

Mā tō tātou takiwā  
**For our District**

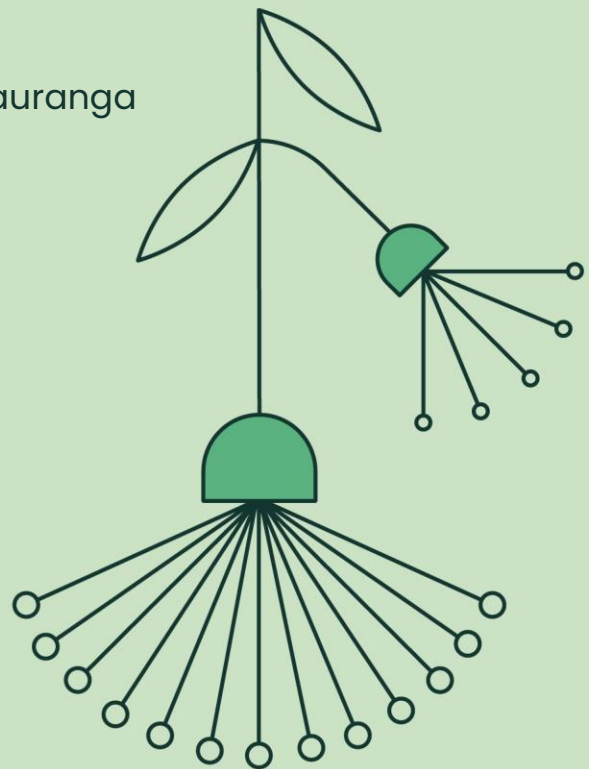
## **Strategy and Policy Committee**

Kōmiti Rautaki me Kaupapa Here

SPC23-3

Thursday, 25 May 2023, 9.30am

Council Chambers, 1484 Cameron Road, Tauranga



# Strategy and Policy Committee

## Membership:

<b>Chairperson</b>	Mayor James Denyer
<b>Deputy Chairperson</b>	Cr Richard Crawford
<b>Members</b>	Cr Tracey Coxhead Cr Grant Dally Cr Murray Grainger Cr Anne Henry Cr Rodney Joyce Cr Margaret Murray-Benge Deputy Mayor John Scrimgeour Cr Allan Sole Cr Don Thwaites Cr Andy Wichers
<b>Quorum</b>	Six (6)
<b>Frequency</b>	Six weekly

## Role:

- To develop and review strategies, policies, plans and bylaws to advance the strategic direction of Council and its communities.
- To ensure an integrated approach to land development (including land for housing), land use and transportation to enable, support and shape sustainable, vibrant and safe communities.
- To ensure there is sufficient and appropriate housing supply and choice in existing and new urban areas to meet current and future needs.

## Scope:

- Development and review of bylaws in accordance with legislation including determination of the nature and extent of community engagement approaches to be deployed.
- Development, review and approval of strategies and plans in accordance with legislation including determination of the nature and extent of community engagement approaches to be deployed.
- Subject to compliance with legislation and the Long Term Plan, to resolve all matters of strategic policy outside of the Long Term Plan process which does not require, under the Local Government Act 2002, a resolution of Council.
- Development of District Plan changes up to the point of public notification under the Resource Management Act 1991.

- Endorsement of the Future Development Strategy and sub-regional or regional spatial plans.
- Consider and approve changes to service delivery arrangements arising from service delivery reviews required under the Local Government Act 2002 (provided that where a service delivery proposal requires an amendment to the Long Term Plan, it shall thereafter be progressed by the Annual Plan and Long Term Plan Committee).
- Where un-budgeted financial implications arise from the development or review of policies, bylaws or plans, recommend to Council any changes or variations necessary to give effect to such policies, bylaws or plans.
- Listen to and receive the presentation of views by people and engage in spoken interaction in relation to any matters Council undertakes to consult on whether under the Local Government Act 2002 or any other Act.
- Oversee the development of strategies relating to sub-regional parks and sub-regional community facilities for the enhancement of community wellbeing of the Western Bay of Plenty District communities, for recommendation to Tauranga City Council and Western Bay of Plenty District Council.
- Consider and decide applications to the Community Matching Fund (including accumulated Ecological Financial Contributions).
- Consider and decide applications to the Facilities in the Community Grant Fund.
- Approve Council submissions to central government, councils and other organisations, including submissions on proposed legislation, plan changes or policy statements.
- Receive and make decisions and recommendations to Council and its Committees, as appropriate, on reports, recommendations and minutes of the following:
  - SmartGrowth Leadership Group
  - Regional Transport Committee
  - Any other Joint Committee, Forum or Working Group, as directed by Council.
- Receive and make decisions on, as appropriate, any matters of a policy or planning nature from the following:
  - Waihi Beach, Katikati, Ōmokoroa, Te Puke and Maketu Community Boards.
  - Community Committee.

