural amenity values, heritage, health and safety, accessibility, 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.'

Amend the first bullet of issue 2.8.1.9 'Intensive urban development' to replace the first bullet proposed to be deleted in the notified version of Proposed Change 6 to read: More intensive urban development is necessary to accommodate growth but has the potential to: 'Overload network infrastructure including water supply, wastewater and stormwater, as well as creating an unanticipated demand on social infrastructure such as schools and healthcare facilities if not integrated with infrastructure planning and funding decisions.'

Staff Reason

Submission 11-1, FS 13-1 and FS 10-5 support the removal of point one of statement 2.8.1.9 as it relates to intensive urban developments as notified.

Submission 11-2, and further submission 31-2 oppose statement 2.8.1.9 and seek additional wording to recognise potential effects intensification has on infrastructure if not well-planned and appropriately funded.

Staff recommend amending issue 2.8.1.9 'Intensive urban development' to replace the first bullet proposed to be deleted in the notified version of Proposed Change 6 to read:

More intensive urban development is necessary to accommodate growth but has the potential to: 'Overload network infrastructure including water supply, wastewater and stormwater, as well as creating an unanticipated demand on social infrastructure such as schools and healthcare facilities if not integrated with infrastructure planning and funding decisions.'

Staff recommend the above wording as this aligns with NPS-UD Objective 6, and the interpretation of additional infrastructure and development infrastructure.

Submission 15-1 seeks recognition that reverse sensitivity effects should be included within the statement. Staff recommend that this submission is declined on the basis that 2.8.1.7: Conflicts between incompatible or sensitive activities and rural production activities in rural areas already addresses this issue.

FS 9-6 opposes this submission on the basis that industrial farming activities should be first mitigated at the source. Staff oppose this further submission. Reverse sensitivity effects come from sensitive activities in proximity to existing rural production or industrial activities. New urban developments will need to consider reverse sensitivity effects in proximity to such existing activities.

Submission 31-2 seeks additional recognition of emission reductions. Staff consider that land supply and inefficient patterns of land use is the most relevant issue that contributes to green house gas emissions.

2.8.1.8 issue statement is specific to the lack of integration between infrastructure and land use which creates a range of issues as listed. One issue with a lack of integration is in-efficient land use patterns.

In-efficient land use patterns is what increases green house gas emissions which is addressed as notified in section 2.1.8.2. Further, intensive urban developments as per 2.1.8.9 lists the potential negative effects associated with intensive urban development. Intensive urban development is an efficient use of land.

Adding text to achieve emissions reductions would stray from the purpose of the issue. Staff recommend that this submission is declined.

Submission 9-3, FS 4-1 and FS 9-4 seek amendments to issue 2.8.1.1 to include additional wording to better clarify the issue.

Staff agree that the relief sought reinforces the integration of urban form and transport and referring to accessibility being affected by un-coordinated growth and development better aligns with Policy 1 of the NPSUD.

Staff recommend this submission and further submissions are accepted.

Submissions

Submission Number:	9: 3	Submission Type:	Seek Amendment			
Submitter:	Tauranga City Council					
Submission Summary:	Include "poorly connected" in the description of growth and development which can have adverse ef to reinforce the integration of urban form and transport.					
	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.					
Decision Sought:	Amend 2.8.1.1 as follows:					
	Sporadic un-coordinated, and poorly con rural amenity values, heritage, health and operation of infrastructure, the use and d resources, and access to community, so	d safety, accessibility, tra evelopment of productiv	ansportation costs, the provision and re rural land and important mineral			
Staff Recommendations:	Accept					
Further Submission(s)	Further Submission(s)					

	Further Submis	ssion No:	4 - 1 Submission Type: Support
	Further Submit	ter:	Waka Kotahi
	Submission Su	immary:	The changes sought will support integrated development and a well-functioning urban environment as intended buy the NPS \square UD.
	Decision Soug	ht:	Accept submission.
	Staff Recomme	endation:	Accept
	Further Submis	ssion No:	9 - 4 Submission Type: Support
	Further Submit	ter:	Kainga Ora
	Submission Su	immary:	Kainga Ora supports the amendments sought as well functioning environments include being well connected and easily accessible.
	Decision Soug	ht:	Accept submission.
	Staff Recomme	endation:	Accept
Submiss	sion Number:	11: 1	Submission Type: Support
Submitte	er:	Bell Road L	Limited Partnership
Submiss	sion Summary:	The referer character a inappropria	nce to intensive urban development having the potential to 'adversely impact on the residentia and amenity values of existing urban areas' is inconsistent with the NPS policy direction and is ate.
Decision	n Sought:	Deletion of	"Adversely impact on the residential character and amenity values of existing urban areas".
Staff Re	commendations:	Accept	
Furthe	r Submission(s	5)	
	Further Submis	ssion No:	10 - 5 Submission Type: Support
	Further Submit	ter:	Transpower New Zealand Ltd
	Submission Su	immary:	Transpower notes that generally correct interpretation of various plans and what should be included. Transpower is generally supportive.
	Decision Soug	ht:	Accept submission.
	Staff Recomme	endation:	Accept
	Further Submis	ssion No:	13 - 1 Submission Type: Support
	Further Submit	ter:	Urban Taskforce for Tauranga
	Submission Su	immary:	We consider that the submission should be accepted, and the provision should be deleted Policy 6 of the NPS UD acknowledges that planned urban built form may involve significant changes to an area and that those changes may detract from amenity values.
	Decision Soug	ht:	Accept submission.
	Staff Recomme	endation:	Accept
Submiss	sion Number:	11: 2	Submission Type: Oppose
Submitte	er:	Bell Road L	Limited Partnership
Submiss	sion Summary:		effect of intensification is to place increased demand on infrastructure in addition to roads become overloaded if not properly managed.
Decision	n Sought:	Amend 2.8	8.1 as follows:
		Recognise including:	potential adverse effects of intensive urban development on infrastructure in addition to roads
			Increased demand for intensive residential development may overload three waters, other ad social infrastructure if not undertaken with well-planned and appropriately funded network ents.
t: Staff Re	ecommendations	on Provisions	Page 29 of 128 Produced: 5/06/2023 5:44:14 pt

Further	· Submission(s	;)				
	Further Submis	-	13 - 2	Submission Type	e: Support	
	Submission Summary:		Urban Taskforce for			
			We consider that the the provision to refe	We consider that the submission should be accepted and that the Council should broaden the provision to refer to water infrastructure as well as other network and social infrastructure and appropriate planning and funded network improvements.		
			Accept submission.			
	Staff Recomme	endation:	Accept in Part			
Submiss	ion Number:	15: 1		Submission Type:	Support in Part	
Submitte	er:	Fonterra Ltd				
Submiss	ion Summary:		erence the potential for	lescription; however, Fonterra c urban development to result in	considers that it should be amended to land use conflicts and reverse	
Decision Sought:		Amend Issue	e 2.8.1, as follows (or v	vords with similar effect):		
		An imbalanc very difficult are difficult a shortage of a increases in conflicts and	to plan and predict. Inc and costly to service an appropriate developabl prices. Unplanned gro reverse sensitivity effe	and, and uptake can have adver efficient and low density pattern ad maintain, and contribute to in e land and housing supply redu wth and inefficient land use also	rse economic and social effects, yet it s of land use and ad hoc developmen creasing greenhouse gas emissions. ices housing choices and leads to o have the potential to create land use uction activities and to reduce the ies.	
Staff Red	commendations:	Reject				
Further	Submission(s	5)				
	Further Submis	sion No:	9 - 6	Submission Type	e: Oppose	
	Further Submitt	ter:	Kainga Ora			
	Submission Su	mmary:	considers that effect activities should first requiring decision m that might arise from	t be mitigated at the source. Kai lakers to protect primary produc n new activities taking place in t	reverse sensitivity effects and activities, namely industrial farming inga Ora considers that a policy tion from reverse sensitivity effects hose areas is ambiguous, overly ceiving environment to mitigate	
	Decision Sough	nt:	Reject submission.			
	Staff Recomme	endation:	Reject			
Submiss	ion Number:	31: 2		Submission Type:	Support in Part	
Submitte	er:	Waka Kotahi	i			
	ion Summary:	patterns of la However, thi	and-use and ad hoc de s point is not raised in	velopment contribute to increas relation integration of land use	that inefficient and low-density sing greenhouse gas emissions. and infrastructure (subsection 8) and ritical in achieving emissions reductior	
		intensive urb				
Submiss	Sought:	Amend Sect		9 to include land use and infras omponents to achieving emissio	tructure integration as well as intensivons reduction.	

Staff Recommendation

Retain issue 2.8.1.2 'Land supply and inefficient patterns of land use' as notified.

Staff Reason

Submission 18-3 seeks to include that food supply and transition to lower emission food production be included within this issue statement.

Staff recognize that versatile land for production purposes includes food production, and that this is recognized in both operative and proposed Policy UG 18B: 'Managing rural development and protecting versatile land'. 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.

The RPS section on Energy and Infrastructure issue statement recognises that the Bay of Plenty region has a large and varied amount of industry, including agriculture and horticulture which rely on having a secure and consistent energy supply. It is acknowledged that some industries will continue to use and rely on traditional non-renewable energy sources such as coal. However, the national and regional priority will continue to be reducing the dependency on non-renewable fuels and increasing the development and use of renewable energy sources.

Staff do not consider that the issue of lower emission of food production is appropriate to address under urban and rural growth management policies. The primary purpose of Proposed Change 6 is to give effect to the responsive planning and intensification requirements of the NPS-UD. Broader urban and rural growth management issues will need to be addressed as part of the pending RPS review.

Submission 20-2 seeks changes the issue statements 2.8.1.2 and 2.8.1.9.

For Issue 2, the submission seeks to add 'appropriate' to change the sentence to read 'A shortage of appropriate developable land and housing supply reduces housing choices and leads to increased prices'. Staff consider that adding 'appropriate' is ambiguous when describing developable land. Each development opportunity when considering the characteristics, constraints and location of the land should be assessed on a case-by-case basis to determine its appropriateness based on the urban outcomes sought.

The submission seeks to have low-density pattern removed as reference to inefficient land patterns. Objective 2 of the NPS-UD sets out that planning decisions improve housing affordability by supporting competitive land and development markets. Providing for low-density affects the overall capacity and affordability associated with new urban developments.

Policy 1 of the NPS-UD sets out that at a minimum a well-functioning environment enables a variety of homes that meet the needs in terms of type, price and location of different households. Issue 2 as notified through Proposed Change 6 recognises that low-density development contributes to inefficient land use.

Staff consider that recognising low density as inefficient is consistent with the direction of Objective 2 and Policy 1 of the NPS-UD.

The submission also seeks to include land use conflicts and reverse sensitivity effects into the statement. Staff consider that the current wording that 'inefficient land use also have the potential to adversely affect rural production activities' is sufficient and captures reverse sensitivity effects. Further, the policies that follow this statement address reverse sensitivity, specifically Policy UG 11B: 'Managing the effects of subdivision, use and development on Infrastructure' and Policy UG 24B: 'Managing reverse sensitivity effects on existing rural production activities in urban areas'.

The infrastructure section of the RPS from section 2.3.2 acknowledges that this section should be read in conjunction with urban form and growth sections. Section 2.3.3.1 addresses reverse sensitivity effects associated with existing or planned infrastructure. For these reasons, staff recommend that this submission is declined.

FS 9-15 opposes this submission in relation to reverse sensitivity effects caused by the operation of transport corridors should be first mitigated at the source. Staff disagree with this statement. Reverse sensitivity effects should be managed within urban development proposals that are in proximity to incompatible activities as acknowledged under section 2.3.2 of the operative RPS.

Submissions 23-2 and 9-4 support for Section 2.8.1.2 as notified is noted.

Submissions

Submission Number:	9: 4	Submission Type:	Support
Submitter:	Tauranga City Council		
Submission Summary:	Support inclusion of references to er our community.	nissions, housing choice, an	d affordability as these are key issues for

Decision Sought:	Retain amen	ded 2.8.1.2					
Staff Recommendations:	Accept						
Submission Number:	18: 3	Submission Type: Support in Part					
Submitter:	Horticulture I	New Zealand					
Submission Summary:	Recognise d	Recognise domestic food supply and lower emissions food production					
Decision Sought:	An imbalanc very difficult costly to serv adversely aff	Amend 2.8.1 (2) to include: 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 patterns of land use and ad hoc development are difficult and costly to service and maintain. 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 including food supply for New Zealand and transition to lower emissions food production.					
Staff Recommendations:	Reject						
Submission Number:	20: 2	Submission Type: Support in Part					
Submitter:	KiwiRail Holo	dings Ltd					
Submission Summary:	KiwiRail supports the description of Issue 2.8.1, but considers amendments are required to Issues 2 ar 9 to recognise urban development and land use changes can result in reverse sensitivity effects, and the interfaces between conflicting land uses must be appropriately managed. KiwiRail also considers the reference to low density patterns of land use as being inefficient should be removed as there may be circumstances where lower density is more efficient.						
Decision Sought:	Amend Issue	e 2.8.1, as follows:					
	2. Land supply and inefficient patterns of land use An imbalance of land supply, demand, and uptake can have adverse economic and social effects, yet very difficult to plan and predict. Inefficient and low density patterns of land use and ad hoc developm are difficult and costly to service and maintain, and contribute to increasing greenhouse gas emission shortage of appropriate developable land and housing supply reduces housing choices and leads to increases in prices. Unplanned growth and inefficient land use also have the potential to create land u conflicts and reverse sensitivity effects, adversely affect rural production activities and to reduce the ability of versatile land to be used for a range of productive purposes. []						
Staff Recommendations:	Reject						
Further Submission(5)						
Further Submis	sion No:	9 - 15 Submission Type: Oppose					
Further Submit	ter:	Kainga Ora					
Submission Summary:		Kainga Ora opposes the relief sought in relation to reverse sensitivity effects and considers that effects from the operation of transport corridors should first be mitigated at the source. Kainga Ora considers that a policy requiring decision makers to consider 'conflicting landuses' for reverse sensitivity effects is ambiguous, overly directive, and places undue responsibility on the receiving environment to mitigate adverse effects. Noting also that lower density in areas that have been identified for growth is not an efficient landuse.					
Decision Soug	nt:	Reject submission.					
Staff Recomme	endation:	Reject					

Section: 2.8.1 - 9 In	tensive urban development (su	omission points specifi	to this issue statement)		
Staff Recommendations:	Accept				
Decision Sought:	Support change to wording as notified	ed			
Submission Summary:	Issue acknowledges that there is a shortage of developable land and housing supply which reduces housing choices and leads to increased house prices				
Submitter:	Nga Potiki a Tamapahore Trust				
Submission Number:	23: 2 Submission Type: Not Applicable				

Staff Recommendation

Amend the first bullet of issue 2.8.1.9 'Intensive urban development' to replace the first bullet proposed to be deleted in the notified version of Proposed Change 6 to read: More intensive urban development is necessary to accommodate growth but has the potential to: 'Overload network infrastructure including water supply, wastewater and stormwater, as well as creating an unanticipated demand on social infrastructure such as schools and healthcare facilities if not integrated with infrastructure planning and funding decisions.'

Staff Reason

Submissions 9-5, FS 13-17, 13-1, 13-2, 22-1, 29-2, 29-3 support the changes to this issue statement as notified. Support is noted.

Submission 20-3 and FS 3-7 seeks changes to both issue statements 2.8.1.2 and 2.8.1.9 to include reference to reverse sensitivity effects.

Staff recommend that this submission is declined for the same reasons detailed in the above section to this report.

The RPS recognises reverse sensitivity effects on existing lawfully established activities through various policies. Of relevance to the submissions the following operative RPS direction is still relevant to consider for further urban growth

- Policy UG 20B: Managing reverse sensitivity effects on rural production activities and infrastructure in rural areas.
- Policy EI 7B: Managing the effects of infrastructure development and use.
- Policy AQ 1A: Discouraging reverse sensitivity effects associated with odours, chemicals and particulates.
- Policy EI 3B: Protecting nationally and regionally significant infrastructure

The primary purpose of Proposed Change 6 is to give effect to the responsive planning and intensification requirements of the NPS-UD. Broader urban and rural growth management issues will need to be addressed as part of the pending RPS review. In the interim, staff consider reverse sensitivity effects are appropriately recognised by the aforementioned RPS provisions which remain relevant to new urban growth proposals.

Of relevance to these submission points is the additional point proposed to be added to this issue statement, as detailed in the section above on responses to submissions on the whole of Section 2.8.1.

Submission 11-2 and FS 13-2 seek further relief to recognise the potential effects intensification has on network and social infrastructure. Staff agree with the submission points but recommend alternative wording. The proposed additional text to issue statement 2.8.1.9 is as follows:

More intensive urban development is necessary to accommodate growth but has the potential to:

"Overload network infrastructure including water supply, wastewater and stormwater, as well as creating an unanticipated demand on social infrastructure such as schools and healthcare facilities if not integrated with infrastructure planning and funding decisions".

Staff agree with submissions 9-5, 13-1, 13-2, 22-1, 29-2, 29-3 and FS 13-17 that accept the wording as notified.

Staff recommend that these submissions are accepted, and that the additional wording in support of submission 11-2 and further submission 13-2 is also included.

Submissions

Submission Number:	9: 5	Submission Type:	Support		
Submitter:	Tauranga City Council				
Submission Summary:	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.				

Support inclusion of reference to well-planned transport improvements to reinforce the integration of urban form and transport.

Staff Reco	ommendations:	Accept			
Further \$	Submission(s))			
	Further Submiss	sion No:	13 - 17	Submission Typ	e: Support
Further Submitter: Submission Summary: Decision Sought:		er:	Urban Taskforce for	Tauranga	
		We consider that the submission should be accepted as the current wording is inconsistent with Policy 6 of the NPS-UD and is therefore inappropriate. Accept submission.			
					Staff Recommen
Submissio	on Number:	13: 1		Submission Type:	Support
Submitter		Classic Deve	elopments Limited		
		involve signi (i) m appreciated varied housi (ii) a	ficant changes to an are hay detract from amenit by other people, commung densities and types; re not, of themselves, a	ea, and that those changes y values appreciated by some unities, and future generation and n adverse effect	es that planned urban built form may e people but improve amenity values s, including by providing increased an and is therefore inappropriate
Decision Sought: We support the deletion of the pro amenity		sions relating to adverse impa	acts on residential character and		
Staff Reco	ommendations:	Accept			
Submissio	on Number:	13: 2		Submission Type:	Support
Submitter		Classic Deve	elopments Limited		
Submissio	on Summary:	Well planned	I transport improvemen	ts are necessary to achieve s	uccessful intensification outcomes.
Decision S	Sought:	Retain 2.8.1.	9 as notified		
Staff Reco	ommendations:	Accept			
Submissio	on Number:	20: 3		Submission Type:	Support in Part
Submitter		KiwiRail Holo	dings Ltd		
Submissic	on Summary:	KiwiRail supports the description of Issue 2.8.1, but considers amendments are required to Issues 2 any 9 to recognise urban development and land use changes can result in reverse sensitivity effects, and the interfaces between conflicting land uses must be appropriately managed. KiwiRail also considers the reference to low density patterns of land use as being inefficient should be removed as there may b circumstances where lower density is more efficient.			
Decision S	Sought:	 9. Intensive urban development More intensive urban development is necessary to accommodate growth but has the potential to: Create unforeseen social, economic and cultural effects. Increase road congestion leading to restricted movement of goods and services to, from, and Compromise the safe and efficient operation of the transport network, where the interface between conflicting land uses is not appropriately managed. 			
	ommendations:	Reject			
Staff Reco					
	Submission(s)				

Further Submitte	er: Fonterra Ltd.	
Submission Sur		
Decision Sough		
Staff Recomme		
Submission Number:	22: 1 Submission Type: Support	
Submitter:	Newman Group Limited	
Submission Summary:	This is consistent with Policy 6 of the NPS-UD which acknowledges that planned urban built form may involve significant changes to an area, and that those changes may (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and (ii) are not, of themselves, an adverse effect The current wording of the RPS is inconsistent with the NPS-UD and is therefore inappropriate	
Decision Sought:	-	
Staff Recommendations:	Accept	
Submission Number:	29: 2 Submission Type: Support	
Submitter:	Urban Taskforce for Tauranga	
Submission Summary:	 This is consistent with Policy 6 of the NPS- UD which acknowledges that planned urban built form may involve significant changes to an area, and that those changes may (i) detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and (ii) are not, of themselves, an adverse effect 	
	The current wording of the RPS is inconsistent with the NPS-UD and is therefore inappropriate.	
Decision Sought:	Retain 2.8.1 - 9 as notified	
Staff Recommendations:	Accept	
Submission Number:	29: 3 Submission Type: Support	
Submitter:	Urban Taskforce for Tauranga	
Submission Summary:	Well planned transport improvements are necessary to achieve successful intensification outcomes.	
Decision Sought:	Retain amended 2.8.1 - 9 as it recognises the need for well planned transport improvements to be provided with growth.	
Staff Recommendations:	Accept	
Section: Objective	s (General submission points on Table 8 – Objectives 23-26)	

Staff Recommendation

Retain Table 8 and Objectives 23-26 as notified.

Staff Reason

Submission 9-6 recommends that Table 8 is updated to reflect its submissions points as appropriate. Any further proposed changes will be updated.

Submission 21-2 supports objective change as notified.

Submissions

Submission Number: 9: 6

Submission Type: Not Appli

Not Applicable

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Submitter:	Tauranga City Council		
Submission Summary:	Submissions points on objectives, policies and methods below should be reflected in Table 8 as appropriate.		
Decision Sought:	Amend Table 8 to reflect subm	ission points as appropriate	
Staff Recommendations:	Accept in Part		
Submission Number:	21: 2	Submission Type:	Support
Submitter:	Mitre 10 Holdings		
Submission Summary:	Objective 23		
		. Mitre 10 support the recognition ironments that is not	nticipated development that is responsive of the need for increased urban
Decision Sought:	Adopt proposed amendments	to Objective 23 as notified.	
Staff Recommendations:	Accept		

Section: Objective 25 (submission points specific to this objective - only one being changed)

Staff Recommendation

Retain Objective 25 as notified.

Staff Reason

Submissions 15-2 and 21-3 support the notified proposed changes to Objective 25.

Submission 9-7 seeks a minor change to address a grammatical error.

Staff recommend that these submissions are accepted.

Submission 20-4 seeks amendment to include 'network utility providers' twice. Staff consider that the objective as notified accurately captures the need for urban subdivision, use and development to integrate with network utility providers, and that adding this a second time would be an unnecessary duplication.

Staff recommend that this submission is declined.

Submissions

Submission Number:	9: 7	Submission Type:	Support
Submitter:	Tauranga City Council		
Submission Summary:	Consequential amendment. Comma to be	e added.	
Decision Sought:	Add comma after Urban subdivision, e.g. in a way that integrates with the long term government agencies and network utility growth plans of relevant industry sector g	n planning and funding n providers and operators	nechanisms of local authorities, central whilst also being responsive to the
Staff Recommendations:	Accept		
Submission Number:	15: 2	Submission Type:	Not Applicable
Submitter:	Fonterra Ltd.		
Submission Summary:	Fonterra supports the objective as notified	d.	
Decision Sought:	Retain Objective 25 as notified.		
Staff Recommendations:	Accept		

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Submission Number:	20: 4	Submission Type:	Support in Part
Submitter:	KiwiRail Holdings Ltd		
Submission Summary:	KiwiRail supports the objective a provide for growth plans of netwo		endments to appropriately recognise <i>v</i> iRail.
Decision Sought:	Amend Objective 25 as follows:		
	Objective 25		
	planning and funding mechanism	ns of local authorities, central go so being responsive to the grow	n a way that integrates with the long overnment agencies and network utili /th plans of relevant industry sector opment entities.
Staff Recommendations:	Reject		
Submission Number:	21: 3	Submission Type:	Support
Submitter:	Mitre 10 Holdings		
Submission Summary:	Ensuring that urban subdivision a clarity is sought regarding the inc in Objective 25 of the RPS.		responsive manner. However, furth nt entities' as identified
Decision Sought:	Adopt proposed amendments to	Objective 25 as notified.	
Staff Recommendations:	Accept		

Section: Part three - Policies and methods (general submission points on policies and methods)

Staff Recommendation

No changes are recommended to Part three (Policies and methods) in response to these submission points.

Staff Reason

Concerns in relation to reverse sensitivity effects raised by submission 6-3 and FS 3-8 are acknowledged.

As outlined throughout this report, there are a number of existing policies within the RPS that will remain relevant to new urban development proposals in proximity to existing rural based activities.

Of relevance to the submissions the following operative RPS direction is still relevant to consider for further urban growth

Policy UG 20B: Managing reverse sensitivity effects on rural production activities and infrastructure in rural areas.
 Policy AQ 1A: Discouraging reverse sensitivity effects associated with odours, chemicals and particulates.

Staff consider that reverse sensitivity effects are appropriately recognised within the operative RPS and will remain relevant to new urban growth proposals.

FS 9-2 opposes that reverse sensitivity effects are recognised and considers that effects from the operation of farming activities, namely industrial farming activities should first be mitigated at the source. Staff disagree with this submission and consider that reverse sensitivity effects continue to remain relevant to urban growth developments.

Concerns in relation to accessibility, variation and improvements on the transport network raised by submission 7-2 are acknowledged. Of relevance, to give effect to Policy UG 3A: Promoting travel demand management across the region is Method 4: Bay of Plenty Regional Land Transport implementation.

The Regional Land Transport Plan ("RLTP") combines the thinking from all the Councils in the region into a single strategic document for land transport investment. The RLTP is the way the Region seeks central government funding for activities ranging from road safety, to walking and cycling, to public transport and road improvements. It is a requirement under the Land Transport Management Act 2003.

The RLTP sets out the Region's preferred approach to investment - prioritising integrated planning, demand management, and network optimisation approaches before investing in expensive new infrastructure, and determining which outcomes are most important to the Region.

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Staff consider that Policy UG 3A: Promoting travel demand management across the region by way of giving effect to Method 4 links the RPS to the RLTP, and in turn addresses the concerns raised within submission 7-2. Staff recommend that this submission is declined on the basis that no further changes to Policy UG 3A are required.

Submission 28-14 recognises that Policy UG 25B: Housing bottom lines - Rotorua and western Bay of Plenty sub-region gives effect to the NPS-UD and provides for the sustainable management of growth in the region and supports this policy as notified. Support is noted.

Submissions

Submission Number:	6: 3	Submission Type:	Seek Amendment
Submitter:	Federated Farmers NZ (BOP and Rotoru	a, Taupo)	
Submission Summary:	A key concern our members face is the e production and commercial activities asso as odour, aural or visual amenity concern businesses.	ociated with the primary	sector. Reverse sensitivity issues such
	An example could be new (and typically u ability of existing and legitimately establis dairy farming, silage making). This is bec involved in primary production activities h nature of activities that occur within it, esp landowners engaged in these existing, ar of newcomer's complaints.	hed primary production ause new-comers to the old unrealistic expectation becially in terms of odou	activities to operate (i.e., horticulture, rural environment who are not directly ons regarding this environment and the r, noise and dust. Consequently, those
	It is Federated Farmers' experience that i land displace rural uses of that same land		s inevitably arise when urban uses of
	Federated Farmers is particularly concern are designated to become urbanised, who effects that might arise from new activities restrict how primary sector enterprises ca land. This is no more evident than with ur between new ventures and established p	erever they may be, are s taking place in those a in operate, and that this ban expansion around h	protected from the reverse sensitivity reas. Reverse sensitivity effects can compromises the productivity of the
Decision Sought:	That Council considers and implement th reverse sensitivity provisions appropriate		o the protection of rural areas, including

aff Recommendations: Reject		
rther Submission(s)		
Further Submission No:	3 - 8	Submission Type: Support
Further Submitter:	Fonterra Ltd.	
Submission Summary:	For the reasons outlin submission.	ed in the Federated Farmers NZ (BOP and Rotorua, Taupo)
Decision Sought:	Accept submission.	
Staff Recommendation:	Reject	
Further Submission No:	9 - 2	Submission Type: Oppose
Further Submitter:	Kainga Ora	
Submission Summary:	considers that effects activities should first b requiring decision mal that might arise from r	he relief sought in relation to reverse sensitivity effects and from the operation of farming activities, namely industrial farming e mitigated at the source. Kainga Ora considers that a policy kers to protect primary production from reverse sensitivity effects new activities taking place in those areas is ambiguous, overly indue responsibility on the receiving environment to mitigate
Decision Sought:	Reject submission.	
Staff Recommendation:	Reject	

Submission Number:	7: 2	Submission Type:	Support in Part
Submitter:	Toi Te Ora Public Health		
Submission Summary:	Policy UG 3A: Promoting travel der Toi Te Ora supports this policy. But transport network to make it easier transport options such as buses, bi	t we would like to see attention to get around by promoting a	
Decision Sought:		•	of the transport network to make it easier e transport options such as buses, bikes,
Staff Recommendations:	Reject		
Submission Number:	28: 14	Submission Type:	Support
Submitter:	Tumu Kaituna 14 Trust		
Submission Summary:	Policy UG 25B: Housing bottom line	es - rotorua and western Bay	of Plenty sub-region:
	Gives effect to the NPS-UD and pro	ovides for the sustainable ma	nagement of growth in the region.
Decision Sought:	Adopt Policy UG 25B as notified		
Staff Recommendations:	Accept		

Section: Policy UG 4A (submission points specific to this policy)

Staff Recommendation

Retain the deletion of Policy UG 4A as notified.

Staff Reason

Submitters 33-2, 23-3 and 9-8 support the removal of policy UG 4A as notified.

Staff recommend that these submissions are accepted.

Submissions

Submission Number:	9: 8	Submission Type:	Support
Submitter:	Tauranga City Council		
Submission Summary:	Support removal of yield requirements fro was significantly below current best pract UG 7Ax, we agree that density targets an Plans relative to local opportunities and c	ice and market trends. A d provisions are best se	As outlined in the explanation to Policy et (if they are to be set at all) in District
Decision Sought:	Delete Policy UG 4A (as proposed by RP	S Change 6)	
Staff Recommendations:	Accept		
Out at the New Low			0
Submission Number:	23: 3	Submission Type:	Support
Submitter:	Nga Potiki a Tamapahore Trust		
Submission Summary:	The removal of development yields allows	s for more flexibility for l	arger scale developments
Decision Sought:	Support the removal of Policy UG4A as n	otified	
Staff Recommendations:	Accept		
Submission Number:	33: 2	Submission Type:	Support
Submitter:	Western BOP District Council		

Submission Summary: Such yield requirements are no longer valid.

Decision Sought:

Delete Policy UG 4A

Staff Recommendations: Accept

Section: Policy UG 5A (submission points specific to this policy)

Staff Recommendation

Retain the deletion of Policy UG 5A as notified.

Staff Reason

Policy UG 5A sets out the urban limits for the western Bay of Plenty sub-region.

The urban limits are proposed to be removed to be more flexible and responsive to urban development opportunities. This is aligned with guidance from the Ministry for the Environment that states; 'a hard rural urban boundary without the ability to consider change or movement of that boundary would not meet the requirements of the responsive planning policy.'

Staff consider that removing the urban limits within the western Bay of Plenty sub-region is the most practical approach to enable more land and infrastructure supply to give effect to the NPS-UD.

Concerns on biodiversity raised by submission 17-2 are acknowledged. The operative RPS continues to provide a framework for the sustainable management of the regions natural and physical resources including land, fresh and coastal water, issues of significance to iwi, biodiversity and infrastructure. These matters will remain relevant to future urban development proposals.

FS 10-3 and 10-8 does not support the deletion of Policy UG 5A without replacement. Staff consider that the removal of the urban limits is the most practical way to meet the requirements of the NPS-UD. Although no limits are proposed, urban growth will still be managed through updated Policies: UG 6A, UG 7A, UG 7Ax and UG 14B.

Submissions 33-3, 21-4, 23-4 and 9-9 support the deletion of Policy UG 5A as notified. Support is noted.

