

Response ID ANON-URZ4-5FBQ-3

Submitted to Fast-track approval applications
Submitted on 2024-05-03 14:23:32

Submitter details

Is this application for section 2a or 2b?

2B

1 Submitter name

Individual or organisation name:
Tauranga City Council

2 Contact person

Contact person name:
Marty Grenfell

3 What is your job title

Job title:
Chief Executive

4 What is your contact email address?

Email:
s 9(2)(a)

5 What is your phone number?

Phone number:
s 9(2)(a)

6 What is your postal address?

Postal address:
s 9(2)(a)

7 Is your address for service different from your postal address?

Yes

Organisation:
Tauranga City Council

Contact person:
Marty Grenfell

Phone number:
s 9(2)(a)

Email address:
s 9(2)(a)

Job title:
Chief Executive

Please enter your service address:

306 Cameron Road, Tauranga 3110

Section 1: Project location

Site address or location

Add the address or describe the location:

280 Te Okuroa Drive, Papamoa, containing approximately 15.8 hectares being part Lot 3004 DP 576684 comprised in record of title 1067983 (South Auckland Land Registry) and part Section 2 Survey Office Plan 465254 comprised in record of title 642577 (South Auckland Land Registry) and part Lot 3 DPS 10111 comprised in record of title SA54B/213 (South Auckland Land Registry).

Appendices: An aerial image is attached together with images of the Pāpāmoa East Interchange – West Block Residential Scheme; the Pāpāmoa East Interchange – East Block Industrial Scheme and BBO Memo - Pāpāmoa East Land (PEI) Development Infrastructure & Conceptual Cut and Fill Plan.

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Do you have a current copy of the relevant Record(s) of Title?

Yes

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Who are the registered legal land owner(s)?

Please write your answer here:

Tauranga City Council

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

The applicant is the owner of the land in fee simple.

The applicant and owner of the land is a local authority. The land is not subject to the Public Works Act.

The subject property is part of a larger land holding which is currently being developed for public infrastructure (roading and 3 waters) and will require subdivision to vest land for these works. New titles will be issued for the subject property as part of these works.

As the owner of the land, the applicant is able to undertake the work required for this project upon receipt of consent, and all other typical project approvals.

Section 2: Project details

What is the project name?

Please write your answer here:
Papamoa East Housing Supply & Business Land

What is the project summary?

Please write your answer here:

The potential unlocking of 200+ homes, aquatic centre and indoor courts facility, plus 7.1+ hectares of employment land in Pāpāmoa East. The Council owned site is serviced and connected to a nationally significant road with a nearby town centre under construction and existing public transport links. This project not only provides housing but also employment and a strong financial return to the Council.

What are the project details?

Please write your answer here:

The project will enable between 200 to 250 homes on the West Block and 22 large lots for employment activities on The East Block on land in Pāpāmoa East. The number of homes will potentially be less should Council determine to co-locate a planned aquatic centre and indoor courts facility on the West Block which will require circa 2.25 hectares of land and will be subject to seeking consent through the fast track process.

The land is already zoned for urban development (Employment Zone), has undergone bulk earthworks. The property has residential uses on two sides (north and west) and the Tauranga Eastern Link motorway and interchange on the other two sides. The proposed residential activity is consistent with the surrounding properties.

The property is currently part of major infrastructure construction and the wider property has seen transport works, earthworks, stormwater management devices, wastewater pump stations and a controlled access delivered to service the property.

The site is surplus to the construction of Papamoa East Interchange connection to the nationally significant Tauranga Eastern Link (TEL).

The opportunity is to utilise this development ready land for a more urgently needed use by approving consent for residential and employment outcomes. Residential development is not consistent with the underlying Papamoa East Employment Zone and if the fast-track approvals process was not available a plan change would be required to rezone the site, adding 2+ years to development timeframes. The opportunity to unlock well located employment land with housing in an integrated approach creates efficiencies and better development outcomes.

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

Phase 1: May 2024 – November 2024

Listed Projects: Apply for project to be included in the fast-track legislation, respond to any requests for further information, report on outcome.

Phase 2: November 2024 – July 2025

On the basis of being a listed project the technical assessments and design will be completed, and application made to the expert panel.

Phase 3: August 2025 – November 2026

Engineering design, final earthworks, stage 1 civil works and titles for 50-70 residential lots, and 22 employment lots.

Phases 4-6: November 2026 onwards

Delivery of 50-70 lots per stage aligned to market absorption for the supply of housing in the area.

What are the details of the regime under which approval is being sought?

Please write your answer here:

Resource Consents under Resource Management Act 1991.

Heritage New Zealand Pouhere Taonga Act 2014 - archaeological authority.

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

Tauranga City Council, Bay of Plenty Regional Council.

