

**SUBMISSION ON PROPOSED POLICY STATEMENT CHANGE UNDER CLAUSE 6 OF
THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

TO: Bay of Plenty Regional Council

SUBMISSION ON: Change 6 to the Bay of Plenty Regional Policy Statement (NPS-Urban Development)

SUBMITTER: URBAN TASKFORCE FOR TAURANGA (“**UTF**”)

C/: Collier Consultants
PO Box 14371
Tauranga Mail Centre
Tauranga 3143
Attention: Aaron Collier

Scope of submission

1. The provisions of the Regional Policy Statement (“**RPS**”) which this submission relates are as set out in the submission table below.

Nature of submission

2. The nature of our submission is that we generally support change No. 6 to the RPS, but with appropriate amendments and further wording changes to address matters raised in our submission.

Reasons for submission

3. The Urban Task Force for Tauranga (“**UTF**”) is incorporated as a Society with its purpose being to represent its members who are property professionals and funders, developers, Iwi and Hapu, and owners and managers of properties in the Bay of Plenty. The UTF seeks to provide strong and informed leadership to Local Authorities, promote and foster productive local networks around property, and to advocate for the property industry by making submissions to both Central and Local Government.
4. The Western Bay of Plenty subregion has experienced significant growth pressure in recent decades. Our community is facing unprecedented challenges because in the past leaders have seen growth as a problem rather than an opportunity. The intent of UTF is to focus on the opportunities presented by growth and to unlock these opportunities by working collaboratively and innovatively across Government, Local Government and the private sector.
5. UTF advocates for connected thinking, connected planning, connected governments and strong leadership. UTF’s submission is primarily focused on ensuring that Change 6 is consistent with the policies and requirements of the NPS-UD and that the Change 6 will be effective in achieving the intended outcomes required by the NPS-UD. UTF consider that changes to the RPS should be based on sound planning policy which will rectify the capacity shortage, whilst also avoiding unnecessary and inefficient process and uncertainty. UTF’s view is that incorporating clear, certain and

efficient RPS provisions is a fundamental part of the sustainable and efficient growth of the subregion, and in giving effect to the NPS-UD

6. Poor growth management decision making has led to a lack of essential infrastructure investment and facilities necessary to support growth, which has resulted in a severe shortage of zoned and serviced land on which to provide new homes for residents. Urban limits have also restricted the ability of the sub-region to grow.
7. Currently, District Councils are in breach of housing capacity assessments under the NPS-UD and urgent action is required to address these capacity shortages. There must be sufficient development capacity provided to exceed demand.
8. To resolve the current crisis, 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.
9. UTF provides reasons for its submission and the changes sought to Change 6 provisions in the attached table.

Decision sought

10. The decision UTF seeks from the Council is 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.
11. UTF wish to be heard in support of their submission.
12. UTF would not gain an advantage in trade competition through their submission.
13. If others make a similar submission, UTF are prepared to consider presenting a joint case with them at any hearing.

SCOTT ADAMS

CHAIRMAN

Date: 06 September 2022

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The specific provisions of the proposal that the UTF submission relates to are as follows:

Page No	Reference	Support/Oppose	Decision Sought	Reasons
6	2.8.1 Regionally significant urban and rural growth management issues 9. Intensive Urban Development	Support	We support the deletion of the provisions relating to adverse impacts on residential character and amenity.	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.
6	2.8.1 Regionally significant urban and rural growth management issues 9. Intensive Urban Development	Support	We support the amendment which recognises the need for well planned transport improvements to be provided with growth.	Well planned transport improvements are necessary to achieve successful intensification outcomes.
22	Policy UGA: Efficient use of land and infrastructure for urban growth and development. Explanation	Oppose in part	Amend the explanation for the policy statement. Large-scale urban growth (greenfield and brownfield) must be subject to detailed structure planning to address, among other matters, high level urban design, and provisions and funding of network infrastructure.	The amendment clarifies the appropriate scale of urban design input that is required as part of the preparation of a spatial plan.