Submissions

Submission Number:	9: 9	Submission Type:	Support
Submitter:	Tauranga City Council		
Submission Summary:	Support removal of urban limits as these NPS-UD.	are inconsistent with the	e responsive planning policies of the
Decision Sought:	Delete text for Policy UG 5A as notified -	page 22 of Proposed Cl	nange 6
Staff Recommendations:	Accept		
Further Submission(s))		

Further Submission No:	10 - 3	Submission Type:	Support in Part
Further Submitter:	Transpower New Zeala	and Ltd	
Submission Summary:		TCC propose the deletion of UG is concerned that something nee	5BA, while Transpower is ds to take its place. This could be
Decision Sought:	Accept in part.		
Staff Recommendation:	Reject		

1439

	on Number:	17: 2	Submission Type: Oppose		
Submission Summary: If there are no indigenous bi increase in do contains man for non-urban Decision Sought: Reinstate del currently unp deletion may		Royal Forest	& Bird Protection Society of NZ - BOP branches		
		indigenous bi increase in do contains man	o urban limits, urban environments are more likely to develop closer to areas of significant iodiversity and threaten their integrity and function. Urban development results in an omestic pets and garden plants which are a threat to biodiversity. The deleted explanation ny aspects of the reasoning of not allowing ad hoc greenfield development including certaint n uses, and that such changes will not be made lightly.		
		currently unpl deletion may	leted Policy UG 5A and associated maps and appendices or otherwise amend to discourage lanned urban development on greenfield sites. Amendments required to reverse this require consequential changes to other policies where reference to urban limits has been luding but not limited to Methods 14 and 16.		
Staff Reco	ommendations:	Reject			
Further S	Submission(s)				
	Further Submiss	ion No:	10 - 8 Submission Type: Support		
	Further Submitte	er:	Transpower New Zealand Ltd		
	Submission Sum	nmary:	Transpower does not support the deletion of UG5A. Unless there is a clear replacement, either as a new UG5A or some other policy.		
_	Decision Sought	:	Accept submission.		
	Staff Recommer	ndation:	Reject		
Submissio	on Number:	21: 4	Submission Type: Support		
Submissio Submitter:		21: 4 Mitre 10 Hold			
Submitter:		Mitre 10 Hold The impositio of Policy UG UD as require as provided ir	lings on of urban limits is an inflexible method that is inconsistent with the NPS-UD. The deletion 5A, and related amendments proposed in PC6, will ensure the RPS gives effect to the NPS ed by section 62(3) RMA. Mitre 10 supports the removal of the establishment of urban limits		
Submitter:	: on Summary:	Mitre 10 Hold The impositio of Policy UG UD as require as provided ir responsive ur	lings on of urban limits is an inflexible method that is inconsistent with the NPS-UD. The deletion 5A, and related amendments proposed in PC6, will ensure the RPS gives effect to the NPS ed by section 62(3) RMA. Mitre 10 supports the removal of the establishment of urban limits n Appendix E of the RPS. Removing the urban limits from the Bay of Plenty Region will allo		
Submitter: Submissio Decision S	: on Summary:	Mitre 10 Hold The impositio of Policy UG UD as require as provided ir responsive ur	lings on of urban limits is an inflexible method that is inconsistent with the NPS-UD. The deletion 5A, and related amendments proposed in PC6, will ensure the RPS gives effect to the NPS ed by section 62(3) RMA. Mitre 10 supports the removal of the establishment of urban limits in Appendix E of the RPS. Removing the urban limits from the Bay of Plenty Region will allo rban development across the Bay of Plenty and achieve the directive of the NPS-UD.		
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Submitter: Submissio Decision S Staff Reco Submissio	: on Summary: Sought: ommendations:	Mitre 10 Hold The impositio of Policy UG UD as require as provided in responsive un Delete Policy Accept 23: 4	lings on of urban limits is an inflexible method that is inconsistent with the NPS-UD. The deletion 5A, and related amendments proposed in PC6, will ensure the RPS gives effect to the NPS ed by section 62(3) RMA. Mitre 10 supports the removal of the establishment of urban limits in Appendix E of the RPS. Removing the urban limits from the Bay of Plenty Region will allo rban development across the Bay of Plenty and achieve the directive of the NPS-UD.		
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Submitter: Submissio Decision S Staff Reco Submissio Submissio Submissio	: on Summary: Sought: ommendations: on Number: : on Summary:	Mitre 10 Hold The impositio of Policy UG UD as require as provided in responsive un Delete Policy Accept 23: 4 Nga Potiki a The removal resource consultilised in are	tings on of urban limits is an inflexible method that is inconsistent with the NPS-UD. The deletion 5A, and related amendments proposed in PC6, will ensure the RPS gives effect to the NPS ed by section 62(3) RMA. Mitre 10 supports the removal of the establishment of urban limits in Appendix E of the RPS. Removing the urban limits from the Bay of Plenty Region will allo rban development across the Bay of Plenty and achieve the directive of the NPS-UD. TuG 5A as notified. Submission Type: Support Tamapahore Trust of urban growth limits allows for more flexibility for development including plan changes and sent processes and provides scope for additional residential land and development to be		
Submitter: Submissio Decision S Staff Reco Submissio Submissio Submissio Decision S	: on Summary: Sought: ommendations: on Number: : on Summary:	Mitre 10 Hold The impositio of Policy UG UD as require as provided in responsive un Delete Policy Accept 23: 4 Nga Potiki a The removal resource consultilised in are	tings on of urban limits is an inflexible method that is inconsistent with the NPS-UD. The deletion 5A, and related amendments proposed in PC6, will ensure the RPS gives effect to the NPS ed by section 62(3) RMA. Mitre 10 supports the removal of the establishment of urban limits in Appendix E of the RPS. Removing the urban limits from the Bay of Plenty Region will allo rban development across the Bay of Plenty and achieve the directive of the NPS-UD. UG 5A as notified. Submission Type: Support Tamapahore Trust of urban growth limits allows for more flexibility for development including plan changes and sent processes and provides scope for additional residential land and development to be eas currently on the Tauranga City and Western Bay urban area fringe		
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Submitter: Submissio Decision S Staff Reco Submissio Submissio Decision S Staff Reco Submissio Submissio	: on Summary: Sought: ommendations: on Number: : on Summary: Sought: ommendations:	Mitre 10 Hold The impositio of Policy UG UD as require as provided in responsive un Delete Policy Accept 23: 4 Nga Potiki a The removal resource consutilised in are Support the re Accept 33: 3 Western BOF Urban limits h	tings on of urban limits is an inflexible method that is inconsistent with the NPS-UD. The deletion 5A, and related amendments proposed in PC6, will ensure the RPS gives effect to the NPS ed by section 62(3) RMA. Mitre 10 supports the removal of the establishment of urban limits in Appendix E of the RPS. Removing the urban limits from the Bay of Plenty Region will allo rban development across the Bay of Plenty and achieve the directive of the NPS-UD. UG 5A as notified. UG 5A as notified. Submission Type: Support Tamapahore Trust of urban growth limits allows for more flexibility for development including plan changes and sent processes and provides scope for additional residential land and development to be eas currently on the Tauranga City and Western Bay urban area fringe emoval of Policy UG5A as notified Submission Type: Support P District Council nave proved useful in the past, but in the current and future development environment are		
Submitter: Submissio Decision S Staff Reco Submissio Submissio Decision S Staff Reco Submissio Submissio	: on Summary: Sought: ommendations: on Number: : on Summary: Sought: ommendations: on Number: : on Summary:	Mitre 10 Hold The impositio of Policy UG UD as require as provided in responsive un Delete Policy Accept 23: 4 Nga Potiki a The removal resource consutilised in are Support the re Accept 33: 3 Western BOF Urban limits h	tings on of urban limits is an inflexible method that is inconsistent with the NPS-UD. The deletion 5A, and related amendments proposed in PC6, will ensure the RPS gives effect to the NPS ed by section 62(3) RMA. Mitre 10 supports the removal of the establishment of urban limits in Appendix E of the RPS. Removing the urban limits from the Bay of Plenty Region will allo rban development across the Bay of Plenty and achieve the directive of the NPS-UD. UG 5A as notified. Submission Type: Support Tamapahore Trust of urban growth limits allows for more flexibility for development including plan changes and sent processes and provides scope for additional residential land and development to be as currently on the Tauranga City and Western Bay urban area fringe emoval of Policy UG5A as notified Submission Type: Support District Council nave proved useful in the past, but in the current and future development environment are oriteria contained in other policies are appropriate to manage any proposed developments		

Section: Policy UG 6A (submission points specific to this policy)

Staff Recommendation

Amend the explanation text for Policy UG 6A to clarify servicing includes provision of access and to replace 'urban growth' with

'urban development' to read: 'The servicing (including the provision of access) and timing of urban development is critical to achieving integrated and sustainable growth management. Large-scale urban development (greenfield and brownfield) must be subject to detailed structure planning to address, among other matters, urban design, and provision and funding of network infrastructure.'

Staff Reason

Staff recommend that:

Submissions 5-1, 7-3, 15-3, 16-1, 17-3, 21-5, 25-2, 28-1 and FS 10-9. Support is noted. These submissions are either accepted or accepted in part due to further staff recommended changes to the policy explanation text.

Submissions 9-10 and FS 9-5 is accepted in part in so far as some changes are recommended to clarify servicing urban development includes provision for access and timing of urban development. FS 1-1 and 13-18 are accepted in so far as they oppose changes requested by Tauranga City Council to specify large scale urban development of 5 ha or more have not been accepted.

Submission 13-3, 20-5, 26-2, 27-2, 29-4, FS 7-1, and 30-1 are declined in so far as further amendments recommended do not align with the specific relief sought. The amendments recommended seek to better clarify policy intent. In respect to submissions 20-5 and 26-2, no further changes are recommended to Policy UG 10B.

Submission 20-5 supports Policy UG 6A subject to changes to Policy UG 10B. As Policy UG 10B has no proposed changes, the relief sought by this submission will be addressed within the recommendations on Policy UG 10B.

Submission 20-5 supports in part Policy UG 10B: Rezoning and development of urban land – investments and infrastructure considerations but considers that a range of other cost considerations beyond the efficient use of local authority and central government financial resources should appropriately be considered when providing for urban development of land. The relief sought is that subsection (d) "Efficient use of local authority and central government financial resources, including prudent local authority debt management" is removed to avoid unduly narrow considerations.

Staff note that the wording of this policy requires that the rezoning of other provisions for the urban of development of land 'take into account' the following subsections. Further, the explanation statement acknowledges that the focus of Policy UG 10B is on board investment and infrastructure considerations. Staff consider that Policy UG 10B as worded is not limiting in its financial resources in decision making and recommend that submission 20-5 is declined.

Submissions 9-10, 13-3, 26-2, 27-2, 29-4 and 30-1 seek specific changes to the wording of Policy UG 6A.

FS 1-1 and 13-18 opposes the relief sought by submission 9-10 based on defining large scale development greater than 5ha.

FS 9-5 supports in part submission 9-10 in relation to the term 'urban development' over 'urban growth' as notified. This FS does not support reference to brownfield development as this land is already live zoned and that all development is a transition from rural/future urban to urban.

Staff recommend that the term brownfield should remain as notified. It is not a matter of live zoning identified in a district plan, but rather the need to consider that the re-development of low-density brownfield could occur and that such re-development provides for the efficient use of land and infrastructure regardless of its prior use or zoning. Staff recommend that this submission is accepted in part.

Submission 9-10 seeks changes to the explanation statement to refer to 'urban development' as opposed to 'urban growth' as it better describes brownfield redevelopment situations. Staff agree that servicing also includes the provision of access. Provision for access to land is particularly important to the timing and integration of urban growth.

Staff disagree that referring to 5 hectares is necessary. Large scale is defined in the operative RPS to include land use change great than or equal to 5 hectares. Further, consistency with Policy 7A wording is only relevant to Tauranga and Western Bay of Plenty Districts. Efficient use of land and infrastructure for growth and development is different across the region.

Staff recommend that this point of the submission is declined.

Submissions 13-3, 29-4 and 30-1 seeks that the wording 'high-level' is used before urban design when referring to the matters that must be addressed for urban growth and development.

FS 7-1 supports submission 29-4 as they agree that the RPS should clarify the appropriate scale of design input required as part of a spatial plan.

Staff consider it inappropriate to describe the level of urban design input. The term 'high-level urban design' is ambiguous and does not offer a clear understanding of what is expected in terms of urban design. Further, this text is part of the explanation statement to explain the elements involved to meet Policy UG 6A amongst other matters and is not a policy that provides any direction on the appropriate level of urban design.

Staff recommend that submission 13-3, 29-4, 30-1, and further submission 7-1 are declined.

Concerns on development being plan-enabled and infrastructure ready raised by submission 26-2 are noted.

Submission 26-2 seeks changes to Policy UG 6A and Policy UG 10B to include that development capacity is plan-enabled and infrastructure ready. The definition for plan-enabled and infrastructure ready is provided under section 3.4 of the NPS-UD. In terms of being plan-enabled, the NPS-UD defines this by existing or proposed district plan changes or an FDS or other relevant local authority strategy.

Being infrastructure-ready is relevant to existing infrastructure, funding in a long-term plan and local authority infrastructure strategies.

Sequencing of development capacity for housing and business land or infrastructure is not the role of the RPS, but rather a process for territorial authority plans. For Tier 1 and 2 urban authorities (and Tier 3 on a voluntary basis), this work will overlap with Future Development Strategies which addresses urban development capacity for the long-term range of 30 years.

Staff consider that the recognition for efficient use of land and infrastructure are adequately addressed in the RPS as notified. Staff recommend that this submission is declined.

Submission 27-2 seeks changes to Policy UG 6A to provide specific reference to the National Grid.

RPS operative Policy EI 3B: Protecting nationally and regionally significant infrastructure protects such infrastructure to develop, maintain, operate and upgrade existing, consented and designated infrastructure from incompatible development near significant infrastructure. This policy sets out how district councils and infrastructure providers shall determine an appropriate buffer corridor to ensure that inappropriate development in proximity to infrastructure is avoided.

Additionally, urban development is also subject to consideration of Method 18 which requires that a structure plan for all large-scale land use changes ensure coordinated development through integrated provision of infrastructure and integrated management of environmental effects. Of relevance to significant infrastructure, clause (f) of Method 18 requires that structure plans shall identify all existing and consented, designated or programmed infrastructure and infrastructure corridors.

Staff consider that the operative RPS already includes appropriate provisions to protect significant infrastructure such as the National Grid and that recognising the National Grid specifically within Proposed Change 6 policies is superfluous and unnecessary. For these reasons, staff recommend that this submission is declined.

Submission Number:	5: 1	Submission Type:	Support
Submitter:	Kainga Ora		
Submission Summary:	growth at the same juncture. In tur	n, Kainga Ora also supports F h infrastructure. Of particular s ust recognise the impact of gro	an growth with the means to service this Policy UG 9B which also requires the co- support, is the RPS recognition that "any owth on existing infrastructure and
Decision Sought:	Retain as proposed		
Staff Recommendations:	Accept in Part		
Submission Number:	7: 3	Submission Type:	Support
Submitter:	Toi Te Ora Public Health		
Submission Summary:		well with intensification and in	rowth and development fill which are two key aspects of urban s areas that will be impacted by climate
Decision Sought:	Retain Policy UG 6A		
Staff Recommendations:	Accept in Part		
Submission Number:	9: 10	Submission Type:	Seek Amendment
Submitter:	Tauranga City Council		
Submission Summary:	Support the intent of this policy bu consistency with the wording used		

Submissions

	Replacing "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.
Decision Sought:	Amend Policy UG 6A Explanation as follows
	The servicing (including provision of access) and timing of urban development is critical to acheiving integrated and sustainable growth management. Large-scale urban development of 5 hectares or more (greenfield and brownfield) must be subject to detailed structure plannng to address, among other matters, urban design, and provision and funding of network infrastructure.
	Table reference: Objective 25, Methods 1, 18, 50 and 51

r Submission(s)			
Further Submission No:	1 - 1	Submission Type:	Oppose
Further Submitter:	Nga Potiki a Tama	pahore Trust	
Submission Summary:	oppose specifically intensive urban de	ndamental issue with changing the w / defining large scale as development velopment can occur on land less tha such development.	t greater than 5ha. Large scale and
Decision Sought:		ion seeks to change wording of" large opment of 5ha or more".	e scale urban growth" to "large
Staff Recommendation:	Accept in Part		
Further Submission No:	9 - 5	Submission Type:	Support in Part
Further Submitter:	Kainga Ora		
Submission Summary:	Policy and that the However, structure and should not inc Kainga Ora also co urban to urban is u	s that the amendments provide better wording "large scale urban develop e planning is a prerequisite from rural lude brownfield development, which i onsider that all development where a undertaken should be subject to a stru- ld not be based on the size of the dev	pment" is in line with the NPS-UD. to urban (or future urban to urban is already live zoned. change of zone from rural/future ucture plan, commensurate with th
Decision Sought:	Accept in part.		
Staff Recommendation:	Accept in Part		
Further Submission No:	13 - 18	Submission Type:	Support in Part
Further Submitter:	Urban Taskforce fo	or Tauranga	
Submission Summary:	relation to the prov the 5 hectare area	he submission should be accepted in rision of access and reference to deve is inconsistent with the policies unde s of land area relating to scale. Small nousing yield.	elopment. However,reference to r the NPS-UD which do not refer t
Decision Sought:	Allow in part		
Staff Recommendation:	Accept		

Submission Number:	13: 3Submission Type:Oppose in Part	
Submitter:	Classic Developments Limited	
Submission Summary:	The amendment clarifies the appropriate scale of urban design input that is required as part of t preparation of a structure plan	he
Decision Sought:	Amend the Explanation for Policy UG 6A as follows:	
	Large-scale urban growth (greenfield and brownfield) must be subject to detailed structure plan address, among other matters, high level urban design, and provisions and funding of network infrastructure	ning
Staff Recommendations:	Reject	
Submission Number:	15: 3 Submission Type: Support	
Submitter:	Fonterra Ltd.	
Submission Summary:	Fonterra supports the policy as notified.	
Decision Sought:	Retain Policy UG 6A (Efficient use of land and infrastructure for urban growth and development notified.) as
Staff Recommendations:	Accept in Part	
Submission Number:	16: 1 Submission Type: Support	
Submitter:	Ford Land Holdings Pty	
Submission Summary:	Gives effect to the NPS-UD and provides for the sustainable management of growth in the region	on.
Decision Sought:	Adopt as notified.	
Staff Recommendations:	Accept in Part	
Submission Number:	17: 3 Submission Type: Support	
Submitter:	Royal Forest & Bird Protection Society of NZ - BOP branches	
Submission Summary:	Forest & Bird supports infrastructure servicing because a lack of infrastructure servicing is ineffi may contribute to adverse environmental effects.	cient
Decision Sought:	Retain Policy UG 6A as notified	
Staff Recommendations:	Accept in Part	
Further Submission(s)		
Further Submiss	ion No: 10 - 9 Submission Type: Support	
Further Submitte	r: Transpower New Zealand Ltd	
Submission Sun	mary: Transpower supports the need for infrastructure to support development in UG6	۹.
Decision Sough	Accept submission.	
Staff Recommen	dation: Accept	
Submission Number:	20: 5 Submission Type: Support	
Submitter:	KiwiRail Holdings Ltd	
Submission Summary:	KiwiRail supports the policy as notified, subject to the proposed amendments to Policy UG 10B below.	outlii
Decision Sought:	Support subject to changes to Policy UG 10B.	
Staff Recommendations:	Reject	
Submission Number:	21: 5 Submission Type: Support	

	anu i				
Submitter:	Mitre 10 Holdings				
Submission Summary:		ments to Policy UG 6A give effect to the N	PS-UD in terms of Objective 4 and Policy		
		provision must be provided to ensure that possive urban growth and increased deve			
Decision Sought:	Adopt proposed amer	ndments to Policy UG 6A as notified.			
Staff Recommendations:	Accept in Part				
Submission Number:	25: 2	Submission Type:	Support		
Submitter:	Rotorua Lakes Counc	sil			
Submission Summary:	RLC supports the direction of this policy, which is consistent with the direction of the National Policy Statement- Urban Development (2020). We support that urban development needs to consider the efficient use of land and infrastructure, and that landuse and infrastructure provision needs to be integrated. However, it is important to note that the efficient use of land in the context of housing provision in particular, needs to be carefully considered with respect to housing challenges we face. The projected demand for housing; commercial feasibility for more intensive housing typologies; and the housing that is reasonably expected to be realised are key factors to consider when providing land for housing development. The ability for Rotorua to meet its housing bottom lines in Policy UG 25B, particularly in the medium to long term needs to be weighed up against providing for efficient urban form and use of land. We are currently developing our Future Development Strategy where we will be working through these issues with BoPRC, Waka Kotahi, MHUD and other key stakeholders groups.				
Decision Sought:	Retain RPS Change 6	δ as notified			
Staff Recommendations:	Accept in Part				
Submission Number:	26: 2	Submission Type:	Support in Part		
Submitter:	Tauranga Crossing Li	imited			
Submission Summary:	requirement of clause	he intent of the proposed changes to Policy 3.2(1) of the NPS-UD for local authorities rected demand for housing and business is	to provide sufficient development		
	that is plan-enabled a this requirement. In p provides for the integr	in the RPS that require sufficient developn and infrastructure-ready. TCL also consider articular, the policy requires that urban dev ration and efficient use of land and infrastru quired to ensure that development capacity	s that Policy UG 6A does not align with relopment be managed in a way that ucture. Use of term "manage" is less		
	are controlled by a loc Government Act 2002	ructure is defined by the NPS-UD as mear cal authority or council controlled organisat 2): (a) network infrastructure for water supp in section 5 of the Land Transport Manage	tion (as defined in section 6 of the Local oly, wastewater, or stormwater (b) land		
		es are required to Policy UG 10B to ensure ore closely aligned with the requirements o			
Decision Sought:		ist to address the requirement for sufficient cture ready as follows:	development capacity which is plan-		
		n-enabled and infrastructure-ready develop less land over the short term, medium term			
		nis policy, the provision of sufficient develo natters referred to in Policy UG 10B.	pment capacity shall include		
	The servicing and tim management. Urban	xplanation for Policy UG 6A as follows: ing of urban development is critical to achi growth (greenfield and brownfield) must be r matters, urban design, and provision and	e subject to detailed structure planning to		
	Amend Policy UG 10 considerations as follo	B: Rezoning and development of urban lan ows:	d – investment and infrastructure		
	Require the rezoning	or other provisions for the urban developm	nent of land to take into account:		
t: Staff Recommendations of	n Broviciono	Page 46 of 128	Produced: 5/06/2023 5:44:14 nm		

	 (a) Sustainable rates of land uptake, (b) Existing development infrastructure to support the development of the land in the short term, (c) Funding for adequate development infrastructure to support development of the land in the medium term is identified in a long-term plan, (d) Development infrastructure to support the development capacity in the long term is identified in the local authority's infrastructure strategy (as required as part of its long-term plan), and (e) Efficient use of local authority and central government financial resources, including prudent local authority debt management. 			
Staff Recommendations:	Reject			
Submission Number:	27: 2 Submission Type: Not Applicable			
Submitter:	Transpower New Zealand Ltd			
Submission Summary:	Transpower supports the inclusion of a clear statement within the Proposed Change 6 provisions that provides clarity for RPS users. Such information provides clarity and assists the interpretation and implementation of the RPS.			
	Transpower considers that specific reference and acknowledgment of the significance of the National Grid needs to be provided alongside some of these new provisions for avoidance of any doubt that the National Grid is nationally and regionally significant.			
	The National Grid has operational requirements and engineering constraints that dictate and constrain where it is located and the way it is operated, maintained, upgraded and developed.			
	To ensure clarity, Transpower would support specific reference within the Change 6 provisions to the National Grid. As an alternative, Transpower would support references to nationally and regionally significant infrastructure.			
Decision Sought:	Amend Policy UG 6A: Efficient use of land and infrastructure for urban growth and development as follows:			
	Manage urban development in a way that provides for: (a) The efficient use of land and infrastructure (including the National Grid); and 			
	Explanation The servicing and timing of urban development is critical to achieving integrated and sustainable growth management, including the National Grid. Large-scale urban growth (greenfield and brownfield) must be			
	subject to detailed structure planning to address, among other matters, urban design, and provisions and funding of network infrastructure.			
Staff Recommendations:	subject to detailed structure planning to address, among other matters, urban design, and provisions and			
Staff Recommendations:	subject to detailed structure planning to address, among other matters, urban design, and provisions and funding of network infrastructure.			
	subject to detailed structure planning to address, among other matters, urban design, and provisions and funding of network infrastructure. Reject			
Submission Number:	subject to detailed structure planning to address, among other matters, urban design, and provisions and funding of network infrastructure. Reject 28: 1 Submission Type: Support			
Submission Number: Submitter:	subject to detailed structure planning to address, among other matters, urban design, and provisions and funding of network infrastructure. Reject 28: 1 Submission Type: Support Tumu Kaituna 14 Trust			
Submission Number: Submitter: Submission Summary:	subject to detailed structure planning to address, among other matters, urban design, and provisions and funding of network infrastructure. Reject 28: 1 Submission Type: Support Tumu Kaituna 14 Trust Gives effect to the NPS-UD and provides for the sustainable management of growth in the region.			
Submission Number: Submitter: Submission Summary: Decision Sought:	subject to detailed structure planning to address, among other matters, urban design, and provisions and funding of network infrastructure. Reject 28: 1 Submission Type: Support Tumu Kaituna 14 Trust Gives effect to the NPS-UD and provides for the sustainable management of growth in the region. Adopt Policy UG 6A as notified			
Submission Number: Submitter: Submission Summary: Decision Sought: Staff Recommendations:	subject to detailed structure planning to address, among other matters, urban design, and provisions and funding of network infrastructure. Reject 28: 1 Submission Type: Support Tumu Kaituna 14 Trust Gives effect to the NPS-UD and provides for the sustainable management of growth in the region. Adopt Policy UG 6A as notified Accept in Part			
Submission Number: Submitter: Submission Summary: Decision Sought: Staff Recommendations: Submission Number:	subject to detailed structure planning to address, among other matters, urban design, and provisions and funding of network infrastructure. Reject 28: 1 Submission Type: Support Tumu Kaituna 14 Trust Gives effect to the NPS-UD and provides for the sustainable management of growth in the region. Adopt Policy UG 6A as notified Accept in Part 29: 4 Submission Type: Oppose in Part			
Submission Number: Submitter: Submission Summary: Decision Sought: Staff Recommendations: Submission Number: Submitter:	subject to detailed structure planning to address, among other matters, urban design, and provisions and funding of network infrastructure. Reject 28: 1 Submission Type: Support Tumu Kaituna 14 Trust Gives effect to the NPS-UD and provides for the sustainable management of growth in the region. Adopt Policy UG 6A as notified Accept in Part 29: 4 Submission Type: Oppose in Part Urban Taskforce for Tauranga The amendment clarifies the appropriate scale of urban design input that is required as part of the			
Submission Number: Submitter: Submission Summary: Decision Sought: Staff Recommendations: Submission Number: Submitter: Submitter:	subject to detailed structure planning to address, among other matters, urban design, and provisions and funding of network infrastructure. Reject 28: 1 Submission Type: Support Tumu Kaituna 14 Trust Gives effect to the NPS-UD and provides for the sustainable management of growth in the region. Adopt Policy UG 6A as notified			

	Further Submission No: Further Submitter:		7 - 1	Submission Type	e: Support	
			Element IMF	Element IMF		
	Submission Summary:		5	The Plan Change should clarify the appropriate scale of urban design input that is required as part of a spatial plan.		
			U 1	rinciple that in some instances, pment may outweigh the costs	the benefits of future of impacts on planned development	
	Decision Sought: Staff Recommendation:		Accept submission.	Accept submission.		
			Reject	Reject		
Submiss	ion Number:	30: 1		Submission Type:	Oppose	
Submitte	er:	Vercoe Ho	ldings Limited			
Submiss	ion Summary:	Amend Policy UG 6A to clarify the appropriate scale of urban design input that is required as part of th preparation of a structure plan				
Decision	Sought:	Amend the	e Explanation for Policy L	Explanation for Policy UG 6A, as follows:		
	Large-scale urban growth (greenfield and brownfield) must be subject to detailed structure pla address, among other matters, high level urban design, and provisions and funding of networ infrastructure					
		ons: Reject				

Section: Policy UG 7A (submission points specific to this policy)

Staff Recommendation

Amend paragraph (b) of notified Policy UG 7A to replace 'sufficient' with 'able' to read: '(a) For Tauranga City and Western Bay of Plenty District urban environments, the development is large scale (5 hectares or more), and able to support multi modal transport options, and'

Amend paragraph 5 of the explanation text to read: 'Unanticipated urban development is subdivision, use and development that is not 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.'

Amend paragraph 6 of the explanation text to read: '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.'

Amend paragraph 9 of the explanation text to read: '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.'

Amend the last paragraph 11 of the explanation text to read: 'For avoidance of doubt, 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.'

Staff Reason

Existing operative Policy UG 7A is proposed to be deleted through Proposed Change 6 (NPS-UD). It is the only policy in the operative RPS that makes provision for urban development outside the urban limits. However, it is strictly limited to the expansion of existing business activities or business land only. It does not provide for the expansion of other urban activities (e.g. residential) that is proposed to be connected to urban infrastructure but will be outside existing urban zoned areas or the urban limits (in the western Bay of Plenty sub-region).

As amended proposed Policy UG 7A seeks to implement Clause 3.8(3) of the NPS UD. It sets out criteria for determining whether unanticipated or out of sequence urban development proposals will add significant development capacity, and how the merits of individual proposals will be consistently assessed. It applies to both residential and business development proposals.

Policy UG 7A applies to urban growth proposals not included or provided for in a territorial authority endorsed planning process (e.g. FDS, RMA plan change or within the planned release of land recognised in an LTP). These are unanticipated or out-of-sequence urban growth proposals would normally be considered through a private plan change request but might also be sought through submissions on a formal district plan change or review. For the avoidance of doubt, Policy UG 7A does not apply to urban growth proposals that are provided for in an adopted local authority Future Development Strategy, growth strategy, RMA plan, Long Term Plan, or 30-year infrastructure strategy

NPS-UD Policy 8 recognises local authority decisions must be responsive to unanticipated or out-of-sequence plan changes that will add significantly to development capacity and contribute to a well-functioning urban environment.

The size, location and demand for housing and business development capacity are relevant considerations for determining whether a proposal will add significant development capacity.

Large scale land to meet development capacity:

Ministry for the Environment guidance recognises that the requirement for regional councils to include criteria in their regional policy statements for determining what plan changes will be treated as adding significantly to development capacity should ensure that local authorities can focus resources and attention on opportunities that will support well-functioning urban environments. For example, focusing on large-scale opportunities instead of dedicating resources to requests for plan changes for small parcels of land that would not yield a large increase in dwellings or business land.

Policy UG 7A requires that the development is of a large enough scale to add significantly to development capacity. The operative RPS defines large scale: "in the context of land-use change involving the proposed development of land for urban purposes including proposed changes in zoning, refers to an area greater than or equal to 5 ha." Including a threshold in paragraph (b) provides certainty what constitutes large scale in the western Bay of Plenty sub-region and when the criteria apply.

Evidence of business and housing land demand:

The purpose of an HBA is to provide information on demand and supply of housing and business land, while quantifying the development capacity that is sufficient to meet demand for housing and business land. For a Plan Change to provide evidence that it will add significant development capacity it needs to be of a large scale and has quantifying evidence that there is demand for housing and business land in that location.

Well-Functioning Urban Environments:

The location of land that is unanticipated or out of sequence is essential in consideration of its ability to contribute to a well-functioning urban environment. Policy 1 of the NPS-UD sets out what a well-functioning urban environment comprises. To give effect to NPS-UD Policy 1, specifically clauses (c) and (e) for accessibility and to support reductions in greenhouse gas emissions, the plan change must also show how the development is well-connected along transport corridors. This should encourage urban developments in locations with easy access to a range of services.

Staff consider that to achieve the requirements of NPS-UD Policy 1, out of sequence or unanticipated urban development is only acceptable when it is within or an extension to an existing urban environment.

Within the NPS-UD, urban environment means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

- is, or is intended to be, predominantly urban in character; and
- is, or is intended to be, part of a housing and labour market of at least 10,000 people.

Submissions 1-1, FS 6-1, FS 9-1, FS 13-7, 11-3, FS 1-3, FS 6-8, 12-2, FS 6-12, 13-5, FS 6-14, 29-6: These submissions oppose reference to the Housing and Business Development Capacity Assessment ("HBA") in paragraph (a) and request replacing it with the Future Development Strategy (FDS).

The HBAs for the western Bay of Plenty and Rotorua identify shortfalls of residential capacity. As described above, to ensure that an unanticipated or out of sequence proposal contributes to a well-functioning urban environment, there needs to be evidence of demand for housing and business land in that location.

Submissions 13-6, FS 4-3, FS 6-15, 22-2, FS 6-17, 29-7, 30-2 seek ability to consider smaller scale development and oppose specifying a 5-ha large scale area threshold.

As described above, the operative RPS defines large scale as 5ha and sets this as the baseline for requiring structure plans under Method 18. For the Western Bay of Plenty sub-region, 5ha is a baseline of the size of land that could cater to a level of development that could offer significant capacity.

Unanticipated or out of sequence proposals should focus on large-scale opportunities instead of dedicating resources to requests for plan changes for small parcels of land that would not yield significant development capacity and a large increase in dwellings or business land.

Submissions 1-2, FS 6-2, FS 13-8, 11-5, FS 6-10, FS 13-5, 12-3, FS 6-13 oppose this policy as they consider that reference to growth strategy, Long Term Plan or 30-year infrastructure strategy are inappropriate and should only refer to Future

Development Strategies ("FDS") and RMA plans.

Only Tier 1 and 2 Local Authorities are required to prepare an FDS with the requirements detailed in Subpart 4 of the NPS-UD. The Bay of Plenty Region includes Tier 3 authorities that are also required to meet housing demand, although the preparation of an FDS is voluntary.

Other adopted local authority growth strategies, the LTP and 30-year infrastructure strategies are important when considering unanticipated and out of sequence urban development proposals and to capture all local authorities in the region.

Submissions 6-4, FS 10-2, 7-4, 9-11, 21-6, 23-5, 25-3, , , 17-7, 17-8 and 33-4 support for Policy UG 7A as notified is noted.

Submissions 15-4, FS 10-7, FS 9-7, 18-5, FS3-9, FS 9-14, FS 10-14, 20-6 seek changes to recognise reverse sensitivity effects within the policy.

As described throughout this report as it relates to submissions on reverse sensitivity effects, the RPS recognises reverse sensitivity effects on existing lawfully established activities through various policies. Of relevance to the submissions the following operative RPS direction is still relevant to consider for further urban growth

- Policy UG 20B: Managing reverse sensitivity effects on rural production activities and infrastructure in rural areas.
- Policy El 7B: Managing the effects of infrastructure development and use.
- Policy AQ 1A: Discouraging reverse sensitivity effects associated with odours, chemicals and particulates.
- Policy EI 3B: Protecting nationally and regionally significant infrastructure

Staff consider that reverse sensitivity effects are appropriately recognised within the operative RPS and will remain relevant to new urban growth proposals.

Submissions 11-4, FS 1-4, FS 4-2, FS 6-9, FS 13-3, FS 13-4, 13-7, 22-3, 29-8, 29-9, FS 6-20, FS 7-2 request changes to criteria (d), (e) and (f) to recognise accessibility within a proposed development area and that large scale development can provide self-sustaining local services. Staff disagree.