### Power to Act:

- To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed.

### Power to Recommend:

- To Council and/or any Committee as it deems appropriate.

### Power to sub-delegate:

- The Committee may delegate any of its functions, duties or powers to a subcommittee, working group or other subordinate decision-making body subject

to the restrictions within its delegations and provided that any such sub-delegation includes a statement of purpose and specification of task.

- Should there be insufficient time for Strategy and Policy Committee to consider approval for a final submission to an external body, the Chair has delegated authority to sign the submission on behalf of Council, provided that the final submission is reported to the next scheduled meeting of the Strategy and Policy Committee.

Notice is hereby given that a Strategy and Policy Committee Meeting will be held in the Council Chambers, 1484 Cameron Road, Tauranga on: Thursday, 25 May 2023 at 9.30am

## Order Of Business

<b>1</b>	<b>Present</b> .....	<b>6</b>
<b>2</b>	<b>In Attendance</b> .....	<b>6</b>
<b>3</b>	<b>Apologies</b> .....	<b>6</b>
<b>4</b>	<b>Consideration of Late Items</b> .....	<b>6</b>
<b>5</b>	<b>Declarations of Interest</b> .....	<b>6</b>
<b>6</b>	<b>Public Excluded Items</b> .....	<b>6</b>
<b>7</b>	<b>Public Forum</b> .....	<b>6</b>
<b>8</b>	<b>Presentations</b> .....	<b>6</b>
<b>9</b>	<b>Reports</b> .....	<b>7</b>
9.1	Review of the Significance and Engagement Policy 2020 .....	7
9.2	Smartgrowth Quarterly Report – May 2023 .....	18
9.3	Submission to the Review of the Resource Management Act (Infringement Offences) Regulations 1991 .....	51
9.4	Submission on “Charging our Future: a draft long-term electric vehicle charging strategy for Aotearoa New Zealand.” .....	54
9.5	Western Bay of Plenty District Council submission to the Occupational Regulation reforms in the Building and Construction Sector.....	58
<b>10</b>	<b>Information for Receipt</b> .....	<b>69</b>

**1 PRESENT****2 IN ATTENDANCE****3 APOLOGIES****4 CONSIDERATION OF LATE ITEMS****5 DECLARATIONS OF INTEREST**

Members are reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest that they may have.

**6 PUBLIC EXCLUDED ITEMS****7 PUBLIC FORUM**

A period of up to 30 minutes is set aside for a public forum. Members of the public may attend to address the Board for up to five minutes on items that fall within the delegations of the Board provided the matters are not subject to legal proceedings, or to a process providing for the hearing of submissions. Speakers may be questioned through the Chairperson by members, but questions must be confined to obtaining information or clarification on matters raised by the speaker. The Chairperson has discretion in regard to time extensions.

Such presentations do not form part of the formal business of the meeting, a brief record will be kept of matters raised during any public forum section of the meeting with matters for action to be referred through the customer contact centre request system, while those requiring further investigation will be referred to the Chief Executive.

**8 PRESENTATIONS**

## 9 REPORTS

### 9.1 REVIEW OF THE SIGNIFICANCE AND ENGAGEMENT POLICY 2020

**File Number:** A5290899

**Author:** Charlotte McGirr, Policy Analyst

**Authoriser:** Rachael Davie, General Manager Strategy and Community

#### EXECUTIVE SUMMARY

1. Council's Significance and Engagement Policy is reviewed every three years.
2. The existing policy is considered fit for purpose, and this report recommends that the Significance and Engagement Policy be adopted in its current format.

#### RECOMMENDATION

1. That the Policy Analyst's report dated 25 May 2023 titled 'Review of the Significance and Engagement Policy 2020' be received.
2. That the report relates to an issue that is considered to be of **low** significance in terms of Council's Significance and Engagement Policy.
3. That the Significance and Engagement Policy, included as **Attachment 1** to this report, be adopted.

