

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

TO: Tauranga City Council

SUBMISSION ON: Plan Change 26 (Housing Choice) to the Tauranga City Plan

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 to which this submission relates are Plan Change 26 in its entirety.

Nature of submission

2. The nature of our submission is that we support the Plan Change (with appropriate changes to reflect the matters raised in our submission).

Reasons for submission

3. The Urban Task Force for Tauranga (“**UTF**”) has been 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 Tauranga City. 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. Tauranga is a growing city. 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 considers that Tauranga has a severe shortage of zoned and serviced land to provide new homes for residents, and spaces for business to invest in. This has caused severe housing affordability issues. Tauranga City has an urgent and pressing need for more affordable housing. Poor growth management has led to a failing City Centre, a lack of essential community infrastructure investment and facilities, and a lack of investment in municipal infrastructure necessary to support growth.
6. UTF advocates for connected thinking, connected planning, connected governments and strong leadership.

7. UTF consider that changes to the Tauranga City Plan ("**City Plan**") should be based on sound planning policy whilst also avoiding unnecessary and inefficient process and costs. UTF's view is that incorporating clear, certain and efficient City Plan provisions is a fundamental part of the sustainable and efficient growth of the City.
8. UTF supports in part changes to definitions, Chapter 2, 14, and 17 of the Tauranga City Plan which are proposed to be changed in relation to residential development in both the Commercial and Residential zones to promote intensification.
9. Changes to the City Plan which promote intensification outcomes necessary to meet the requirements of the National Policy Statement on Urban Development ("**NPSUD**") are necessary. As a Tier 1 Council under the NPSUD, Tauranga City Council is required to ensure that there is sufficient development capacity available to exceed demand and is recognized as a City with a severe housing affordability/land supply crisis.
10. UTF's submission is primarily focused on ensuring that Plan Change 26 is consistent with the policies and requirements of the NPSUD and that the Plan change will be effective in achieving the intended outcomes required by the NPSUD.
11. UTF wish to ensure that unnecessary and uncertain provisions and regulatory processes, do not act to work against the objectives of intensification under Plan Change 26, and that the Plan Change does not add to or fail to resolve what is a worsening supply and affordability crisis in Tauranga.
12. It is critical that the Plan Change 26 framework provides certainty for the investment required to encourage intensification within both the residential and commercial zones. UTF wish to ensure that uncertainty relating to planning processes is removed. Clear, certain and enabling standards must be provided through Plan Change 26 to remove or significantly reduce regulatory process, delays, costs, uncertainty of investment, and current barriers restricting development opportunity in the residential and commercial zones.
13. UTF provides reasons it supports Plan Change 26 and respective changes sought to the provisions, which are set out below:
 - (i) A number of amendments to Plan Change 26 are required in order for Plan Change 26 to be consistent with the RMA's purpose under Section 5 in Part 2 of the Act.
 - (ii) Overall, Plan Change 26 is not consistent with the NPSUD. In particular, Policy 1 requires a variety of homes and Policy 3 requires building heights of at least 6 storeys. This is a minimum requirement. The building height of 20m as a restriction should be removed from Plan Change 26 and replaced by the same terminology of "*at least 6 storeys*" as stated in the NPSUD.
 - (iii) As promoted by the NPSUD, UTF consider that it is best for the Council to provide for urban intensification by allowing for increased density and building heights in areas where those benefits are best realised. Higher density residential activities are best placed where they are accessible to transport and have direct access to commercial centres or are part of the centres themselves. For this reason, the UTF seeks further policies and a rule framework that encourage residential intensification in and near commercial centres and public Transport hubs as required by the NPSUD without minimum lot sizes or height restrictions contrary to the NPSUD. The only

exception to this is where the requirements in Policy 4 of the NPSUD apply, where qualifying matters (defined in Appendix 7 of Plan Change 26) have been properly assessed and applied. These qualifying matters have been identified as view shafts, topography, natural hazards, and significant heritage features which are identified and mapped in the City Plan. We also seek that the height limits required by the NPSUD be fully applied throughout the Te Papa Housing overlay.