40	Appendix A – Definitions	Oppose	<p>The plan change refers throughout to “urban environment” but contains no definition of an urban environment. We seek that the following definition be included:</p> <p>Urban Environment: any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:</p> <p>(a) is, or is intended to be, predominantly urban in character; and</p> <p>(b) is, or is intended to be, part of a housing and labour market of at least 10,000 people.</p>	A definition is needed for the term.
23	<p>Policy UG 7A: Providing for unanticipated or out-of-sequence urban growth – urban environments</p> <p>Housing bottom lines</p>	Oppose in part	<p>We seek amendments to criterion (a) as follows:</p> <p><i>The development is of large enough a scale to contribute to meeting demand for additional urban land identified through the HBA for the area FDS or RMA Plans, 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 HBA, FDS Future Development Strategy there is evidence that there is a need for additional urban land, and</i></p> <p>Explanation</p> <p>Remove all references to documents (other than the Future Development Strategy from the explanations for the policy).</p>	<p>The policy incorrectly relies on Housing and Business Capacity Assessments to determine the need for additional urban land.</p> <p>Referring to other documents as set out in the explanation will also create uncertainty.</p> <p>The approach is contrary to the NPS-UD which relies on the Future Development Strategy as the method for identification.</p>
23	Policy UG 7A: Providing for unanticipated or out-of-sequence urban growth – urban environments and (c)	Oppose	<p>Delete the area reference in (b) of the policy as follows:</p> <p>(5 hectares or more)</p> <p>Amend (c) in the policy as follows:</p> <p>for all other urban environments</p>	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.
23	Policy UG 7A: Providing for unanticipated or out-of-sequence urban growth – urban environments (d)	Oppose in part	<p>Amend (d) as follows</p> <p><i>The development is located with provides good accessibility between housing, employment, community and other services and open space, and</i></p>	The provision should provide for and acknowledge the contribution of local services and amenities which are internal rather than external to a development site.

	<p>Policy UG 7A: Providing for unanticipated or out-of-sequence urban growth – urban environments (f)</p>	<p>Oppose</p>	<p>Amend (f) as follows:</p> <p>Required Development infrastructure can be provided efficiently, including the delivery, funding and financing of infrastructure without materially reducing the benefits of other existing or planned development infrastructure, or undermining committed development infrastructure investment.</p> <p>Remove the following from the explanation:</p> <p>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.</p> <p>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.</p>	<p>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.</p> <p>Future unanticipated development may impact on planned development and infrastructure, however benefits may outweigh costs, and in some instances the benefits (including efficiencies) may be significant.</p> <p>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.</p>
<p>28</p>	<p>Policy UG 14B: Restricting urban activities outside urban environments and explanation</p>	<p>Oppose</p>	<p>We seek the following changes to UG14B and its supporting explanation:</p> <p>Restrict the Manage growth of urban activities located outside urban environments <u>to ensure unless it can be demonstrated</u> that sound resource management principles are achieved, including:</p> <ul style="list-style-type: none"> (a) The efficient development and use of the finite land resource, and (b) Providing for the efficient, planned and coordinated use and development of infrastructure, and (c) <u>there are benefits and efficiencies of expanding existing settlements/towns</u> <p>Explanation</p> <p>While areas outside urban environments have not been and are unlikely to face the same growth pressures, some urban growth</p>	<p>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.</p>

			<p>pressures can be expected. Outside of urban environments and urban growth that forms part of an urban environment, new urban areas (or urban zoning) is not desirable as it can create a sporadic settlement pattern and result in an inefficient use of natural and physical resources. There are however, some limited circumstances where such proposals could be acceptable such as extensions to existing towns that have reticulated water and wastewater services. Therefore, the same overarching growth principles of the National Policy Statement on Urban Development (2020) should apply in other areas to ensure proposals result in an efficient use of land and resources. For the avoidance of doubt, this policy does not enable development in villages and settlements that do not have reticulated water and wastewater services.</p>	
37	Method 18: Structure plans for land use changes/Definitions	Oppose	Delete the term “Structure plans” throughout and replace with the term “Spatial plans” and amend the Structure plan definition to refer to Spatial plans	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.