#### BACKGROUND

3. The Local Government Act 2002 sets out requirements for Council to consult with the community when planning or making decisions. Under Section 76AA of the Act, Council is required to have a Significance and Engagement Policy.
4. The Significance and Engagement Policy lets the public know what decisions the Council and community consider particularly important, how Council will assess the importance of these decisions, and how and when the community can expect to be engaged with.
5. The current Significance and Engagement Policy was developed in 2014 following extensive engagement with the community to identify how they prefer Council to engage with them. The policy has had two subsequent reviews in 2017 and 2020, which found the policy to be fit for purpose and only requiring editorial updates.
6. The current policy includes a range of criteria to identify the level of significance for a project. This includes:
  - (a) Legal requirements
  - (b) Financial consequences

- (c) Whether the proposal affects a significant activity
  - (d) Likely impact on future and present interests of the community
  - (e) Level of community interest and/or if there are divided community views
  - (f) Whether community views are known from previous engagement
  - (g) Whether the decision is reversible.
7. It is anticipated that some sections of the policy may need to be reviewed following changes from the Affordable Water Reform. This includes the relevance of the financial thresholds outlined in section 6.4 and the list of strategic assets in Schedule 2 of the policy. It is not an urgent matter to review these sections until there is complete clarity on the timing, process and implications of the reform.
8. The policy is currently deemed fit for purpose and there are no proposed changes to the Significance and Engagement Policy.

### **SIGNIFICANCE AND ENGAGEMENT**

9. The Local Government Act 2002 requires a formal assessment of the significance of matters and decision in this report against Council's Significance and Engagement Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.
10. The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.
11. In terms of the Significance and Engagement Policy this decision is considered to be of low significance because it does not impact levels of service, does not have a financial impact and the policy is reviewed regularly to ensure its relevance.

### **ENGAGEMENT, CONSULTATION AND COMMUNICATION**

12. Under Section 76AA of the Local Government Act 2002, there is no requirement to consult on the review of this policy if Council considers on reasonable grounds that it has sufficient information about community interests and preferences to enable the purpose of the policy to be achieved.
13. Council has sufficient information about community interests and preferences to enable the purpose of this policy to be achieved. This considers the existing strategies and plans Council has including Te Ara Mua, Iwi and Hapū Management Plans and Community Plans as well as feedback received through community engagement, for example the Your Place To Wāhi engagement process.

### **ISSUES AND OPTIONS ASSESSMENT**

14. The below table sets out the consideration of options.



<b>Option A</b> <b>Adopt the Significance and Engagement Policy</b>	
<b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul>	<u>Advantages</u> <ul style="list-style-type: none"> <li>• Having an operative Significance and Engagement Policy will continue to provide clear guidance on how Council assesses significance of a project.</li> <li>• It will also continue to provide direction on how and when Council will engage with the community.</li> </ul>
<b>Costs (including present and future costs, direct, indirect and contingent costs).</b>	There are no additional costs associated with this option.
<b>Other implications and any assumptions that relate to this option.</b>	There are no other implications associated with this option.
<b>Option B</b> <b>Do not adopt the Significance and Engagement Policy and seek further work to inform a review</b>	
<b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul>	<u>Advantages</u> <ul style="list-style-type: none"> <li>• Further work can be undertaken to inform Council decision making.</li> </ul> <u>Disadvantages</u> <ul style="list-style-type: none"> <li>• There will be a cost to any additional work to inform a review.</li> <li>• If a comprehensive review is initiated now, the review may have to be repeated in a short space of time if the policy requires changes following the Affordable Water Reform.</li> </ul>
<b>Costs (including present and future costs, direct, indirect and contingent costs).</b>	Additional costs to complete a full review include staff time and resourcing to carry out the review, including community engagement.

<b>Other implications and any assumptions that relate to this option.</b>	There are no other implications associated with this option.
---	--

### STATUTORY COMPLIANCE

15. The recommendation to adopt the Significance and Engagement Policy is consistent with Section 76AA (4) of the Local Government Act 2002.
16. This clause enables Council to adopt a Significance and Engagement Policy without undertaking a consultation process in accordance with Section 82 of the Act, if Council considers on reasonable grounds that it has sufficient information about community interests and preferences to enable the purpose of the Policy to be achieved.

### FUNDING/BUDGET IMPLICATIONS

17. There are no funding or budget implications associated with this report's recommendations.

### ATTACHMENTS

1. **Significance and Engagement Policy** 

## Council Policy

### Significance and Engagement Policy

#### 1. Relevant Legislation

Local Government Act (LGA) 2002.

#### 2. Purpose of Policy

The purpose of this Policy is to let both Council and the community identify the level of significance of particular proposals or decisions, and to understand when and how the community will be engaged in making decisions.

This Policy is one of the inputs into Council's approach to sustainable decision making. The approach to sustainable decision making is set out in Schedule 1 to this Policy.

#### 3. Policy Objectives

**3.1** To set out how the level of significance of a proposal or decision is determined.

**3.2** To set out how Council will engage with the public about particular proposals or decisions, depending on its level of significance.