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

None

Is approval required for the project by someone other than the applicant?

Yes

Please explain your answer here:

New Zealand Transport Agency, is a potentially interested party, given the land backs onto State Highway for approximately 500m length of property boundary. However, formal approval is not required from NZTA.

Archaeological authority may be sought to Heritage New Zealand, under the Heritage New Zealand Pouhere Taonga Act 2014. Council is undertaking investigations.

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please write your answer here:

July-25: Fast track approved

May-26: Earthworks completed

October-26: Stage 1 civil works completed

November-26: Titles received

June-27: First buildings completed

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

Relevant local authorities: Tauranga City Council

Relevant regional authorities: Bay of Plenty Regional Council

The property is situated in a large master planned growth area of Wairakei and Pāpāmoa East. The area has formed part of the SmartGrowth settlement plan, has progressed through plan changes to form part of the Tauranga City Plan as land zoned Pāpāmoa East Employment.

NZTA and the Bay of Plenty Regional Council (BOPRC) are both partner organisations of SmartGrowth. TCC and BOPRC are the relevant local authorities from a resource consenting perspective.

Council is seeking to utilise the property to provide for residential housing which is in short supply across the district. SmartGrowth partners and very aware of the shortage of housing in the sub-region.

Relevant iwi authorities: The area is within the iwi and hapu boundaries of Waitaha, Ngāti Whakaue ki Maketū, and Tapuika. No engagement or consultation has been undertaken with respect to this change of use of the land at the time of making a fast-track application.

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

High level consultation has been undertaken with respect to both the affected local and regional authorities and relevant iwi. In particular, Council has been in formal negotiations with Tumu Kaituna 14 Trust with respect to providing the Trust with an option to acquire land within the east block (employment land) of the proposed development. Tumu Kaituna 14 Trust owns adjoining land.

Further engagement with tangata whenua will be required under Tauranga City Council's Property Acquisitions and Disposals Policy in relation to the classification of the land for divestment purposes. This does not impact the development of the property as such.

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Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

The applicant and owner of the land is a local authority. The land is not subject to the Public Works Act.

Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Please write your answer here:

The Treaty settlements, set out below, have been identified as applying to the geographical location of the project. There are a number of Treaty Settlement Acts and Deeds of Settlement that may have some effect on the project and these are also set out below.

It should be noted that the land in question is at the boundary of two Waitangi Tribunal claim inquiry areas; the Tauranga Moana claims, and the Te Arawa claims. This means there are likely to be overlapping claims and areas of interest contained within the documents. Tapuika, Waitaha and Nga Potiki are claimant groups that have areas of interest in the wider area identified in the Deeds of Settlement. Overall, the project intends to ensure the matters set out within these documents are taken into account and to ensure that the input of iwi in this project meets these statutory requirements.

Treaty Settlements:

- Tauranga Moana Maori Trust Board Act 1981
- Ngai Te Rangi and Nga Potiki Deed of Settlement 2013 & Tauranga Moana Iwi Collective Deed of Settlement 2015
- Affiliate Te Arawa Iwi and Hapu Claims Settlement Act 2008 & Affiliate Te Arawa Deed of Settlement 2008
- Waitaha Claims Settlement Act 2013 & Waitaha Deed of Settlement 2011
- Ngāti Rangiteaorere Claims Settlement Act 2014 & Ngāti Rangiteaorere Deed of Settlement 2008
- Ngāti Rangiwewehi Claims Settlement Act 2014 & Ngāti Rangiwewehi Deed of Settlement 2012
- Tapuika Settlement Claims Act 2014 and Tapuika Deed of Settlement 2012.

The most relevant provisions from the Deeds of Settlement and legislation (related to the stormwater overflow project) are:

When preparing or amending a district plan, a local authority must recognise and provide for the vision, objectives, and desired outcomes of the Kaituna River document. This is particularly relevant as the Kaituna River is the southern boundary of the Te Tumu lands. The Kaituna River document was launched in June 2018. A recent change to the Bay of Plenty Regional Policy Statement (Change 5) has now included the contents of the Kaituna River Document in the RPS to the extent that it relates to resource management issues, and it is the most appropriate way to achieve the purpose of the RMA for the Kaituna River.

For each resource consent application for an activity within, adjacent to, or directly affecting a statutory area, provide a summary of the application, notice of the application and determine whether the settlement group is an affected party.

This will apply for the following areas and group:

Kaituna River – Tapuika
Wairākei Stream – Waitaha
Wairākei Stream – Nga Potiki

The below statutory acknowledgements will be included in statutory plans.