Out-of-sequence urban development must show how the development is well-connected along transport corridors to ensure development is not disconnected or isolated. Relying on services and accessibility within the development area only could create adhoc or isolated pockets of urban development that are not well-connected.

Considerable planning and investment is required for future urban development areas and it is important that in order to qualify as adding significant development capacity any out of sequence or unanticipated urban development should be capable of being completed at pace and earlier than anticipated urban development or land release. Consequently criteria (e) and (f) intentionally create a high threshold.

It should be recognised the criteria are not absolute, proposals will need to be assessed on a case-by-case basis, and the preamble is clear it is the 'extent to which the criteria are satisfied' by the development proposal.

Submission 5-2, FS 6-3, FS 10-1, FS 13-15 seeks the inclusion of FDS within this policy. Staff consider including the FDS in this policy is inaccurate. Out of sequence development is development that is not already included in a Future Development Strategy. Land that is included in an FDS is irrelevant to this policy.

Submissions 17-1, 17-4, FS 9-13, 17-5, 17-6, seek recognition of the following:

Adverse effects on the coastal environment, rural land, significant landscape areas and indigenous biodiversity.
 Restriction on landowner holding of domestic cats and dogs

The concerns raised by these submission points are noted Policy UG 7A specifically seeks to implement NPS-UD Policy 8 and clause 3.8(3).

The operative RPS continues to provide a broader policy framework for the sustainable management of the regions natural and physical resources including land, fresh and coastal water, issues of significance to lwi, biodiversity and infrastructure. These provisions will continue to apply including where relevant to future urban development proposals. Other RPS provisions addressing significant resource management issues for the coastal environment, rural growth management and specified matters of national importance still apply and can be considered and weighted on a case-by-case basis.

Submissions 13-8, FS 6-16, 29-9, 30-3, FS 6-22 seek the removal of part of the text in clause (f) that aims to protect existing and planned infrastructure or committed development infrastructure investment. Submissions also seeks removal of part of the explanation text that details what is meant by out-of-sequence development, but with no particular reason of relief sought.

Out of sequence development in reference to Policy UG 7A is aimed to capture development opportunities that have not been included in a Future Development Strategy or other Council endorsed document, allowing Councils to be responsive to growth opportunities. A high threshold is required to consider the appropriateness of development that has not been tested and consulted on through an FDS or other Council process to ensure that such development contribute to a well-functioning and connected environment.

Undermining existing infrastructure decisions in favour of out-of-sequence development is contradictory to the NPS-UD requirements for local governments to be infrastructure ready in the short, medium and long term as part of their growth strategies. Every Council must provide at least sufficient development capacity including the requirement for infrastructure in its region for the short, medium and long term. Policy UG 7A captures any remaining gaps or opportunities that have not been included in an FDS or other Council endorsed strategy.

Submission 19-1 requests changes to Change 6 and Policy UG 7A specifically within the response.

The relief sought by the submitter is to provide greater protection for roading infrastructure in areas considered to already be at capacity. Policy UG 7A is relevant to areas of large-scale urban development that are not already anticipated by an FDS or other Council Plans. Any large scale and out of sequence development will require development infrastructure to cater to the additional urban growth.

Submission 27-3 seeks changes to recognise and protect the National Grid and ensure the operation, maintenance, upgrading and development of the National Grid.

RPS operative Policy EI 3B: Protecting nationally and regionally significant infrastructure protects such infrastructure to develop, maintain, operate and upgrade existing, consented and designated infrastructure from incompatible development near significant infrastructure. This policy sets out how district councils and infrastructure providers shall determine an appropriate buffer corridor to ensure that inappropriate development in proximity to infrastructure is avoided.

Additionally, urban development is also subject to consideration of Method 18 which requires that a structure plan for all large-scale land use changes ensure coordinated development through integrated provision of infrastructure and integrated management of environmental effects. Of relevance to significant infrastructure, clause (f) of Method 18 requires that structure plans shall identify all existing and consented, designated or programmed infrastructure and infrastructure corridors.

Staff consider that the operative RPS provisions protects significant infrastructure such as the National Grid and recognising the National Grid specifically within updated Change 6 policies is superfluous and unnecessary.

Submissions 16-2, FS 13-9, 28-2, FS 1-7, FS 6-18 seek amendments to remove 'private' from 'private plan change' as the wording private may preclude government entities and agencies from lodging plan changes.

Staff disagree. A private plan change is a proposal that is not anticipated by the territorial authority. If a local authority is considering notifying an out-of-sequence development proposed by another government entity or agency it would still be considered a private plan change. It is more common for government agencies to be involved as stake holders in Spatial Plans or FDS processes, and urban development proposed by government agencies would form part of an anticipated development and would rarely be capture by this policy.

Submission 31-3 seeks changes to recognise public and active transport modes, and to include that this could be provided now or in the future. The submission also requests the inclusion of emission reductions into the policy.

Policy UG 7A is about the identification of land that is not included in an existing Council strategy, but still needs to be land for urban growth that forms part of an urban environment. If the land is of a location and size that is appropriate and the criteria set out in Policy UG 7A can be met, the other relevant urban growth policies and methods apply.

As detailed in the explanation statement 'Policies UG 6A, 9B, 10B and 11B and Method 18 are particularly relevant'. However, there are no existing RPS provisions that address emissions reduction and that matter is considered out of scope of Policy UG 7A. Submission 25-5 seeks amendment to the explanation statement, although the text being referred to is relevant to Policy UG 7Ax. For clarity, the change seeks the word 'density' is included such as: "City and district plans should enable greater building heights and density where there is higher housing and business use and demand". Staff note that the text this submission is referring to already includes the word 'density' as notified.

Submission 25-4 seeks that Maori urban development include Papakainga, iwi and hapu development aspirations is referenced after reference to Policy UG 22B: Te Tiriti o Waitangi Principles within the explanation statement. Staff consider that Maori aspirations are adequately referenced under UG 22B, and the link to this policy is sufficient. As at clause (a) of UG 22B, planning decisions will need to enable Maori to develop their land, including but not limited to Papakainga housing, marae and community facilities.

Submission 9-12, FS 1-2, FS 6-5 seeks amendments to clarify policy intent, reduce overly complex wording as well as identifying grammatical errors. Staff agree with some of the requested changes to better reflect the intent of the NPS-UD.

Staff do not agree with the relief to include reference to NPS-UD within the policy pre-amble text. Reference to NPS-UD Policy 8 is already provided within the explanation text as notified.

Policy UG 7A only applies to unanticipated or out of sequence development proposed within an existing urban environment. The suggested removal of this text within the preamble would make this unclear. Staff do not agree with this suggested change. The submission recognises this policy link to Policy UG 22B for out-of-sequence Maori urban developments, and within the context of the Tauranga and Western Bay of Plenty districts the criteria of being of a large enough development being 5ha or

more may not be feasible and create unintended restrictions on Maori owned land.

Ministry for the Environment guidance recognises that Policy 8 of the NPS-UD requires local authorities to be responsive to plan changes that would add significantly to development capacity even if the development capacity is unanticipated by RMA planning documents or out-of-sequence with planned land release. These criteria help consider whether development fulfils needs for identified demand, including for housing that enables Maori to express cultural traditions and norms. The intent is to ensure local authorities consider whether plan changes add significantly to meeting iwi Maori needs.

Submissions

Submission Number:	1: 1	Submission Type:	Oppose
Submitter:	Element IMF		
Submission Summary:	The FDS is the strategic planning docum	ent that is recognised in	the NPS UD.
	The criterion should refer to the FDS, not FDS alongside other inputs and does not subject to formal consultation nor decisio The explanation does not refer to the HB	t deliver capcity on its ov n making under the RM/	vn. It is a technical analysis that is not A or LGA.
Decision Sought:	Amend criterion (a) to remeve references key documents that anticipate and seque		
	The development is of large enough scal identified through the FDS or RMA Plans specific housing typologies or price point	, including meeting hous	

Staff Recommendations: Reject Further Submission(s) Further Submission No: 6 - 1 Submission Type: Support Further Submitter: Tauranga Crossing Limited Submission Summary: Tauranga Crossing Limited ("TCL") agrees with the Submitter that the criterion should refer to the FDS, not the HBA, as the FDS is the strategic planning document that is recognised in the NPS-UD. Decision Sought: Accept submission. Staff Recommendation: Reject Further Submission No: 9 - 1 Submission Type: Support in Part Further Submitter: Kainga Ora Submission Summary: Kainga Ora supoprts the decision requested to the extent it is consistent with Kainga Ora primary submission. Decision Sought: Accept in part Staff Recommendation: Reject 13 - 7 Further Submission No: Submission Type: Support Further Submitter: Urban Taskforce for Tauranga Submission Summary: We consider that the submission should be accepted so that the Policy refers to the Future Development Strategy (FDS) as the method for identification. Decision Sought: Accept submission. Staff Recommendation: Reject

Submission Number:	1: 2	Submission Type:	Oppose		
Submitter:	Element IMF				
Submission Summary:	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 to the same rigour of analysis, community engagement, or decision making.				
Decision Sought:	Amend the explanation to remove references to the 'growth strategy, Long Term Plan, or 30 year infrastructure strategy' to read:				
	'Unanticipated development is urban dev identified as being provided for in an ado Out of sequence development is develop out in those documents.	pted local authority Futu	re Development Strategy, or RMA plan.		
Staff Recommendations:	Reject				

F S D S F F	Further Submiss Further Submitte Submission Sun Decision Sough Staff Recommen Further Submiss Further Submitte Submission Sun	er: nmary: t: ndation: sion No:	(such as the growth	Submitter that reference to other documents that are not the strategy, Long Term Plan, or 30 year infrastructure strategy) requirements of the NPS-UD, and has the potential to create	is	
S D S F F	Submission Sun Decision Sough Staff Recommen Further Submiss	nmary: t: ndation: sion No:	TCL agrees with the (such as the growth inconsistent with the uncertainty. Accept submission. Reject	Submitter that reference to other documents that are not the strategy, Long Term Plan, or 30 year infrastructure strategy) requirements of the NPS-UD, and has the potential to create	is	
D S F F	Decision Sough Staff Recommen Further Submiss	t: ndation: sion No:	(such as the growth inconsistent with the uncertainty. Accept submission. Reject	strategy, Long Term Plan, or 30 year infrastructure strategy) requirements of the NPS-UD, and has the potential to create	is	
S F F	Staff Recommen	ndation: sion No:	Reject	Submission Turns		
F	urther Submiss	sion No:		Submission Tung: Our set		
F	urther Submitte		13 - 8	Submission Type: Ourseast		
		er:		Submission Type: Support		
S	Submission Sun	o	Urban Taskforce for	Urban Taskforce for Tauranga		
		nmary:		submission should be accepted so that the Policy refers to t Strategy (FDS) as the tion.	he	
D	Decision Sought	t:	Accept submission.			
s	Staff Recommer	ndation:	Reject			
Submission	Number:	5: 2		Submission Type: Support in Part		
Submitter:		Kainga Ora	I			
Submission	Summary:	assess whe	ether allowing out of sequences	policy but seeks the inclusion of wording that requires the neu uence development compromises development ready land th al strategic and/or development framework.		
		understand forms the b high-level v	asis for integrated, strate	IBA and g and business land in an urban environment, it is the FDS wh egic and long-term planning. The FDS helps local authorities g urban growth over the long term and identifies strategic prio lecisions. Therefore, Kainga Ora request that the FDS is inclu	set th rities	
Decision So	ought:	Amend Policy UG7A to reference FDS as follows:				
		identified th for specific	rough the HBA or FDS f housing typologies or pr	bugh scale to contribute to meeting demand for additional urb for the area, including meeting housing bottom lines or meetin ice points, or business types. re is evidence that there is a need for additional urban land, a	ng nee	
Staff Recom	nmendations:	Reject				
Further Su	ubmission(s)					
F	urther Submiss	sion No:	6 - 3	Submission Type: Support in Part		

			and Further Sub	missions				
	Further Submitt	er:	Tauranga Crossing Limited					
	Submission Sur	nmary:	TCL agrees with the Submitter that it is the FDS which forms the basis for integrated, strategic, and long-term planning, and supports the submission to the extent that it seeks to add reference to the FDS in Policy UG 7A. However, TCL also considers that reference to plans other than the FDS is inconsistent with the NPS-UD and has the potential to create uncertainty.					
	Decision Sough	t:	Accept submission as it relates to referencing the FDS within the policy. Reject					
	Staff Recomme	ndation:						
	Further Submission No:		10 - 1 Submission Type: Support in Part					
	Further Submitt	er:	Transpower New Zealand Ltd					
	Submission Summary: Decision Sought: Staff Recommendation:		Transpower is generally supportive of the Kainga Ora submission but does wonder if HBA is still required (UG7A(a)).					
			Accept submission in part,					
			Reject					
	Further Submis	sion No:	13 - 15	Submission Type:	Support in Part			
	Further Submitter: Submission Summary:		Urban Taskforce for Taurar	ıga				
			The submission should be accepted as the current wording is inconsistent with the NPS- UD and should refer to the demand for additional urban land being identified through the FDS rather than the range of plans and strategies currently referred to in the policy.					
	Decision Sough	t:	Accept in part.					
	Staff Recommendation:		Reject					
Submiss	sion Number:	6: 4		Submission Type: Su	pport			
Submitte	er:	Federated F	armers NZ (BOP and Rotorua	i, Taupo)				
Submiss	This policy a protected for		and any reference to it in other	provisions, has the potentia e acknowledge that urban de	evelopment is necessary in some			
Decision	n Sought:		ia for unanticipated or out-of-s					
Staff Re	commendations:	Accept						
Furthe	r Submission(s)						
	Further Submis	sion No:	10 - 2	Submission Type:	Support			
	Further Submitt	er:	Transpower New Zealand I	_td				
	Submission Sur	mmary:	Transpower agrees with the protections.	ese comments and notes the	e importance of retaining existing			
	Decision Sough	ıt:	Accept submission.					
	Staff Recomme	ndation:	Accept					
Submiss	sion Number:	7: 4		Submission Type: Su	pport			
Submitte	er:	Toi Te Ora I	Public Health					
Submiss	sion Summary:	Policy UG 7	A: Providing for unanticipated	or out-of-sequence urban gr	rowth urban environments			
		change and		onsideration the areas that a	tes that will be impacted by climate are prone to floods and are coasta cularly important.			
		wellbeing ef		s to public health are conside	suggest that the social and mental ered in addition to whether a site is			
· Staff De	ecommendations (n Provisions	Page 54 of 128		Produced: 5/06/2023 5:44:14 n			

	From a public health perspective to achieve integrated and sustainable growth management, large sca urban growth must address connectivity to existing urban development.
	We support this policy and particularly policy 7A(d). From a public health perspective, to support health and wellbeing, large scale development must be located (or provide) good accessibility between housi employment, community and other services and open space. In relation to what is considered good accessibility, it is a development that achieves all policy UG 3A, in particular increases active transport reduces motor vehicle dependency, and reduces emissions.
Decision Sought:	Retain Policy UG 7A. Prior to 'live zoning' land for structure planning and development, consider the social and mental wellbeing effects of natural hazard impacts to public health in addition to whether a s is significantly constrained when addressing natural hazards.
Staff Recommendations:	Accept
Submission Number:	9: 11 Submission Type: Support
Submitter:	Tauranga City Council
Submission Summary:	Policy UG 7A - Providing for the expansion of existing business land - western Bay of Plenty sub-region
	Support removal of current Policy UG 7A is it includes reference to urban and is inconsistent with the responsive planning policies of the NPS-UD.
Decision Sought:	Delete Policy UG 7A as proposed by RPS Change 6
Staff Recommendations:	Accept
Submission Number:	9: 12 Submission Type: Seek Amendment
Submitter:	Tauranga City Council
Submission Summary:	The intent of this policy is supported however it is considered that the proposed wording is confusing an overly complex.
	With regard to the explanation, it states that this policy applies to Maori 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 Maori development, and we suggest that this statement is reconsidered to avoid any unintended restrictions on the development of Maori land.
	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.
Decision Sought:	Amend Policy UG 7A including Explanation as follows:
Decision Sought:	Private plan changes, submissions on plan changes, or submissions on plan reviews providing for urba development that is unanticipated or out-of-sequence-, will be treated, for the purpose of implementing
Decision Sought:	 Private plan changes, submissions on plan changes, or submissions on plan reviews providing for urbadevelopment 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: (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 (b) For Tauranga City and Western Bay of Plenty District urban environments, the development large scale (5 hectares or more), and able to support multi modal transport options, and (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
Decision Sought:	 Private plan changes, submissions on plan changes, or submissions on plan reviews providing for urbad development 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: (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 i evidence that there is a need for additional urban land, and (b) For Tauranga City and Western Bay of Plenty District urban environments, the development large scale (5 hectares or more), and able to support multi modal transport options, and (c) For all other urban environments, the development is at a scale commensurate with the size

	(f) R funding and f	inancing of infrastructu	infrastructure c ure without mat	erially reducing the	iently, including the delive benefits of other existing on frastructure investment.	
	Developmen		the RPS includ	le criteria for determ	Policy Statement on Urban hining whether unanticipate velopment capacity,	
		oplies to Maori urban c evelopment is unantici			6 22B: Te Tiriti o Waitangi I	Principles,
	This policy d	oes not apply to small	scale alteratior	is to urban environr	nents that have minor effe	cts.
		these criteria the deve ridors and must contrib			to existing or planned mult vironment.	i modal
	Unanticipated urban development is subdivision, use and development that is not 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.					an, or 30-
	plan reviews reviews initia Where urban	seeking additional gre ted by local authorities	eenfield or brow s do not fall with s the criteria, lo	nfield urban develo hin this policy, as th cal authorities must	respond by removing unn	plan
	 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. 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 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. For avoidance of doubt, 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. 					
	Table reference: Objective 23 and 25, Methods 1, 3 and 18					
	Note typo in	spelling of "infrastructu	ure" in clause (f)		
Staff Recommendations:	Accept in Pa	rt				
Further Submission(s)						
Further Submiss	sion No:	1 - 2	S	Submission Type:	Support	
Further Submitte	er:	Nga Potiki a Tamapa	ahore Trust			
Submission Sur	Submission Summary:				ess than 5ha within an urbansive planning policies of th	

RPS.

Decision Sought:

UG 7A: Submission seeks clarity to wording so that the development of Maori land in

urban environments is not precluded if less than 5ha in area

Further Submise	sion No:	6 - 5 Submission Type: Support				
Further Submitt	er:	Tauranga Crossing Limited				
Submission Sur	nmary:	TCL supports the proposed amendments to Policy UG 13B. The amendments clarify the intent of the Policy and are consistent with the wording used in the NPS-UD itself.				
Decision Sough	t:	Accept submission.				
Staff Recomme	ndation:	Accept in Part				
bmission Number: 11: 3		Submission Type: Oppose				
Submitter: Bell Road Lin		mited Partnership				
sion Summary:	The criterion alongside oth subject to for	d RMA Plans are the strategic planning documents recognised in the NPS UD. In should not refer to the HBA. The HBA is not a plan. It is a tool used to inform the FDS her inputs and does not deliver capacity on its own. It is a technical analysis that is not rmal consultation nor decision making under the RMA or LGA. ation does not refer to the HBA, but to the FDS and other plans.				
n Sought:	sequence url The develop identified thre	by UG 7A to refer to the FDS and RMA Plans as the key documents that anticipate and ban development with the following amendments to criterion (a): oment is of large enough scale to contribute to meeting demand for additional urban land rough the FDS or RMA Plans, including meeting housing bottom lines or meeting needs for sing typologies or price points, or business types.				
commendations:	Reject					
r Submission(s)					
Further Submise	sion No:	1 - 3 Submission Type: Support				
Further Submitter:		Nga Potiki a Tamapahore Trust				
Submission Summary:		NPaTT supports the submission to ensure the correct documents are referenced in the policy.				
Decision Sought:		UG 7A: Submission proposes deletion of reference to HBA and replacement with reference to FDS and RMA Plans which is consistent with the NPS- UD.				
Staff Recomme	ndation:	Reject				
Further Submis	sion No:	6 - 8 Submission Type: Support				
Further Submitt	er:	Tauranga Crossing Limited				
Submission Sur	nmary:	TCL agrees with the Submitter that the criterion should refer to the FDS, not the HBA, as the FDS is the strategic planning document that is recognised in the NPS-UD.				
Decision Sough	t:	Accept submission.				
Staff Recomme	ndation:	Reject				
sion Number:	11:4	Submission Type: Oppose				
er:	Bell Road Lir	mited Partnership				
sion Summary:		as drafted does not clearly address accessibility within a development area, which will also gnificantly to a well-functioning urban environment.				
		development can provide self-sustaining local services with significant long-term benefits to d greenhouse gas emissions that will contribute to well-functioning urban environment				
		s provision of walkable local commercial, social and community service, schools, open access to public and active transport modes.				
		ed or out-of-sequence development may affect planned development and infrastructure, s is an acceptable position where the benefits outweigh the costs.				
		ed policy has a high threshold (i.e. '…without materially reducing the benefits of other existing levelopment…' and would act to severely limit the opportunities for alternative growth				
	Further Submitt Submission Sur Decision Sough Staff Recomme sion Number: er: sion Summary: n Sought: commendations: r Submission(s) Further Submission Sur Decision Sough Staff Recomme Further Submitt Submission Sur Decision Sough Staff Recomme Submission Sur Decision Sough Staff Recomme	er: Bell Road Li sion Summary: The FDS and The criterion alongside of subject to fo The Explana a Sought: Amend Polic sequence un The develop identified thr specific hous commendations: Reject r Submission(s) Further Submission No: Further Submission Summary: Decision Sought: Staff Recommendation: tision Number: 11: 4 er: Bell Road Li sion Summary: The criterion contribute si Large scale liveability an This includes space, and a Unanticipate however this The propose				

Decision Sought: Amend Policy UG 7A criterion (d) as follows: The development will provide good accessibility between housing, employment, community and other services and open space, and

> Amend Policy UG 7A (e) as follows: Development infrastructure can be provided efficiently, including the delivery, funding and financing of infrastructure.

commendations: Reject	
r Submission(s)	
Further Submission No:	1 - 4 Submission Type: Support
Further Submitter:	Nga Potiki a Tamapahore Trust
Submission Summary:	NPaTT support the amendments to UG 7A criteria (e) and (d) so that out of sequence or unanticipated development that provides significant benefits, that outweigh costs and risks can be considered. This also achieves the intentions of the NPS-UD.
Decision Sought:	UG7A: Submission proposes amendments to the relevant criterion (d) and (e) of Policy UG 7A to ensure that unanticipated or out of sequence growth is not unduly restricted if benefits outweigh cost of development
Staff Recommendation:	Reject
Further Submission No:	4 - 2 Submission Type: Support
Further Submitter:	Waka Kotahi
Submission Summary:	The proposed amendment will support development that enables residents to live, work and enjoy recreation via an integrated and well-functioning transport system.
Decision Sought:	Accept submission.
Staff Recommendation:	Reject
Further Submission No:	6 - 9 Submission Type: Support in Part
Further Submitter:	Tauranga Crossing Limited
Submission Summary:	TCL agrees with the Submitter that the requirement for development infrastructure to be provided "without materially reducing the benefits of other existing or planned development infrastructure, or undermining committed development infrastructure investment" is an unnecessarily high policy threshold that is inconsistent with the NPS-UD.
Decision Sought:	Accept submission in part as it relates to Policy UG 7A (f)
Staff Recommendation:	Reject
Further Submission No:	13 - 3 Submission Type: Support
Further Submitter:	Urban Taskforce for Tauranga
Submission Summary:	We consider that the submission should be accepted as the amendments are considered appropriate.
Decision Sought:	Accept submission.
Staff Recommendation:	Reject
Further Submission No:	13 - 4 Submission Type: Support
Further Submitter:	Urban Taskforce for Tauranga
Submission Summary:	We consider that the submission should be accepted as the policy as drafted would continue to severely limit the opportunities for alternative growth proposals and is inconsistent with Objective 2 of the NPS-UD.
Decision Sought:	Accept submission.
Staff Recommendation:	Reject

Submission Number:	11: 5	Submission Type:	Oppose		
Submitter:	Bell Road Limited Partnership				
Submission Summary:	The explanation lists other plans as 'or relevant plan or growth strategy, RMA planning document, Term Plan, or 30-year infrastructure strategy'. Referring to plans other than the FDS and RMA plans is inappropriate, being inconsistent with the UD, and will create undesirable uncertainty. These other documents also may not always be aligne subject to the same rigour of analysis, community engagement, or decision making.				
Decision Sought:	Amend the Explanation to Policy U	G 7A as follows:			
		n adopted local authority Fut velopment that is not consis	use and development) that is not ure Development Strategy or RMA plan tent with the development sequence set		
Staff Recommendations:	Reject				

	commendations:	Reject				
Further	Submission(s))				
			6 - 10	Submission Type:	Support	
			Tauranga Crossing I	imited		
	Submission Sur	nmary:		Submitter that the criterion should gic planning document that is rec	d refer to the FDS, not the HBA, as ognised in the NPS-UD.	
	Decision Sough	t:	Accept submission.			
	Staff Recomme	ndation:	Reject			
	Further Submiss	sion No:	13 - 5	Submission Type:	Support in Part	
	Further Submitte	er:	Urban Taskforce for	Tauranga		
	Submission Summary:		We consider that the submission should be accepted. The policy should only refer to the FDS. This is consistent with the approach set out in the NPS-UD. Reference to the range of other plans and strategies will create significant uncertainty in decision making. The FDS needs to be developed and adopted as an urgent priority.			
	Decision Sough	t:	Accept submission. Reject			
	Staff Recomme	ndation:				
Submissi	ion Number:	12: 2		Submission Type: O	ppose	
Submitte	r:	Bluehaven I	nvestments Limited			
Submissi	ion Summary:	Policy UG 7	A: Providing for unantic	ipated or out- of-sequence urban	growth – urban environments	
to the FDS, n and does not		he strategic planning document that is recognised in the NPS UD. The criterion should refer not the HBA. The HBA is not a plan. It is a tool used to inform the FDS alongside other inputs t deliver capacity on its own. It is a technical analysis that is not subject to formal consultatio making under the RMA or LGA. The explanation does not refer to the HBA, but to the FDS ans.				
Decision	Sought:		y UG 7A to refer to the FDS and RMA Plans as the key documents that anticipate and ban development with the following amendments to criterion (a):			
identified thro			ough the FDS or RMA	n scale to contribute to meeting de Plans, including meeting housing points, or business types.	emand for additional urban land bottom lines or meeting needs for	
Staff Rec	commendations:	Reject				
Further	Submission(s))				
	Further Submiss	sion No:	6 - 12	Submission Type:	Support	
	Further Submitte	er:	Tauranga Crossing I	Tauranga Crossing Limited		

Submission Summary: TCL agrees with the Submitter that the criterion should refer to the FDS, not the HBA, as the FDS is the strategic planning document that is recognised in the NPS-UD.

Dec	ision Sought:		Accept submission.
Sta	ff Recommen	dation:	Reject
Submission N	umber:	12: 3	Submission Type: Oppose
Submitter:		Bluehaven li	nvestments Limited
Submission S	ummary:	Policy UG 7	A: Providing for unanticipated or out- of-sequence urban growth – urban environments
		Term Plan, o Referring to UD, and will	tion lists other plans as 'or relevant plan or growth strategy, RMA planning document, Long or 30-year infrastructure strategy'. plans other than the FDS and RMA plans is inappropriate, being inconsistent with the NPS create undesirable uncertainty. These other documents also may not always be aligned, o e same rigour of analysis, community engagement, or decision making.
Decision Soug	jht:	Unanticipate identified as	Explanation of UG 7A as follows: ad development is urban development (subdivision, use and development) that is not being provided for in an adopted local authority Future Development Strategy, or RMA pla ence development is development that is not consistent with the development sequence se documents.
Staff Recomm	endations:	Reject	
Further Sub	mission(s)		
Fur	ther Submissi	on No:	6 - 13 Submission Type: Support
Fur	ther Submitter	r:	Tauranga Crossing Limited
Sub	mission Sum	mary:	TCL agrees with the Submitter that reference to other documents that are not the FDS (such as the growth strategy, Long Term Plan, or 30 year infrastructure strategy) is inconsistent with the requirements of the NPS-UD, and has the potential to create uncertainty
Dec	sision Sought:		Accept submission.
Sta	ff Recommen	dation:	Reject
Submission N	umber:	13: 5	Submission Type: Oppose in Part
Submitter:		Classic Deve	elopments Limited
Submission S	ummary:	(a) Housing	bottom lines
			ncorrectly relies on Housing and Business Capacity Assessments to determine the need for ban land. The approach is contrary to the NPS-UD which relies on the Future Development the method.
Decision Soug	jht:	Amend Polic	cy UG 7A criterion (a) as follows:
		through the specific hous	ment is of a scale to contribute to meeting demand for additional urban land identified Future Development Strategy including meeting housing bottom lines or meeting needs fo sing typologies or price points, or business types. Where there is no Future Development re is evidence that there is a need for additional urban land, and
			Remove references to documents (other than the Future Development Strategy from the s for the policy).
Staff Recomm	endations:	Reject	
Further Sub	mission(s)		
Fur	ther Submissi	on No:	6 - 14 Submission Type: Support in Part
Fur	ther Submitte	r:	Tauranga Crossing Limited
Sub	mission Sum	mary:	While TCL supports to the removal of references to other documents that are not the FD or RMA Plans, TCL is opposed to the deletion of the words "large enough" from criterion (a).
			Policy 8 (NPS-UD) requires local authorities to be responsive to plan changes "that addsignificantly to development capacity"

			Subpart 2, Clause 3.8 of the NPS-UD places a requirement on local authorities to set out what criteria it will consider unanticipated/out-of sequence plan changes against. TCL considers that the words "large enough" assist with the interpretation of Policy UG 7A and the extent to which plan changes "add significantly to development capacity."		
-	Decision Sought:		Reject part of submission as it relates to the removal of the words 'large enough' from criterion (a) of Policy UG 7A.		
	Staff Recommen	ndation:	Reject		
Submissi	on Number:	13: 6	Submission Type: Oppose		
Submitter	r:	Classic Deve	elopments Limited		
Submissi	on Summary:	(b) and (c)			
		exclusion of	eason why smaller scale developments cannot be considered under the policy. The smaller sites is contrary to the NPS-UD. Such sites are numerous throughout the sub region an important role in providing land for housing and business use.		
Decision	Sought:	Delete "5 he	ctares or more" from Policy UG 7A (b)		
		Amend Polic	y UG 7A (c) in the policy as follows: for all urban environments		
Staff Rec	ommendations:	Reject			
Further	Submission(s)				
	Further Submiss	sion No:	4 - 3 Submission Type: Other		
	Further Submitte	er:	Waka Kotahi		
	Submission Sun	nmary:	Waka Kotahi notes the potential for small and dispersed out-of sequence developments t undermine integrated transport outcomes in some circumstances. We wish to engage further on this matter to ensure full consideration is given to the potential consequences of the relief sought.		
	Decision Sough	t:	seeks further engagement with submitter (Classic Developments) on matters relating to the potential for small and dispersed out-of-sequence developments and the potential to undermine intergrated transport outcomes.		
	Staff Recommendation:		Comment Noted		
	Further Submiss	sion No:	6 - 15 Submission Type: Oppose		
	Further Submitte	er:	Tauranga Crossing Limited		
	Submission Sun	nmary:	The requirement of Policy 8 NPS UD is to be responsive to plan changes that would "add significantly to development capacity." Subpart 2, Clause 3.8 of the NPS UD places a requirement on local authorities to set out what criteria it will consider unanticipated/out-of sequence plan changes against, and TC supports the five hectare "threshold" for Tauranga City and Western Bay of Plenty District.		
_	Decision Sought	t:	Reject submission.		
	Staff Recommen	ndation:	Accept		
Submissi	on Number:	13: 7	Submission Type: Oppose in Part		
Submitter	r:	Classic Deve	elopments Limited		
Submissi	on Summary:	(d)			
	Decision Sought: Amend Policy The developr		n should provide for and acknowledge the contribution of local services and amenities which ather than external to a development site		
Decision			y UG 7A (d) as follows:		
			ment provides good accessibility between housing, employment, community and other open space, and		
Staff Rec	ommendations:	Reject			
Submissi	Submission Number: 13: 8		Submission Type: Not Applicable		

Submitter:	Classic Developments Limited
Submission Summary:	(f)
	There is the need to ensure an adequate pipeline and supply of future land for urban development which has been a failing of growth management in the sub-region.
	Future development may impact on planned development and infrastructure, however benefits may outweigh costs, and is some instances the benefits (including efficiencies) may be significant.
	Such development should not be excluded under the policy which acts to severely limit the opportunities for growth and is contrary to the NPS-UD.
Decision Sought:	Amend Policy UG 7A (f) to read as follows: Development infrastructure can be provided efficiently, including the delivery, funding and financing of infrastructure.
	Remove the following text from the Explanation of Policy UG 7A: 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, 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. The criteria apply to private plan changes, 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.
Staff Decommendations:	Delet

Staff Recommendations: Reject

Further Submission(s)					
Further Submi	ssion No:	6 - 16	Submission Type:	Support in Part		
Further Submi	Further Submitter: Submission Summary:		imited			
Submission Su				er documents that are not the FDS s "large enough" from criterion (a).		
			Policy 8 (NPS-UD) requires local authorities to be responsive to plan changes "that add significantly to development capacity". Subpart 2, Clause 3.8 of the NPS-UD places a requirement on local authorities to set out what criteria it will consider unanticipated/out-of sequence plan changes against. TCL considers that the words "large enough" assist with the interpretation of Policy UG 7A and the extent to which plan changes "add significantly to development capacity."			
Decision Soug	ht:	Reject the submissio criterion (a).	Reject the submission as it relates to the removal of the words "large enough" from criterion (a).			
Staff Recomm	endation:	Reject				
Submission Number:	15: 4		Submission Type: Su	pport in Part		
Submitter:	Fonterra Lt	d.				
Submission Summary:	urban grow	Fonterra supports the intent of Policy UG 7A of setting out a criteria for unanticipated or out of sequence urban growth. However, Fonterra considers that an additional criterion is required that specifically requires the consideration of reverse sensitivity effects.				
	The direction of the RPS in respect of reverse sensitivity largely relates to rural areas. However, Fonterra notes that reverse sensitivity effects occur with urban environments, for example when residential and industrial activities are located in close proximity to one another.					
	minimise th	Nothing in Policy 8 or Clause 3.8 of the NPS-UD precludes the inclusion of a criteria seeking to avoid or minimise the potential for reverse sensitivity effects on lawfully established activities (both industrial activities and primary production activities).				
Decision Sought:	Amend Pol	Amend Policy UG 7A, as follows (or words with similar effect):				
		(g) The development avoids the potential for reverse sensitivity effects on lawfully established industrial activities and rural production activities.				
	And					
	Consequer	ntial amendments to the e	explanation of Policy UG 7A.			

	commendations:	Reject				
i uitile	Further Submis		9 - 7 Submission Type: Oppose			
	Further Submit		9 - 7 Submission Type: Oppose Kainga Ora			
	Submission Summary:		Kainga Ora opposes the relief sought in relation to reverse sensitivity effects and considers that effects from the operation of farming activities, namely industrial farming activities should first be mitigated at the source. Kainga Ora considers that a policy requiring decision makers to protect primary production from reverse sensitivity effects that might arise from new activities taking place in those areas is ambiguous, overly directive, and places undue responsibility on the receiving environment to mitigate adverse effects.			
	Decision Sough	nt:	Reject submission.			
	Staff Recomme	endation:	Accept			
	Further Submis	sion No:	10 - 7 Submission Type: Support			
	Further Submit	ter:	Transpower New Zealand Ltd			
	Submission Su	mmary:	Transpower requests that this be amended to be 'on lawfully established activities'. It doe not need to be specific to industrial or rural production.			
	Decision Sough	nt:	Accept submission.			
	Staff Recomme	endation:	Reject			
Submission Number: 16: 2		16: 2	Submission Type: Support in Part			
Submitte	er:	Ford Land	l Holdings Pty			
Submiss	sion Summary:		o definition for a Private Plan Change. The use of the word private may preclude government gencies or bodies lodging Plan Changes.			
		Provides for	the sustainable management of growth in the region.			
Decisior	ר Sought:	Plan chang of urban e out-of-seq	e first paragraph of Policy UG 7A as follows: ges, submissions on plan changes, or submissions on plan reviews providing for developmen environments and urban growth that forms part of an urban environment, that is unanticipated juence, will add significantly to development capacity based on the extent to which the development satisfies the following criteria.			
		Make cons	sequential changes where there are references to Private Plan Changes.			
Staff Re	commendations:	Reject				
Furthe	r Submission(s	s)				
	Further Submis	sion No:	13 - 9Submission Type:Support			
	Further Submit	ter:	Urban Taskforce for Tauranga			
	Submission Summary:		We consider that the submission should be accepted and that all references to "private" should be removed from the policy. The NPS UD refers to "Plan Changes", irrespective of whether they are Council initiated or private.			
	Decision Sough	nt:	Accept submission.			
	Staff Recommendation:		Reject			

Submission Number:	17: 4	Submission Type:	Oppose
Submitter:	Royal Forest & Bird Protection Society o	f NZ - BOP branches	
Submission Summary:	The intention of this policy is to provide for adverse effect of the current wording of t from urban environments.		
	The Explanation for Policy UG 7x "2 Reduced environmental impacts from expansion has adverse environmental in		expansion" acknowledges that urban
Decision Sought:	on page 23, as follows: (Note that there i Private plan changes, submissions on pl development of urban environments and	is a grammatical flaw in an changes, or submiss I urban growth that forms t add significantly to deve	ions on plan reviews providing for
	Add another sub-paragraph: (g) the deve coastal environment, rural land and signi		
	In Table 8 (pages 7 & 11) after "Method biodiversity values of open spaces.	18" for Policy UG 7A, ad	ld the following: Method 49: Improve
	[With reference to] Method 64: Encourag Method 79 (or alternatively amend Metho Encourage agencies and landowners to proximity to wildlife habitat and significar	od 64) - restrict the holding of do	
	On page 24, change the Table reference	e: Objective 23 and 25, N	<i>I</i> lethods 1, 3, 18, 49, 64, and 79.

