

MEETING – AGENDA –

Ngā Take



POLICY COMMITTEE

Komiti Kaupapa Here

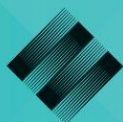
PP21-6

Tuesday, 19 October 2021

Council Chambers

Barkes Corner, Tauranga

**On conclusion of the Council meeting starting at
9.30am**



***Western Bay of Plenty
District Council***

Policy Committee

Membership

Chairperson	Mayor Garry Webber
Deputy Chairperson	Cr Monique Gray
Members	Cr Grant Dally Cr Mark Dean Cr James Denyer Cr Murray Grainger Cr Anne Henry Cr Kevin Marsh Cr Margaret Murray-Benge Deputy Mayor John Scrimgeour Cr Allan Sole Cr Don Thwaites
Quorum	6
Frequency	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 employed.
- 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 employed.
- 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.
- Development of the Future Development Strategy and urban settlement plan.
- 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).
- To report to Council on financial implications of policies and recommend any changes or variations to allocated budgets.
- Listen to and receive the presentation of views by people and engage in spoken interaction with people pursuant to section 83(1)(d) of the Local Government Act 2002 in relation to any processes Council undertakes to consult on under the special consultative procedure as required by 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 the social and cultural wellbeing of the Western Bay of Plenty District communities, for recommendation to Tauranga City Council and Western Bay of Plenty District Council.
- Develop the draft Statement of Intent for any Council Council-Controlled organisation (CCO) and review, assess and make recommendations to Council on any modifications to CCO or other entities' accountability documents (i.e. Letter of Expectation, Statement of Intent) or governance arrangements.
- Approve Council submissions to central government, councils and other organisations, including submissions on proposed 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 Land 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,
 - Maketu-Te Puke Ward Forum
 - Kaimai Community Ward Forum
 - Katikati- Waihi Beach Ward Forum

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.

Notice is hereby given that a Policy Committee Meeting will be held in the Council Chambers, Barks Corner, Tauranga on:
 Tuesday, 19 October 2021 at On conclusion of the Council meeting starting at 9.30am

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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 NOTIFICATION OF PRIVATE PLAN CHANGES - TE PUNA SPRINGS AND WASHER ROAD BUSINESS PARK

File Number: A4336531

Author: Anna Price, Senior Consents Planner

Authoriser: Rachael Davie, Group Manager Policy Planning And Regulatory Services

EXECUTIVE SUMMARY

1. The purpose of this report is to provide a summary of two Private Plan Change applications received by Western Bay of Plenty District Council, for the information of the Policy Committee.
2. Council's Resource Management Manager has delegation to approve these Private Plan Changes for public notification and they will be notified in accordance with the Resource Management Act 1991.
3. Private Plan Change XX Te Puna Springs – provides for the expansion to the existing commercial zoned land at Te Puna, and Private Plan Change YY Washer Road Business Park– expands the existing industrial zoned land at Washer Road, Te Puke.

RECOMMENDATION

1. That the Senior Consents Planner's report dated 27 September 2021, titled 'Notification of Private Plan Changes – Te Puna Springs and Washer Road Business Park' be received and the information noted.

BACKGROUND

4. Proposed Plan Change XX Te Puna Springs and Proposed Plan Change YY Washer Road Business Park are private plan changes. The Resource Management Act First Schedule Part 2, clause 25 provides that the Council may (RMA sub-clauses):
 - (2)(a) Adopt the request if it were Council's own plan change.
 - (2)(b) Accept the request, in whole or in part, and proceed to notify it.
 - (3) Deal with the request as if it were an application for a resource consent.
 - (4) Reject the request on the grounds that:
 - (a) It is frivolous or vexatious.
 - (b) The matter has been considered in the last two years.
 - (c) It is not in accordance with sound resource management practice.
 - (d) It would make the District Plan inconsistent with RMA Part 5.
 - (e) The District Plan has been operative for less than two years.
5. The only options that Council has with the two proposed plan changes is to either adopt them as Council's own plan changes (2a) or accept them (2b) and proceed to process them in accordance with the Act. The others are not applicable or appropriate.
6. Council's practice with such requests is that they are accepted (2b) on the basis that this places Council in a neutral position in the submission and hearing process. Where they coincide with other plan changes that Council is processing the applicant covers the cost of the preparation of the plan change, Council covers the cost of processing. This may be the case dependent on the timing of notification on Plan Change 93. The applicant has to support the plan change

through the hearings process, and there is the proviso that the applicant may be called on to cover the cost of any technical evidence required by Council for the hearing. See the attached Section 32 Reports for more details on the Proposed Private Plan Changes.

7. The applicants will be presenting their proposals to the Committee at the Public Session at the start of the meeting. See the attached Section 32 Reports for more details on the Proposed Private Plan Changes.

