

Response ID ANON-URZ4-5FKF-1

Submitted to Fast-track approval applications
Submitted on 2024-05-03 17:01:47

Submitter details

Is this application for section 2a or 2b?

2B

1 Submitter name

Individual or organisation name:
Kevin and Andrea Marsh C/- Momentum Planning and Design Ltd

2 Contact person

Contact person name:
Richard Coles

3 What is your job title

Job title:
Planner / Director

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:

136 Willow Street,
Tauranga
3110

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

No

Organisation:

Contact person:

Phone number:

Email address:

Job title:

Please enter your service address:

Section 1: Project location

Site address or location

Add the address or describe the location:

1491 State Highway 2, Pongakawa 3186 (road frontage to State Highway 2 and Arawa Road)
53 Arawa Road

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

Yes

upload file:
Title Documentation.pdf was uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

Kevin and Andrea Marsh (the applicants)

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:

Owner and occupier/farmers

Section 2: Project details

What is the project name?

Please write your answer here:
Pongakawa Pencarrow Estate Development

What is the project summary?

Please write your answer here:

Development of up to 130 dwellings, local scale urban amenities (commercial area, parks and reserves, public and active transport provision), adjacent to/consolidating existing Pongakawa settlement near Te Puke and Tauranga City.

What are the project details?

Please write your answer here:

The proposal is a mixed-use subdivision to establish approximately 130 residential lots and a commercial area over a 12-hectare site adjacent to the existing Pongakawa settlement. The proposal will upgrade the existing water supply to Pongakawa and provide onsite stormwater and wastewater treatment. The access to Arawa Road from SH 2 will be upgraded with a declaration lane providing a safer road network. Please provide details of the proposed project, its purpose, objectives, and the activities it involves, noting that Clause 14(2)(b) of the Bill specifies that the application requires only a general level of detail.

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

Please write your answer here:

The project will be developed in three main stages commencing with the enabling earthworks and truck infrastructure.

1. Enabling works - Bulk earthworks and infrastructure and roading upgrades
2. Stage 1 lots and roading (45 residential lots, 1 commercial site and adjacent reserve area).
3. Stage 2 lots, neighbourhood reserve and roading (45 residential lots, establishment of passive reserve and walkway links and upgrade to stage 1 wastewater infrastructure).
4. Stage 3 lots (30 residential lots, establishment of passive reserve and walkway links and upgrade to stage 1 wastewater infrastructure).

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

Please write your answer here:

The following resource consents are required under the Resource Management Act.

1. Comprehensive Subdivision and Land Use Consent (WBOPDP Rules 18.3.5(c) and 18.3.5(a) and others - Non-complying)
2. Land use consent for bulk earthworks (BOPRC Rule 1C – Discretionary Activity).
3. Consent to attenuate, treat, and discharge stormwater (BOP RNRC Rule 47B – RDA; Rule 30A – Discretionary Activity).
4. Consent to treat and discharge treated wastewater via a package treatment plant (OSET RP Rule14).

An authority to modify or destroy archaeological sites will be sought from the Historic Places Trust. No archaeological sites have been identified but the project archaeologist has indicated there is a possibility for archaeological sites in this area.

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

Please write your answer here:

The relevant local authorities are the Western Bay of Plenty District Council and the 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:

No resource consents have been prepared or lodged with WBOPDC or BOPRC.

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

No

Please explain your answer here:

No other approvals are necessary other than the applicant.

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

Please write your answer here:

The following high-level timeline is provided to respond to this question.

- Detailed design and development work approval - Q1 2025
- Bulk Earthworks Q2-Q4 2025
- Enabling Works (truck infrastructure and off-site upgrades) and Stage 1 civil works Q3-Q4 2025.
- Subdivision 224 application for Stage 1 target Q1 2026
- Stage 1 subdivision complete Q2 2026 and first houses established during 2026.

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

The following list of persons are likely to be affected by the project, including:

- Western Bay of Plenty District Council
- Bay of Plenty Regional Council
- Waka Kotahi
- Ngati Whakahemo
- Ngati Pikiao
- Adjacent Landowners

Consultation has occurred with both the Regional Council and District Council with respect to the urban expansion to Pongakawa and the environmental effects that need to be considered. Engagement with mana whenua has gained the written support of Ngati Whakahemo and Ngati Pikiao subject to the appropriate treatment of stormwater and wastewater so as not to adversely affect the downstream freshwater catchment area. Stream enhancement is proposed to improve the ecological values of the Puanene Stream adjacent to the site.

The concept design for an intersection upgrade with SH2 has undergone a safety audit and submitted to Waka Kotahi. No additional land is required under the Public Works Act.

Adjacent landowners on Awara Road have been consulted with respect to urbanising land adjacent to their properties and how to manage amenity effects.

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:

Engagement with WBOPDC and BOPRC staff prior to commencement and during the preparation of the development proposal over the last 24 months.

Extensive consultation was undertaken with Iwi/hapu with serval hui. These are documented along with the general support from two hapu groups.

The applicant has engaged directly with the district and regional councils, current government officials, local elected representatives, economic development agencies, and adjacent residents.

See AEE for additional consultation records for additional explanation.

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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:

NA – no land is required under 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:

There are no statutory acknowledgement areas affecting the application site.

The site is located within the Ngati Whakahemo rohe affiliate with Te Arawa. Consultation and general support for the project has been received from Ngati Whakahemo.

The site is located in the Ngati Pikiao rohe. The is located adjacent to their Rohe along SH2. We have consulted with Ngati Pikiao who were generally supportive of the project subject to water quality issues being addressed in stormwater and wastewater design.