Staff Red	commendations:	Reject					
Further	Submission(s	5)					
	Further Submis	sion No:	9 - 13	Submission Typ	be:	Oppose	
	Further Submit	ter:	Kainga Ora	Kainga Ora Kainga Ora notes that encouraging the restriction of the holding of domestic cats and dogs is not a resource management issue and therefore should not be included within a Regional Policy Statement. Reject submission.			
	Submission Su	mmary:	is not a resource n				
	Decision Sough	nt:	Reject submission				
	Staff Recomme	endation:	Accept				
Submiss	ion Number:	17: 5		Submission Type:	Орро	ose	
Submitte	r:	Royal For	Royal Forest & Bird Protection Society of NZ - BOP branches				
		-	is not an unnecessary	constraint. It is part of integrate	ed and j	ead of plant pests in natural area udicious decision-making and ng the decision-making process	
Decision	Sought:	that urban		nation for Policy UG 7A or inclue e significant adverse effects on in pes.			
Staff Red	commendations:	Reject					
Submiss	ion Number:	17: 6		Submission Type:	Supp	port in Part	
Submitte	Submitter: Royal Fore		est & Bird Protection So	ociety of NZ - BOP branches			
including all methods. Th		all other relevant objecti	aragraph 8 Forest & Bird suppor ives and policies, satisfying othe tion should be augmented by o	er criter			

		and Fulther Submission	15			
Decision Sought:	that urban de	raph 10 of the Explanation for Policy UG evelopment can have significant adverse and natural landscapes.				
Staff Recommendations:	Reject					
Submission Number:	17: 7	Submissic	on Type: Si	upport		
Submitter:	Royal Forest	& Bird Protection Society of NZ - BOP b	ranches			
Submission Summary:	site is signifi	With reference to] Explanation para 10 Forest & Bird supports consideration being given to whether a ite is significantly constrained by the effects of climate change or natural hazards because climate hange and natural hazards can have significant adverse effects.				
Decision Sought:	Retain Expla	nation para 10 for Policy UG 7A				
Staff Recommendations:	Accept					
Submission Number:	17: 8	Submissic	on Type: Si	upport		
Submitter:	Royal Forest	& Bird Protection Society of NZ - BOP b	ranches			
Submission Summary:	[With referer	ce to] Explanation para 11				
		l supports this wording because inadequa ificant adverse effects.	ate consideratio	n of risk, hazards and infrastructu		
Decision Sought:	Retain Expla	nation paragraph 11 for Policy UG 7A				
Staff Recommendations:	Accept					
Submission Number:	18: 5	Submissic	on Type: Si	upport in Part		
Submitter: Horticulture		New Zealand				
provide a p		ider it important that urban development nned approach so new urban areas are o apacity of highly productive land and avoi	designed in a m	anner that maintains the overall		
Decision Sought:	Amend Policy UG 7A criteria (g) and (h) to read as follows:					
	g. Reverse sensitivity effects from development are managed so as not to constrain land-based primary production activities on highly productive land					
	h. Restricting	urban and lifestyle activities outside urb	an environment	S		
Staff Recommendations:	Reject					
Further Submission(s)					
Further Submis	sion No:	3 - 9 Sub	mission Type:	Support		
Further Submit	er:	Fonterra Ltd.				
Submission Su	mmary:	For the reasons outlined in the Horticu	lture New Zeala	nd submission.		
Decision Sough	ıt:	Accept submission.				
Staff Recomme	ndation:	Reject				
Further Submis	sion No:	9 - 14 Sub	mission Type:	Oppose		
Further Submitt	er:	Kainga Ora				
Submission Su	nmary:	Kainga Ora opposes the relief sought i considers that effects from the operation activities should first be mitigated at the requiring decision makers to protect pr that might arise from new activities tak directive, and places undue responsibinadverse effects.	on of farming ac e source. Kaing imary productio ing place in thos	tivities, namely industrial farming a Ora considers that a policy n from reverse sensitivity effects se areas is ambiguous, overly		
Decision Sough	it:	Reject submission.				
Staff Recommendations	n Provisions	Page 65 of 128		Produced: 5/06/2023 5:44:14 r		

-						
	Staff Recommer	ndation:	Accept			
	Further Submiss	sion No:	10 - 14Submission Type:Support			
	Further Submitte	er:	Transpower New Zealand Ltd			
	Submission Sun	-	Transpower generally agrees. Transpower wants to make sure that this does not exclude the need to locate National Grid infrastructure on rural land. Urban development could include infrastructure unless otherwise excluded.			
r	Decision Sought	t:	Accept submission.			
	Staff Recommer	ndation:	Reject			
Submissi	on Number:	19: 1	Submission Type: Oppose			
Submitte	r:	Keith Warwic	k			
Submissi	on Summary:		ad-end road [with a] quarry and heavy quarry trucks dominating our infrastructure. The [road Policy UG 7A puts our area at [risk of] more development and strain on infrastructure.			
Decision	Sought:		Change 6 to provide greater protection for areas like my road that is already struggling with n on it. The little infrastructure wehave is at capacity. It cannot cope with more people, cars,			
Staff Rec	commendations:	Accept in Pa	rt			
Submissi	on Number:	20: 6	Submission Type: Support in Part			
Submitte	r:	KiwiRail Holo	lings Ltd			
Submissi	on Summary:		ports the intent of Policy UG 7A but considers that express recognition is needed for the n of reverse sensitivity effects which must be carefully managed when providing for out-of- ban growth.			
		The direction of the RPS in respect of reverse sensitivity largely relates to rural areas but reverse sensitivity effects can equally occur with urban environments, including at the interface between residential land uses and transport corridors.				
		Nothing in Policy 8 or Clause 3.8 of the NPS-UD precludes the inclusion of a criteria seeking to avoid or minimise the potential for reverse sensitivity effects on lawfully established activities.				
		KiwiRail considers express recognition of reverse sensitivity effects is necessary to ensure development near transport corridors can co-exist in an appropriate way. The Resource Management (Enabling Housing Supply) Amendment Act also expressly recognises and provides a nuanced approach to development where qualifying matters apply (including for example the provision of nationally or regionally significant infrastructure).				
Decision	Sought:	Amend Polic	y UG 7A, as follows:			
		Private plan development unanticipated which the pro- (a) The development demand for a bottom lines there is no H (b) F large scale (5 (c) F of the urban requirements (d) T and other set (e) T and/or land r	A: Providing for unanticipated or out-of-sequence urban growth – urban environments changes, submissions on plan changes, or submissions on plan reviews providing for of urban environments and urban growth that forms part of an urban environment, that is d or out-of- sequence, will add significantly to development capacity based on the extent to posed development satisfies the following criteria: elopment is of large enough scale to contribute to meeting additional urban land identified through the HBA for the area, including meeting housing or meeting needs for specific housing typologies or price points, or business types. Where BA, there is evidence that there is a need for additional urban land, and or Tauranga City and Western Bay of Plenty District urban environments, the development is 5 hectares or more), and sufficient to support multi modal transport options, and or all other urban environments, the development is at a scale commensurate with the size environment and includes a structure plan for the land use change that meets the s of Method 18, and he development is located with good accessibility between housing, employment, community rvices and open space, and he development is likely to be completed earlier than the anticipated urban development elease sequence, and			
		funding and f	equired development infrastructure can be provided efficiently, including the delivery, financing of infrastructure without materially reducing the benefits of other existing or planned infrastructure, or undermining committed development infrastructure investment, and			

(g) The development avoids the potential for reverse sensitivity effects on the safe and efficient operation of transport corridors.

And such consequential amendments as are necessary to the explanation of Policy UG 14B.

Staff Recommendations:	Reject				
Submission Number:	21:6	:	Submission Type:	Support	
Submitter:	Mitre 10 Holdings				
Submission Summary:	Mitre 10 supports the inclusion of Policy UG 7A recognising the need for unanticipated or out-of- sequence urban growth. The proposed policy under PC6 is seen to achieve Policy 8 of the NPS- UD and provide for development that is unanticipated by RMA planning documents. In particular, Mitre 10 suppor the inclusion of Policy UG 7A (b) defining the size of a 'large scale' development being greater than 5ha.				
Decision Sought:	Adopt propose	d Policy UG 7A as notified.			
Staff Recommendations:	Accept				
Submission Number:	22: 2	:	Submission Type:	Oppose	
Submitter:	Newman Grou	p Limited			
Submission Summary:	(a) and (c)				
	exclusion of s	lid reason why smaller scale on aller sites is contrary to the liportant role in providing land	NPS-UD. Such sites	t be considered under the policy. The are numerous throughout the sub regio ness use.	
Decision Sought:	Delete the are	a reference in (b) of Policy U0	G 7A, i.e. 5 hectares	or more	
	Amend Policy UG 7A (c) as follows: for all urban environments				
Staff Recommendations:	Reject				
Further Submission(s)					
Further Submiss	sion No:	6 - 17	Submission Ty	pe: Oppose	
Further Submitte	er:	Tauranga Crossing Limited			
Submission Summary:		significantly to development Subpart 2, Clause 3.8 of the what criteria it will consider u	capacity." NPS-UD places a ree nanticipated/out-of⊡	oonsive to plan changes that would "ado quirement on local authorities to set out sequence plan changes against, and T a City and Western Bay of Plenty Distric	
Decision Sough	t:	Reject submission.	5	- , , , , ,	
Staff Recommen	ndation:	Accept			
Submission Number:	22: 3		Submission Type:	Oppose	
Submitter: Newman Gr		p Limited			
Submission Summary:	(d)				
		should be amended to provid ch are internal rather than exte		ge the provision of local services and nt site	
Decision Sought:	Amend Policy UG 7A (d) as follows:				
		he development provides good accessibility between housing, employment, community and other ervices and open space, and			
Staff Recommendations:	Reject				
Submission Number: 23: 5				Summent	
Submission Number:	23:5		Submission Type:	Support	

Submission Summary:	Provide greater flexibility for residential development to be assessed through plan changes and resources consent to address residential development and housing shortage
Decision Sought:	Support the introduction of Policy UG7A as notified
Staff Recommendations:	Accept
Submission Number:	25: 3 Submission Type: Support
Submitter:	Rotorua Lakes Council
Submission Summary:	We support this policy and the proposed criteria. We support that (b) applies to Tauranga and Western Bay and that (c) applies to all other urban environments due to their smaller relative scale. This policy would apply to plan change applications to up-zone in the urban area, so it is relevant to capture an increase in density. Similarly, smaller (smaller than 5 ha) greenfield sites may be more common in Rotorua but would meet a sizable portion of overall demand, relatively speaking.
Decision Sought:	Retain Policy UG 7A as notified
Staff Recommendations:	Accept
Submission Number:	25: 4 Submission Type: Support
Submitter:	Rotorua Lakes Council
Submission Summary:	Policy UG 7A - Explanation
	It is useful to specify the key elements of Maori urban development for greater clarification. We propose specifying that Maori urban development include papakainga, iwi, and hapu development aspirations.
Decision Sought:	Amend the explanation for Policy UG 7A by specifying that Maori urban development include papakainga, iwi, and hapu development aspirations after the following sentence:
	"This policy applies to Maori urban development enabled by Policy UG 22B: Te Tiriti o Waitangi Principles, where that development is unanticipated or out-of-sequence."
Staff Recommendations:	Reject
Submission Number:	25: 5 Submission Type: Support
Submitter:	Rotorua Lakes Council
Submission Summary:	Explanation:
	It appears that the word density is missing from the sentence.
Decision Sought:	Retain Policy UG 7A but amend the explanation as follows: - "City and district plans should enable greater building heights and density where there is higher housing and business use and demand"
Staff Recommendations:	Accept in Part
Submission Number:	25: 7 Submission Type: Support
Submitter:	Rotorua Lakes Council
Submission Summary:	'Accessibility' is a concept referred to in Policy 1 c) of the National Policy Statement - Urban Developme (NPS-UD) 2020. This concept is relevant to policy UG7Ax.
Decision Sought:	Retain Policy UG 7A with amendment to ensure accessibility is also addressed in the explanation as follows: - "City and district plans should enable greater building heights and density where there is good accessibility for all people between housing, jobs, community services, natural spaces and open spaces, including by way of public or active transport."
Staff Recommendations:	Reject
	27: 3 Submission Type: Not Applicable
Submission Number:	
Submission Number: Submitter:	Transpower New Zealand Ltd
	Transpower New Zealand Ltd Transpower supports the inclusion of a clear statement within the Proposed Change 6 provisions that provides clarity for RPS users. Such information provides clarity and assists the interpretation and

	implementat	tion of the RPS.				
	Grid needs t	Transpower considers that specific reference and acknowledgment of the significance of the National Grid needs to be provided alongside some of these new provisions for avoidance of any doubt that the National Grid is nationally and regionally significant.				
		The National Grid has operational requirements and engineering constraints that dictate and constrain where it is located and the way it is operated, maintained, upgraded and developed.				
	National Gri	larity, Transpower would support specific reference within the Change 6 provisions to the d. As an alternative, Transpower would support references to nationally and regionally ifrastructure.				
Decision Sought:		Amend Policy UG 7A: Providing for unanticipated or out-of-sequence urban growth – urban environments, by adding criterion (g) as follows:				
		 (g) Ensuring that nationally sufficient infrastructure, including the National Grid, is protected to ensure the safe operation, maintenance, upgrade and developmen.				
Staff Recommendations:	Reject					
Submission Number:	28: 2	Submission Type: Support in Part				
Submitter:	Tumu Kaitur	na 14 Trust				
Submission Summary:	There is no definition for a Private Plan Change. The use of the word private may preclude government entities, agencies or bodies lodging Plan Changes.					
	Provides for	the sustainable management of growth in the region.				
Decision Sought:	Amend Policy UG 7A as follows:					
	of urban envo	es, submissions on plan changes, or submissions on plan reviews providing for developme vironments and urban growth that forms part of an urban environment, that is unanticipated ence, will add significantly to development capacity based on the extent to which the evelopment satisfies the following criteria.				
	Make conse	quential changes where there are references to Private Plan Changes.				
Staff Recommendations:	Reject					
Further Submission(s)					
Further Submis	sion No:	1 - 7 Submission Type: Support				
Further Submit	ter:	Nga Potiki a Tamapahore Trust				
Submission Summary:		NPaTT supports the submission and amended wording which will ensure other forms of plan changes are appropriate for the development of land and urban growth.				
Decision Sought:		UG 7A: Submission seeks the removal of "private" from the text to ensure that all forms plan changes are not excluded.	; of			
Staff Recommendation:		Reject				
Further Submis	sion No:	6 - 18 Submission Type: Support				
Further Submit	ter:	Tauranga Crossing Limited				
Submission Su	mmary:	TCL supports the submission and considers that Policy 8 of the NPS-UD applies to all plan changes, and is not limited to private plan changes.				
Decision Sough	nt:	Accept submission.				

Submission Number:	29: 6	Submission Type: Oppose in Part		
Submitter:	Urban Taskforce for Tauranga			
Submission Summary:	The policy incorrectly relies on Housing and Business Capacity Assessments to determine the need for additional urban land.			
	Referring to	other documents as set out in the explanation will also create uncertainty.		
	The approac for identificat	h is contrary to the NPS-UD which relies on the Future Development Strategy as the method ion.		
Decision Sought:	Amend Polic	y UG 7A as follows:		
	The development is of a scale to contribute to meeting demand for additional urban land identified through the Future Development Strategy including meeting housing bottom lines or meeting needs for specific housing typologies or price points, or business types. Where there is no Future Development Strategy there is evidence that there is a need for additional urban land, and			
	Explanation Remove all r for the policy	eferences to documents (other than the Future Development Strategy from the explanations ').		
Staff Recommendations:	Reject			
Submission Number:	29: 7	Submission Type: Oppose		
Submitter:	Urban Taskfo	orce for Tauranga		
Submission Summary:	There is no reason why smaller scale developments cannot be considered under the policy. The exclusion of smaller sites is contrary to the NPS-UD. Such sites are numerous throughout the sub region and will play an important role in providing land for housing and business use.			
Decision Sought:	In Policy UG 7A delete the area reference in (b) of the policy as follows: [delete] "5 hectares or more", and			
	Amend (c) in	the policy as follows: for all urban environments		
Staff Recommendations:	Reject			
Further Submission(s)			
Further Submis	sion No:	6 - 19 Submission Type: Oppose		
Further Submitt	er:	Tauranga Crossing Limited		
Submission Sur	nmary:	TCL is opposed to the deletion of the words "large enough" from criterion (a) as Policy 8 (NPS UD) requires plan changes "to add significantly to development capacity."		
	-	(NPS UD) requires plan changes "to add		
Submission Sur	it:	(NPS UD) requires plan changes "to add significantly to development capacity."		
Submission Sur Decision Sough	it:	(NPS UD) requires plan changes "to add significantly to development capacity." Reject submission.		
Submission Sur Decision Sough Staff Recomme	nt: ndation: 29: 8	(NPS UD) requires plan changes "to add significantly to development capacity." Reject submission. Accept		
Submission Sur Decision Sough Staff Recomme Submission Number:	nt: ndation: 29: 8 Urban Taskfo The provision	(NPS UD) requires plan changes "to add significantly to development capacity." Reject submission. Accept Submission Type: Oppose in Part orce for Tauranga		
Submission Sur Decision Sough Staff Recomme Submission Number: Submitter:	nt: 29: 8 Urban Taskfo The provision are internal r	(NPS UD) requires plan changes "to add significantly to development capacity." Reject submission. Accept Submission Type: Oppose in Part orce for Tauranga n should provide for and acknowledge the contribution of local services and amenities which		
Submission Sur Decision Sough Staff Recomme Submission Number: Submitter: Submission Summary:	nt: 29: 8 Urban Taskfo The provision are internal r Amend Polic The develop	(NPS UD) requires plan changes "to add significantly to development capacity." Reject submission. Accept Submission Type: Oppose in Part orce for Tauranga n should provide for and acknowledge the contribution of local services and amenities which ather than external to a development site.		
Submission Sur Decision Sough Staff Recomme Submission Number: Submitter: Submission Summary:	nt: 29: 8 Urban Taskfo The provision are internal r Amend Polic The develop	(NPS UD) requires plan changes "to add significantly to development capacity." Reject submission. Accept Submission Type: Oppose in Part orce for Tauranga In should provide for and acknowledge the contribution of local services and amenities which ather than external to a development site. y UG 7A (d) as follows: ment provides good accessibility between housing, employment, community and other		
Submission Sur Decision Sough Staff Recomme Submission Number: Submitter: Submission Summary: Decision Sought:	nt: 29: 8 Urban Taskfo The provision are internal r Amend Polic The develop services and	(NPS UD) requires plan changes "to add significantly to development capacity." Reject submission. Accept Submission Type: Oppose in Part orce for Tauranga In should provide for and acknowledge the contribution of local services and amenities which ather than external to a development site. y UG 7A (d) as follows: ment provides good accessibility between housing, employment, community and other		

Submission Summary:	There is the need to ensure an adequate pipeline and supply of future land for urban development which has been a failing of growth management in the sub-region.		
	Future unanticipated development may impact on planned development and infrastructure, however benefits may outweigh costs, and is some instances the benefits (including efficiencies) may be significant.		
	Such development should not be excluded under the policy which acts to severely limit the opportunities for growth and is contrary to the NPS-UD.		
Decision Sought:	Amend Policy UG 7A (f) as follows:		
	Development infrastructure can be provided efficiently, including the delivery, funding and financing of infrastructure.		
	Remove the following from the explanation:		
	"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, 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.		
	The criteria apply to private plan changes, 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."		
Staff Recommendations:	Reject		

Staff Recommendations:	Reject				
Further Submission(s))				
Further Submiss	Further Submission No: Further Submitter:		Submission Type:	Support	
Further Submitte			Tauranga Crossing Limited		
Submission Summary: Decision Sought:		TCL agrees with the Submitter that the requirement for development infrastructure to be provided "without materially reducing the benefits of other existing or planned development infrastructure, or undermining committed development infrastructure investment" is an unnecessarily high policy threshold that is inconsistent with the NPS-UD.			
		Accept submission.	Accept submission.		
Staff Recommen	Staff Recommendation:				
Further Submiss	Further Submission No:		Submission Type:	Support	
Further Submitte	Further Submitter:				
Submission Sun	Submission Summary:		The Plan Change should clarify the appropriate scale of urban design input that is required as part of a spatial plan.		
			nciple that in some instances, the nent may outweigh the costs of ir		
Decision Sought	Decision Sought:		Accept submission.		
Staff Recommendation:		Reject			
Submission Number:	30: 2		Submission Type: Op	ppose	
Submitter: Vercoe Hold		Idings Limited			
exclusion of		valid reason why smaller scale developments cannot be considered under the policy. The f smaller sites is contrary to the NPS-UD. Such sites are numerous throughout the sub region <i>y</i> an important role in providing land for housing and business use.			
Decision Sought:	Delete the	Delete the area reference in Poliy UG 7A (b) of the policy as follows: 5 hectares or more, and			
	Amend (c) in Policy UG 7A to read: "for all urban environments"				
	aff Recommendations: Reject				

Further	Submission(s)					
	Further Submis	sion No:	6 - 21	Submission Type	e: Oppose		
	Further Submitt	er:	Tauranga Crossing Lim	ited			
	Submission Summary:		(NPS UD) requires plan significantly to develop	TCL is opposed to the deletion of the words "large enough" from criterion (a) as Policy 8 (NPS UD) requires plan changes "to add significantly to development capacity."			
	Decision Sough	it:	Reject submission.				
	Staff Recommendation:		Accept				
Submiss	ion Number:	30: 3		Submission Type:	Oppose		
Submitte	er:	Vercoe Ho	Idings Limited				
Submiss	ion Summary:			ate pipeline and supply of ful nagement in the sub-region.	ture land for urban development whic		
		benefits m	Future development may in many instances impact on planned development and infrastructure, however benefits may outweigh costs, and is some instances the benefits (including efficiencies) may be significant.				
			Such development should not be excluded under the policy which acts to severely limit the opportunities for growth and is contrary to the NPS-UD.				
Decision	Sought:	Amend Policy UG 7A (f) as follows: Development infrastructure can be provided efficiently, including the delivery, funding and financing of infrastructure.					
		Remove the following from the explanation: 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, 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.					
		reviews se	eking additional greenfield		anges and submissions on plan ment. Plan changes and plan review re anticipated.		
Staff Re	commendations:	Reject					
Further	r Submission(s)					
	Further Submis	sion No:	6 - 22	Submission Type	e: Support		
	Further Submitt	er:	Tauranga Crossing Lim	iited			
Submission Summar Decision Sought: Staff Recommendation		mmary:	provided "without mate benefits of other existin committed developmen	rially reducing the g or planned development ir	for development infrastructure to be frastructure, or undermining s an unnecessarily high policy		
		nt:	Accept submission.				
		ndation:	Reject				
Submiss	ion Number:	31: 3		Submission Type:	Support in Part		
Submitte	er:	Waka Kota	ahi				
Submiss	ion Summary:		(d) reads "The developmer and other services and ope		sibility between housing, employmen		
					a development is considered to be S-UD, but is not specifically reference		
		In supporti	ng the desired outcomes of	the NPS-UD it is also import	tant to include consideration of		
Staff De	commendations	on Droviciona	Page 72 of	128	Produced: 5/06/2023 5:44:14 r		

Staff Recommendations:	Accept					
Decision Sought:	Retain Policy UG 7A as notified					
Submission Summary:	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.					
Submitter:	Western BOP District Council					
Submission Number:	33: 4 Submission Type: Support					
Staff Recommendations:	Reject					
	Waka Kotahi also requests the inclusion of additional emissions reduction and climate change adapt criteria within Policy UG 7A.	tion				
	"The development is located with good accessibility, either now or in the future, in particular with respect to public and active transport modes, between housing, employment, community and other services and open space"					
Decision Sought:	Amend policy UG 7A as follows:					
	emissions reduction and climate change adaptation.					

Staff Recommendation

Amend paragraph (c) of Policy UG 7Ax by replacing 'well' with 'adequately' to read: '(c) Is adequately served by existing or planned development infrastructure and public transport.'

Staff Reason

Submissions 7-5, 16-3, 17-9, 17-9, 23-6, and 28-3 support this policy as notified.

Submission 5-3 and FS 13-16 seeks that housing choice is included in this policy. This policy is specific to enabling density, and links to Methods 1, 3 and 18 which is to be implemented by local territorial authorities through district plans, resource consents and structure planning.

The provision of housing-choice should be determined at the local authority level. Within the explanation statement it is recognised that a benefit of increased density provides greater housing choice and therefore affordability.

Staff consider that housing choice is appropriately addressed as proposed within the policy explanation statements and recommend that this submission is declined.

Concerns with equal access to public transport is raised by submission 5-4 is noted. The relief sought is to include 'equitable' in front of 'public transport' in paragraph (c). FS 4-4 supports the intent of this wording but recognise that the term 'equitable public transport' is not clearly defined in this context.

Staff recognise this is a valid consideration, however it proposes a level of detail beyond the scope of Proposed Change 6.

Submission 5-5 seeks that clause (c) is updated to 'adequately served' in reference to existing and planned infrastructure and development, to better align with the NPS-UD definition of development infrastructure which refers to 'the provision of adequate development infrastructure'

Staff agree and recommend that clause (c) is updated accordingly.

Submission 9-13 seeks recognition of multi-modal transport corridors within subclause (c). This policy is specific to enabling density, and links to Methods 1, 3 and 18 which is to be implemented by local territorial authorities through district plans, resource consents and structure plans.

The provision for transport modes that are in addition to public transport should be determined at the local authority level. Within the explanation statement it is recognised that a benefit of increased density provides for more walkable neighbourhoods, supporting active transport modes.

Staff consider that transport options are appropriately addressed as proposed within the policy and recommend that this submission is declined.

Submissions 15-5 and 20-7 seek recognition of reverse sensitivity effects within this policy. The intent of Policy UG 7Ax is to enable density within existing urban environments.

A fulsome response to the request for additional provisions to address 'reverse sensitivity' is provided in the responses on submissions on the Whole of Proposed Change 6. The operative RPS adequately addresses reverse sensitivity effects within existing policies. Staff recommend that these submissions are declined.

FS 9-8 opposes submission 15-5 considering that industrial farming activities should be mitigated at the source. Staff do not agree with this statement. Reverse sensitivity effects should be capable of being considered where relevant. Staff recommend that this FS is declined.

FS 9-16 opposes submission 20-7 as it relates to reverse sensitivity effects.

Submission 33-5 seeks changes to the policy to 'require' rather than 'provide and enable increased-density'

Policy 3 of the NPS-UD recognises that in relation to tier 1 urban environments, regional policy statements and district plans enable increased density. Policy 5 sets a different requirement for tier 2 and 3 urban environments, while still referring to 'enable' density (and height). Further submission 13-12 recognises the word 'enable' in Policy 1 of the NPS-UD and recognises that the setting of specific densities should occur through lower order planning documents.

Staff recommend that submission 33-5 is declined, and FS 13-12 is accepted.

Submission 17-11 seeks the word 'may' should be changed to 'should' when referring to territorial authorities developing spatial plans to assist achieving high quality urban design outcomes.

Staff acknowledge that the explanation statement is supplementary to understanding the implementation of this policy. It is not the intent of the RPS to require local authorities to produce spatial plans. Staff consider the changing of this wording is un-necessary as it does not alter the intent of the explanation statement. Staff recommend that this submission is declined.

Submission 17-10 seeks that significant natural areas is included in the explanation statement in reference to the recognition that density targets and provisions are best set in district and city plan relative to local opportunities and constraints.

The explanation statement further includes, in brackets "(including infrastructure and transport systems)" Concerns relating to natural areas are noted however, these policy provisions are specific to urban growth which is particularly relevant to infrastructure and transport systems. This statement does not exclude natural areas, nor does it allow for other parts of the RPS and district plans that provide protection for natural areas to not be considered when enabling increased density.

Staff recommend this submission is declined.

Submissions 25-6 and 25-7 seek amendments to the explanation to include: "City and district plans should enable greater building heights and density where there is good accessibility for all people between, housing, jobs, community services, natural spaces and open spaces, including by way of public or active transport." And to replace the term 'high housing' with 'planned and existing higher density'.

Staff consider that referring to high housing and business use demand is sufficient.

This explanation statement further acknowledges Policy UG 8B and Appendix B which further considers high quality urban design and the live-work-play principles. Staff consider that the Appendix B principles adequately reflect the relief sought by the submitter specifically Principle 1 of Appendix B which recognises that high quality design:

- Provides a variety of connections between spaces and places, including provision for cars, cycles, buses, pedestrians and other transport modes;

- Is innovative and resource efficient;
- Provides lively and pleasant places for people to enjoy;
- Reflects the importance of community spaces;
- Provides a comfortable and safe urban environment; and
- Contributes to the wellbeing of people and communities.