- (iv) Objectives and Policies in Chapter 14 refer to the bulk and scale of buildings being consistent with residential character and amenity planned for the residential zone. Matters such as the need to mitigate adverse impacts of overshadowing, and over height buildings, (including on public reserves), are promoted. The Objectives and policies also require the maintenance of sunlight access and privacy and support a suburban residential character by retaining “most of the site as open space”. The objectives and policies refer to a low density of development that provides high quality on-site amenity and private open space and development that is compatible with the planned built form and residential character and amenity levels for the zone. Overall, these objective and policies are at odds with intensification. We seek that they be amended to better align with intensification goals under Plan Change 26.
- (v) UTF support the amendments to introduce and provide for a range of housing types. Plan Change 26 specifically focuses on providing for duplex housing in accordance with Table 14.1 and Rule 14B.3.17. We agree that duplex housing opportunities will enable further intensification opportunities throughout the city, however Plan Change 26 is unnecessarily prescriptive by leaning towards and favoring the promotion of duplex housing. As a planning outcome, this is inadequate in terms of enabling and permitting low rise development (up to 9m) and diversity of housing choice. The yield and density requirements outlined in Rule 14B.3.17 should instead apply to all housing typologies. Based on density, there should be no minimum lot size. Overall a more enabling development pathway is required for all forms of low rise and residential development to be considered as a permitted activity under Plan Change 26.
- (vi) UTF supports the inclusion of provisions which provide for comprehensibly designed development (particularly within the Te Papa Peninsula overlay). The restricted discretionary activity status and accompanying assessment criteria and matters of discretion chosen, are overly prescriptive. Many of the criteria are subjective and uncertain. We are concerned that the highly prescriptive nature of a number of the provisions and a subjective consent process will also hinder diversity in terms of built environment outcomes and design led innovative thinking. Suitable matters for assessment must be set out to enable certainty of outcome. The current drafting of criteria under Rule 16B will result in a consenting pathway containing significant consenting risk for comprehensive developments. We consider that the comprehensive residential development process should be entirely designed led with Council looking to establish a list of preferred designers (similar to the TCC system adopted for Category 1 Geotechnical Engineers). These approved designers would be responsible for ensuring high quality urban design outcomes through a more narrowed and focused resource consent process. This would create certainty for applicants and for Council, based on expert assessment and quality urban design outcomes from “approved” urban design and architectural professionals. We seek that the Council reviews and amends the rules and assessment criteria with the aim of simplifying these provisions. This includes

the provision of controlled activity provisions where development is designed by preferred and approved designers and clear development standards and assessment criteria to avoid the current uncertainty.

- (vii) It is unnecessary for Plan Change 26 itself to introduce and replicate urban design requirements and principles already contained within the NZ Urban Design Protocol. We seek that these be deleted. Plan Change 26 should refer to the Protocol as a default to ensure that urban design outcomes under the guidance of professionals are in accordance with the protocol.
- (viii) The UTF opposes changes to the commercial zone provisions in relation to residential development. The City Plan recognises and promotes the role that centres and the commercial zone in general plays, and this is also reinforced through the NPSUD. Currently the existing City Plan framework provides for residential development in commercial centres as a permitted activity. With the exception of the City Centre, Plan Change 26 promotes provisions which further restrict (rather than further enable) residential activities within the commercial zone. UTF therefore opposes the change from an enabling permitted activity status to one which promotes a restricted discretionary activity/discretionary/non-complying status and further standards and controls. Many of these further standards and controls in Chapter 17 of the City Plan are subjective, unnecessary and uncertain. For example, visual outlook and outdoor living area requirements and ground floor restrictions proposed under Rule 17A.14 will in many cases prohibit residential development.
- (ix) UTF consider that the success of Plan Change 26 in delivering intensification and further housing supply is hinged upon the efficient and successful provision of infrastructure. Planning and funding decisions relating to infrastructure over the short, medium and long term are critical. Currently there is a requirement for private land developers to assess potential infrastructure upgrades (under Rule 16B.6.27 “within the subject catchment”). The extent of this assessment is undefined and unclear. Such an assessment should instead be completed by TCC for each catchment. A more integrated and comprehensive approach is required. Further policies and rules which acknowledge and set out the requirements for infrastructure necessary to cater for intensification (including any infrastructure prerequisites) are needed. These include the need for the clear identification of:
 - (a) What infrastructure is required to be upgraded and any prerequisites to development.
 - (b) The timing of upgrades
 - (c) Funding of upgrades (and a Development Contributions Model).
- (x) Plan Change 26 needs to acknowledge TCCs significant role in providing and planning for infrastructure. Simply providing for the capacity of infrastructure as a matter of discretion for comprehensively designed developments is not in UTFs view an appropriate response. TCC have a significant role to play in the planning, and funding of infrastructure upgrades. Without this assessment being completed and embedded in the plan change, there is no certainty for investment by the development community.
- (xi) Plan Change 26 is being notified in tandem with Plan Change 27. The intention of Plan Change 26 is to provide greater development capacity of

housing, but the material supporting Plan Change 27 has considered the issue of flood hazard risk from intense rainfall in complete isolation of Plan Change 26 and its objectives. Related to the above is that Plan Change 27 has had no regard to any planned or funded infrastructure upgrades which are critical to the success of intensification. We seek that further work be carried out (particularly with the Te Papa housing overlay being made a priority) to confirm infrastructure upgrades necessary to cater for intensification and a planning framework for this.

Decision sought

14. The decision UTF seeks from the Council is that Plan Change 26 be approved with:
 - (a) amendments to address UTFs concerns as set out above.
 - (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.
15. UTF wish to be heard in support of their submission.
16. UTF would not gain an advantage in trade competition through their submission.
17. If others make a similar submission, UTF are prepared to consider presenting a joint case with them at any hearing.

SCOTT ADAMS

CHAIRMAN

Date: 25 January 2021

Address for Service:
URBAN TASKFORCE FOR TAURNGA
C/: Collier Consultants
PO Box 14371
Tauranga Mail Centre
Tauranga 3143
Attention: Aaron Collier