The site is within the Ngati Makino Settlement Area of Interest.

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:

Through consultation we have established that the proposal is unlikely to have any adverse effects on any customary rights

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:

See the email to follow file for a full assessment of the adverse effects of the proposed subdivision.

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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 project will deliver housing to the Eastern corridor area which will help contribute to the current projected shortfall of housing in the short, medium, and long-term projects as per the HBA for the subregion. This is generally consistent with the purpose of the NPS-UD.

The site is located immediately adjacent to the settlement of Pongakawa and is located on land with a mixed LUC class. Some of the land is classified as LUC 2 land and therefore considered to be versatile land. The proposal will provide tangible benefits to the Pongakawa community including improved infrastructure and roading and will provide community facilities within the commercial area. Reserves and walking tracks will also be provided. A bus stop will be established within the development. These outcomes along with the ecological enhancement of the Puanene Stream corridor meet the criteria of Section 3.6 of the NPS-HPL.

Ecological assessment of the land has confirmed that there are no natural wetlands located on the application site. Ecological enhancement of the channelised Puanene Stream will help improve the ecological value and habitat for freshwater fauna.

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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:

The land is zoned rural under the operative District Plan. If the project were to be added to the fast-track process it would speed up the delivery of the project by potential 18-24 months. This would within a short period of time enable improved housing supply in the Eastern corridor.

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

Please write your answer here:

The project is supported by necessary technical reports to confirm the site is not subject to natural hazards, can improve infrastructure supply to the existing community, will result in roading upgrades to improve traffic safety, is not affected by a freshwater wetland and has geotechnical investigations confirming the suitability of the site for urban development. There is therefore, an opportunity to finalise resource consent for all aspects of this development project relatively quickly. We, therefore, consider that the project will not adversely affect the efficient operation of the fast-track process.

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

Not Answered

Please explain your answer here:

The project has not been specifically identified as being regionally or nationally significant. However, the project will create housing supply in an area where there is an identified shortage of housing. This is a nationally important issue, and the scale of the project meets BOPRC's definition of significance being 5ha or more. The proposal site is 12 hectares.

The project is located in close proximity to larger kiwifruit conversion areas around Pongakawa and Paeangaroa and a short drive to the Rangiuru Business Park being a 168ha greenfield industrial park that supports the Port of Tauranga. Significant investment in these two sectors will assist the economic growth within the Bay of Plenty. Providing additional housing supply to support workers in the horticultural and industrial sectors will assist this economic growth and also contribute positively to the residential construction industry.

Will the project deliver regionally or nationally significant infrastructure?

Not Answered

Please explain your answer here:

No regional or national infrastructure will be provided by this project.

Will the project:

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

Please explain your answer here:

Yes, the main benefit of the project is it will contribute positively to the housing supply in the Eastern corridor which has been identified as having a shortfall in Council's HBA report for the short, medium, and long term. This housing shortage will be exacerbated by the growth in the kiwifruit sector through farm conversions and the projected 4000 jobs anticipated within the Rangiuru Business Park.

The Pongakawa urban area has limited accessible reserves or community services, and the proposed development will provide pedestrian connectivity to the existing urban area providing access to reserve land. It will provide a neighbourhood shop, community facilities, and a playground. Private investment will upgrade the intersection with State Highway 2 Improving traffic safety and will provide safer opportunities for public transport.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

There are multiple economic benefits to this project. The project will provide the opportunity to establish approximately \$100m of housing and infrastructure development, which will have positive effect on the construction sector. There are also economic benefits in creating housing close proximity to areas of employment. Infrastructure such as schools are already established at Pongakawa and can be better utilised.

Will the project support primary industries, including aquaculture?

Yes

Please explain your answer here:

As mentioned above the development of housing in this area will provide accommodation for workers in the horticultural sector, the nearby developing Rangiuru Business Park and indirectly the Port of Tauranga. The development would accommodate approximately 350 people.

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:

Possibly to a limited extent by reducing vehicle kilometres travelled to and from employment areas of Rangiuru Business Park and the horticultural area surrounding and near Pongakawa

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

Yes

Please explain your answer here:

The project has been subject to a Natural Hazards Assessment that has confirmed the area would have resilience to natural hazards including earthquakes, tsunamis, flooding, and erosion.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

All environmental issues have been considered and have been addressed in the AEE accompanying this application. This can be further embellished prior to lodging the application should the project be accepted for the fast track.

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

Not Answered

Please explain your answer here:

The site is located in the Eastern Growth Corridor and located adjacent to State Highway 2. Pongakawa has not been spatially identified or planned as a growth area, however, its location is near employment centres including the Rangiuru Business Park, AFFCO meat works, Paeangaroa settlement, areas of large kiwifruit conversion and established post-harvest areas, means that it is strategically located and worthy of consideration for the scale of housing proposed.

Anything else?

Please write your answer here:

The Pongakawa settlement was originally established in the 1950s and has slowly grown since its establishment. However, during the last 5 years, all urban zoned land not developed has since been fully developed. This includes Penelope Place where a subdivision was established and built out with houses over a two-to-three-year timeframe. This shows the increasing demand for housing in this area. The Pongakawa community will benefit from the proposed development which will improve the amenity overall and enable commercial and community service activities to establish. New walking circuits, reserves and a playground will provide more opportunity for the community to enjoy their environment. The development has specifically been designed to achieve these outcomes.

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?

No

If yes, please explain:

See Natural Hazards Assessment

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:

No compliance or enforcement action has been taken against the applicant.

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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:

Richard Coles

Important notes