Submission 26-3 seeks that subclause (c) is amended to recognise that infrastructure and the funding of infrastructure is provided for in the short, medium, and long term as identified under clause 3.4(3) of the NPS-UD. Clause 3.4(3) states development capacity is infrastructure ready if:

a) In relation to the short term, there is adequate existing development infrastructure to support the development of land.
 b) In relation to the medium term, either paragraph (a) applies, or funding for adequate infrastructure to support development of the land is identified in a LTP.

c) In relation to the long term, either paragraph (b) applies, or the development infrastructure to support the development capacity is identified in the local authority's infrastructure strategy (as required as part of its LTP).

Clause 3.5 of the NPS-UD states that local authorities must be 'satisfied' that the additional infrastructure to service the development capacity is likely to be available. Development infrastructure refers to network infrastructure for wastewater,

stormwater, water supply and land transport controlled by a local authority or council-controlled organisation.

Staff consider that is the role of the territorial authorities to determine the sequencing of development capacity and whether that capacity is infrastructure ready through spatial planning processes and housing and building land capacity assessments. The intent of this policy is to enable increased density within existing urban areas but is not to set targets on when infrastructure should be provided.

Staff recommend amending sub-clause (c) to refer to 'the provision of adequate development infrastructure' in response to submission 5-5. This level of detail is appropriate for a regional level. It will be the decision of the territorial authorities to determine the sequencing and funding of infrastructure over the short, medium and long term.

Submissions

Staff Recommendations:

Submission Number:	5: 3	Submission Type:	Support in Part		
Submitter:	Kainga Ora				
Submission Summary:	Kainga Ora seeks that 'housing choice' is included in the policy. The RPS has identified the lack of housing supply and choice within the Bay of Plenty Region and that housing affordability has declined and Kainga Ora acknowledges this issue. A shortage of developable land and housing supply reduces housing choices and leads to increases in prices.				
Decision Sought:	Amend Policy UG 7Ax to reference hous development – urban environments Prov urban environments that: (b) Encourages demand.	ide for and enable increa	ased-density urban development in		
Staff Recommendations:	Reject				

	Further Submission No:		13 - 16	Submission Type	e: Support	
	Further Submitter: Submission Summary: Decision Sought: Staff Recommendation:		Urban Taskforce for 1	Urban Taskforce for Tauranga		
			The submission should be accepted as the policy is currently restrictive and should be broadened to refer to housing choice to ensure that there is a range of housing types provided in new urban areas as per Policy 1 of the NPS-UD. Accept submission.			
			Reject			
Submis	Submission Number: 5: 4			Submission Type:	Support in Part	
Submitt	er:	Kainga Ora				
Submission Summary:		equality in ac those most in	ccessible transportation n need. This is importan work connections) due	options, that provide public tra t as demand for public transpo	included to require the incorporation ansport options for all and to service ort will likely increase or be required growth and development that will occu	
Decision Sought:			Amend Policy UG 7Ax as follows: Provide for and enable increased-density urban development in urban environments that:			

Reject Further Submission(s) Further Submission No: 4 - 4 Submission Type: Other Waka Kotahi Further Submitter: Submission Summary: Waka Kotahi supports the intent of the changes sought, but the term "equitable public transport" is not clearly defined in this context, which could lead to uncertainty and unintended outcomes. We wish to engage further on options to address this. seeks further engagement with submitter (Kainga Ora) on matters relating to the term of Decision Sought: 'equitable public transport'. Staff Recommendation: **Report: Staff Recommendations on Provisions** Page 75 of 128 Produced: 5/06/2023 5:44:14 pm

	Accept in Part					
Submission Number:	5: 5 Submission Type: Support in Part					
Submitter:	Kainga Ora					
Submission Summary:	Kainga Ora supports this policy but seeks additional wording to be included to align with the wording within the NPS-UD. In this instance "well serviced" infrastructure leaves a level of ambiguity which could constrain future urban development. Under 'Interpretations' the NPS UD defines development capacity as:					
	development capacity means the capacity of land to be developed for housing or for business use, based on:					
	(b) and the provision of adequate development infrastructure					
	Kainga Ora seeks that the wording is updated to align with the NPS-UD and to provide more clarity on the level of service required for infrastructure to support increased urban density.					
Decision Sought:	Amend Policy UG 7Ax as follows: Provide for and enable increased-density urban development in urban environments that:					
	(c) Is adequately served by existing or planned development infrastructure and public transport					
Staff Recommendations:	Accept					
Submission Number:	7: 5 Submission Type: Support					
Submitter:	Toi Te Ora Public Health					
Submission Summary:	This policy is significant for public health and the community. Promoting dense urban development will allow walking and cycling and public transport more viable. Increasing density makes community sanitary services more affordable, increasing access and public health protection. Therefore, we support this policy and would like to assist Council in developing their future strategies.					
Decision Sought:	Retain Policy UG 7Ax					
Staff Recommendations:	Accept					
Submission Number:	9: 13 Submission Type: Seek Amendment					
Submitter:	Tauranga City Council					
Submission Summary:	Support the intent of this policy but request minor amendments for clarification and consistency with the wording used in the NPS-UD itself.					
	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.					
Decision Sought:	Amend Policy UG 7Ax as follows:					
	 Enable increased-density urban development – urban environments Provide for and enable increased-density urban development in urban environments that: (a) Contributes to a well-functioning urban environment, (b) Encourages increased density in areas of identified demand, and (c) Is well served by existing or planned development infrastructure and multi modal transport corridors 					

Staff Recommendations:	Reject		
Submission Number:	15: 5	Submission Type:	Support in Part
Submitter:	Fonterra Ltd.		
Submission Summary:	environments. However, Fon		ling increased density within urban vironments are appropriate locations for h is directly adjacent to an industrial

Decision Sought:	zone, or an industrial activity (such as a dairy manufacturing site). Amend Policy UG 7Ax with the addition of criterion "(d)" as follows (or words with similar effect):
	 Policy UG 7Ax: Enable increased-density urban development – urban environments Provide for and enable increased-density urban development in urban environments that: (a) Contributes to a well-functioning urban environment, (b) Encourages increased density in areas of identified demand, and (c) Is well served by existing or planned development infrastructure and public transport, and (d) minimising land use conflicts as far as practicable, including avoiding the potential for reverse sensitivity effects.

And Consequential amendments to the explanation of Policy UG 7Ax.

Staff Rec	ommendations:	Reject					
Further	Submission(s)						
	Further Submission No: Further Submitter: Submission Summary: Decision Sought: Staff Recommendation:		9 - 8	Submission Typ	be:	Oppose	
			Kainga Ora				
			Kainga Ora opposes the relief sought in relation to reverse sensitivity effects and considers that effects from the operation of farming activities, namely industrial farming activities should first be mitigated at the source. Kainga Ora considers that a policy requiring decision makers to protect primary production from reverse sensitivity effects that might arise from new activities taking place in those areas is ambiguous, overly directive, and places undue responsibility on the receiving environment to mitigate adverse effects.				
			Reject submission.				
[Reject				
Submissi	on Number:	16: 3		Submission Type:	Sup	port	
Submitte	r:	Ford Land He	oldings Pty				
Submissi	on Summary:	Gives effect	Gives effect to the NPS-UD and provides for the sustainable management of growth in the region.				
Decision	Sought:	Adopt as not	fied.				
Staff Rec	ommendations:	Accept					
Submissi	on Number:	17: 9		Submission Type:	Sup	port	
Submitte	r:	Royal Forest	& Bird Protection Society	of NZ - BOP branches			
b		[With reference to] Explanation: Forest & Bird acknowledges these benefits but they must be augmented by giving effect to the RPS as a whole and giving consideration to whether a site is significantly constrained by the effects of climate change, natural hazards or effects on indigenous biodiversity.					
Decision	Sought:	Retain refere	nces to giving effect to the	e RPS as a whole in the Ex	xplanat	tion for Policy UG 7Ax	
Staff Rec	ommendations:	Accept					
Further	Submission(s))					
	Further Submission No:		10 - 10	Submission Typ	be:	Other	
	Further Submitter:		Transpower New Zeala	nd Ltd			
	Submission Sun	nmary:		spower. However, if there		the grounds that there will be no y potential implications to	
	Decision Sought	t:					
[Staff Recommer	ndation:	Accept in Part				

Submission Number:	17: 10		Submission Type:	Oppose		
Submitter:	Royal Forest	& Bird Protection Society	of NZ - BOP branches			
Submission Summary:	giving conside	[With reference to] Explanation para 2 Forest & Bird supports giving effect to the RPS as a whole and giving consideration to whether a site is significantly constrained by the potential adverse effects on wildlife and potential adverse effects on significant natural areas.				
Decision Sought:		ast sentence of the explan , transport systems, and s		include as follows: (including		
Staff Recommendations:	Reject					
Submission Number:	17: 11		Submission Type:	Support in Part		
Submitter:	Royal Forest	& Bird Protection Society	of NZ - BOP branches			
Submission Summary:	[With reference	ce to] Explanation Last se	ntence			
Decision Sought:	The use of spatial plans in providing for increased housing density and development is best practice. Amend the last sentence of the Explanation for Policy UG 7Ax by replacing the word 'may' with the word 'should'.					
Staff Recommendations:	Reject					
Submission Number:	20: 7		Submission Type:	Support in Part		
Submitter:	KiwiRail Hold	ings Ltd				
Submission Summary:	KiwiRail broadly supports the intent of Policy UG 7Ax to enable increased density in urban environments, but this needs to be carefully managed to ensure that any effects at the interface of conflicting land uses, including reverse sensitivity effects, are appropriately managed. This is critical to recognise and provide for well-functioning urban environments in accordance with the direction in the NPS-UD.					
Decision Sought:	Amend Policy UG 7Ax as follows:					
	Policy UG 7Ax: Enable increased-density urban development – urban environments					
	(a) Co (b) Er (c) Is	ontributes to a well-function neourages increased dens well served by existing or inimising land use conflict	ity in areas of identified de planned development infr			
	And such consequential amendments as are necessary to the explanation of Policy UG 14B.					
Staff Recommendations:	Reject					
Further Submission(s)						
Further Submission No:		9 - 16	Submission Typ	e: Oppose		
Further Submitte	er:	Kainga Ora				
Submission Sun	nmary:	conflicts as far as praction		in relation to "Minimising land use s".		
Decision Sough	nt: Reject submission.					
	ndation: Accept					

Submission Number:	23: 6 Submission Type: Support					
Submitter:	Nga Potiki a Tamapahore Trust					
Submission Summary:	Policy specifically provides for increased density urban development as rturied [required?] by the NPS- UD and will provide for more density in both greenfield and existing urban environments					
Decision Sought:	Support the introduction of Policy UG7Ax as notified					
Staff Recommendations:	Accept					
Submission Number:	25: 6 Submission Type: Support					
Submitter:	Rotorua Lakes Council					
Submission Summary:	Explanation:					
	It is worth adding the term planned and existing to provide greater clarity.					
	We propose that 'planned and existing higher density' should replace the phrase 'higher housing'					
Decision Sought:	Retain Policy UG 7Ax but amend the explanation as follows: - "City and district plans should enable greater building heights and density where there is higher housing and business use and demand"-					
Staff Recommendations:	Reject					
Submission Number:	26: 3 Submission Type: Support in Part					
Submitter:	Tauranga Crossing Limited					
Submission Summary:	Policy UG 7Ax provides for and enables increased-density urban development in urban environments that (amongst other things) is well served by existing or planned development infrastructure and public transport.					
	While TCL supports the intent of Policy UG 7Ax, the NPS-UD requires that for development capacity to be "infrastructure-ready", it must be serviced by existing development infrastructure (in the short and medium term), or have funding identified for the development infrastructure in the long-term plan (in the medium term), or otherwise be identified in the local authority's infrastructure strategy (in the long term).					
	The requirements of the NPS-UD go beyond simply requiring future development infrastructure to be "planned".					
Decision Sought:	Amend Policy UG 7Ax as follows:					
	Policy UG 7Ax: Enable increased-density urban development – urban environments					
	 Provide for and enable increased-density urban development in urban environments that: (a) Contributes to a well-functioning urban environment, (b) Encourages increased density in areas of identified demand, and (c) Is well served by public transport and existing development infrastructure (in relation to the short and medium term), or funding for development infrastructure is identified in a long- term plan (in relation to the medium term), or the development infrastructure is identified in the local authority's infrastructure strategy (in relation to the long term). 					
	Explanation					
	Increasing density of urban development has a number of benefits, including					
Staff Recommendations:	Reject					
Submission Number:	28: 3 Submission Type: Support					
	Tumu Kaituna 14 Trust					
Submitter:						
Submitter: Submission Summary:	Gives effect to the NPS-UD and provides for the sustainable management of growth in the region.					

nber: nmary:	Providing for is to occur it		Submission Type:	Support in Part		
nmary:	Providing for is to occur it	r and enabling increased	density does not mean it w			
nmary:	is to occur it		density does not mean it w			
	City/District	Providing for and enabling increased density does not mean it will happen. To ensure increased densit 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.				
t:	Change Poli	icy UG 7Ax by changing	"Provide for and enable" to	'Require"		
ndations:	Reject					
nission(s)						
er Submissi	ion No:	13 - 12	Submission Ty	pe: Oppose		
er Submitte	r:	Urban Taskforce for T	auranga			
Submission Summary: Decision Sought:		NPS-UD which is to p	rovide well functioning urba	n environments. The setting of specific		
		Reject submission.				
Staff Recommendation:		Accept				
	iission(s) er Submissi er Submitte iission Sum ion Sought: Recommen	iission(s) er Submission No: er Submitter: iission Summary: ion Sought: Recommendation:	iission(s) er Submission No: 13 - 12 er Submitter: Urban Taskforce for T hission Summary: The submission shoul NPS-UD which is to p densities should occu ion Sought: Reject submission. Recommendation: Accept	iission(s) er Submission No: 13 - 12 Submission Type er Submitter: Urban Taskforce for Tauranga iission Summary: The submission should be rejected. The amendm NPS-UD which is to provide well functioning urban ion Sought: Reject submission.		

Staff Recommendation

Retain Policy UG 8B as notified.

Staff Reason

The changes made to Policy UG 8B are minimal to ensure consistency with the NPS-UD.

Submission 7-6 seeks the removal of reference to managing an aging population from Policy UG 8B. The scope of Proposed Change 6 is limited to those changes necessary to give effect to the NPS-UD. Staff consider population demographics is out of scope and recommend this submission be declined.

Submissions 16-4 and 28-4 support for Policy UG 8B as notified is noted.

Submission 9-14 seeks reference to 'Learn' to recognise the recent update to the SmartGrowth Principles of 'Live, Learn, Work and Play'. Staff acknowledge the SmartGrowth Strategy 2013 principles have been broadened to include 'Learn' in the current adopted growth strategy for the Western Bay of Plenty sub-region.

Policy UG 8B applies to the whole region while the SmartGrowth Strategy applies specifically to the Western Bay of Plenty subregion.

The live-work-play principles are embedded into operative Appendix B. As mentioned above, Proposed Change 6 seeks to implement the requirements of the NPS-UD. The NPS-UD does not provide direction on urban design matters. Through the section 32 analysis, there has been no consideration to incorporate 'learn' within Appendix B, Principle 2 which sets out the live-work-play policy approach. Staff consider that referring to 'learn' is out of scope of Proposed Change 6.

Submissions

Submission Number:	7: 6	Submission Type:	Support in Part			
Submitter:	Toi Te Ora Public Health					
Submission Summary:	We support the preservation of rural catchments of Rotorua Lakes to reduce nutrient losses from existing rural land uses. It is important to note that this also protects areas that are not yet impacted by nutrient run off.					
		ticularly documents that manage	naging an aging population should be ge urban development and design need y- the young, elderly, people with			

Decision Sought:	Retain Policy UG 8B with amendment to remove references to managing an aging population.
Staff Recommendations:	Reject
Submission Number:	9: 14 Submission Type: Seek Amendment
Submitter:	Tauranga City Council
Submission Summary:	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.
Decision Sought:	Retain Policy UG 8B with minor amendments as follows:
	Implementing high quality urban design and live-work-play principles
	Demonstrate adherence to the New Zealand Urban Design Protocol (March 2005) key urban design qualities.
	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.
	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.
	Explanation Growth and the development of new and existing urban areas across the region should apply urban design principles for the development of connected communities, an effective transport system and creating desirable places for people to live, learn, work and play.
	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 well-functioning urban environments are achieved, along with high quality urban design.
	Table reference: Objective 23, Methods 3, 4, 17, 18 and 58
Staff Recommendations:	Reject
Submission Number:	16: 4 Submission Type: Support
Submitter:	Ford Land Holdings Pty
Submission Summary:	Gives effect to the NPS-UD and provides for the sustainable management of growth in the region.
Decision Sought:	Adopt as notified.
Staff Recommendations:	Accept
Submission Number:	28: 4 Submission Type: Support
Submitter:	Tumu Kaituna 14 Trust
Submission Summary:	Gives effect to the NPS-UD and provides for the sustainable management of growth in the region.
Decision Sought:	Adopt Policy UG 8B as notified
Staff Recommendations:	Accept

Section: Policy UG 9B (submission points specific to this policy)

Staff Recommendation

Retain Policy UG 9B as notified.

Staff Reason

1444

Submission 7-7 seeks recognition within this policy for public health sanitary services and waste management. Staff acknowledge the concerns raised by the submitter to recognise the importance of these services and infrastructure to public health.

Staff consider that the RPS provides sufficient provision for the integration of services and infrastructure, while recognising that it is the territorial authorities and network utility operators that plan the delivery of services. For new urban developments, this is captured at the structure planning stage under RPS Method 18. In particular, the preparation of structure plans shall:

Identify all existing and consented, designated or programmed infrastructure and infrastructure corridors
 Show proposed land uses including community, health and social service facilities, including those necessary to cater for an aging population.

Submissions 9-15 16-5, 17-12, FS 10-11 and 28-5 support Policy UG 9B as notified.

Submissions

Submission Number:	7: 7 Submission Type: Support in Part
Submitter:	Toi Te Ora Public Health
Submission Summary:	We support the intent of this policy and wish to emphasise the importance to public health that all infrastructure required to serve new development is available. It is our experience that infrastructure which is programmed or planned and does not have consent provides insufficient certainty. Development should not occur unless all infrastructure required to serve new development is available or approved from the outset.
	We note that this should also include good access to reliable lifeline services, such as critical infrastructure like power, gas, and telecommunications. It is important that this policy includes waste and sanitary services, but it also needs to be planned for rather than a result of urban crawl. The spatial plan should consider the needs of the community for other core public health sanitary services such as cemeteries, and waste management including waste minimisation.
Decision Sought:	Retain Policy UG 9B with amendment to include consideration of other core public health sanitary services such as cemeteries, and waste management including waste minimisation.
Staff Recommendations:	Reject
Submission Number:	9: 15 Submission Type: Support
Submitter:	Tauranga City Council
Submission Summary:	This consequential change to align with other changes is supported.
Decision Sought:	Retain policy UG9B as notified
Staff Recommendations:	Accept
Submission Number:	16: 5 Submission Type: Support
Submitter:	Ford Land Holdings Pty
Submission Summary:	Gives effect to the NPS-UD and provides for the sustainable management of growth in the region.
Decision Sought:	Adopt as notified.
Staff Recommendations:	Accept
Submission Number:	17: 12 Submission Type: Support
Submitter:	Royal Forest & Bird Protection Society of NZ - BOP branches
Submission Summary:	Forest & Bird supports co-ordinating urban development with infrastructure because a lack thereof contributes to adverse effects on the environment including effects of climate change.
Decision Sought:	Retain Policy UG 9B as notified.
Staff Recommendations:	Accept

	Further Submis	sion No:	10 - 11	Submission Type:	Support	
	Further Submit	ter:	Transpower New Zeal	Transpower New Zealand Ltd Transpower is supportive of UG 9B Accept submission.		
	Submission Su	mmary:	Transpower is support			
	Decision Soug	nt:	Accept submission.			
	Staff Recommendation:		Accept			
Submiss	ion Number:	28: 5		Submission Type: Su	pport	
Submitte	er:	Tumu Kaitu	ina 14 Trust			
Submission Summary: Gives effect		to the NPS-UD and provides for the sustainable management of growth in the region.				
Decisior	cision Sought: Adopt Policy		cy UG 9B as notified			
Staff Recommendations: Accept						

Section: Policy UG 13B (submission points specific to this policy)

Staff Recommendation

Amend paragraph (c) to clarify it is 'areas of' high amenity to read: '(c) Proximity to commercial centres, places of employment, community services and areas of high amenity are considered in transport planning to support higher density development,'

Amend paragraph (d) to insert 'Travel' in front of 'demand' to read: '(d) Travel demand management is considered in planning, design and transport investment decisions,'

Staff Reason

Submission 7-10 and FS 6-4 seek changes to Policy UG 13B to include planning, design and transport investment decisions. Funding is one consideration to promote the integration of land use and transportation.

Staff consider that clauses (d) (as proposed to be amended) and (g) (as notified) provides an appropriate level of consideration for planning, design and transport investment decisions and that regard is given to developing integrated transport packages for funding.

Submission 11-6 and FS 6-11 seek changes to clause (c) for the following reasons:

- Provide greater clarification
- recognise 'existing and proposed' when referencing the listed land use activities.
- removal of transport planning from this clause.
- Reference to 'compact form' in relation to higher density and development.

Staff agree in part with the relief sought in so far as it relates to wording clarification in relation to 'areas of' high amenity.

Staff disagree that (c) should be amended so that regard is given to existing and proposed commercial centres, places of employment etc. Referring to 'proposed centres' poses a risk as there is no guarantee that such centres will be developed.

In terms of reference to transport planning within Policy UG 13B, the consideration of proximity of the land use activities and areas of high amenity are important to be considered in transport planning to ensure integration between land use and transportation.

'Compact form' is an outcome of increased higher density development and transport integration and is addressed as 'compact and sustainable urban forms' within the explanation statement.

Submissions 15-6, 16-6, 17-13, 28-6 support Policy UG 13B as notified.

Submission 33-6 requests strengthening the preamble from 'regard should' to instead read 'regard must'. As the title of Policy UG 13B denotes it seeks to promote the integration of land use and transportation. The phrase 'regard must' places a stronger obligation or requirement on decision makers then the phrase 'regard should' which denotes decision makers have discretion to consider the criteria. It leaves room for judgement and flexibility which better aligns with the policy heading and intent. Consequently, staff recommend rejecting the submission.

Submission 20-9 seeks changes to this policy to recognise:

- reverse sensitivity effects
- The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act ("MDRS")
- qualifying matters that affect density and height of urban form.

As detailed throughout this report, reverse sensitivity effects are adequately addressed elsewhere within the RPS. Those provisions are still relevant to new urban developments.

Under the Act, 'specified territorial authorities' are listed to implement the MDRS, and only include local authorities. The MDRS is not directly relevant to RPS Proposed Change 6.

In terms of height as relative to a qualifying matter, this is a matter that will be addressed by district plans.

Proposed Change 6 enables increased density within urban environments, as addressed under Policy UG 7Ax. In terms of qualifying matters, the explanation statement for Policy UG 7Ax recognises that increased density development may not be appropriate in some areas and is relative to different urban environments.

The intent of Policy UG 13B is to promote the integration of land use and transportation rather than to address qualifying matters, the MDRS and reverse sensitivity effects.

FS 9-17 opposes the relief sought in relation to reverse sensitivity effects, considering that activities should be mitigated at the source. As described throughout this report, staff disagree and consider that reverse sensitivity effects should be considered where relevant for urban development.

Submissions 31-4, 31-5 and 31-6 seek the following amendments:

- Insert 'the extent to which' at the beginning of clause (c)

- Insert 'travel' at the beginning of clause (d) to clarify the policy intent describes travel demand management; and Insert 'walking and cycling network' to the last sentence of the first paragraph within the explanation statement to

strengthen reference to active mode transport.

FS 6-23 supports in part submission 31-4 as it relates to amendments sought to clause (c). FS 10-15 supports 31-5 as it relates to inserting 'travel demand' at the beginning of clause (d).

Staff consider that referring to 'the extent to which' adds unnecessary text to clause (c) and recommend rejecting these submissions.

Policy UG 3A actively promotes 'travel demand' management across the region to, among other things, create effective integrated land and travel networks. Consequently, for consistency staff recommend inserting 'travel' at the beginning of clause (d) as sought in submission 31-5.

Active transport modes are already provided for within the policy explanation as notified and further reference to strengthen active modes of transport are considered unnecessary.

Submission 9-16 and FS 6-6 seek changes to clause (b) to refer to "The land transport system providing a range of transport mode choices to provide access opportunities and integrated links for both public and private transportation modes,"

Staff consider clause (b) as worded is sufficiently clear while the relief sought adds unnecessary text.

Staff recommend the rewording of clause (c) in response to submission 11-6 as follows:

"Proximity to commercial centres, places of employment, community services and areas of high amenity are considered in transport planning to support higher density development"

Staff recommend the rewording of clause (d) in response to submission 31-5 as follows:

"Travel demand management is considered in planning, design and transport investment decisions".

Submissions

Submission Number:	7: 10	Submission Type:	Support in Part
Submitter:	Toi Te Ora Public Health		
Submission Summary:	We support this policy and the explanati only to be considered does not go far en see this policy require planning, design, demand management to support compa	ough to achieve the des and transport investmen	ired outcome. Toi Te Ora would like to t decisions. This allows for transport

		and Further Subm	ISSIONS	
Decision Sought:	Retain Polic for transpor use patterns	demand management to suppor	clude planning, design, and transport investment decision t compact and sustainable growth management and land	
Staff Recommendati	ons: Accept in Pa	art		
Further Submissi	on(s)			
Further St	Ibmission No:	6 - 4	Submission Type: Support	
Further St	ıbmitter:	Tauranga Crossing Limited		
Submissio	on Summary:	The submission adds clarity to	the intent of the Policy, and is supported by TCL.	
Decision S	Sought:	Accept submission.		
Staff Reco	ommendation:	Accept in Part		
Submission Number	9: 16	S	ubmission Type: Seek Amendment	
Submitter:	Tauranga C	ity Council		
Submission Summa		intent of this policy but request med in the NPS-UD itself.	ninor amendments for clarification and consistency with t	
Decision Sought:	Amend Poli	cy UG 13B, clause (b) as follows:		
		ne land transport system providing a range of transport mode choices to provide access and integrated links for both public and private transportation modes,		
Staff Recommendati	ons: Reject			
Further Submissi	on(s)			
Further St	Ibmission No:	6 - 6	Submission Type: Support	
Further St	ıbmitter:	Tauranga Crossing Limited		
Submissio	on Summary:		nendments to Policy UG 13B. The amendments clarify t nsistent with the wording used in the NPS-UD itself.	
Decision S	Sought:	Accept submission.		
Staff Reco	ommendation:	Reject		
Submission Number	11:6	S	ubmission Type: Oppose	
Submitter:	Bell Road L	imited Partnership		
Submission Summa	y: Changes ar	required to improve clarity and to better align with the preamble text.		
Decision Sought:	Proximity to		al centres, places of employment, community services a nsity development and compact form.	
Staff Recommendati	ons: Accept in Pa	art		
Further Submissi	on(s)			
Further St	Ibmission No:	6 - 11	Submission Type: Support in Part	
Further Submitter:		Tauranga Crossing Limited		
Submissic	n Summary:	criterion should relate to the ro planning in servicing commerce	cial centres, places of employment, etc., to support high nan the proximity of the commercial centres and places of	
Decision Sought:		Allow the submission to impro	ve clarity to the extent that it is consistent with TCL's fur	
Decision S	bought.	submission.		
	ommendation:			

	n Provisions	considers that effects from the ope Page 86 of 128	ration of farming	g activities, namely industrial farmin Produced: 5/06/2023 5:44:1
Submission Sur		Kainga Ora opposes the relief soug	ght in relation to	reverse sensitivity effects and
Further Submitte		S - 17 Kainga Ora	Jabinission Type	c. Oppose
Further Submission(s)		9 - 17	Submission Type	e: Oppose
Staff Recommendations: Further Submission(s)	Reject			
	qualifying ma			
		nsport corridors, and ny appropriate reductions in building	height and/or de	ensity of urban form to provide for
	()	he interface between land use and tra	ansport activities	s, including potential reverse sensitiv
	[renumber (e) to (g) Integrated transport packages	s for funding are	edeveloped
) to (f)]. [Change text to:] Existing an safe and efficient operation	d future transpo	rt corridors are defined and protecte
	[]			
Decision Sought:		y UG 13B as follows:		
	activities, like safe and effi Supply) Ame matter applie ensure the d	e transport corridors, there is a need t cient operation of transport networks. ndment Act 2021 recognises a nuano s. Amendments are also necessary t strict planning framework appropriate	to ensure reverse The Resource N ced approach to o recognise qua	e sensitivity effects do not constrain Management (Enabling Housing urban development where a qualify alifying matters at the RPS level to
	Amendment		-	
Submission Summary:		dly supports Policy UG 13B as notifient as notifient statement with the NPS-UD and the R		
Submitter:	KiwiRail Holo	lings Ltd		
Submission Number:	20: 9	Submi	ssion Type:	Support in Part
Staff Recommendations:	Accept			
Decision Sought:	Retain Policy	UG 13B as notified.		
Submission Summary:		supports co-ordinating urban develo butes to adverse effects on the envir		
Submitter:	•	& Bird Protection Society of NZ - BO		
Submission Number:	17: 13		ssion Type:	Support
	,op.			
Staff Recommendations:	Accept			
Submission Summary: Decision Sought:	Adopt as not	to the NPS-UD and provides for the s	นอเลเกลมเย เกลกล	agement of growth in the region.
Submitter:	Ford Land H		ustainable men	agement of growth in the region
Submission Number:	16: 6		ssion Type:	Support
Staff Recommendations:	Accept			
Decision Sought:	Retain Policy	UG 13B (Promoting the integration of	of land use and t	transportation) as notified.
Submission Summary:	Fonterra sup	ports Policy UG 13B as notified.		
Submitter:	Fonterra Ltd			

		activities should first be mitigated at the source. Kainga Ora considers that a policy requiring decision makers to protect primary production from reverse sensitivity effects that might arise from new activities taking place in those areas is ambiguous, overly directive, and places undue responsibility on the receiving environment to mitigate adverse effects.				
Decision Sough	t:	Reject submission.				
Staff Recomme	ndation:	Reject				
Submission Number:	28: 6	Submission Type: Support				
Submitter:	Tumu Kaitun	a 14 Trust				
Submission Summary:	Gives effect	to the NPS-UD and provides for the sustainable management of growth in the region.				
Decision Sought:	Adopt Policy	UG 13B as notified				
Staff Recommendations:	Accept					
Submission Number:	31: 4	Submission Type: Support in Part				
Submitter:	Waka Kotahi	i				
given to:] Pro are considere		c) reads "[In promoting the integration of land-use and transport activities, regard should be oximity to commercial centres, places of employment, community services and high amenity ed in transport planning to support ty development"				
	Waka Kotahi	i considers that this paragraph could be strengthened and made clearer.				
Decision Sought:	Amend polic	nend policy UG 13B (c) along the lines of:				
	to which prov	g the integration of land-use and transport activities, regard should be given to:] The extent kimity to commercial centres, places of employment, community services and high amenity er density development"				
Staff Recommendations:	Reject					
Further Submission(s)					
Further Submis	sion No:	6 - 23 Submission Type: Support in Part				
Further Submitt	er:	Tauranga Crossing Limited				
Submission Sur	mmary:	TCL agrees that Policy UG 13B(c) requires clarification, however, considers that the criterion should relate to the role of transport planning in servicing commercial centres, places of employment, etc., to support higher density development, rather than the proximity of the commercial centres and places of employment, etc., to support higher density development, etc., to support higher density development, etc., to support higher density development.				
Decision Sough	t:	Accept submission as it relates to clarifying the intent of the policy.				
Staff Recomme	ndation:	Reject				
Submission Number:	31: 5	Submission Type: Support in Part				
Submitter:	Waka Kotahi					
Submission Summary:	Paragraph (c investment d	d) reads "Demand management is considered in planning, design and transport lecisions…"				
		ppears to be for this paragraph to apply to travel demand management, although this is not ated. Expressly referencing travel demand management would add clarity.				
Decision Sought:	Amend policy	y UG 13B (d) along the lines of:				
	"Travel dema	and management is considered in planning, design and transport investment decisions"				
Staff Recommendations:	Accept					
Further Submission(s)					

Further Submission		sion No:	10 - 15	Submission Ty	pe: Support	
Further Submitter:		Transpower New Ze	aland Ltd			
	Submission Summary:		align with the corpor	Transpower are generally supportive of the changes requested by Waka Kotahi. They align with the corporate direction of Transpower. Also relates to Waka Kotahi submission points on Issue 2.8.1, UG 7A, UG 13B and methold 18.		
	Decision Sough	t:	Accept submission.			
	Staff Recomme	ndation:	Accept			
Submiss	sion Number:	31: 6		Submission Type:	Support in Part	
Submitte	er:	Waka Kota	hi			
Submiss	sion Summary:			13B explanation reads "This urban forms and improving th	can be achieved by planning and ne public transport system."	
			hi supports this commen sport modes.	tary, but considers that it wou	uld be strengthened with reference t	
Decisior	n Sought:	Amend the last sentence of the policy UG 13B explanation along the lines of:				
		"This can b public trans	be achieved by planning a sport system and walking	and providing compact and su and cycling network"	ustainable urban forms and improvir	
Staff Re	commendations:	Reject				
Submiss	sion Number:	33: 6		Submission Type:	Support in Part	
Submitte	er:	Western B	OP District Council			
Submission Summary: As with Polic properly add			ording needs to be stronger to	o ensure that the matters listed are		
Decisior	n Sought:	Change Po	blicy UG 13B by changing	g "regard should" to "regard m	nust"	
Staff Recommendations: Reject						

Staff Recommendation

Retain Policy UG 14B as notified.