#### 4. Policy

**4.1** Council will take into account the following matters when determining the level of significance of a proposal or decision:

- Whether there is a legal requirement to engage with the community and what that requirement is (see policy 4.4 and 4.5)
- Whether the proposal or decision affects the level of service of a significant activity
- The level of financial consequence of the proposal or decision
- Whether the proposal or decision affects a large part of the community, and the extent to which they are affected
- The likely impact on future and present interests of the community, recognising Maori cultural values and their relationship to land and water
- Whether community interest in the proposal or decision is high, and /or there are divided community views
- Whether community views are already known from previous engagement processes
- Whether the decision is reversible

**4.2** In general, if a proposal or decision is affected by a number of the above matters, the higher its level of significance, and greater the need for community engagement.

## Council Policy

### Significance and Engagement Policy

- 4.3** Council will decide early in each process the appropriate level of engagement to support decision making, and will apply the principles of engagement set out in Part 5.
- 4.4** In some instances legislation requires Council to follow either the Special Consultative Procedure (SCP) set out in Section 83 of the LGA 2002, or the principles of consultation set out in Section 82 of the LGA 2002, regardless of the level of significance of a proposal or decision.
- 4.5** In accordance with Section 97 of the LGA 2002, some decisions will only be taken if they have been consulted on and provided for in a Long Term Plan. This includes a decision to alter significantly the intended level of service of a significant activity, and a decision to transfer the ownership or control of a strategic asset to or from a local authority. Council's strategic assets are listed in Schedule 2 to this policy.
- 4.6** For all other proposals or decisions Council will determine the appropriate level of engagement on a case by case basis, applying the engagement principles set out in Part 5 of this policy.
- 4.7** Engagement will be informed by Council's Community Engagement Guidelines and Tangata Whenua Engagement Guidelines and Protocols. A summary of the engagement spectrum and tools is provided in Schedule 3 to this policy.
- 4.8** Council, through its Tangata Whenua Engagement Guidelines and Protocols, recognises the specific obligations set out in Section 81 of the LGA 2002 to establish and maintain processes to provide opportunities for Maori to contribute to Council decision-making processes.
- 4.9** If Council makes a decision that is inconsistent with this policy, the steps identified in Section 80 of the LGA 2002 will be followed.

### 5. Principles of Engagement

Engagement will be:

- Meaningful - based on an open mind and willingness to listen.
- Respectful - with the aim of building council-community relationships.
- Supported by the provision of information which is balanced, sufficient and in plain language.
- Inclusive and endeavour to reach all those affected.
- Flexible and tailored to the needs of those who are being engaged.
- Coordinated across Council departments to minimise duplication and engagement fatigue.
- Pragmatic, efficient and value for money.

## Council Policy

### Significance and Engagement Policy

#### 6. Policy Procedures

- 6.1** Council will use an internal significance checklist, alongside each report to Council / Committee, to ensure the proposal or decision has been assessed against the matters set out in Policy 4.1.
- 6.2** Each Council report will include a section on Significance, detailing the level of significance of the particular proposal or decision and the rationale for why that level has been determined.
- 6.3** Each report seeking a decision will detail the level of engagement appropriate to the proposal or decision, and tools that will be used to engage. The Community Engagement Guidelines and Tangata Whenua Engagement Guidelines and Protocols will be used to inform engagement decisions.
- 6.4** The following financial thresholds will guide analysis of the level of financial consequence of a proposal or decision. Proposals or decisions above these thresholds will be considered to be of high significance:
- Decisions or proposals in excess of \$8 million or which would result in a 5% or more increase in the annual District rates.
  - Decisions or proposals which would result in a new or increased targeted rate of more than 10% of existing rates per property.
  - Decisions or proposals relating to capital expenditure in excess of \$6 million (total project cost) which has not been provided for in the 3-year term of the current long term plan.

#### 7. Definitions

<b>Community</b>	A group of people living in the same place or having a particular characteristic in common. Includes interested parties, affected people and key stakeholders.
<b>Decisions</b>	Refers to all the decisions made by or on behalf of Council including those made by officers under delegation. (Management decisions made by officers under delegation during the implementation of Council decisions will not be deemed as significant).
<b>Engagement</b>	A term used to describe the process of seeking public input to inform decision making. There is a continuum of community engagement (see Section 3 in Schedule 2 of this policy).

## Council Policy

### Significance and Engagement Policy

<b>Significance</b>	As defined in Section 5 of the LGA 2002 this means the degree of importance of the issue, proposal, decision, or matter, as assessed by the local authority, in terms of its likely impact on, and likely consequences for,— (a) the district or region; (b) any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter; (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
<b>Significant</b>	Significant means that the issue, proposal, decision or other matter is assessed as having a high degree of significance against the criteria of this policy.
<b>Strategic asset</b>	As defined in Section 5 of the LGA 2002 “in relation to the assets held by a local authority, means an asset or group of assets that the local authority needs to retain if the local authority is to maintain the local authority's capacity to achieve or promote any outcome that the local authority determines to be important to the current or future well-being of the community; and includes— (a) any asset or group of assets listed in accordance with section 76AA(3) by the local authority; and (b) any land or building owned by the local authority and required to maintain the local authority's capacity to provide affordable housing as part of its social policy; and (c) any equity securities held by the local authority in— (i) a port company within the meaning of the <a href="#">Port Companies Act 1988</a> ; (ii) an airport company within the meaning of the <a href="#">Airport Authorities Act 1966</a> ”.  Council's strategic assets are listed in Schedule 2.