SIGNIFICANCE AND ENGAGEMENT

8. The Local Government Act 2002 requires a formal assessment of the significance of matters and decisions 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.
9. The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.
10. In terms of the Significance and Engagement Policy this decision is considered to be of medium significance because of the following reasons:
 - The notification of the Proposed Plan Changes will be done in accordance with the Resource Management Act. The Section 32 Report of each Proposed Plan Change also provides information of the community engagement that has been undertaken to date.

ENGAGEMENT, CONSULTATION AND COMMUNICATION

Interested/Affected Parties	Completed/Planned Engagement/Consultation/Communication
Affected Landowners	Will be notified as per the Resource Management Act. Also see the individual Section 32 reports on consultation that have been undertaken per individual plan change. Once notified, all Plan Changes will follow the Resource Management Act requirements for submissions and further submissions.
Tangata Whenua	As per above
General Public	As per above

ISSUES AND OPTIONS ASSESSMENT

11. Resource Management Manager accepts the requests to notify Proposed Private Plan Changes XX and YY based on Option A below.

Option A Accepts Proposed Private Plan Changes XX and YY for notification	
Assessment of option for advantages and disadvantages taking a sustainable approach	The main purpose for the Proposed Private Plan Change XX – Te Puna Springs is to make provision for a larger commercial area at the Te Puna existing commercial area and remove the split zoning of rural/commercial across the site. Private Plan Change YY creates additional industrial land for Te Puke which is in short supply.
Costs (including present and future costs, direct, indirect and contingent costs) and cost effectiveness for households and businesses	The applicants have covered the costs to develop the Proposed Plan Changes. Council may cover the processing costs, but will request the applicants to cover the costs of any technical evidence required. Will enable the expansion of the Te Puna commercial zone, and the Te Puke Industrial Zone which will have significant benefits to the surrounding area and District.

Other implications	N/A
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STATUTORY COMPLIANCE

12. The proposed Plan Changes have been prepared in accordance with Section 32 of the Resource Management Act.

FUNDING/BUDGET IMPLICATIONS

Budget Funding Information	Relevant Detail
Operational Budget	Staff time plus consultant assistance.

ATTACHMENTS

1. Te Puna Springs - Private Plan Change Application [!\[\]\(e7a5b2ecc7ab80b32b565dd7dfa9a5a9_img.jpg\) !\[\]\(51a3b3d739efe92b5a87bb7fdd8bc4bf_img.jpg\)](#)
2. Washer Road Business Park - Private Plan Change Application [!\[\]\(ebb8dcf4bf19cae7a44506695af49594_img.jpg\) !\[\]\(07dc25d18d466be82f39170ef767d9cd_img.jpg\)](#)

Te Puna Springs

Proposed Private Plan Change,
23 Te Puna Road, Tauranga

Te Puna Springs Estate Limited

Reference: 251282

Revision: 0

2021-05-17



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Document control				aurecon		
Report title		Proposed Private Plan Change, 23 Te Puna Road, Tauranga				
Document code		251282-0000-REP-NN-0000	Project number		251282	
File path		P:\Projects\251282 - Suparmac - Te Puna Springs Estate\Project Delivery\01_Planning\Plan Change\Plan Change\251282-0000-REP-NN-0001 - Plan Change_Final.docx				
Client		Te Puna Springs Estate Limited				
Client contact				Client reference		
Rev	Date	Revision details/status	Author	Reviewer	Verifier (if required)	Approver
0	2019-11-06	Issue	C Steele	A Collier		A Collier
Current revision		0				

Approval			
Author signature		Approver signature	
			
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Project number 251282 File 251282-0000-REP-NN-0001 - Plan Change_Final.docx 2021-05-17 Revision 0

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Te Puna Village Commercial Area – Wastewater Reticulation Scheme Information Sheet

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Section 32 Assessment (Western BOP format)

Appendix K

Discussion Paper: Te Puna Village Commercial Area

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NZTA Feedback

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Figure 1: Locality Diagram

Figure 2: Operative District Plan map (with subject site identified in purple)

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Table 1: Policy Assessment with Operative District Plan

Table 2: Policy Assessment with Bay of Plenty RPS

1 Introduction

This is a private plan change request by Te Puna Springs Estate Limited ("Te Puna Springs") to change parts of the Western Bay of Plenty District Plan ("District Plan") pursuant to Section 73(2) and Part 2 clauses 21(1) and 22 of the First Schedule to the Resource Management Act 1991 (the "RMA").

This request relates to the rezoning of the land at 23 Te Puna Road, Tauranga. The request seeks to have approximately 5.93 hectares of land on the western side of Te Puna Road rezoned from the current partial Rural, and partial Commercial zoning to a to a new scheduled site provision within the Commercial Zone, which is proposed to be titled as the "Te Puna Springs". The aim of this scheduled site is to enable a comprehensive plan for the subject site including enabling development of a new community hall, village green and pond, allowing for better utilisation of the land for commercial development (of a rural trade nature) and avoiding piecemeal proposals which may result in reverse sensitivity arising, in accordance with existing District Plan rules, proposed site-specific rules, and a Structure Plan.