Staff Reason

Submissions 8-1, 16-7, 21-7, 23-7, 28-7 support for Policy UG 14B as notified is noted.

With respect to submission 8-1, further correspondence was received following the close of submissions which clarified the submitter's support for Policy UG 14B.

Submission 7-11 supports Policy UG 14B but seeks further amendments to clarify this policy does not enable further development of villages and settlements where existing reticulated water and wastewater services don't have adequate capacity. Clause (b) already provides recognition that infrastructure (which includes water and wastewater services) is provided for in an efficient, planned and coordinated manner. In addition, it is the responsibility of the territorial authority to ensure that there is capacity for water and wastewater to cater for a development proposal.

Staff consider that the relief sought is unnecessary and recommend this submission be declined.

Submission 9-17 opposes this policy, considering that it is a re-establishment of urban limits and conflicts with proposed Policy UG 7A.

Policy UG 7A is a gateway policy to consider unanticipated and out-of-sequence developments to give local authorities criteria to consider large scale private plan changes that would add significant development capacity to an urban environment. If the criteria in Policy UG 7A can be met, local authorities will still need to consider the existing rural environment that proposed urban development will interface with.

The explanation statement for Policy UG 14B details that outside urban environments new urban areas or zoning is not desirable and can create sporadic settlement patterns and result in an inefficient use of natural and physical resources.

Policy UG 14B is also linked to and contributes to achieving rural growth management Objective 26. Restricting urban activities is particularly relevant to protecting the productive potential of the regions rural land resource and providing for the growth and efficient operation of rural productive activities.

FS 2-1 supports submission 9-17 in part, recognising that this policy applies to development outside of the existing urban areas, and that it is important that the policy for development outside of existing zoned areas is made clear.

Staff agree with this FS in part and consider that there is a clear distinction between the intent of Policy UG7A and UG 14B. FS 3-10, 6-7, 10-4 and 13-19 oppose submission 9-17 and seek Policy UG 14B be retained.

Staff recommend that submission 9-17 is declined and the FS opposing it are accepted.

Submissions 13-9, 22-4, 29-10, and 30-4 oppose the policy with consideration that there may be circumstances where expansions to existing settlements may be appropriate where currently such settlements are not serviced by reticulated services. These submissions consider that provision to ensure that settlements are not precluded from considerations for urban growth.

FS 2-2 partially supports submission 13-9 in that the policy needs to be clear whether it applies to existing small settlements and considers there to be uncertainty that 'sound resource management principles' are not defined. There is no definition of sound resource management principles, and it is not the intent of this policy to define what this means.

In reference to this policy, sound resource management principles include that the land as a finite resource is efficiently developed and that efficient, planned and coordinated infrastructure is provided.

Settlements and villages are not defined as urban areas under section 1.4 of the NPS-UD unless they meet the following criteria:

- a) is, or is intended to be, predominantly urban in character; and
- b) is, or is intended to be, part of a housing and labour market of at least 10,000 people

There is an opportunity for growth of settlements to become urban if they:

- Are included within a Future Development Strategy

- Are considered to provide significant development capacity through an unanticipated out of sequence development plan change proposal.

In both cases the development capacity is required to be infrastructure ready which includes the provision of reticulated services.

The relief sought by these submissions is that an additional clause is included:

c) there are benefits and efficiencies of expanding existing settlements/towns

and removal of parts of the explanation statement that detail:

- that new urban areas are not desirable as it can create a sporadic settlement pattern.
- References that refer to reticulated water and wastewater services.

Staff do not agree that reference to expanding settlements/towns without the provision of reticulated services is appropriate and as worded would suggest that significant growth opportunities of villages and settlements would not require reticulated services. Staff recommend that these submissions are declined.

Submissions 15-7 and 20-10 seek reference to reverse sensitivity effects within this policy. As considered throughout this report, the operative RPS provisions include policies on reverse sensitivity effects. Staff consider that those policies adequately address the concerns raised within these submissions.

FS 9-9 oppose submission 15-7 and consider that effects should be mitigated at the source. Urban development proposals will need to consider the relevant RPS policies that address reverse sensitivity effects. FS9-9 is declined.

Submission 18-4 and FS 10-13 seek recognition of highly productive land within this policy which is in reference to the National Policy Statement for Highly Productive Land (NPS-HPL)

Staff consider that submissions on the NPS-HPL are out of scope. RPS change 6 has been developed and notified to specifically give effect to the NPS-UD. A separate Proposed Change 8 (NPS-HPL) is being developed to give effect to the NPS-HPL. Staff recommend that these submissions are declined.

Submission 17-14 seeks definition of urban activities to be included within this policy or to reword the policy to refer to 'residential areas located outside urban environments including lifestyle developments'

The operative RPS defines urban activities to include residential accommodation at a density at more than one dwelling per 2000m2 or site area. It is the role of district plans to enforce density rules for housing including lifestyle developments outside of urban areas. Development that enables more than one dwelling per 2000m2 is considered to be an urban activity, and as such is restricted by this policy. Another key element to the definition is the requirement for urban activities to have reticulated water and wastewater. Staff consider that the concerns raised by this submission as it relates to urban activities, namely lifestyle

developments are captured by this policy.

Staff recommend that this submission is declined.

FS 10-12 opposes this submission in reference to 'residential area' replacing 'urban activities' as 'urban activities' is more encompassing, and not replaceable by residential activities. Staff agree with this submission point and acknowledge this in reference to the RPS definition of 'urban activities' that lists more than just residential activities.

Staff recommend that this FS is accepted.

Submissions

Submission Number:	7: 11	Submission Type:	Support in Part
Submitter:	Toi Te Ora Public Health		
Submission Summary:	nat this policy does not enable d water and wastewater services do not		
	We support this policy's aim of restricting services, etc, and other public health infra footpaths, lighting, and critical infrastructu	astructure that supports	
Decision Sought:	Provide clarification that this policy does existing reticulated water and wastewater		
Staff Recommendations:	Reject		
Submission Number:	8: 1	Submission Type:	Support
Submitter:	Julian and Joy White		
Submission Summary:	Submitter is seeking property-specific act notice from Tauranga City Council (TCC this constraint on lot 16 (27 Blackberry W due to topographical constraints (page 29	Ref RC1016 / 3220575) /ay) with reference to ur	dated 22nd of July 2010 'referring to banised land unsuitable for subdivision
Decision Sought:	Consideration of reasons from RMA 1997	I for erecting dwellings	on unsuitable land - steep sloping land
Staff Recommendations:	Accept		
Submission Number:	9: 17	Submission Type:	Oppose
Submitter:	Tauranga City Council		
Submission Summary:	The policy conflicts with proposed Policy described in Policy 8 and Clause 3.8 of th appears to duplicate matters covered els its removal. Alternatively, the policy could	ne NPS-UD. As worded, ewhere. We therefore o	, the purpose of the policy is unclear and pose the policy as worded and request
	Generally, we are unconvinced this policy elsewhere. The efficient use of land and i ordinated use and development of infrast case of transport). Similarly, managing ru Policy UG 18B.	nfrastructure is already ructure is covered by Po	covered by Policy UG 6A, while the co- olicy UG 9B and Policy UG 13B (in the
	In seeking to restrict urban development re-introducing an urban limit – albeit a so an unanticipated or out of sequence plan adjacent to an existing urban area would urban activities located outside urban en	ft limit which is not map change which proposed be able to comply with t	ped. For example, it is not clear whether d re-zoning an area of rural land directly
	Depending on how the definition of urbar		
	apply to the situation described above. If hoc urban development in the wider rural development of smaller settlements, then However, even if this is the case the need and UG 13B (referenced above) would st	area not associated wit it should be re-worded d for the policy is still qu	th an urban environment, or to and clarified to be more explicit. estionable, as Policies UG 6A, UG 9B

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.

aff Re	commendations: Reject			
urthe	r Submission(s)			
	Further Submission No:	2 - 1	Submission Type:	Support in Part
	Further Submitter:	Royal Forest & Bird P	rotection Society of NZ - BOP bra	inches
	Submission Summary:	Policy UG 14B		
		considers that this pol	lies to developments in areas zor	outside of urban areas and de of existing zoned urban areas, ned or anticipated for future urban
	Decision Sought:	It is very important tha zoned areas is made of	t the policy for development of ur clear.	ban areas outside of existing
	Staff Recommendation:	Accept in Part		
	Further Submission No:	3 - 10	Submission Type:	Oppose
	Further Submitter:	Fonterra Ltd.		
	Submission Summary:	Fonterra supports the of urban environments		ban activities from locating outsid
	Decision Sought:	Reject submission.		
	Staff Recommendation:	Accept		
	Further Submission No:	6 - 7	Submission Type:	Oppose
	Further Submitter:	Tauranga Crossing Li	mited	
	Submission Summary:	environments, noting f "urban environment" in of a housing and labor Policy be either delete	estrict the growth of urban activities that the definition of an ncludes land that is, or is intended ur market of at least 10,000 peop ed (as it conflicts with Policy 7A) o noc urban development in the wid	d to be, urban in character and pa le. The Submitter seeks that the or substantially reworded to more
		Policy UG 7A applies and urbangrowth that all other forms of urba that do not meet the d		within existing urban environment nt, whereas Policy 14B addresses environments (ie in rural areas t"). TCL does not consider
	Decision Sought:	Reject submission so 14B.	far as it relates to the deletion or	substatial rewording of Policy UG
	Staff Recommendation:	Accept		
	Further Submission No:	10 - 4	Submission Type:	Support
	Further Submitter:	Transpower New Zeal	and Ltd	
	Submission Summary:	UG14B is particularly	supported by Transpower as it re	lates to infrastructure as is UG18
	Decision Sought:	Accept submission.		

	Further Submission No: Further Submitter: Submission Summary:		13 - 19	Submission Type	e:	Oppose	
			Urban Taskforce for Tauranga				
			We consider that the submission should be rejected and that the Council should retain Policy UG14B to deal with urban activities outside urban environments as modified by the UTF's original submission.				
	Decision Sough	t:	Reject submission.				
	Staff Recommen	ndation:	Accept				
Submiss	sion Number:	13: 9		Submission Type:	Орро	ose	
Submitte	er:	Classic Deve	lopments Limited				
T		Te Puke) are Provisions ne	here may be circumstances where expansions to existing settlements (such as Paengaroa and parts of e Puke) are appropriate but where currently such settlements are not serviced via reticulated services. ovisions need to be included in plan change 6 to ensure that such settlements are not precluded from ture consideration for urban growth.				
Decisior	n Sought:	Amend Policy	nend Policy UG14B and its supporting explanation as follows:				
manageme (a) The effi (b) Providir		management (a) The efficie (b) Providing	th of urban activities located of principles are achieved, includent use of the finite land resoun for the efficient, coordinated u benefits and efficiencies of exp	ding: rce, and se and development of	f infras	structure, and	
While area pressures, growth tha natural and acceptable the Nation		pressures, so growth that fo natural and p acceptable su the National F		an be expected. Outsic nent, new urban areas lowever, some circums owns. Therefore, the sa velopment (2020) shou	de of ui can re stances ame ov	rban environments and urban esult in an inefficient use of s where such proposals could be verarching growth principles of	
Stoff Do	Staff Pacammandations: Paiast						

Staff Recommendations: Reject

Further Submission(s)

Submission(s)			
Further Submission No:	2 - 2	Submission Type:	Support in Part
Further Submitter:	Royal Forest & Bird	Protection Society of NZ - BOP bra	nches
Submission Summary:	Policy UG 14B		
	Paengaroa, Pukehi Our interpretation of settlements could or doing so, such plan including but not lim	clear as to whether it applies to exist na, Te Teko, Taneatu, Murupara, T this policy is that the development nly occur if supported by a council in changes would be subject to "soun- ited to (a) and (b). The policy does ce management principles" are not	e Kaha etc. of urban environments in such nitiated plan change. However in d resource management principles" have some uncertainty in that
Decision Sought:	Ŭ	around wording / definitions ciety's submission 17 – 14.	
Staff Recommendation:	Reject		

Submission Number:	15: 7		Submission Type:	Support in Part
Submitter:	Fonterr	a Ltd.		
Submission Summary:	activitie Fonterr	s outside of urban environme	nt unless certain resource r e management of reverse s	ng a framework that restricts urban nanagement principles are achieved. ensitivity needs to be included as one of
Decision Sought:	Amend	Policy UG 14B as follows (or	words with similar effect):	
	Restrict	JG 14B: Restricting urban act the growth of urban activities und resource management pr	located outside urban envi	ronments unless it can be demonstrated
	(a) (b) and (c)			esource, and use and development of infrastructure,
	And			
	Consec	juential amendments to the e	xplanation of Policy UG 14E	3.

Staff Recommendations: Reject

Further Submission(s)				
Further Submission No:		9 - 9	Submission Type: Oppose	
Further Submitter:		Kainga Ora		
Submission Summary:		Kainga Ora opposes the relief sought in relation to reverse sensitivity effects and considers that effects from the operation of farming activities, namely industrial farming activities should first be mitigated at the source. Kainga Ora considers that a policy requiring decision makers to protect primary production from reverse sensitivity effects that might arise from new activities taking place in those areas is ambiguous, overly directive, and places undue responsibility on the receiving environment to mitigate adverse effects.		
Decision Sought	t:	Reject submission	l.	
Staff Recommer	ndation:	Reject		
Submission Number:	16: 7		Submission Type: Support	
Submitter:	Ford Land H	loldings Pty		
Submission Summary:	on Summary: Gives effect		provides for the sustainable management of growth in the region.	
Decision Sought:	Adopt as notified.			
Staff Recommendations:	Accept			
Submission Number:	17: 14 Submission Type: Support in Part		Submission Type: Support in Part	
Submitter:	Royal Fores	at & Bird Protection So	ociety of NZ - BOP branches	
Submission Summary:	Policy UG 14B is the most important policy for Urban Growth as without it there is a high likeling urban sprawl. We are aware that a lack of clear definitions in some district plans is allowing interpretations that blocks and rural-residential development are provided for in rural areas where that was not inter those plans. We understand that "UB 14B" should state "UG 14B".		r definitions in some district plans is allowing interpretations that lifes lopment are provided for in rural areas where that was not intended	
Decision Sought:	Clarify that UB 14B should state UG 14B			
	of residentia	al areas located outsid	refer to additions to existing settlements or reword: Restrict the grov de urban environments including lifestyle developments unless it car ce management principles are achieved, including:	
	(a) -	The efficient developm	nent and use of the finite land resource, and	

(b) Providing for the efficient, planned and co-ordinated use and development of infrastructure.

Staff Ree	commendations:	Reject				
Further	r Submission(s)				
	Further Submission No:		10 - 12Submission Type:Oppose			
	Further Submitt	er:	Transpower New Zealand Ltd			
Submission Summary:		mmary:	Transpower has concerns in regards to UB14B and UB19B in relation to the words proposed. Transpower does not support changing urban activities with residential activities. Urban activities are more encompassing, and not replaceable by residential activities.			
	Decision Sough	nt:	Reject submission.			
	Staff Recomme	ndation:	Accept			
Submiss	sion Number:	18: 4	Submission Type: Support in Part			
Submitte	er:	Horticulture	New Zealand			
	sion Summary:	provide a pl	sider it important that urban development and productive land are considered together to lanned approach so new urban areas are designed in a manner that maintains the overall capacity of highly productive land.			
			urban activities outside urban environments and avoiding urban development on highly land			
Staff Red	commendations:	Reject				
Further	r Submission(s	-				
	Further Submis	sion No:	10 - 13 Submission Type: Support			
	Further Submitt	er:	Transpower New Zealand Ltd			
	Submission Su	mmary:	Transpower generally agrees. Transpower wants to make sure that this does not exclud the need to locate National Grid infrastructure on rural land. Urban development could include infrastructure unless otherwise excluded.			
	Decision Sough	nt:	Accept submission.			
	Staff Recomme	ndation:	Reject			
Submiss	sion Number:	20: 10	Submission Type: Support in Part			
Submitte	er:	KiwiRail Ho	Idings Ltd			
outside of urba amendment is effects as one		outside of u amendment effects as o	pports the intent of Policy UG 14B to provide a framework that manages urban activities Irban environments in accordance with sound resource management principles. A further t is proposed to expressly recognise and provide for the avoidance of reverse sensitivity one of those principles, as this is a critical resource management issue that must be manage ding for growth of urban activities near lawfully established transport corridors.			
Policy UG 14 Restrict the g that sound re (a) T (b) P		Amend Poli	icy UG 14B as follows:			
		Restrict the that sound r (a) (b)	4B: Restricting urban activities outside urban environments growth of urban activities located outside urban environments unless it can be demonstrate esource management principles are achieved, including: The efficient development and use of the finite land resource, Providing for the efficient, planned and co-ordinated use and development of infrastructure, The avoidance of reverse sensitivity effects.			
		And such co	onsequential amendments as are necessary to the explanation of Policy UG 14B.			

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Submission Number:	21: 7 Submission Type: Support
Submitter:	Mitre 10 Holdings
Submission Summary:	Policy UG 14B is considered consistent with the NPS-UD. In particular, recognising that urban development extensions to existing towns that have reticulated water and wastewater will increase the development capacity and achieve Policy 8 of the NPS-UD. Allowing for new urban areas (or urban zoning) outside the urban environments within appropriate areas will ensure the efficient use of land and will be aligned with Policy 6 and 8 of the NPS-UD.
Decision Sought:	Adopt proposed Policy UG 14B as notified.
Staff Recommendations:	Accept
Submission Number:	22: 4 Submission Type: Oppose
Submitter:	Newman Group Limited
Submission Summary:	There may be circumstances where expansions to existing settlements (such as at Papamoa) are appropriate but where currently land is not serviced via reticulated services. Provisions need to be included in plan change 6 to ensure that such settlements are not precluded from future consideration for urban growth.
Decision Sought:	Amend Policy UG14B and its supporting explanation:
	 Manage growth of urban activities located outside urban environments unless it can be demonstrated that sound resource management principles are achieved, including: (a) The efficient use of the finite land resource, and (b) Providing for the efficient, and coordinated use and development of infrastructure, and (c) there are benefits and efficiencies of expanding existing settlements/towns
	Explanation: 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 can result in an inefficient use of natural and physical resources. There are however, some circumstances where such proposals could be acceptable such as extensions to existing towns. 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.
Staff Recommendations:	Reject
Submission Number:	23: 7 Submission Type: Support
Submitter:	Nga Potiki a Tamapahore Trust
Submission Summary:	Support the proposed amendments to Policy U14B which seeks to restrict urban development outside urban environments but allows for provision for this where sound resource management
Decision Sought:	Support the introduction of Policy U14B as notified
Staff Recommendations:	Accept
Submission Number:	28: 7 Submission Type: Support
Submitter:	Tumu Kaituna 14 Trust
Submission Summary:	Gives effect to the NPS-UD and provides for the sustainable management of growth in the region.
Decision Sought:	Adopt Policy UG 14B as notified
Staff Recommendations:	Accept
Submission Number:	29: 10 Submission Type: Oppose
Submitter:	Urban Taskforce for Tauranga
Submission Summary:	There may be circumstances where expansions to existing settlements (such as Paengaroa and parts of Te Puke) are appropriate but currently such settlements are not serviced via reticulated services. Provisions need to be included in the RPS to ensure that such settlements are not precluded from future consideration for urban growth.

Decision Sought:	Amend Policy UG 14B and its supporting explanation, as follows:			
	 Manage growth of urban activities located outside urban environments to ensure that sound resource management principles are achieved, including: (a) The efficient use of the finite land resource, and (b) Providing for the efficient, and coordinated use and development of infrastructure, and (c) there are benefits and efficiencies of expanding existing settlements/towns 			
	Explanation: While areas outside urban environments have not been and are unlikely to face the same growth pressures, some urban growthpressures can be expected. Outside of urban environments and urban growth that forms part of an urban environment, new urban areas can result in an inefficient use of natural and physical resources. There are however, some limited circumstances where such proposals			

could be acceptable such as extensions to existing towns. 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. Staff Recommendations: Reject Submission Number: 30:4 Submission Type: Oppose Submitter: Vercoe Holdings Limited Submission Summary: There may be circumstances where expansions to existing settlements (such as Paengaroa) are appropriate but where currently such settlements are not serviced via reticulated services. Provisions need to be included in Change 6 to ensure that such settlements are not precluded from future consideration for urban growth. **Decision Sought:** We seek the following changes to UG14B and its supporting explanation: Manage growth of urban activities located outside urban environments to ensure that sound resource management principles are achieved, including: (a) The efficient use of the finite land resource, and (b) Providing for the efficient, and co-ordinated use and development of infrastructure, and (c) there are benefits and efficiencies of expanding existing settlements/towns Explanation 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 can create a and result in an inefficient use of natural and physical resources. There are however, some circumstances where such proposals could be acceptable such as extensions to existing towns. 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. Staff Recommendations: Reject

Section: Policy UG 15B (submission points specific to this policy)

Staff Recommendation

Retain deletion of Policy UG 15B as notified.

Staff Reason

Submission 9-18. Support for deletion of Policy UG 15B is noted.

Submissions

Submission Number:	9: 18	Submission Type:	Support
Submitter:	Tauranga City Council		
Submission Summary:	Support removal of this policy to align with other changes.		
Decision Sought:	Delete Policy UG 15B		
Staff Recommendations:	Accept		

1447

Section: Policy UG 16B (submission points specific to this policy)

Staff Recommendation

Retain deletion of Policy UG 16B as notified.

Staff Reason

Submission 9-19. Support for deletion of Policy UG 16B is noted.

Submissions

Submission Number:	9: 19	Submission Type:	Support
Submitter:	Tauranga City Council		
Submission Summary:	Support removal of this policy to align with	n other changes.	
Decision Sought:	Delete Policy UG 16B		
Staff Recommendations:	Accept		

Section: Policy UG 17B (submission points specific to this policy)

Staff Recommendation

Retain deletion of Policy UG 17B as notified.

Staff Reason

Submission 9-35. Support for deletion of Policy UG 17B is noted.

Submissions

Submission Number:	9: 35	Submission Type:	Support	
Submitter:	Tauranga City Council			
Submission Summary:	Support removal of this policy to align with other changes			
Decision Sought:	Delete Policy UG 17B			
Staff Recommendations:	Accept			

Section: Policy UG 18B (submission points specific to this policy)

Staff Recommendation

Amend Policy UG 18B by inserting 'Policy' in front of UG 7A in the last sentence of the first paragraph.

Staff Reason

Submissions 16-8, 28-8 and 18-6 support for Policy UG 18B as notified is noted.

Submission 11-7 and FS 1-5 seek changes to recognise the use of versatile land for urban development may be justified where there are limited alternatives available. Staff consider that the cross reference to Policy UG 7A addresses the submitters concerns. If a proposal for unanticipated or out of sequence urban development is assessed that it will add significantly to development capacity and can meet the criteria within Policy UG 7A this will provide an avenue for considering urban growth on versatile land.

Staff recommend that these submissions are declined.

FS 10-16 opposes submission 11-7 as the relief sought could impact Transpower's interests. This further submitter's concerns are noted.

1448

1449

1450

FS 13-16 supports this submission but seeks that the term structure plan should be replaced with 'spatial plan'. Staff do not agree with this suggested change as spatial planning in its wider understanding is broader than what is involved within a structure plan, nor does this change offer any further clarity in giving effect to the NPS-UD.

Local Government NZ (LGNZ) paper 'Spatial Planning Can Improve Housing and Affordability and Protect Our Environment', (March 2021) acknowledges that the term spatial planning is a broad concept that covers well-defined plans, and narrowly defined plans, as defined below:

Well defined plans (spatial plans) – which set out where and how cities should grow and develop in great detail; and
 Narrowly defined plans (strategic plans) – which set out a strategy focused on securing cost-effective options for future infrastructure development.

Submission 15-8 seeks recognition of rural industrial based activities to be included within this policy. Staff consider that this request is out of scope for Proposed Change 6 which seeks to give effect to the NPS-UD only.

This submission also seeks recognition of reverse sensitivity effects. As considered throughout this report, the operative RPS includes provisions for reverse sensitivity effects. Staff recommend that this submission is declined.

FS 9-10 opposes submission 15-8 in relation to reverse sensitivity effects as such effects should be mitigated at the source. Staff disagree and consider that the RPS reverse sensitivity policies can be applied whenever relevant. Staff recommend that this FS is declined.

FS 2-3 opposes submission 15-8 as the definition of rural-based industry expands on the current RPS definition of rural production activities, and that this could have unanticipated consequences when applied.

Staff agree as the relief sought by submission 15-8 is out of scope for Proposed Change 6. Staff recommend that this FS is accepted.

Submission 9-20 seeks the removal of the word 'outside' in reference to 'outside existing and planned urban areas'. While the urban limits within the Western Bay of Plenty is removed, it does not mean that urban growth outside of urban environments is appropriate which is the intent of this policy.

Where there are exceptions, these are listed which includes consideration under Policy UG 7A allowing for responsive planning decisions where significant development capacity can be provided.

This submission requests the recognition of "urban development associated with existing and planned urban areas" to be included as a clause within the policy. Staff consider this policy isn't relevant to planned urban growth which territorial authorities should have already considered during earlier zoning and plan change processes for such planned development.

Staff consider that recognition of planned urban development is acknowledged appropriately within the explanation statement.

Staff recommend that this submission is declined.

Submissions

Submission Number:	9: 20	Submission Type:	Seek Amendment
Submitter:	Tauranga City Council		
Submission Summary:	y: Support the intent of this policy (which is largely a consequential change) but request minor an for clarification and consistency with the wording used in the NPS-UD.		
	Amend structure of the policy to list the e "outside" (which implies a soft urban limit planned urban areas. In our view this wo clearer and easier to read.	t) and improve clarity arc	ound development of existing and
	We also note that emerging national dire and provide further direction for the man- resource.		
Decision Sought:	Retain Policy UG 18B with amendments	as follows:	
	Managing rural development and protect	ing versatile land	
	The productive rural land resource shall extent practicable subdivision, use and d used for non-productive purposes, unles	evelopment in rural area	

	(b) located the	Urban development associated with existing and planned urban areas Regionally significant infrastructure which has a functional, technical or locational need to be ere, or Urban development that has satisfied the criteria in UG 7A.
Staff Recommendati		
Submission Number		Submission Type: Support
Submitter:		Limited Partnership
Submission Summa	developme	nation as drafted does not address the reasons for allowing use of versatile land for urban ent.
Decision Sought:		qualification that the rural land resource is for urban development that has satisfied the criteria with additional text as follows:
	Use of vers	llowing (or similar) to the explanation: satile land for urban development may be justified where there are limited alternatives and efficient use is made of that land to achieve a well- functioning urban environment.
Staff Recommendati	ons: Reject	
Further Submissi	on(s)	
Further St	ubmission No:	1 - 5 Submission Type: Support
Further St	ubmitter:	Nga Potiki a Tamapahore Trust
Submissio	on Summary:	NPaTT support the proposed amendment to the policy. Whilst there needs to be a high threshold for protection of versatile rural land, where there is simply no urban land available, provided that urban development benefits outweigh costs then the use of rural and/or versatile land can be considered.
Decision S	Sought:	UG 18B: Submission seeks additional explanatory statement for the use of versatile land for urban development so that this is not prohibited where there are a lack of alternatives and efficient use is made of that land to achieve a well- functioning urban environment.
Staff Reco	ommendation:	Reject
Further St	ubmission No:	10 - 6Submission Type:Oppose
Further St	ubmitter:	Transpower New Zealand Ltd
	on Summary:	Transpower does not agree with the recommendation for UG18B. Transpower considers that any change could impact on Transpower's interests.
Decision S	Sought:	Reject submission.
Staff Reco	ommendation:	Accept
Further St	ubmission No:	13 - 6Submission Type:Support
Further St	ubmitter:	Urban Taskforce for Tauranga
Submissio	on Summary:	We consider that the submission should be accepted and that the term 'structure plan' should be replaced with 'spatial plan'.
Decision S	Sought:	Accept submission.
Staff Reco	ommendation:	Reject
Submission Number	: 15: 8	Submission Type: Support in Part
Submitter:	Fonterra Lt	
Submission Summa	Fonterra co industrial' ty	upports the intent of Policy UG 18B in respect of managing rural development. However, onsiders that further amendments to this policy are required as there are a number of 'rural type activities that must occur in a rural environment, and that the potential for reverse needs to be considered when managing rural development.
Decision Sought:	Amend Pol	licy UG 18B as follows (or words with similar effect):
	The produc	18B: Managing rural development and protecting versatile land ctive rural land resource shall be protected for rural production and rural based industrial y ensuring that to the extent practicable subdivision, use and development in rural areas does
t: Staff Recommendat	ions on Provisions	Page 99 of 128 Produced: 5/06/2023 5:44:14 pt

not result in versatile land being used for non-productive purposes and rural based industrial activities outside existing and planned urban areas, unless it is for regionally significant infrastructure which has a functional, technical or locational need to be located there, or it is urban development that has satisfied the criteria in UG 7A.

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, and including the potential for reverse sensitivity effects that may impact rural activities.

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.

And

Consequential amendments to the explanation of Policy UG 18B.

And

Insert a new definition into the RPS as a consequential amendment, as follows: Rural based industry: an activity that has a direct connection to or processes the output of land based activities involving animal, agriculture, forestry or horticultural crops, and includes (but is not limited to) rural transportation and agricultural contractors depots, and the preliminary packaging and processing of agricultural produce including packhouses and coolstores, stock saleyards, sawmills, grain silos and feedmills, meat and poultry processing, dairy product processing and / or discharge of dairy factory wastewater and by-products, wineries and rural research facilities

er Submission(s)				
Further Submission No:	2 - 3	Submission Type:	Oppose	
Further Submitter:	Royal Forest & Bird Protection Society of NZ - BOP branches			
Submission Summary:	Policy UG 18B			
	in the RPS for rural µ land use activities. T	ion of rural-based industry conside production activities and other activ his could have unintended consequ ally in Eastern Bay of Plenty.	ities that "directly support" rural	
Decision Sought:				
Staff Recommendation:	Accept			
Further Submission No:	9 - 10	Submission Type:	Oppose	
Further Submitter:	Kainga Ora			
Submission Summary:	considers that effect activities should first requiring decision m that might arise from	the relief sought in relation to reverse s from the operation of farming acti- be mitigated at the source. Kainga akers to protect primary production new activities taking place in those undue responsibility on the received	vities, namely industrial farming Ora considers that a policy from reverse sensitivity effects e areas is ambiguous, overly	
Decision Sought:	Reject submission.			
Staff Recommendation:	Reject			

Submission Number:	16: 8	Submission Type:	Support
Submitter:	Ford Land Holdings Pty		
Submission Summary:	Gives effect to the NPS-UD and prov	vides for the sustainable ma	nagement of growth in the region.
Decision Sought:	Adopt as notified.		
Staff Recommendations:	Accept		
Submission Number:	18: 6	Submission Type:	Support
Submitter:	Horticulture New Zealand		
Submission Summary:			
Decision Sought:	Retain Policy UG 18B but give efect	to amendments in UG 7A	
Staff Recommendations:	Accept		
Submission Number:	28: 8	Submission Type:	Support
Submitter:	Tumu Kaituna 14 Trust		
Submission Summary:	Gives effect to the NPS-UD and prov	vides for the sustainable ma	nagement of growth in the region.
Decision Sought:	Adopt Policy UG 18B as notified		
Staff Recommendations:	Accept		

Section: Policy UG 19B (submission points specific to this policy)

Staff Recommendation

Retain Policy UG 19B as notified.

Staff Reason

Submissions 16-9, 28-9, 15-9, 9-21 support Policy UG 19B is noted.

Submission 7-13 seeks changes to protect areas that are not yet impacted by nutrient runoff.

The operative RPS provides direction for managing the reduction of nutrient losses under Policy WL 6B where is it recognised that the managed reduction in the amount of nutrients derived from land use activities is necessary to halt the decline in water quality in at-risk catchments.

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.

Policy UG 19B provides for consideration of opportunities to reduce nutrient loss by way of land use change from rural-lifestyle activities within the catchments of the Rotorua Te Arawa Lakes.

A separate RPS changes is underway to give effect to the NPSFM through the Essential Freshwater Policy Programme. That RPS change is scheduled to be notified in December 2024 and will provide an integrated approach to implement the NPSFM and Te Mana o te Wai requirements. Staff recommend that this submission is declined.

Submission 17-15 seeks recognition of the productive potential of rural land, particularly versatile land, is not compromised.

Staff consider the current wording is appropriate and the submitter's concerns will be addressed through Proposed Change 8 (NPS-HPL) which is currently under development. Staff recommend that this submission is declined.

Submission 18-7 requests changes to require local authorities restrict rural lifestyle development on highly productive land. The changes sought are better addressed through Proposed Change 8 (NPS-HPL) which is currently under development.

Staff consider that the relief sought is outside the scope of Proposed Change 6. Staff recommend that this submission is declined.