#### 8. Policy Review

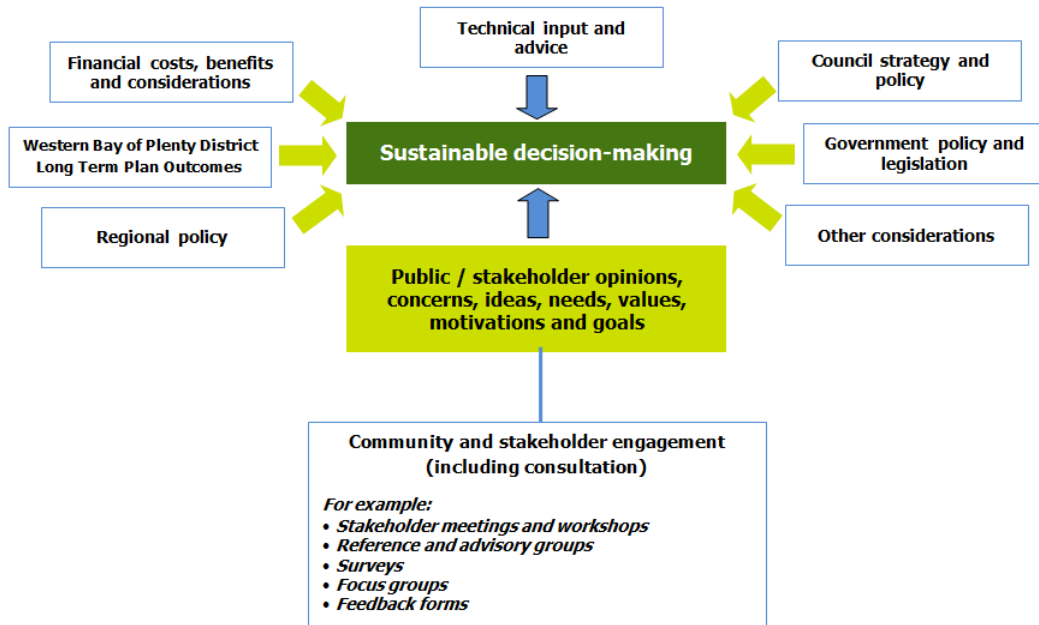
**8.1** This Policy will be reviewed every 3 years following the commencement of a new triennium.

<b>Group</b>	Strategy and Community Group	<b>Contact (3<sup>rd</sup> Tier Manager)</b>	Policy and Planning Manager
<b>Supersedes</b>	Significance and Engagement Policy 2020		
<b>Creation Date</b>	24 March 2020	<b>Resolution Reference</b>	TBC
<b>Last Review Date</b>	24 March 2020	<b>Resolution Reference</b>	TBC
<b>Review Cycle</b>	Within 3 years of coming into effect		<b>Date</b> 25 May 2023
<b>Authorised by</b>	Strategy and Policy Committee		<b>Date</b> 25 May 2023

# Council Policy

## Significance and Engagement Policy

### Schedule 1 – Council’s approach to Sustainable Decision Making



## Council Policy

### Significance and Engagement Policy

#### Schedule 2 – List of Strategic Assets

For the purposes of sections 5 and 76AA(3) of the Local Government Act 2002, Council considers the following assets to be strategic assets:

- The roading network as a whole
- Reserves listed and managed under the Reserves Act 1997 excluding:
  - (a) Reserves identified for investigation for disposal in an adopted Reserve Management Plan
  - (b) Local Purpose Reserves
- Land held under other Acts or as fee simple but listed as reserves or considered as reserves.
- Water reticulation network as a whole
- Wastewater plant and network as a whole
- Stormwater reticulation network as a whole
- Library network
- Pensioner housing network.





## 9.2 SMARTGROWTH QUARTERLY REPORT – MAY 2023

**File Number:** A5385466

**Author:** Tracey Miller, Strategic Advisor Resource Management

**Authoriser:** Rachael Davie, General Manager Strategy and Community

### EXECUTIVE SUMMARY

1. This report has been prepared to provide an update on the SmartGrowth work programme over the last quarter. This includes the draft SmartGrowth Strategy 2023, the Housing and Business Development Capacity Assessment and the Priority Development Areas.

