

SUBMISSION ON PLAN CHANGE 33 TO THE TAURANGA CITY PLAN

TO: Tauranga City Council

SUBMISSION ON: Plan Change 33 to the Tauranga City Plan (Enabling Housing Supply)

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

C/: Collier Consultants
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Attention: Aaron Collier

Scope of submission

1. The matter in Plan Change 33 which this submission relates to, are as set out in the submission below.

Nature of submission

2. The nature of our submission is that we generally support Plan Change 33 to the City Plan, but with appropriate amendments/deletions and further changes to address matters raised in our submission. These amendments/deletions and further changes are necessary to ensure that the plan change is sufficiently enabling to give effect to the NPS-UD.

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. Tauranga 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 Plan

Change 33 is consistent with the objectives, policies and requirements of the NPS-UD and that Plan Change 33 will be effective in achieving the intended outcomes required by the NPS-UD. UTF consider that changes to the City Plan to provide for medium density residential development should be based on sound planning policy which will rectify the currently housing capacity shortage, whilst also avoiding unnecessary and inefficient process and uncertainty. UTF's view is that incorporating clear, certain and efficient Plan provisions (particularly assessment criteria for 4 or more dwellings) in both the medium and high-density residential zones is a fundamental part of the sustainable and efficient growth of the District, and in giving effect to the NPS-UD.

6. Plan Change 33 is required to be responsive and to enable development that adds significantly to capacity and contributes to a well-functioning urban environment. UTFs view is that further amendments are necessary for to Plan Change 33 to achieve this.
7. It is critical that Plan Change 33's framework does not introduce unnecessary regulatory processes, and planning pathways which will further restrict development opportunity in the residential and commercial zones or create uncertainty.
8. As set out in the submission below, provisions have been included in Plan Change 33 which are more restrictive than current District Plan provisions. These provisions will work to restrict housing yield and therefore capacity particularly in business zones. Such provisions should be removed as UTF wishes to ensure provisions do not add to, or fail to resolve what is a worsening housing supply and affordability crisis in Tauranga.
9. UTF provides reasons it supports/opposes Plan Change 33 and respective changes sought to the provisions, which are set out below:
 - i) UTF supports in part changes to the definitions, chapter 2, and purposes, policies and objectives in chapters 4, 14, 17, 14G, and 1H of the City Plan which are proposed to be amended in relation to residential development in both the commercial and residential (medium and high density) zones to promote intensification. The exception are the inclusions of objectives and policies which go beyond those set out in Schedule 3A of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act and which conflict with policies of the NPS-UD (particularly policy 6). Objectives and policies in Chapter 14H refer to appropriate transition in building scale relate to adjacent sites, and the maintenance and protection of amenity values. A number of these objectives and policies conflict with intensification and the outcomes anticipated under policies of the NPS-UD, including policy 6. UTF seeks that the provisions are amended to remove conflicts with policies of the NPS-UD.
 - ii) For High Density zones, Policy 1 of the NPS-UD requires a variety of homes and Policy 3 requires building heights of at least six storeys. UTF supports this approach. A permitted building height of six to eight storeys is needed for

the high density residential zone to ensure consistency with the urban form and amenity objective of the zone (i.e. 22 to 27m). The permitted building height of 11 metres is a restriction which will frustrate intensification. UTF seeks that this is removed and replaced with more enabling height as required by the NPS-UD.