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Submissions

Submission Number:	7: 13 Submission Ty	pe: Support in Part	
Submitter:	Toi Te Ora Public Health		
Submission Summary:	As previously mentioned in policy UG 8B, it is also critical nutrient runoff.	to protect areas that are not yet impacted by	
Decision Sought:	Retain Policy UG 19B with amendment to ensure areas that are not yet impacted by nutrient runoff are protected.		
Staff Recommendations:	Reject		
Submission Number:	9: 21 Submission Ty	pe: Support	
Submitter:	Tauranga City Council		
Submission Summary:	Support this consequential change to align with other char	nges.	
Decision Sought:	Retain changes to Policy UG 19B as notified		
Staff Recommendations:	Accept		
Submission Number:	15: 9 Submission Ty	pe: Support	
Submitter:	Fonterra Ltd.		
Submission Summary:	Fonterra supports Policy UG 19B as notified as it requires rural residential development to not compromise the productive potential of versatile soils.		
Decision Sought:	Policy UG 19B (Providing for rural lifestyle activities) as no	tified	
Staff Recommendations:	Accept		
Submission Number:	16: 9 Submission Ty	pe: Support	
Submitter:	Ford Land Holdings Pty		
Submission Summary:	Gives effect to the NPS-UD and provides for the sustainab	ble management of growth in the region.	
Decision Sought:	Adopt as notified.		
Staff Recommendations:	Accept		
Submission Number:	17: 15 Submission Ty	pe: Support in Part	
Submitter:	Royal Forest & Bird Protection Society of NZ - BOP branc	hes	
Submission Summary:	There is an inconsistency between the policy and the Explanation. Rural land that does not meet the definition of versatile land (Class 1-3), can nevertheless be highly productive e.g. the Opotiki Tablelands and Paerata Ridge kiwifruit production area which are Class 4.		
Decision Sought:	Amend Policy UG 19B to clarify that the productive potent compromised.	al of rural land, particularly versatile land, is n	
Staff Recommendations:	Reject		
Submission Number:	18: 7 Submission Ty	pe: Support in Part	
Submitter:	Horticulture New Zealand		
Submission Summary:			
Decision Sought:	Amend Policy UG 19B to require that Territorial authorities rural lifestyle, except where: a. the overall productive capacity of the highly pro- considered on a district- wide basis; and b. there are no other options available within the land that is not highly productive land; and c. additional land is required for rural lifestyle pur	oductive land will be enhanced, when district to provide for a rural lifestyle zone on	
Staff Recommendations		Produced: 5/06/2023 5:44:14 r	

transferable development rules.

Staff Recommendations:	Reject		
Submission Number:	28: 9	Submission Type:	Support
Submitter:	Tumu Kaituna 14 Trust		
Submission Summary:	Gives effect to the NPS-UD and provides for the sustainable management of growth in the region.		
Decision Sought:	Adopt Policy UG 19B as notified		
Staff Recommendations:	Accept		

Section: Policy UG 20B (submission points specific to this policy)

Staff Recommendation

Retain Policy UG 20B as notified.

Staff Reason

Submissions 7-12, 9-22, 16-10, 18-8 20-11 and 28-10. Support for Policy UG 20B is noted.

Submission 15-10 seeks changes to ensure rural activities are not impacted by reverse sensitivity effects and to insert a new definition for rural based industry.

Staff consider that a new definition for rural based industry is outside the scope of Proposed Change 6. The RPS recognises reverse sensitivity effects on existing lawfully established activities through various policies. Of relevance are the following operative RPS provisions:

- Policy UG 20B: Managing reverse sensitivity effects on rural production activities and infrastructure in rural areas.
- Policy EI 7B: Managing the effects of infrastructure development and use.
- Policy AQ 1A: Discouraging reverse sensitivity effects associated with odours, chemicals and particulates.
- Policy EI 3B: Protecting nationally and regionally significant infrastructure

The primary purpose of Proposed Change 6 is to give effect to the responsive planning and intensification requirements of the NPS-UD. Broader urban and rural growth management issues will need to be addressed as part of the pending RPS review. In the interim, staff consider reverse sensitivity effects are appropriately recognised by the aforementioned RPS provisions which remain relevant to new urban growth proposals.

FS 2-4 considers that the proposed definition could have unintended consequences in its application. Staff agree with this submission point and consider that the relief sought by submission 15-10 is outside of the scope of Proposed Change 6.

FS 9-11 opposes submission 15-10 on the basis that such effects in relation to reverse sensitivity should be mitigated at the source. Staff disagree with this submission and consider that the policies within the RPS should be considered where relevant.

Submissions

		1	
Decision Sought:	Retain changes to Policy UG 20B	as notified	
Submission Summary:	Support this consequential change to align with other changes.		
Submitter:	Tauranga City Council		
Submission Number:	9: 22	Submission Type:	Support
Staff Recommendations:	Accept		
Decision Sought:	Retain Policy UG 20B		
Submission Summary:	Toi Te Ora supports this policy bec development in rural areas public h uses provides the best protection f	nealth will be safeguarded. Th	ately located subdivision use and e separation between incompatible land
Submitter:	Toi Te Ora Public Health		
Submission Number:	7: 12	Submission Type:	Support

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Staff Recommendations:	Accept		
Submission Number:	15: 10	Submission Type:	Support in Part
Submitter:	Fonterra Ltd.		
Submission Summary:	0, 11	Policy UG 20B. However, Fonterra co Il activities are not impacted by revers	5
Decision Sought:	Amend Policy UG 20B as follows (or words with similar effect):		
	rural areas Require that subdivision, us compromise or result in rev (a) Rural production (b) The operation of And Consequential amendments And	erse sensitivity effects on: n activities and rural based industries, f infrastructure located beyond existin s to the explanation of Policy UG 20B	cluding rural lifestyle activities) does not , and ng and planned urban areas.
	Rural based industry: an ac activities involving animal, a rural transportation and agr agricultural produce includin feedmills, meat and poultry	agriculture, forestry or horticultural cro	or processes the output of land based ops, and includes (but is not limited to) oreliminary packaging and processing of saleyards, sawmills, grain silos and and / or discharge of dairy factory

er Submission(s)			
Further Submission No:	2 - 4	Submission Type:	Oppose
Further Submitter:	Royal Forest & Bird Protection Society of NZ - BOP branches		
Submission Summary:	Policy UG 20B The proposed definition of rural-based industry considerably expands the current definition in the RPS for rural production activities and other activities that "directly support" rural land use activities. This could have unintended consequences for the application of some district plans, especially in Eastern Bay of Plenty.		
Decision Sought:			
Staff Recommendation:	Accept		
Further Submission No:	9 - 11	Submission Type:	Oppose
Further Submitter:	Kainga Ora		
Submission Summary:	Kainga Ora opposes the relief sought in relation to reverse sensitivity effects and considers that effects from the operation of farming activities, namely industrial farming activities should first be mitigated at the source. Kainga Ora considers that a policy requiring decision makers to protect primary production from reverse sensitivity effects that might arise from new activities taking place in those areas is ambiguous, overly directive, and places undue responsibility on the receiving environment to mitigate adverse effects.		
Decision Sought:	Reject submission.		
Staff Recommendation:	Reject		

Submission Number:	16: 10	Submission Type:	Support
Submitter:	Ford Land Holdings Pty		
Submission Summary:	Gives effect to the NPS-UD and provides	s for the sustainable mar	nagement of growth in the region.
Decision Sought:	Adopt as notified.		
Staff Recommendations:	Accept		
Submission Number:	18: 8	Submission Type:	Support
Submitter:	Horticulture New Zealand		
Submission Summary:	Support minor amendments but retention	n of policy	
Decision Sought:	Retain Policy UG 20B subject to minor amendments [not specified]		
Staff Recommendations:	Accept		
Submission Number:	20: 11	Submission Type:	Support
Submitter:	KiwiRail Holdings Ltd		
Submission Summary:	KiwiRail supports Policy UG 20B as notif this submission align with the changes p		ne amendments outlined by KiwiRail in
Decision Sought:	Retain Policy UG 20B as notified.		
Staff Recommendations:	Accept		
Submission Number:	28: 10	Submission Type:	Support
Submitter:	Tumu Kaituna 14 Trust		
Submission Summary:	Gives effect to the NPS-UD and provides	s for the sustainable mar	nagement of growth in the region.
Decision Sought:	Adopt Policy UG 20B as notified		
Staff Recommendations:	Accept		

Section: Policy UG 22B (submission points specific to this policy)

Staff Recommendation

Amend clauses (a) and (b) of Policy UG 22B to read as follows:

(a) Enabling Maori to develop their land, including but not limited to papakainga housing, community and social housing, marae and community facilities;

(b) Providing for tikanga Maori and opportunities for Maori involvement in appropriate circumstances, for Maori involvement in decision-making on resource consents, designations and heritage orders.

Amend the policy explanation by correcting the reference to Policy UG 7A in the second paragraph and correcting the grammatical error for 'than' in the third paragraph.

Delete the fifth paragraph of the policy explanation which reads: 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.

Staff Reason

Submissions 16-11, 9-23 and 28-11. Support for Policy UG 22B is noted.

Submission 14-3 accepts the policy as notified, subject to FS point 14-4.

Concerns raised by submission 14-4 in relation to cultural offsetting are acknowledged. The submitter seeks BOPRC develop a cultural heritage and mahinga kai site process to deal with the net loss of these sites in a similar manner to transferable development rights.

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Staff acknowledge these mechanisms may be appropriate means of assisting with further developing a cultural offset framework. Given the level of opposition to cultural offsetting from tangata whenua, staff consider mechanisms to progress such require wider engagement and consultation.

Proposed Change 6 scope is limited to giving effect to the NPS-UD and wider changes should be dealt with as part of the RPS review in 2024. For these reasons staff recommend that this submission is declined.

Concerns raised by submissions 3-3, 3-4 and 24-2 in relation to cultural offsetting are acknowledged. Cultural offsetting is still a novel process and specific provision for it as a method or policy was opposed by a number of tangata whenua representatives consulted. A cultural offsetting research project is being progressed by the SmartGrowth Combined Tangata Whenua Forum which should hopefully build a better understanding of how it can be applied in practice. Tangata whenua have discretion whether or not to employ offsetting as a mechanism in their own processes, including cultural impact assessments.

For these reasons, staff recommend accepting submissions seeking to remove reference to offsetting in the explanation text for Policy UG 22B.

Submission 5-6 seeks amendment to promote Papakainga in urban settings by providing plan enabled urban Papakainga as a new clause. This submission also seeks that the RPS promotes urban Papakainga to recognise the diverse needs for housing and layouts.

Staff consider clauses a, b and c are sufficient in ensuring Maori are able to develop their land in a way that is meaningful to them, and recognise that through Methods 1, 2 and 3 of the RPS, this policy will be relevant within district plan amendments and resource consent proposals. It is within these processes that territorial authorities along with iwi and hapu will be able to consider diverse needs for housing typologies and layouts which is most relevant at the local scale.

Further, the explanation statement for this policy recognises that provision is made for accommodating growth through Papakainga development on ancestral land both within and outside of existing and planned urban areas. This policy is also a relevant consideration for FDS, spatial planning and other relevant Council projects capable of providing for Maori urban growth aspirations.

Where there may be Maori land opportunities that have not been accounted for within planned urban areas, Policy UG 7A is also relevant for opportunities that present significant development capacity.

Submission 10-2 and FS 5-6 and 3-11 seek amendments to weaken Policy UG 22B to 'take into account' rather than 'provide' for Te Tiriti o Waitangi principles.

Staff acknowledge that Objective 5 of the NPS-UD require decision makers to take into account Te Tiriti o Waitangi principles. Additionally, NPS-UD Policy 9 outlines that local authorities must:

a) involve hapu and iwi in the preparation of RMA planning documents and any FDSs by undertaking effective consultation that is early, meaningful and, as far as practicable, in accordance with tikanga Maori; and

b) when preparing RMA planning documents and FDSs, take into account the values and aspirations of hapu and iwi for urban development; and

c) provide opportunities in appropriate circumstances for Maori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Maori and issues of cultural significance; and

d) operate in a way that is consistent with iwi participation legislation.

Objective 5 and Policy 9 of the NPS-UD seek to ensure planning decisions take into account Te Tiriti o Waitangi principles, but also requires that local authorities must provide opportunity for hapu and iwi involvement in decision making. Within that requirement to involve, decision makers must take into account the values and aspirations of hapu and iwi for urban development.

Staff recognise that the NPS-UD has elements of where Te Tiriti o Waitangi Principles shall be taken into account under Objective 5. In turn there are elements of Te Tiriti o Waitangi principles that local authorities must implement in giving effect to Policy 9 of the NPS-UD.

Referencing 'taking into account' within Policy UG 22B of the RPS does not provide enough emphasis on local authority requirement to give effect to Policy 9 of the NPS-UD specifically as it relates to the requirement for meaningful consultation.

The requirement to take into account a policy direction involves demonstrating the directive has been acknowledged and understood with discretion to dismiss. The requirement to 'provide for' the specific directives in Policy UG 22B carries stronger weight and obligations on decision makers.

Staff consider that the text of Policy UG 22B: 'ensuring planning decisions provide for te Tiriti o Waitangi principles..." more effectively addresses the requirements of NPS-UD Objective 5 and Policy 9 appropriately. Staff recommend that these

submissions are declined.

Submission 10-3, 10-4, and FS 3-12, 3-13 and 5-7 seek amendment to Policy UG 22B to recognise existing use rights and existing lawful activities.

Sections 10, 10A and 20A of the Resource Management Act sets out the protections for existing lawful activities as such, those activities are not relevant to be assessed against this policy.

New proposed incompatible activities or developments in proximity to existing marae which may generate reverse sensitivity effects will be captured by Policy UG 22B. Existing activities proposed to operate outside their existing use rights and in breach of a resource consent or regional or district planning rules, will need to be considered against this policy to protect Marae and papakainga from further incompatible uses and reverse sensitivity effects.

Staff recognise that the Resource Management Act functions under sections 10, 10A and 20A are relevant to existing lawful activities and sets a baseline for a degree of effect that is accepted. Giving effect to Te Tiriti o Waitangi means that further adverse effects are not acceptable, and Policy UG 22B aims to enforce this.

Staff do not consider it necessary to refer to exiting use rights or existing lawful activities as such activities are afforded protection when operating within their lawful parameters. Staff recommend that these submissions are declined.

Submission 25-8 seeks that economic activities be included as reference to enabling Maori to develop their land. The submission point refers to commercial activities such as tourist accommodation is another key reason for Maori developing their land, this point is acknowledged and staff consider that Policy UG 22B as worded does not inhibit the consideration of economic or commercial activities, although the reference to 'economic activities' is vague. The explanation statement acknowledges that this policy extends Te Tiriti o Waitangi principles to all Maori development.

Giving effect to Policy UG 22B requires local authorities to demonstrate how Maori values and aspirations during consultation have been provided for. Staff consider that specific reference to economic activities is not required and recommend that this submission is declined.

Submission 25-9 seeks changes to address a grammatical error. Staff recommend that this submission is accepted.

Submission 33-9 seeks changes to Policy UG 22B to better reflect the requirements of the NPS-UD Policy 9, clause (c) which refers to:

- provide opportunities in appropriate circumstances for Maori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Maori and issues of cultural significance.

Clause (c) is captured in Policy UG 22B through broadening reference to 'Council's decision-making processes' which would include resource consents, designations, heritage orders, and water conservation orders.

Additionally, this policy is linked to RPS Methods 1, 2 and 3 which requires implementation through city, district and regional plans, resource consents and notice of requirements must give effect to this policy.

The submission acknowledges that referring to what is required within the NPS-UD policy will remove any ambiguity and make it clear how planning decisions on resource consents, designations, and orders should provide for the Tiriti o Waitangi principles.

Staff agree that until such time that any of the district or regional plans have been updated to give effect to this policy where there may be gaps in such plans, it is particularly relevant to district and regional decision makers to make sure that this policy is appropriately considered.

Staff recommend that this submission is accepted in part. Staff consider it to be inappropriate to broader the policy to refer to water conservation orders. While these involve "planning decisions", local authorities do not have direct functions or a decision-making role in relation to water conservation orders, which goes through a Ministry for the Environment and Special Tribunal process

FS 5-8 opposes this submission and considers the proposed amendment is broad and without clear direction or scope, and that confusion may be created at an operational and processing level that will not promote the efficient and effective administration of our built and natural resources.

Staff do not agree and consider that the proposed relief sought by submission 33-9 offers further clarity on what decision makers should be considering in providing for te Tiriti o Waitangi principles. Staff recommend that this FS is declined.

Submission 33-10 refers to the explanation statement to Policy UG 7B, acknowledging that this Policy UG 22B does not exist. Staff agree and note that this should refer to Policy UG 7A which refers to the relevancy of unanticipated and out of sequence developments.

This submission also seeks reference to acknowledge that difficulties involved in developing multiple owned Maori land are outside of the responsibilities of local authorities. Staff do not consider this reference is necessary and does not offer greater

clarity on giving effect to the NPS-UD. This submission also refers to cultural off-setting which is addressed within the sections above of this report.

Staff recommend that this submission is accepted in part based on the recognition of an error to policy reference UG 7A.

Submission 23-8 and FS 9-18 seek amendments to specifically reference community and social housing within clause (a) and 'Maori development' be included in clause (e) for the protection from incompatible uses or development and reverse sensitivity effects.

Staff agree in part with the relief sought. The term 'Maori development' is undefined and could conceivably include a wide range of different development and uses. The implications of extending the protection in clause (e) in the way sought has not been adequately identified or assessed. This could create unintended restrictions on the surrounding environment and the ability to develop in proximity to land on which Maori development is undertaken.

The term 'Maori development' is included within the explanation statement in reference to ensuring that planning decisions relating to urban environments take into account the principles, as well as iwi and hapu aspirations for urban development. Maori development aspirations include (but are not limited to) the development of community and social housing as recognised by this submission.

Staff consider that the term 'Maori development' is appropriately referenced within the explanation statement by way of providing for Maori development without creating unintended restrictions on the surrounding environment.

Submission 27-4 seeks recognition of the National Grid within this policy to acknowledge that in limited circumstances the National Grid may have a functional need or operational need to locate in areas of importance to Maori. Infrastructure such as the National Grid that is existing or planned through a consent or designation is provided for through Policy EI 3B: Protecting nationally and regionally significant infrastructure.

Policy UG 22B will be relevant to any new significant infrastructure requirements that are not already existing, consented or designated.

Staff consider that the operative RPS provisions adequately protect significant infrastructure such as the National Grid and further recognising them within Proposed Change 6 policies is superfluous and unnecessary. For these reasons, staff recommend that this submission is declined.

Submission 9-24 contends the link to Policy UG 7A will create unintended restrictions on Maori owned land. Specifically, the requirement for unanticipated or out of sequence developments in the Tauranga and Western Bay of Plenty districts to be 5ha or more may not be feasible.

Ministry for the Environment guidance recognises that Policy 8 of the NPS-UD requires local authorities to be responsive to plan changes that would add significantly to development capacity even if the development capacity is unanticipated by RMA planning documents or out-of-sequence with planned land release. The criteria listed within Policy UG 7A help consider whether development fulfils needs for identified demand.

Policy UG 7A applies to all and any land that forms part of an urban environment. For the Western Bay of Plenty, 5ha is the minimum land size that would enable a proposal for growth to be considered as providing significant capacity.

Staff do not consider that this would create unanticipated restrictions for Maori owned land as Maori aspirations for urban development should firstly be considered within an iwi or hapu resource management plan, FDS or similar territorial authority endorsed process and can be provided for through the enabling direction of Policy UG 22B itself. Staff recommend that this submission is declined.

Submission Number:	3: 3	Submission Type:	Support in Part		
Submitter:	Retimana Whanau Trust				
Submission Summary:	Support amending Policy UG 22B from 'Providing for Papakainga' to 'Te Titiri o Waitangi Principles'. Currently operative Policy UG 22B has a narrow focus only providing for Papakainga including marae- based housing outside urban areas and the urban limits. The operative policy doesn't recognise nor provide for urban marae which have existed for many generations. It is more appropriate to enable Maori land development both inside and outside urban areas.				
	take into account Te Tiriti o Waitangi broader focus on planning decisions a seeks to ensure planning decisions p Policy UG 22B by seeking to (e) prote	principles. The new 'Te Tiri and encapsulates both urba rovide for Te Tiriti o Waitan act marae and Papakainga	decisions relating to urban environments ti o Waitangi Principles' policy has a an and rural marae and papakainga. It gi principles and expands on the existing from incompatible uses or development p their land, including but not limited to		

Papakainga housing, marae and community facilities.' These provisions seek to provide for te Tiriti o Waitangi principle of active protection.

	involvement i iwi, hapu and	in Council's decision n I affected Maori land tr	naking processes and (c) enal	ri and opportunities for Maori bling early and ongoing engagement with w Maori values and aspirations identified
	lt also seeks	to (d) identify and prot	ect cultural significant areas a	ind view shafts.
	benefits parti new Te Tiriti	cularly in terms of mee o Waitangi policy in re	eting the government's urban lation to urban development is	tribute to social, cultural and economic housing objectives. The addition of a s expected to clarify the obligations for d Te Tiriti o Waitangi principles.
Decision Sought:		v UG 22B 'Te Tiriti o W ts (set out below)	aitangi Principles' subject to r	emoving explanatory text relating to
Staff Recommendations:	Accept			
Further Submission(s)				
Further Submiss	sion No:	5 - 6	Submission Ty	be: Oppose
Further Submitte	er:	Balance Agri-Nutrier	nts	
Submission Sun	nmary:	Policy UG22B in terr	ms of our submission to ensu	otified however also seek amendment to e alignment with the higher order existing use as per our submission
Decision Sough	t:			
Staff Recommen	ndation:	Reject		
Submission Number:	3: 4		Submission Type:	Oppose
Submitter:	Retimana Wł	nanau Trust		
Submission Summary:	explanation to these princip	ext for Policy UG 22B les is through methods	includes the following paragra	concept of 'cultural offsetting'. The ph 'One of the means of giving effect to h tangata whenua to offset the impacts a.'
	SmartGrowth effects of urb	n Combined Tangata V an development. Simi	Vhenua Forum. It is proposed	project being championed by the as a means of addressing cultural ffsetting which has been well stablished aroa.
	We would pre this point in ti		tion does not include the para	graph referencing cultural offsetting at
	cultural offset	tting techniques or me ment activities or as pa	asures to avoid, remedy or m	enua to explore nor propose specific tigate adverse cultural effects of the use impact assessments for resource
Decision Sought:	effect to thes	e principles is through		y UG 22B: 'One of the means of giving iction with tangata whenua to offset the es or area
Staff Recommendations:	Accept			
Submission Number:	5: 6		Submission Type:	Support in Part
Submitter:	Kainga Ora			
Submission Summary:	kaumatua ho within the BC consideration will help to er district/city pl	using in district plans OP Region. However, in of future or proposed nable development on an provisions. This wil	and consider there is room for t is not clear if this policy is for marae and papakainga also. existing marae and papakain	on marae and papakainga, as well as improvement across all regulatory plans existing marae and papakainga or the By including this additional wording this ga and reduces any ambiguity for those o their existing land, where new land is pgraded or

	redeveloped.
	Kainga Ora also seeks that the RPS promotes urban papakainga to recognise that the diverse nee housing typologies and layouts.
Decision Sought:	Amend Policy UG 22B as follows: Te Tiriti o Waitangi Principles Ensure planning decisions provide Tiriti o Waitangi principles by:
	(a) Enabling Maori to develop their land, including but not limited to existing and future papakainga housing, marae and community facilities.
	(aa) Promoting papakainga in urban settings by providing plan enabled urban papakainga.
Staff Recommendations:	Reject
Submission Number:	9: 23 Submission Type: Support
Submitter:	Tauranga City Council
Submission Summary:	Support removal of current Policy UG 22B to more broadly reflect the application to te Tiriti o Wait principles to local authority decisions on urban development, which go well beyond enabling devel of papakainga.
Decision Sought:	Delete Policy UG 22B (as notified)
Staff Recommendations:	Accept
Submission Number:	9: 24 Submission Type: Seek Amendment
Submitter:	Tauranga City Council
Submission Summary:	Support full replacement of Policy UG 22B to more broadly reflect the application to te Tiriti o Wait principles to local authority decisions on urban development. However, we request minor amendm and clarifications for consistency as follows.
	As noted in relation to Policy UG 7A, the explanation to this policy states that Policy UG 7A applies Maori 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 W Bay of Plenty District urban environments, the scale of the development would need to be 5 hecta more for the responsive planning policies to apply. This large scale may not be feasible in relation Maori development, and we suggest that this statement is reconsidered to avoid any unintended restrictions on the development of Maori land.
Decision Sought:	Retain new Policy UG 22B with correct of reference to Policy "UG 7B" – should be UG 7A. [para 2 'Explanation']
Staff Recommendations:	Reject
Submission Number:	10: 2 Submission Type: Oppose
Submitter:	Balance Agri-Nutrients
Submission Summary:	Policy in entirety & in particular the opening sentence
	By amending the phrase to remove 'provide' and utilse 'shall take into account', the policy will refle wording and intention of s8 of the Resoure Managment Act 1991 & Objective 5 of the NPS UI 202
Decision Sought:	Amend RPS Change 6 to ensure consistency with higher order planning instruments and recognis existing lawful activities and their needs. We note this may requrie amendment to the balance of L the Policy Statement or other relief to acheive this
Staff Recommendations:	Reject
Further Submission(s))
	sion No: 3 - 11 Submission Type: Support

			and Further Submissions
	Further Submitte	er:	Fonterra Ltd.
	Submission Sur	nmary:	For the reasons outlined in the Ballance Agri-Nutrients submission.
	Decision Sought:		Accept submission.
	Staff Recomme	ndation:	Reject
Submiss	ion Number:	10: 3	Submission Type: Oppose
Submitte	er:	Balance Agi	ri-Nutrients
Submiss	ion Summary:	Policy UG 2	2B (d)
		is consisten	ent that recognises existing, lawful activies recognises the purpose of the RMA 1991 (Part 2 t with provisions for exisiting use and s104 & s124 to s124C of the RMA 1991 and reflects the the NPS UD 2020 to direct future development of urban areas .
Decision	Sought:		Change 6 to ensure recognition of existing lawful activities and their future needs. We note Iment may require variation to the balance of UG 22B or the policy statement or other relief to .
Staff Red	commendations:	Reject	
Further	· Submission(s))	
	Further Submiss	sion No:	3 - 12 Submission Type: Support
	Further Submitte	er:	Fonterra Ltd.
	Submission Sur		For the reasons outlined in the Ballance Agri-Nutrients submission.
	Decision Sough	-	Accept submission.
	Staff Recomme		
			Reject
Submiss	ion Number:	10: 4	Submission Type: Oppose
Submitte	er:	Balance Agi	ri-Nutrients
Submiss	ion Summary:	Policy UG 2	28 (e)
		Our reasons (d) above.	s for recommending these proposed changes are those outlined in respect of Policy UG 22B
Decision	Sought:	when applyi	Change 6 to ensure recognition of the needs and future needs of exisiting, lawful activities ng Policy UG 22B(e). We note such amendment may require variation to the balance of 2B or the policy statement or other such relief to acheive this.
Staff Red	commendations:	Reject	
Further	Submission(s		
	Further Submiss	sion No:	3 - 13 Submission Type: Support
	Further Submitte	er:	Fonterra Ltd.
	Submission Sur	nmary:	For the reasons outlined in the Ballance Agri-Nutrients submission.
	Decision Sough	t:	Accept submission.
	Staff Recomme	ndation.	Reject

Submission Number:	14: 3	Submission Type:	Support		
Submitter:	Ngati He hapu				
Submission Summary:	take into account Te Tiriti o Waitangi p broader focus on planning decisions a seeks to ensure planning decisions pr Policy UG 22B by seeking to (e) prote and reverse sensitivity effectsand (a Papakainga housing, marae and com Waitangi principle of active protection. New Policy UG 22B goes further by pr involvement in Council's decision- ma	6 22B goes further by providing for (b) tikanga Maori and opportunities for Maori Council's decision- making processes and (c) enabling early and ongoing engagement and affected Maori land trusts and (f) demonstrating how Maori values and aspirations			
		ve been recognised and pr			
Decision Sought:	Amend Policy UG 22B from 'Providing Retain Policy UG 22B 'Te Tiriti o Wait subsequent submission point].				
Staff Recommendations:	Accept in Part				
Submission Number:	14: 4	Submission Type:	Oppose in Part		
Submitter:	Ngati He hapu				
Submission Summary:	Cultural off setting – explanation text for Policy UG 22B Te Tiriti o Waitangi Principles				
		ludes the following paragra eveloped in conjunction wit	aph 'One of the means of giving effect to th tangata whenua to offset the impacts		
	does give caution to the use of offsets off heritage value. It is from learning w standard and in essence the intent slid - appropriate enforcement is not given	and the normalisation of a rith biodiversity that mitigat de if the : , and			
	The later gives rise to the need for the technology available like GPR, ground box. Alongside this needs to sit the net the intent.	I penetrating radar to be m			
	as they are real and have been well do made known this caution. The RMA is when entering notified applications an arguments to be tested. This relates to hearings process and cannot take ma	boumented. As the threats a balancing Act and a lot d have not really been affo the attrition experienced l tters further. On the other h ence in the representatives	of mitigation is made in side agreements rded the opportunity for case law and by tangata whenua in the appeal and		
	Offsetting and Compensation. In my o Koroua Taane Wharemokai and Tame amount of sites disturbed or lost. The of any unknown loss and a case for m	e Rangiteaorere Heke Kaia case for the cultural sites v	wha around our rohe, and that is the vould have an opportunity for the record		
	Villages and Pa that names tuku iho h waterway resources. The wetlands or acknowledged in many biodiversity as Weight given or even the inclusion of	remnant features of mahin sessments. The same can	ga kai sites mis interpretated or not be said for archaeological assessments.		

l actually thought the district and city councils would be paying more attention or investing more into
cultural heritage. Though i see city and regional planning just rolling ahead and hence seem this coming
to raise this through this regional plan review. The BOPRC Cultural Heritage Assessment Criteria are
there and do provide some information for the sites to be included, however without further research into
the sites

identified offered or even access then these sites get omitted and cannot be preserved or protected. It is then common practice to then apply for a Heritage Authority to Modify or Destroy sites and record any finds. This approach of the default Heritage Authority process actually records all the net discoveries giving a fair and reasonable description and value. These recordings are the net loss of archaeological sites that comprise of cultural heritage sites and landscapes. The same can be said for the wetland disturbance consents that are issued. The offsetting that is occurring has no to minimal standard for mahinga kai. The standards are usually aesthetic and provide other function such as stormwater control and amenity value to developments.

I Have recorded the loss of many sites of through data collection and mapped these sites loss. I've also used the sites loss to analyse and predict on cultural landscapes what sites will most likely be discovered if disturbed. Coupled with these I have been with kaumatua and matakite who have also provided information valuable to the significance of sites and areas.

This offsetting can occur in other scenarios like alluded to earlier with the loss of mahinga kai areas ie wetlands, so cultural heritage too can have wider definitions as a narrative of that relationship to natural resource(s) are identified.

Cultural offsetting or compensation can be used to address the Treaty of Waitangi Principles and Maori Land Development initiatives especially housing by offering the net loss of cultural significance to be transferred into development rights for Maori. In fact in a fair offset scenario mahinga kai activity such as mahi tuna in a wetland disturbance must create that same scenario at least. With the ancestral occupation being destroyed, the occupation needs to be offset also. If in any of the case where it cannot be offset then it needs to be compensated. In Kaitemako, 3 Large Maori Land Blocks within the former Urban Limits have had their structure planning funding pulled by TCC. The area is in the anticipated growth area. On the other side of the Kaitemako on general land.

Fast Track legislation and the RMA and HPA has been used to remove a significant sites, destroy remnant village and all the associated archaeological sites. TCC have now opened up load with even more visible cultural significant features for a Private Plan Change. This site spans two catchment being the Kaitemako (into the Rangataua) and Pukemapu (into the Waimapu). These yield serving planning processes need to stop.

Any sites destroyed or modified need to be attributed as a net loss. These sites need to be offset or compensated to the tangata whenua concerned.

Decision Sought:	loss of site		al Heritage and Mahinga Kai site pro development rights, develop method	
Staff Recommendations:	Reject			
Submission Number:	16: 11		Submission Type:	Support
Submitter:	Ford Land	Holdings Pty		
Submission Summary:	Gives effect	t to the NPS-UD and	l provides for the sustainable manag	ement of growth in the region.
Decision Sought: Adopt as notified.				
Staff Recommendations:	Accept			
Further Submission(s)			
Further Submis	sion No:	5 - 7	Submission Type:	Oppose
Further Submit	ter:	Balance Agri-Nu	trients	
Submission Su	mmary:	Policy UG22B to	ion of the RPS Change as notified he ensure alignment with the the highe ition of existing use as per our subm	r order planning instruments and
Decision Sough	nt:			

Staff Recommendation: Reject
Submission Number:23:8Submission Type:Support
Submitter: Nga Potiki a Tamapahore Trust
Submission Summary: Support the introduction of Policy UG22B which introduces a broader scope for Maori principles to b considered through the Treaty of Waitangi.
The policy enhances the ability for Maori involvement in planning processes and also promotes a br range of Maori development opportunities which is currently limited to Papakainga in existing Policy UG22B.
In is considered however additions to clause (a) and (e) as set out below for provide for greater ove flexibility for Maori led development.
Decision Sought: Support the introduction of Policy UG22B with amendments
Amend Policy UG22B, Clause (a) as follows: Enabling Maori to develop their land, including but not limited to papakainga housing, community ar social housing, marae and community facilities
Amend Policy UG22B, Clause (e) as follows: (e) Protecting marae, papakainga and Maori development from incompatible uses or development a reverse sensitivity effects
Staff Recommendations: Accept in Part
Further Submission(s)
Further Submission No: 9 - 18 Submission Type: Support
Further Submitter: Kainga Ora
Submission Summary: In line with the Kainga Ora submission, Kainga Ora supports enabling Maori to devel their land and supports policies that reduce barriers to do so.
Decision Sought: Accept submission.
Staff Recommendation: Accept in Part
Submission Number: 24:2 Submission Type: Oppose
Submitter: Ngati Moko
Submission Summary: Cultural off setting - explanation text for Policy UG 22B Te Tiriti o Waitangi Principles
Te lhu o le Waka o te Arawa members are concerned about the concept of 'cultural offsetting'. The explanation text for Policy UG 228 includes the following paragraph 'One of the means of giving effect these principles is through methods developed in conjunction with tangata whenua to offset the imp of urban development on culturally significant values, sites or area.'
Cultural offsetting is a novel concept introduced in response to a project being championed by the SmartGrowth Combined Tangata Whenua Forum. It is proposed as a means of addressing cultural effects of urban development. Similar in concept to biodiversity offsetting which has been well estab and applied in consents and plan change processes across Aotearoa.
While we acknowledge the project being undertaken by the SmartGrowth Combined Tangata When Forum we are also mindful it must still be developed into a robust framework, tested, consulted on a refined. We prefer waiting for the cultural offsetting project to be completed and consultation underta with Te Ihu o le Waka o Te Arawa members to determine whether a level of comfort and support ca reached. Until that time we would prefer the policy explanation does not include the paragraph referencing cultural offsetting.
Removing this paragraph does not limit the ability for tangata whenua to explore nor propose specif cultural offsetting techniques or measures to avoid, remedy or mitigate adverse cultural effects of th and development activities or as part of consultation and cultural impact assessments for resource consent applications.
Decision Sought: Delete the following paragraph from the explanation text for Policy UG 22B:

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 area.