### RECOMMENDATION

1. That the Strategic Advisor Resource Management's report dated 25 May 2023, titled 'SmartGrowth Quarterly Report – May 2023', be received.
2. That the report relates to an issue that is considered to be of **low** significance in terms of Council's Significance and Engagement Policy.

### BACKGROUND – SMARTGROWTH STRATEGY

2. SmartGrowth is developing a sub-regional spatial plan, known as the SmartGrowth Strategy 2023 (SGS 2023). The Strategy will consider how urban form, tangata whenua values and aspirations, infrastructure, transport, community development and the environment need to be looked at together to achieve effective growth.
3. The SGS will set the vision and objectives for our sub-region's future development. It will be utilised by all of the SmartGrowth partners (Western Bay of Plenty District Council, Bay of Plenty Regional Council, Tauranga City Council, tangata whenua and central government), enabling a unified approach to growth. The Strategy will build on the principles in the Urban Form and Transport Initiative (2020) and the SmartGrowth Draft Joint Spatial Plan (2021).
4. The draft strategy reflects the previously agreed UFTI settlement pattern (Connected Centres) and outlines an indicative staging of growth in priority development areas (PDAs) and other existing urban areas over the 2022-2052 period.
5. The Strategy will incorporate the National Policy Statement on Urban Development requirements for a Future Development Strategy (FDS). The FDS component of the SmartGrowth Strategy is required to provide at least sufficient development capacity over the next 30 years to meet expected demand. The FDS also must spatially identify the development infrastructure and additional infrastructure required to support or service the development capacity.

6. The Strategy will inform councils' Long Term Plans for 2024-34, which will need to make provision for required infrastructure funding and delivery in all the growth areas planned to be 'development-ready' within the 2024-34 period. The LTPs will also need to make provision for infrastructure in their 30-year Infrastructure Strategies for land required in the long term (10-30 years).
7. The draft strategy is due to be completed and adopted for consultation purposes in mid 2023. The SGS will follow a Local Government Act 2002 special consultative procedure (SCP) between September and November 2023, with finalisation of the plan between December 2023 and March 2024. A SCP is required to meet the consultation needs of the Future Development Strategy component of the SmartGrowth Strategy.
8. An Industrial Land Study has been undertaken to identify suitable land for industrial activities to meet future demand in the subregion over the next 30+ years to ensure there is sufficient industrial land supply over the long term. The findings of this report will help inform the SmartGrowth Strategy.
9. As a result of the resource management system reform, a Regional Spatial Strategy will be developed over the next several years for the entire Bay of Plenty region. The new SmartGrowth strategy will form the basis of the western Bay of Plenty sub-region's input into the Regional Spatial Strategy.
10. Council staff are proposing to provide a complete overview of the draft SGS at the next Strategy and Policy Council workshop on 6 July 2023.

### BACKGROUND – HOUSING AND BUSINESS DEVELOPMENT CAPACITY ASSESSMENT (HBA)

11. Western Bay of Plenty District Council and Tauranga City Council are required to undertake a Housing and Business Development Capacity Assessment (HBA) as part of their response to the National Policy Statement on Urban Development 2020 (NPS-UD). This assessment sets out the housing component required for the Tauranga Tier 1 urban environment, which covers the urban areas of Tauranga City and Western Bay of Plenty District. The Housing and Business Capacity Assessment 2022 summary is provided in **Attachment 1**.
12. HBAs must be prepared every three years to ensure planning decisions are well-informed and in time to inform Long Term Plans.
13. Two technical assessments have been undertaken to meet the NPS-UD requirements. The SmartGrowth Housing Capacity Assessment (December 2022) (updating the 2021 assessment). The second technical report that informs the HBA is the Business Capacity Assessment prepared by Market Economics (December 2022).
14. Tauranga City and the Western Bay of Plenty District have seen a rapid and sustained increase in population, with the sub-region's population expected to increase to 282,900 people in the next 30 years.

15. A housing insufficiency has been determined for the sub-region in the short, medium, and long-term (next 30 years), which reflects the delay in being able to bring to market new development areas due to infrastructure and national policy hurdles.
16. It is estimated that an additional 42,990 new homes will need to be built over the next 30 years within the western Bay of Plenty sub-region to meet housing demand. Tauranga City will require another 33,890 new houses and Western Bay of Plenty District another 9,100 new houses for its future population.
17. In response to the housing shortfall, both councils are focusing on intensification as required by the Medium Density Residential Standards (MDRS) Plan Changes. In addition, there are two new options to address the shortfall, being the Eastern Corridor and Western Corridor. These areas could meet the identified shortfall in the long-term (10-30 year period) as identified in the HBA. The SGS will need to resolve how these areas are incorporated, in particular, the extent to which additional dwellings capacity from both areas is indicated within the 2032-52 period.
18. In addition, the Housing System Plan currently underway is focussed on identifying actions to respond to current acute housing pressures, which could potentially help to alleviate the HBA's short to medium term housing shortfall.
19. The SmartGrowth Strategy will need to signal that these areas may need to be brought forward to address the shortfall.