- iii) The medium density zone proposed in Plan Change 33 is not inconsistent with the NPS-UD. The objectives and policies as set out in 14G will enable a variety of housing outcomes, and housing choice. However, activities such as visitor accommodation should be provided for as a permitted activity. UTF seeks that visitor accommodation be provided for as a permitted activity.
- iv) Given the ageing population, Plan Change 33 should expressly recognise and provide the need for retirement villages and remove maximum density restrictions for retirement villages to ensure that they can locate effectively and efficiently in the residential zones. This will encourage the development of retirement villages in locations which results in the efficient use of land and enable residents to remain living in their existing communities. Under Plan Change 33, previous objectives and policies relating to retirement matters have been deleted. UTF opposes this and seeks that further enabling provisions relating to retirement villages are included in Plan Change 33.
- v) UTF consider that it is optimal for the Council to provide for urban intensification by allowing for increased density and building height in areas where benefits are best realised. The high-density zone extents are therefore supported. Mount Maunganui has the highest density of any urban environment within the sub-region, however Plan Change 33 excludes the Mount Town Centre on the basis of a need for a spatial plan. This spatial Plan process is not a requirement of the NPS-UD. UTF seeks that the Council rezones the Mount Town Centre and the walkable catchment around it for High Density living, and supports an appropriate height (i.e. at least six storeys) based on the Isthmus report included in the Section 32 analysis for Plan Change 33. The report supports this approach and makes appropriate recommendations which have not been adopted.
- vi) Overall, a more enabling consenting pathway is required for all forms of medium density and high density residential development. UTF supports the inclusion of provisions which provide for comprehensively designed development (including through the use of an Urban Design Panel which sits outside of the plan change) but applying a “one size fits all approach” of a restricted discretionary activity status where more than four dwellings is proposed in both the medium density and high density residential zones is inappropriate. UTF seek a graduated approach from a permitted to controlled activity status for between 4 and 12 dwellings. Appropriate matters of control will need to be included in the Plan Change to enable this. In addition, where a project has been endorsed by the Council’s Urban Design Panel then there is no need for urban design outcomes to be further explored through a

resource consent process. UTF seek that with respect to Urban Design matters, a permitted activity status should apply where endorsement of the panel has been obtained. A resource consent is unnecessary and inefficient.

- vii) The nature of the restricted discretionary activity consent process means that a large number of standards and terms set out in the plan for four or more independent dwelling units will apply (including the need for Traffic assessments and Urban Design assessments for more than 4 dwellings). UTF opposes this and seek that restricted discretionary activity provisions instead be scale based and that for smaller scale developments the information requirements and criteria be scaled in nature (i.e. such as those which apply to considering Integrated transport assessments). A stepped controlled activity status should also be applied.
- viii) UTF supports the adoption of unrestricted building height in the City Centre except where there are clearly defined qualifying matters which apply. UTF seeks that unrestricted building heights be adopted.
- ix) UTF support the rezoning of “Smiths Farm” as notified. The rezoning will provide further much needed land for medium density residential housing and the rezoning is consistent with the NPS-UD and will contribute significantly to the housing needs of the City as a well-functioning urban environment.
- x) UTF opposes changes to the commercial zone provisions in relation residential dwellings and the change in activity status from permitted to restricted discretionary. The plan change recognises and promotes the role of centres in achieving intensification, and this is reinforced through the NPS-UD itself. The more restrictive approach is contrary to the NPS-UD. UTF seek that residential activities should be permitted as per the Operative City Plan.
- xi) Plan Change 33 removes the permitted activity status of buildings within the City Centre Zone and replace this with a restricted discretionary activity status. It is unclear how this can occur under Plan Change 33 as this is not related to residential intensification. UTF are concerned that this will result in unnecessary cost, delays and uncertainty and is contrary to the many initiatives from the Council promoting growth and revitalisation of the City Centre. UTF seek that a permitted activity status should apply to buildings in the City Centre Zone
- xii) The NPS-UD requires specific identification of modified heights or densities for qualifying matters, and this information has been included as part of Plan Change 33. It is noted that flood prone areas (Plan Change 27) have been included as a qualifying matter. The provisions of the Plan Change are subject to appeal (including by UTF) and are based on non-statutory mapping which is subject to change without notice and is outside of the City Plan. The mapping sits outside of any formal schedule 1 planning process and is not in itself enforceable. This highlights the inappropriateness of the use of such a

tool for decision making. UTF seeks that the identification of natural hazards is restricted to natural hazards as shown on the City Plan maps

- xiii) In addition to flooding, other qualifying matters have been adopted which sit outside the City Plan maps and Council have chosen to apply buffer areas to features such as ecological, cultural heritage and other overlays (including GIS overlays) contrary to the mapped features under the City plan. In many instances mapping already includes buffers or such areas are of an arbitrary nature not supported by any s.32 analysis. UTF oppose this approach and seek that all qualifying criteria be restricted to those features as mapped under the City Plan.

Decision sought

- 10. The decision UTF seeks from the Council is that Plan Change 33 be approved with:
 - (a) amendments to address matters raised in UTFs submission.
 - (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the matters set out in the submission.
- 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: 23 September 2022

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