Kaituna River – Tapuika
Wairākei Stream – Waitaha
Wairākei Stream – Nga Potiki

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

No

If yes, what are they?:

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

Yes

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

No

If yes, what are they?:

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

No

If yes, please explain:

Upload your assessment if necessary:
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Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

Economic effects: Positive economic effects will be derived from the extra population and the construction activity required to build these homes and commercial buildings. This will increase support to the surrounding commercial areas and established public transport links. The small loss of employment land is not expected to substantially affect the regional supply and the parallel consenting of the East Block will more quickly unlock opportunities for business. Competing employment and industrial land is nearby including Rangiuru Business Park approximately 6km away as well as business land in the future Te Tumu urban growth area adjacent.

Visual / amenity effects: The change to residential use is likely to improve the visual and amenity affects. Large industrial buildings surrounded by unsightly yard space will be replaced with medium density homes that will be controlled to ensure built form and urban design quality is maintained. Ecology The land is already within the urban footprint and has already been significantly earth worked as part of the TEL construction. Therefore, it does not have substantial ecological value.

Transport: The land already has a substantial baseline of traffic generation from its current zoning. Furthermore, its proximity to the Tauranga Expressway Link (TEL) provides excellent connectivity along the coast. Public transport is within 400m of the site and walking distance to the subregional town centre that will provide the full range of day-to-day amenities. These existing amenities as well as the East Block employment area will allow residents to live and work locally without needing to use the TEL to travel further afield for daily needs. Therefore, any transport effects are expected to be manageable.

Acoustic: The land adjoins the TEL which is a source of traffic noise. This interface with the nearby homes will need to be managed to avoid reverse sensitivity effects. Normal mitigation measures like those found at nearby residential areas adjoining the TEL are expected to be adequate here. This

could be through separation distances, acoustic treatment of homes, or physical barriers. Noise effects are therefore expected to be manageable.

Infrastructure: The land is already zoned with associated infrastructure to service that use, including extensive surface stormwater infrastructure. Furthermore, detailed servicing modelling will be undertaken to confirm the capacity required for housing however the current capacity and any further requirements are expected to be manageable.

Geotechnical: The land is consistent with the surrounding areas already developed for housing and commercial use. The land is expected to be suitable for residential uses.

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Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

The attached table contains a general assessment of the project in relation to any relevant National Policy Statement ("NPS"), including the New Zealand Coastal Policy Statement ("NZCPS"), and any relevant National Environmental Standard ("NES"). This report has also included a general assessment of the project in relation to any relevant provision of the BOPRC Regional Policy Statement ("RPS").
For completeness, this report has not included any assessment against any proposed NPS or NES.

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Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

A fast-tracked process will significantly expedite the projects processing and in turn save costs. An alternative non-complying consent pathway for the project's residential component needs to show a large amount of detail and is subject to assessment against objectives and policies that require public notification. This would make the consent a high a risk of being rejected. The costs associated with this for a complex application could be close to \$500,000 and the timeframes of 12 months+. A more certain pathway would be a plan change to rezone the site for residential development before consenting occurs however this would add 2+ years to the project.

Publicly notified processes invite a wide scope of public involvement which increases the time to complete the process. Much of the costs with these approvals relate to the time and effort required in providing substantiation to submitters, time at hearing, and then the costs related to settling submitters concerns. Availability of key experts and the changing regulatory landscape also provides a risk that often slows down these processes.

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

This project has a strong technical foundation and Council has a clear understanding of the risk. It is expected that this project will be able to be considered by an expert panel over the 25 working day time period.

Has the project been identified as a priority project in a:

Local government plan or strategy

Please explain your answer here:

This land was earmarked for employment and industrial land in line with its zoning.
The fast-track approvals process provides an opportunity for Council to meet an urgent city and community need of providing additional housing supply in a major growth area of Tauranga.
This project can deliver 200 to 250 homes (subject to the potential for 2.25 hectares of the land to be used for an aquatics centre and indoor courts facility for which Council would seek consents under the fast-track process), while also creating opportunities to for business to locate nearby while providing a financial return to Council as the landowner. The project will serve key identifiable needs in terms of housing supply, economic development, and improving the financial position of Council. Council resolutions are in place to progress with a fast-track application.

Will the project deliver regionally or nationally significant infrastructure?

Not Answered

Please explain your answer here:

No

Will the project:

increase the supply of housing, address housing needs, contribute to a well-functioning urban environment

Please explain your answer here:

Yes.

Tauranga is NZ's fifth populous and rapidly growing city. The population has gone from 92,000 in 2000 to 161,000 in 2023 and expected to rise to 214,000 over next 30 years. The housing shortfall is currently at a 5,500 shortfall, this will rise to a shortfall of 7000 by 2054. Tauranga remains the most unaffordable city in New Zealand.