### **BUSINESS SUFFICIENCY**

20. There is sufficient business land capacity to exceed the requirements at the territorial authority-wide level over the short and medium-terms across the sub-region. However, there are pressures in the industrial land market, with the market readiness of some options being limited by transport investment that is yet to occur. For Tauranga City, the long term is likely to see further pressures and constraints emerge for the industrial market. At least 320ha of new greenfield industrial land is required to meet projected demand in Tauranga City. In the Western Bay of Plenty District, the capacity assessment suggests that there is sufficient vacant capacity to accommodate growth.
21. The industrial land shortfall cannot be resolved within the current Tauranga City boundaries as no suitable sites exist. Therefore, the focus is on sites close to Tauranga but located in the Western Bay of Plenty District. As identified in this report the Industrial Land Study identifies the areas that could meet the identified shortfall.
22. For Tauranga City, business land capacity is reliant on the planned extension to the Tauriko Business Estate (Stage 4), which needs to be rezoned and requires significant infrastructure investment, primarily transport investment by Waka Kotahi. While the HBA has assumed this capacity will come on-stream in the medium-term there are significant risks around the timing and delivery of the required transport infrastructure.

23. Western Bay of Plenty District Council (and Tauranga City Council) have notified the housing insufficiency to the Minister. Tauranga City Council will also need to notify the Minister regarding the identified business capacity insufficiency for industrial land.

### **PRIORITY DEVELOPMENT AREAS**

24. Priority Development Areas (PDAs) provide a focus on connecting key areas of the sub-region while supporting the core elements of transport and planning intensification. PDAs have been selected on the basis that they provide a focus on unlocking key development areas.
25. There are six PDA areas, these are: Ōmokoroa, Tauriko West, Te Papa, Wairakei-Te Tumu, Rangiuuru and the Eastern Centre.
26. As reported to CEAG (Chief Executives Advisory Group) in March 2023, three out of the five PDAs are expected to be best placed to deliver housing in the next five years: Ōmokoroa, Wairakei and Te Papa. The projects are largely market driven, with few price points below \$1 million. It is unlikely that these PDAs will deliver affordable housing.
27. The overall adequacy of supply to meet demand over the next 10 years is highly dependent on PDAs becoming development ready i.e., subject to rezoning and infrastructure delivery.
28. While the PDAs are expected to provide sufficient capacity for housing demand in the long-term (subject to rezoning and infrastructure provision), demand over the next 5 years relies on areas that are currently 'development ready' (don't need a change in zoning or major infrastructure provision), and intensification in existing areas subject to the NPS-UD and MDRS zoning changes (Plan change 92 WBOPDC and Plan Change 33 TCC).

### **SIGNIFICANCE AND ENGAGEMENT**

29. The Local Government Act 2002 requires a formal assessment of the significance of matters and decision in this report against Council's Significance and Engagement Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.
30. The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.
31. In terms of the Significance and Engagement Policy this decision is considered to be of low significance because the recommendations of the report seek information for receipt only. Future consultation is planned on the SmartGrowth Strategy later this year.

### ENGAGEMENT, CONSULTATION AND COMMUNICATION

32. A special consultative procedure (SCP) is required under the Local Government Act for the SmartGrowth Strategy. SmartGrowth is responsible for the programme and delivery of the Strategy, with technical support from partner Council staff.

### ISSUES AND OPTIONS ASSESSMENT

33. SmartGrowth is required to undertake a Housing and Business Development Capacity Assessment in accordance with the National Policy Statement on Urban Development.
34. The National Policy Statement on Urban Development (NPS-UD) also requires Council to prepare a Future Development Strategy (FDS). The requirements of the FDS will be captured in the SmartGrowth Strategy.

### STATUTORY COMPLIANCE

35. The work being undertaken through SmartGrowth will meet Western Bay of Plenty District Council's obligations under the National Policy Statement on Urban Development. In particular the requirement to undertake a Housing and Business Capacity Assessment and a Future Development Strategy.

### FUNDING/BUDGET IMPLICATIONS

36. There are no additional known budget implications other than the existing contribution that is made to SmartGrowth including staff time.