Staff Recommendations:	Accept			
Submission Number:	25: 8 Submission Type: Support			
Submitter:	Rotorua Lakes Council			
Submission Summary:	Economic activities i.e. commercial (e.g., tourist accommodation) are another key reason for Maori developing their land			
Decision Sought:	Amend Policy UG 22B (a) to include reference to economic activities			
Staff Recommendations:	Reject			
Submission Number:	25: 9 Submission Type: Support			
Submitter:	Rotorua Lakes Council			
Submission Summary:	Re Explanation - Grammatical Error			
Decision Sought:	In relation to the explanation: - "Loan criteria from lending institutions are stricter then for lending against general title land." Replace 'then' with 'than.'			
Staff Recommendations:	Accept			
Submission Number:	27: 4 Submission Type: Oppose in Part			
Submitter:	Transpower New Zealand Ltd			
Submission Summary:	With respect to the new policy, Te Tiriti o Waitangi Principles Transpower respects the importance of the matters identified. However, Transpower will likely need to locate the National Grid in areas that have Maori values or are significant areas. Transpower works hard to avoid these areas but it is not always possible. As such a policy pathway is required to enable a consenting route for National Grid assets. It is therefore suggested that the policy be amended to include provision for the National Grid where there is a functional need or operational need. Please note that the proposed wording is draft only, Transpower would be willing to work with the parties to refine this as appropriate.			
Decision Sought:	Amend Policy UG 22B: Te Tiriti o Waitangi Principles and the Explanatin, as follows:			
	Ensure planning decisions provide for te Tiriti o Waitangi principles by:			
	 (g) To acknowledge that in limited circumstances the National Grid may have a functional need or operational need to locate in areas of importance to Maori. Extensive consultation will be undertaken if this is required.			
	Explanation			
	Maori housing and associated activities including growth through papakainga development on ancestral land both within and outside of existing and planned urban areas. Protection of marae from reverse sensitivity effects generated by incompatible uses or development that could constrain or inhibit cultural activities expected on a marae. However, some activities including the National Grid can have a functional need or operational need to be located in sensitive areas. While these are to be avoided if possible, there needs to be a path to consent for such activities/infrastructure with national or regional significance.			
Staff Recommendations:	Reject			
Submission Number:	28: 11 Submission Type: Support			
Submitter:	Tumu Kaituna 14 Trust			
Submission Summary:	Gives effect to the NPS-UD and provides for the sustainable management of growth in the region.			
Decision Sought:	Adopt Policy UG 22B as notified			
Staff Recommendations:	Accept			

Submission Number:	33: 9	Submission Type:	Support in Part
Submitter:	Western BOP District Council		
Submission Summary:	The scope of Providing for Papakainga v outside of planned urban development.	vas narrow and only focu	ised on the development of Maori land
	We support the move to a more principle decisions can reflect the principles of Te		generally focuses on the how planning
	Policy UG 22B, largely reflects Policy 9 v 2020, however providing opportunities fo consents (NPS Policy 9(c)) is not specific	or Maori involvement in d	ecision making around resource
	Policy UG 22B (b) addresses Maori invo Policy 9(d). Including a statement which and make it clear how planning decisions for te Tiriti o Waitangi principles.	specifically addresses N	PS Policy 9(c) will remove any ambiguity
Decision Sought:	Delete Policy UG 22B Providing for Papa Principles as notified, as follows:	akainga and insert of nev	v Policy UG 22B Te Tiriti o Waitangi
	Add "Provide opportunities, in appropriat resource consents, designations, heritag		

Staff Recommendations:	ecommendations: Accept					
Further Submission(s)						
Further Submission No:		5 - 8	Submission Typ	e:	Oppose	
Further Submit	ter:	Balance Agri-Nutrients	Balance Agri-Nutrients			
Submission Summary:		The proposed amendment is broad an without clear direction or scope. The RMA and higher order planning documents provide for, mandate and indicate how such involvement shouls and can be taken place. We support such involvement and consider it to be og benefit toour community and environment as a whole, however by inclusion of such broad and non-specific policy, we consider confusion may be created at an operational and processing level that will not promote the efficient and effective administration of our built and natural resources.				
Decision Soug	ht:					
Staff Recomme	endation:	Reject				
Submission Number:	33: 10		Submission Type:	Sup	port in Part	
Submitter:	Western BC	P District Council	51			
Submission Summary:	Policy UG 2	2B – Explanation stateme	nt, pages 33-34			
			references Policy UG 7B w ne scope of changes set ou		non-existent in the operative oposed Change 6.	
developing the country		Maori land is a significant i		n the V	iers that Maori face when Vestern Bay District and across utside of the responsibilities, and	
offsetting wit WBOPDC re		thin the explanation text ra	ther than as a main policy,	thus g	I to include references to cultural iving the statement less weight. erns that some hapu have raised	
	concept of cu significance t		e Ihu o Te Waka o Te Araw npact that this could have c with Bay of Plenty Regiona done to fully address these.	on culti al Cou		
robust framew					s yet to be developed into a with hapu before any reference	

 Regional Policy Statement

 Decision Sought:
 Amend Policy UG 22B, Paragraph 2, Explanation statement to refer to Policy UG 7A

 Amend Paragraph 3 by adding "Whilst outside the responsibilities of local authorities, it should be noted that the difficulties......" to beginning of paragraph

Staff Recommendations: Accept in Part

Section: Policy UG 24B (submission points specific to this policy)

Staff Recommendation

Retain Policy UG 24 as notified.

Staff Reason

Submissions 16-12, 28-12, 18-9 and 9-25. Support for Policy UG 24B as notified is noted.

Submission 15-11 seeks changes to strengthen the policy wording to 'avoid' rather than 'manage reverse sensitivity effects on existing rural production and rural industrial activities both within or adjacent to, existing or planned urban zoned areas.

Policy UG 20B addresses reverse sensitivity effects on rural production activities and infrastructure in rural areas (i.e., beyond existing or planned urban areas).

The ability to avoid reverse sensitivity effects on existing rural production activities within existing and planned urban zoned areas is more challenging than for those in rural areas. Particularly where there is an expectation that urban land uses and development will proliferate over time. To that end, managing is considered an appropriate response. Staff recommend that this submission is declined.

FS 9-12 opposes the relief sought by submission 15-11, considering that such effects should be mitigated at the source. Staff do not agree with this submission point and consider that future urban growth will need to manage any relevant reverse sensitivity effects on existing rural production activities in existing or planned urban areas.

Staff recommend FS 9-12 is declined.

Submissions

Submission Number:	9: 25	Submission Type:	Support	
Submitter:	Tauranga City Council			
Submission Summary:	Support this consequential cha	nge to align with other changes.		
Decision Sought:	Retain Policy UG 24B as notified			
Staff Recommendations:	Accept			
Submission Number:	15: 11	Submission Type:	Support in Part	
Submitter:	Fonterra Ltd.			
Submission Summary:	Fonterra strongly supports Policy UG 24B. However, Fonterra considers that additional wording is required to ensure that rural activities are not impacted by reverse sensitivity effects.			
Decision Sought:	Amend Policy UG 24B as follows (or words with similar effect):			
	Policy UG 24B: Managing reverse sensitivity effects on existing rural production activities and rural based industries in urban areas.			
		sensitivity effects on existing rural acent to, existing and planned urt	production activities and rural based oan zoned areas.	
Staff Recommendations:	Reject			
Further Submission(s)				
Further Submiss	sion No: 9 - 12	Submission Ty	pe: Oppose	

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Further Submitte	er:	Kainga Ora
Submission Sum	ımary:	Kainga Ora opposes the relief sought in relation to reverse sensitivity effects and considers that effects from the operation of farming activities, namely industrial farming activities should first be mitigated at the source. Kainga Ora considers that a policy requiring decision makers to protect primary production from reverse sensitivity effects that might arise from new activities taking place in those areas is ambiguous, overly directive, and places undue responsibility on the receiving environment to mitigate adverse effects.
Decision Sought		Reject submission
Staff Recommer	ndation:	Reject
Submission Number:	16: 12	Submission Type: Support
Submitter:	Ford Land Hol	dings Pty
Submission Summary:	Gives effect to	the NPS-UD and provides for the sustainable management of growth in the region.
Decision Sought:	Adopt as notifi	ed.
Staff Recommendations:	Accept	
Submission Number:	18: 9	Submission Type: Support
Submitter:	Horticulture Ne	ew Zealand
Submission Summary:	Support minor	amendment but retention of policy.
Decision Sought:	Retain Policy I	UG 24B subject to minor amendment [not specified]
Staff Recommendations:	Accept	
Submission Number:	28: 12	Submission Type: Support
Submitter:	Tumu Kaituna	14 Trust
Submission Summary:	Gives effect to	the NPS-UD and provides for the sustainable management of growth in the region.
Decision Sought:	Adopt Policy U	JG 24B as notified
Staff Recommendations:	Accept	

Section: Method 14 (submission points specific to this method)

Staff Recommendation

Retain deletion of Method 14 as notified.

Staff Reason

Submission 9-27. Support for deletion of Method 14 is noted.

Submissions

Submitter: Tauranga City Council	Submission Number:	ber: 9: 27	Submission Type:	Support
	Submitter:	Tauranga City Council		
Submission Summary: Support this consequential change to align with other changes.	Submission Summary:	mary: Support this consequential change to alig	n with other changes.	
Decision Sought: Delete Method 14	Decision Sought:	Delete Method 14		
Staff Recommendations: Accept	Staff Recommendations:	dations: Accept		

Section: Method 16 (submission points specific to this method)

1455

Staff Recommendation

Retain deletion of Method 16 as notified.

Staff Reason

Submission 9-28. Support for deletion of Method 16 is noted.

Submissions

Submission Number:	9: 28	Submission Type:	Support
Submitter:	Tauranga City Council		
Submission Summary:	Support this consequential change to alig	n with other changes.	
Decision Sought:	Delete Method 16		
Staff Recommendations:	Accept		

Section: Method 18 (submission points specific to this method)

Staff Recommendation

Retain changes to Method 18 as notified.

Staff Reason

Submission 9-29. Support for Method 18 as notified is noted.

Submission 11-8, 29-11, 30-5 seeks that the term 'structure plan' is amended to 'spatial plan'. Staff do not agree with this suggested change as spatial planning is broader than what is involved within a structure plan, nor does this change offer any further clarity in giving effect to the NPS-UD.

Local Government NZ (LGNZ) paper 'Spatial Planning Can Improve Housing and Affordability and Protect Our Environment', (March 2021) acknowledges that the term spatial planning is a broad concept that covers well-defined plans, and narrowly defined plans, as defined below:

Well defined plans (spatial plans) – which set out where and how cities should grow and develop in great detail; and
 Narrowly defined plans (strategic plans) – which set out a strategy focused on securing cost-effective options for future infrastructure development.

Staff recommend submissions seeking this change are declined.

Submission 33-7 seeks that Method 18 is amended to include a new clause to show how a variety of housing typology will be provided for. FS 13-3 opposes the relief sought, considering that such matters should be included in lower order planning documents. Staff agree that it is not the role of the RPS to determine housing typologies. This is a land use and design matter that is better considered at a district planning level.

Staff recommend that submission 33-7 is declined, and FS 13-3 is accepted.

Submission 18-10, and FS 3-14 seek recognition of how reverse sensitivity effects will be managed. As considered throughout this report the operative RPS contains appropriate provisions addressing reverse sensitivity effects. Staff recommend that these submissions are declined.

Submission 26-4 seeks amendments to Method 18 to show how efficient infrastructure servicing sufficient development capacity detailed in Policy UG 6A will be achieved. Sufficient development capacity is achieved by, among other things, large scale land use change to cater for urban development. The RPS defines large scale as a minimum of 5ha.

Staff recommend that this submission is declined.

Submission 31-7 seeks reference to how structure plans to demonstrate how they will support reductions in greenhouse gas emissions and be resilient to the current and future effects of climate change.

Existing RPS climate change provisions will continue to apply to urban growth and development. These are Regional Policy Statement Policy NH 11B Providing for climate change and Policy IR 2B Having regard to the likely effects of climate change.

Existing RPS Policy UG 3A: Promoting travel demand management across the region seeks that actively promote travel demand management across the region to reduce emissions from transport amongst other matters listed. The explanation statement also acknowledges that appropriate policies are required to be included in district plans and the Bay of Plenty Regional Land Transport Plan to actively promote travel demand management.

Further, land use planning is essential in managing the demand for travel. This could include having higher density/mixed use developments close to good public transport links and community facilities.

Method 18 appropriately addresses land uses that contribute to giving effect to Policy UG 3A, while recognising that other policies particularly at the district level can set density and mixed land use provisions that contribute to travel demand and subsequently reduction in greenhouse gas emissions.

Staff consider that climate change and greenhouse gas emissions are adequately reflected within the operative RPS and recommend this submission is declined.

Submission Number:	9: 29	Submission Type: Support	
Submitter:	Tauranga Ci	ty Council	
Submission Summary:	Support thes	e consequential changes to align with other changes.	
	[submission	point refers to changes notified for points (e) and (o) - page 38 of Proposed Change 6]	
Decision Sought:	Retain chan	ges to Method 18 as notified	
Staff Recommendations:	Accept		
Submission Number:	11: 8	Submission Type: Oppose	
Submitter:	Bell Road Li	mited Partnership	
Submission Summary:	The term 'Structure plan' is now more associated with infrastructure planning rather than the broad scop of matters referred to in Method 18.		
Decision Sought:	Replace the	term "Structure plans" with "Spatial plans" in Method 18	
Staff Recommendations:	Reject		
Submission Number:	18: 10	Submission Type: Support in Part	
Submitter:	Horticulture	New Zealand	
Submission Summary:			
Decision Sought:	x. Show how	nod 18 by adding as follows: / reverse sensitivity next to rural productive land will be managed so as not to constrain land- ry production	
Staff Recommendations:	Reject		
Further Submission(s)			
Further Submiss	sion No:	3 - 14 Submission Type: Support	
Further Submitte	er:	Fonterra Ltd.	
Submission Sun	nmary:	Accept submission for the reasons set out in the Horticulture New Zealand submission.	
Decision Sough	t:	Accept submission for the reasons set out in the Horticulture New Zealand submission.	
Staff Recommen	ndation:	Reject	

Submission Number:	26: 4 Submission Type: Seek Amendment
Submitter:	Tauranga Crossing Limited
Submission Summary:	Method 18: Structure plans for land use changes
	Related to Policy UG 6A, Method 18 (o) requires structure plans to "Show how efficient infrastructure servicing detailed in Policy UG 6A will be achieved". Consistent with the requirements of the NPS-UE this requirement should relate to demonstrating how sufficient development capacity will be achieved
Decision Sought:	Amend Policy UG 6A Method 18 (o) as follows:
	(o) Show how efficient infrastructure servicing sufficient development capacity detailed in Policy UG 6 will be achieved.
Staff Recommendations:	Reject
Submission Number:	29: 11 Submission Type: Oppose
Submitter:	Urban Taskforce for Tauranga
Submission Summary:	The term 'structure plan' is generally associated with infrastructure planning. The NPS-UD uses the terminology of "Spatial Plans" when considered in the context of the method.
Decision Sought:	Delete the term "Structure plans" throughout RPS Change 6 and replace with the term "Spatial plans" amend the Structure plan definition to refer to Spatial plans
Staff Recommendations:	Reject
Submission Number:	30: 5 Submission Type: Oppose
Submitter:	Vercoe Holdings Limited
Submission Summary:	The term 'structure plan' is generally associated with infrastructure planning. The NPS-UD uses the terminology of "Spatial Plans" when considered in the context of the method.
Decision Sought:	Delete the term "Structure plans" throughout RPS Change 6 and replace with the term "Spatial plans" amend the Structure plan definition to refer to Spatial plans
Staff Recommendations:	Reject
Submission Number:	31: 7 Submission Type: Support in Part
Submitter:	Waka Kotahi
Submission Summary:	Waka Kotahi requests that Method 18 (Structure plans for land use changes) is strengthened by requestructure plans to support emissions reduction.
Decision Sought:	Amend Section 3.2.1 (Directive Methods), Method 18 (Structure plans for land use changes) to require structure plans to demonstrate how they will support reductions in greenhouse gas emissions; and be resilient to the current and future effects of climate change.
Staff Recommendations:	Reject
Submission Number:	33: 7 Submission Type: Support in Part
Submitter:	Western BOP District Council
Submission Summary:	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.
Decision Sought:	Add a new clause to Method 18, as follows: "Show how a variety of dwelling typologies will be provid for".
Staff Recommendations:	Reject
Further Submission(s)	
Further Submiss	ion No: 13 - 13 Submission Type: Oppose

Submission Summary:	The submission should be rejected as matters such as housing typologies and housing types are inappropriate to be included in the method. Such matters are addressed through lower order planning documents, i.e. District/City Plan Changes, and through resource consents.
Decision Sought:	Reject submission.
Staff Recommendation:	Accept
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Section: Method 67 (submission points specific to this method)

Staff Recommendation

Retain Method 67 as notified.

Staff Reason

Submission 9-30. Support for Method 67 is noted.

Submissions

Submission Number:	9: 30	Submission Type:	Support
Submitter:	Tauranga City Council		
Submission Summary:	Support this consequential change to alig	n with other changes.	
Decision Sought:	Retain Method 67 as notified		
Staff Recommendations:	Accept		

Chapter: Appendix A – Definitions (general submission points on definitions)

Section: Appendix A – Definitions (general submission points on definitions)

Staff Recommendation

Amend the last bullet of 'Terms are not included if they are'....to read 'defined in a National Policy Statement'.

Staff Reason

Submission 6-1 seeks the inclusion of the definition of 'urban development'. The operative RPS has an existing (and unchanged through Proposed Change 6) definition for 'urban activities' and 'development of land'.

Staff note that the operative RPS definition for urban activities is:

- 'Activities including:
- Residential accommodation at a density of more than one dwelling per 2000 m2 of site area;
- Commercial and industrial business, retailing and other commercial activities;
- Papakainga or other Marae-based housing; and
- Any other land use for which reticulated wastewater and water supply is a requirement.'

Development of land means 'the process of subdividing land and/or changing or intensifying the use of land'.

Staff consider that the term 'urban development' means to develop land for the purpose of providing for urban activities and can be ascertained through existing RPS definitions. Staff recommend that this submission is declined.

Submission 6-1 and 18-2 seek definitions to align with the National Policy Statement for Highly Productive Land (NPS-HPL).

As considered throughout this report, the NPS-HPL will go through its own statutory process for inclusion within the RPS but is out of scope for Proposed Change 6.

Staff recommend that these submissions are declined.

Submission 9-31 and FS 13-20 notes that the criteria for terms to be included should state 'or' instead of 'and' on the basis that terms need to meet one of the listed criteria as opposed to all.

Staff agree with this submission and recommend that it is accepted.

Submission 13-4, 29-5 and FS 1-6 and 13-14 seek amendment to include a definition for 'urban environment' as defined under the NPS-UD as being:

'urban environment means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:
 is, or is intended to be, predominantly urban in character; and

is, or is intended to be, predominantly urban in character, and is, or is intended to be, part of a housing and labour market of at least 10,000 people.

Submission 33-8 seeks a definition for urban environment to mean 'existing urban areas that are serviced by urban level infrastructure including water supply and wastewater disposal'.

The correct application of 'urban environment' is defined under section 1.4 of the NPS-UD.

Staff recognise clarity on the definition of 'urban environment' would reduce potential for any confusion particularly its application in Policies UG 7A and UG 7Ax. As notified the terms not included in Appendix A has been expanded to include those referred to in National Policy Statements. The term 'urban environment' is defined in the NPS-UD which negates the need for a definition in the RPS.

Consequently, staff disagree with the relief sought to include the NPS-UD definition of 'urban environments' in Appendix A, and recommend that submission 13-4, 29-5 and FS 1-6 and 13-14 are declined.

Staff recommend that submission 33-8 is declined.

Submission 20-13 seeks amendment to include a definition for 'well-functioning urban environments' to have the same meaning and application as NPS-UD Policy 1.

Proposed Change 6 gives effect to Policy 1 of the NPS-UD, specifically within Policies UG 7A, 7Ax and UG 8B.

Staff do not consider that providing a specific definition of 'well-functioning urban environments' is required within Appendix A, because its application is better served as a policy, listing the minimum requirements that contribute to a well-functioning environment.

For the avoidance of doubt, any clarity on its intent in the RPS as a definition, applies regardless as terms are not included within Appendix A if they are defined within a National Policy Statement.

Submission Number:	6: 1	Submission Type:	Seek Amendment
Submitter:	Federated Farmers NZ (BOP and Rotorua	a, Taupo)	
Submission Summary:	It is important to note that growth in urban areas does impact nearby rural areas, which is a reason why Federated Farmers takes an active interest in the NPS-UD.		
	Rural production activities are major indus rural production activities rely on a dynam Whilst we generally support a permissive those rural areas, a permissive regulatory expansion of urban development either at development should be defined in the pla We note that the terminology used in the 'versatile land', however only versatile lan will ultimately provide guidance on such n term 'productive land' for interpretation pu	nic and enabling regulat regulatory regime being setting does not alway t a local or national inte n change. RPS is confusing. The ind is defined for the purp natters in due course, w	ory environment if they are to thrive. g applied to rural production activities in s result in good outcomes with the rest perspective. The term urban term 'productive land' is used as well as poses of the RPS. While the NPS-HPL
Decision Sought:	We request that BOPRC consider definition NPS-UD.	on urban development t	for the purposes of implementing the
Staff Recommendations:	Reject		
Submission Number:	9: 31	Submission Type:	Seek Amendment
Submitter:	Tauranga City Council		
Submission Summary:	The list of criteria for terms not to be inclu fit one of the criteria, not all of them, to no		

Decision Sought:	Amend Appendix A - Definitions as follows:		
	Definitions		
	 Terms are not included if they are: 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, or referred to in National Policy Statements. 		

Staff Re	commendations:	Accept				
Furthe	r Submission(s	5)				
	Further Submis	sion No:	13 - 20	Submission Type:	Support	
	Further Submitter: Submission Summary: Decision Sought:		Urban Taskforce for	Urban Taskforce for Tauranga		
			We consider that this submission should be accepted and that where they exist, definitions referred to in section 1.4 of the NPS-UD should be adopted.			
			Accept submission.	Accept submission.		
	Staff Recomme	endation:	Accept			
Submiss	sion Number:	13: 4		Submission Type: Op	pose	
Submitte	er:	Classic D	evelopments Limited			
Submise	sion Summary:	A definitio	n is required to be incorpo	prated to clarify the reference to "ur	ban Environment"	
		The plan environme		to "urban environment" but contains	s no definition of an urban	
Decisior	n Sought:	Include a	definition of 'urban enviro	nment' as follows:		
			Urban Environment: any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:			
				nantly urban in character; and housing and labour market of at lea	ast 10,000 people.	
Staff Re	commendations:	Reject				

	commendations:	Reject			
Furthe	r Submission(s)			
	Further Submis	sion No:	1 - 6	Submission Typ	e: Support
	Further Submitt	er:	Nga Potiki a Tamaj	pahore Trust	
	Submission Sur	nmary:			ban Environment to ensure the term. as v understood and provides context to the
	Decision Sough	t:	Appendix A – Defir Environment"	itions: Submission proposes the	e inclusion of a definition for "Urban
	Staff Recomme	ndation:	Reject		
Submise	sion Number:	18: 2		Submission Type:	Seek Amendment
Submitte	er:	Horticulture	New Zealand		
Submiss	sion Summary:	To align wit	h National Policy State	ment Highly Productive Land	
Decisior	n Sought:	Include a d	efinition of highly produ	ictive land from the National Po	licy Statement Highly Productive Land
Staff Re	commendations:	Reject			
Submiss	sion Number:	20: 13		Submission Type:	Support in Part
Submitte	er:	KiwiRail Ho	oldings Ltd		

Submission Summary:	Include a definition for "well-functioning urban environments" which is consistent with the NPS-UD.		
Decision Sought:	Amend Appendix A – Definitions as follows […] Well-functioning urban environment has the meaning in Policy 1 of the National Policy Statement on Urban Development 2020.		
Staff Recommendations:	Reject		
Submission Number:	29: 5 Submission Type: Oppose		
Submitter:	Urban Taskforce for Tauranga		
Submission Summary:	The plan change refers throughout to 'urban environment' but contains no definition of an urban environment. A definition is needed for 'urban environment'		
Decision Sought:	Add definition of 'urban environment' as follows:		
	Urban Environment: any area of land (regardless of size, and irrespective of local authority or statisti boundaries) that:		
	 (a) is, or is intended to be, predominantly urban in character; and (b) is, or is intended to be, part of a housing and labour market of at least 10,000 people. 		
Staff Recommendations:	Reject		
Submission Number:	33: 8 Submission Type: Support in Part		
Submitter:	Western BOP District Council		
Submission Summary:	The term "urban environments" is used in a number of places and clarity is required as to what it cov		
Decision Sought:	Provide a definition of "urban environments" as follows: means existing urban areas that are serviced urban level infrastructure including water supply and wastewater disposal.		
Staff Recommendations:	Reject		
Further Submission(s)			
Further Submiss	sion No: 13 - 14 Submission Type: Support in Part		
Further Submitte	er: Urban Taskforce for Tauranga		
Submission Sur	nmary: We agree that a definition of urban environment should be included or a default provision should instead apply referring to all definitions not specifically included, applying as presention 1.4 of the NPS-UD.		
Decision Sough	t: Accept in part.		
Staff Recomme	ndation: Reject		
ter: Appendix C (sul	bmission points specific to this Appendix)		

Staff Recommendation

Retain the deletion of Appendix C as notified.

Staff Reason

Submissions 21-8 and 9-32 support the deletion of Appendix C as notified.

Submission Number:	9: 32	Submission Type:	Support
Submitter:	Tauranga City Council		
Submission Summary:	Support this consequential change to align with other changes.		

	Decision Sought:	Deleted Appendix C			
	Staff Recommendations:	Accept			
	Submission Number:	21: 8	Submission Type:	Support	
	Submitter:	Mitre 10 Holdings			
	Submission Summary:	Appendix C (Indicative growth area timing and business land provision) is inconsistent with the NPS-UD. The removal of Appendix C will ensure the RPS gives effect to the NPS-UD as required by section 62(3) RMA.			
	Decision Sought:	Delete Appendix C, as notified.			
	Staff Recommendations:	Accept			
ha	napter: Appendix D (submission points specific to this Appendix)				

Section: Appendix D (submission points specific to this Appendix)

Staff Recommendation

Retain the deletion of Appendix D as notified.

Staff Reason

Ch

Submissions 21-9 and 9-33 support the deletion of Appendix D as notified.

Submissions

Submission Number:	9: 33 Submission Type: Support		Support
Submitter:	Tauranga City Council		
Submission Summary:	Support this consequential change to align with other changes.		
Decision Sought:	Delete Appendix D		
Staff Recommendations:	Accept		
Submission Number:	21: 9	Submission Type:	Support
Submitter:	Mitre 10 Holdings		
Submission Summary:	Appendix D (Indicative growth area sequencing) is inconsistent with the NPS-UD. The removal of Appendix D will ensure the RPS gives effect to the NPS-UD as required by section 62(3) RMA.		
Decision Sought:	Delete Appendix D, as notified.		
Staff Recommendations:	Accept		1460

Chapter: Appendix E (submission points specific to this Appendix)

Section: Appendix E (submission points specific to this Appendix)

Staff Recommendation

Retain the deletion of Appendix E maps as notified.

Staff Reason

Submissions 9-34 and 21-10 support for the deletion of Appendix E maps is noted.

Submissions 1-3, 12-4 and FS 11-1 and 12-1 seek the retention of Appendix E.

The urban limits within Appendix E have proven to be inflexible, particularly in the face of delays due to unexpected constraints

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within some of the identified growth management areas. Hard urban limits are inconsistent with the NPS UD thrust for responsiveness and flexibility that encourages opportunities for alternative urban growth proposals to be considered on their merits.

The intent of the NPS-UD is for Future Development Strategies (FDS) to identify existing and future urban growth areas, promote long-term strategic planning, achieve well-functioning urban environments, and provide sufficient development capacity for the next 30 years.

The removal of Appendix E aligns with guidance from the Ministry for the Environment that states; 'a hard rural urban boundary without the ability to consider change or movement of that boundary would not meet the requirements of the responsive planning policy.' Staff consider that removing the urban limits within the western Bay of Plenty sub-region is the most practical approach to enable more land and infrastructure supply to give effect to the NPS-UD.

Staff recommend that these submissions are declined.

Submission Number:	1: 3 S	Submission Type:	Oppose
Submitter:	Element IMF		
Submission Summary:	TCCMfBOPDC/BOPRC have produced a dra planning policy documents are at various sta development These have yet to be complete process. A subregional centres strategy and years ago but have yet to be completed and	nges of ed, including a formal Tauranga Urban Stra	pub!ic consultation and approval ategy reviews were initiated severa
	While the principles of UFTI are generally su addressed ahead of it being integrated into the second		
	The Western Bay Joint Spatial Plan (2021) re and is currently a draft. with no formal status tangata whenua values and aspirations. The Close out of an FDS is mid-2024.	. Gaps are fundamen	tal and include the need to unders
	The SmartGrowth Housing Action Plan is a stop gap measure and an evolving plan, while the above p icy framework is finalised.		
	It would be premature to delete the Manager approval,of the Spatial Plan/FDS This will c which to assess unanticipated or out-of:sequ	reate a policy vacuur	n with no credible baseline agains
Decision Sought:	Retain Management and Growth areas for th and UG 7A until an FDS (or equivalent) has		
Staff Recommendations:	Reject		
Submission Number:	9: 34 S	Submission Type:	Support
Submitter:	Tauranga City Council		
Submission Summary:	Support this consequential change to align w	vith other changes.	
Decision Sought:	Delete Appendix E		
Staff Recommendations:	Accept		
Submission Number:	12: 4 S	Submission Type:	Oppose
Submitter:	Bluehaven Investments Limited		
Submission Summary:	TCC/WBOPDC/BOPRC have produced a dra planning policy documents are at various sta including a formal public consultation and ap	iges of development.	
	A subregional centres strategy and Tauranga but have yet to be completed and it is unders		
	While the principles of UFTI are generally su	pported there are ga	os in its delivery that need to be

addressed ahead of it being integrated into the SmartGrowth joint draft spatial plan/FDA.

		and is curren tangata wher	Bay Joint Spatial Plan (2021) referred to in the s32 report is acknowledged as a 'first step' tly a draft with no formal status. Gaps are fundamental and include the need to understand nua values and aspirations. The draft will be an input to the FDS required by the NPS-UD. an FDS is mid-2024.								
Decision Sought:		The SmartGrowth Housing Action Plan is a stop gap measure and an evolving plan, while the above policy framework is finalised. 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. 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.									
						Staff Red	commendations:	Reject			
						Further	r Submission(s)				
	Further Submiss	sion No:	11 - 1 Submission Type: Support								
Further Submitter: Submission Summary:		er:	Tumu Kaituna 14 Trust								
		nmary:	The Tumu Kaituna 14 Trust agrees that the Management and Growth areas and related policies in the operative RPS need to be retained until the Spatial Plan / Future Development Strategy for the region is finalised and formally adopted.								
	Decision Sought	t:	Accept submission.								
	Staff Recommer	ndation:	Reject								
	Further Submiss	sion No:	12 - 1 Submission Type: Support								
	Further Submitte	er:	Ford Land Holdings Pty								
Submission Summary:		nmary:	Ford Land Holdings Pty Ltd agree that the Management and Growth areas and related policies in the operative RPS need to be retained until the Spatial Plan / Future Development Strategy for the region is finalised and formally adopted.								
	Decision Sought	t:	Accept submission.								
	Staff Recommen	ndation:	Reject								
Submission Number: 21: 10		21: 10	Submission Type: Support								
		Mitre 10 Hold	lings								
Submission Summary: Appendix E (UD. The rem	Management and Growth areas for the western Bay of Plenty) is inconsistent with the NPS- oval of Appendix E will ensure the RPS gives effect to the NPS-UD as required by section								
Decision Sought: Delete A		Delete Apper	ndix E as notified.								
Staff Recommendations: Accept		Accept									
Submiss	ion Number:	22: 5	Submission Type: Oppose								
Submitter: New		Newman Gro	up Limited								
Submission Summary: There is curr			ently no adopted Future Development Strategy for the Sub-region. The Western Bay Joint prepared in 2021 has no formal status.								
			premature to delete Appendix E until such time there is a Future Development Strategy is in will inhibit the consideration of unanticipated or out-of- sequence growth.								
Decision Sought: Retain RPS r approved.			nanagement and growth area maps until a Future Development Strategy has been								
Staff Red	commendations:	Reject									