Tauranga is one of the fastest growing cities in New Zealand but also relatively geographically constrained. This project will increase the supply of housing by enabling land for 200 to 250 new homes, integrated with 22 large employment lots in a Tier 1 growth area. The project will strongly contribute to a well-functioning urban environment through:

- Providing a range of typologies and price points to cater to the varied needs of the diverse Tauranga community which will help to address the City's acute housing shortage and high house prices, including the highest house price to income ratio of any city in New Zealand.
- Be situated in a highly connected location in Pāpāmoa on a key transport corridor adjoining the Tauranga Expressway Link and within walking distance to public transport routes.
- The site will integrate residential, potentially an aquatic centre and indoor sports facility, and employment land. It is approximately 500m from a new town centre that will provide places to fulfil the everyday needs of those that live and work there.
- Providing alternative options for housing locations and compliment the surrounding land uses. The small size of the site is unlikely to compromise the competitiveness or operation of other nearby employment and residential zones.
- The land is not rural and so has no implications for productive soils nor will not it negatively affect rural land.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

The project will deliver significant economic benefits to the local economy through the land development and house & business construction phases which are estimated to cost approximately \$130m. The completed value of the residential project will be circa \$190m (219 homes at approximately \$850,000 value).

The completed value of the employment land project will be circa \$45m (land only) with circa \$60m of buildings to be developed.

The Council will also see significant benefits through the financial return received from enabling and capturing the completed development land value.

Will the project support primary industries, including aquaculture?

No

Please explain your answer here:

Will the project support development of natural resources, including minerals and petroleum?

No

Please explain your answer here:

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

Yes

Please explain your answer here:

The project will place more houses near employment and recreation zones, reducing the reliance on car dependency.

Will the project support adaptation, resilience, and recovery from natural hazards?

Yes

Please explain your answer here:

The project is located in an area that is resilient to natural hazard risks. The primary risk is flooding from intense rainfall.

To give effect to the Bay of Plenty Regional Policy Statement (RPS), TCC will be undertaking a natural hazard risk assessment. The risk assessment will incorporate the effects of climate change in natural hazard risk assessment for a 100-year time frame. It is expected that the identified risk will be managed and/or reduced to low-risk through:

- appropriate site design, e.g. development avoids inundation areas and provides housing in safe areas;
- site-specific provisions introduced to the Tauranga City Plan (TCP);
- existing provisions in TCP;
- existing legislation (e.g. Building Code and Building Act 2004).

Will the project address significant environmental issues?

No

Please explain your answer here:

Is the project consistent with local or regional planning documents, including spatial strategies?

No

Please explain your answer here:

No, with respect to the west block. The project will use employment land for housing so is unlikely to be consistent with the City Plan.

However, the Project is consistent with the Regional Policy Statement because it already exists within the urban footprint. There is little risk of poor outcomes regarding urban and rural growth management.

The project aims to create a compact, well designed and sustainable urban form. Through the use of urban design controls and the integration of the surrounding land uses. The project will add to a self-sustaining community supported by amenity and public transport.

The project is also consistent with the Smart Growth Strategy 2023 – 2073 and Draft Regional Land Transport Plan 2024-2034. The location, and employment and residential purpose of the project supports the aims for dense mixed-use development by co-locating employment land next to housing and integrating it with existing commercial centres. Its proximity to the TEL and public transport links aligns with these plans transit oriented development goals.

The development of the east block is consistent with the zoning.

Anything else?

Please write your answer here:

Does the project includes an activity which would make it ineligible?

No

If yes, please explain:

Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

Yes

If yes, please explain:

Through Plan Change 25 – 'Wairakei Urban Growth' which was made operative in 2017; the area was assessed for natural hazards including tsunami, flooding, and earthquake (liquefaction) risks.

These assessments and consequent risk assessments completed at that time found that the risks associated with natural hazards were considered to be acceptable to zone the land for urban development.

The risk of liquefaction was found to require measures be put in place for mitigation - namely specific foundation design. These foundation types are now common in building design and represent no impediment to the project land's suitability for housing.

More recently in Plan Change 27 which deals with flooding from intense rainfall, the current site is seen to be impacted. This impact is anticipated to be manageable through stormwater and landform design and the landform will be delivered to a sufficient height to achieve minimal habitable floor levels.

Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

As a provider of a wide range of community facilities and infrastructure on a continual basis, Council is on occasion subject to enforcement orders. Such enforcement orders generally relate to infrastructure provision and development, such as have previously related to breach of discharges and construction noise breaches. Given Council is also responsible for issuing and resolving enforcement orders across the city itself, it has not been able to provide a full and complete track record at this time given the limited time to prepare this application and the extensive searches that would otherwise be required. Notwithstanding, we can note that there have been no enforcement orders related to the subject site and Council is unaware of any other enforcement orders that would otherwise impact its ability to deliver the project.

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Declaration

Do you acknowledge your submission will be published on environment.govt.nz if required

Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

Simon Collett

Important notes