### ATTACHMENTS

1. **SmartGrowth HBA summary 2022 Final v1 web** 

































































### 9.3 SUBMISSION TO THE REVIEW OF THE RESOURCE MANAGEMENT ACT (INFRINGEMENT OFFENCES) REGULATIONS 1991

**File Number:** A5288980

**Author:** Charlotte McGirr, Policy Analyst

**Authoriser:** Rachael Davie, General Manager Strategy and Community

#### EXECUTIVE SUMMARY

1. For the information of the Strategy and Policy Committee, this report presents the submission made by the Western Bay of Plenty District Council on the following matter:
  - (a) Review of the Resource Management Act (Infringement Offences) Regulations 1991.

#### RECOMMENDATION

1. That the Policy Analyst's report dated 25 May 2023 titled 'Submission to the Review of the Resource Management Act (Infringement Offences) Regulations 1991' be received.
2. That the following submission, shown as **Attachment 1** to this report, be received and the information noted.
  - a. Submission on the Review of the Resource Management Act (Infringement Offences) Regulations, dated 31 March 2023.

#### ATTACHMENTS

1. **Western Bay of Plenty District Council Submission - Review of the Resource Management (Infringement Offences) Regulations**  





#### 9.4 SUBMISSION ON “CHARGING OUR FUTURE: A DRAFT LONG-TERM ELECTRIC VEHICLE CHARGING STRATEGY FOR AOTEAROA NEW ZEALAND.”

File Number: A5358494

Author: Ariell King, Strategic Advisor: Legislative Reform and Special Projects

Authoriser: Rachael Davie, General Manager Strategy and Community

##### EXECUTIVE SUMMARY

1. For the information of the Strategy and Policy Committee, this report presents a submission made by the Western Bay of Plenty District Council on the following matter:
  - (a) Submission on the Ministry of Transport/Ministry of Business, Innovation and Employment strategy - “Charging our Future: a draft long-term electric vehicle charging strategy for Aotearoa New Zealand.”

##### RECOMMENDATION

1. That the Strategic Advisor: Legislative Reform and Special Projects report dated 25 May 2023 titled ‘Submission on “Charging our Future: a draft long-term electric vehicle charging strategy for Aotearoa New Zealand” be received.
2. That the submission, shown as **Attachment 1** to this report, be received and the information is noted.

##### ATTACHMENTS

1. **Submission on Ministry of Transport and Ministry of Business, Innovation and Employment Electric Vehicle Charging Strategy**  









## 9.5 WESTERN BAY OF PLENTY DISTRICT COUNCIL SUBMISSION TO THE OCCUPATIONAL REGULATION REFORMS IN THE BUILDING AND CONSTRUCTION SECTOR

**File Number:** A5324953

**Author:** Monique Va'ai Matatia, Senior Environmental Planner

**Authoriser:** Rachael Davie, General Manager Strategy and Community

### EXECUTIVE SUMMARY

1. In February 2023, the Ministry for Business, Innovation and Employment released a Consultation Document regarding occupational regulation reforms in the building and construction sector.

### RECOMMENDATION

1. That the Senior Environmental Planner's report dated 25 May 2023, titled 'Western Bay of Plenty District Council Submission to the Occupational Regulation Reforms in the Building and Construction Sector' be received.
2. That the attached submission (**Attachment 1**) be received and the information noted.

### BACKGROUND

2. MBIE is progressing a series of changes to the wider building control system called the Building Systems Reforms. Occupational regulation aims to protect the public from harm by ensuring services are performed with reasonable care and skill. Occupational regulation is the primary tool used to manage practitioners in the building sector and make sure they are capable and operating safely.
3. Our submission as Council relates primarily to the role of Council as a Building Consent Authority. We took this opportunity to highlight concerns and significant issues that our staff work through daily.
4. The Consultation Document sought feedback on some proposed reforms and covered primarily three main topics/issues:
  - (a) *Licensed Building Practitioners Regime (LBP)*: Proposals for change: key issues raised here related to the competency of some LBPs to undertake supervision work; as well as the creation of additional license class(es) to factor in other specialist trades such as stonemasonry, waterproofing and specialist installers.
  - (b) *Electrical Workers, Plumbers, Gasfitters and Drainlayers*: Scope for potential Code of Ethics; this point raised whether there should be a Code of Ethics for these trades to lift the standard of conduct for these trades and increase public protection.

- (c) *Review of Registered Architects Act 2005*: what MBIE sought feedback on here is whether this Act is still fit for purpose by asking questions around competency, including whether there is a difference between work done by a registered architect and other design professionals.
5. A key part of our submission as a Building Consent Authority was to highlight design defects that occur due to a lack of understanding of the Building Code by some architects and design professionals. This results in designs being more high risk/noncompliant for the public, and more Requests for Information (RFIs).
  6. There may be opportunity for our Council to be heard by MBIE on our submission.

## ATTACHMENTS

1. **Occupational Reforms in Building Sector - Western Bay of Plenty District Council Submissions**  





















**10 INFORMATION FOR RECEIPT**