The changes sought to the District Plan are detailed in Section 5 of this document "Schedule of Proposed Amendments".

Section 74 of the RMA requires that the Council, when changing its Plan, have regard to, among other things, the provisions of Part 2 of the RMA, its functions under Section 31 and its duties under Section 32. This report is separated into the following parts:

- Part A: Plan Change Request
- Part B: Section 32 Analysis

Together with the supporting documentation, this report contains the required information to enable council to make a determination on the Plan Change Request.

2 Part A: Plan Change Request

2.1 Site Location

The subject site comprises approximately 5.93 hectares of land located on the northern side of State Highway 2 (SH 2) at Te Puna, bound in part by SH 2, Te Puna Road and the existing BP Service Station, Four Square and offices located off the sliplane off SH 2.

The subject site is identified on the location plan in Figure 1. The applicant is the owner and occupier of most of the land included within the subject site of this private plan change request. There is a parcel of land captured within the subject site which is owned by Western Bay of Plenty District Council (shown in green outline below). Western Bay of Plenty District Council purchased this land in 2018 for the purpose of locating a new hall.



Figure 1: Locality Diagram

The site owned by the applicant is legally described as Section 11 Survey Office Plan 491908 and Section 2 Survey Office Plan 529511 each being in fee simple land tenure. The site owned by Western Bay of Plenty District Council is legally described as Section 1 Survey Office Plan 529511. There are no interests registered on the titles that restrict the proposed rezoning from taking place. A copy of the titles is included as **Appendix A**.

The site is located approximately 10km west of Tauranga city centre, and approximately 4km west of Bethlehem town centre. The immediate surroundings of the subject site are split up by each of the 'four corners' which are separated by the intersection of SH 2 and Te Puna Road / Minden Road.

Firstly, the north-west corner of the intersection is where the subject site is situated. At present, the subject site is only utilised in the northern section by Supermac Group, who design and build prefabricated buildings. This section of the subject site is currently used for the storage of 'Modcom Portable Buildings' in association with SuperMac Group's business operations. No Modcom buildings are currently built on this site. The only current access to the site is from the western side of Te Puna Road and into the Modcom storage area. There are two neighbouring kiwifruit orchards, one to the north (Okaro Orchard) and one to the west (648 SH 2 Orchard). In the section of land adjacent to SH 2 (closest to the intersection), there is a Four Square supermarket, a BP service station and an office.

The north-east corner of the intersection has two main land owners, namely DMS and Zariba. Zariba owns the land closest to the intersection where there is Nourish Café and some offices and light industrial uses (including Federation Homes). North of the Zariba land is the DMS Te Puna site. DMS is a large food and beverage exporter and the use of this piece of land is characterised by large industrial style buildings utilised by DMS. Beyond these two land owners in this corner there are some more kiwifruit orchards and rural residential dwellings / lifestyle blocks.

The south-east corner of the intersection has one main land owner, Paul Williams. There is a Farmlands building located in the land closest to the intersection. There is also a mix of other activities in this corner, including the Te Puna Tavern, offices including WaterForce Tauranga, Te Puna Vets and Advanced Housing Systems, Te Puna Deli and a rural residential homestead.

The south-west corner of the intersection has a 4-star hotel, Accommodation Te Puna, located in the land closest to the intersection. Beyond that there is a mix of residential dwellings of varying densities, with the land further from the intersection being larger rural and rural residential lots and some orchards / permanent horticulture sites.

2.2 Site Description

The subject site is generally of flat contour (although it rises towards the west), compared to the other three of the 'four corners' which all have undulating topography. The elevated nature of SH 2 means that the subject site is visible to passing motorists, particularly those travelling west towards Katikati. There are no identified waterways on the site, but there is a small drain through the site which drains to a lower section of the site in the north-western corner.

The area of commercially zoned land in Te Puna is commonly known as Te Puna Village. It was inserted into the District Plan in recognition of the activities that existed or were planned at the time of writing. The wider geography of Te Puna extends around a large area bounded by the harbour, the Wairoa River, the Te Puna Stream and Te Rangituanehu (Minden ride), including Motuhua Island. Te Puna has experienced growth over the past three decades, with the population growing due to numerous rural subdivisions. In 2013 the population of Te Puna (Te Puna and Minden Area Units) was 6,834 and projected to be 7,385 in 2018. This equates to 2,954 dwelling units in 2018 and 3,354 dwelling units by 2028. There is a kindergarten located approximately 400m south of Te Puna Village and Te Puna School is located approximately 2.4km north of Te Puna Village. There are also various reserves and parks located in the wider vicinity of Te Puna Village, including L'Anson Reserve, Minden Scenic Reserve, and Te Puna Quarry Park.

The subject site is located at the downstream end of a larger catchment. A few natural open channels exist on the subject site that discharge into an existing attenuation pond behind an embankment located within the site boundary.

The subject site is located within an area that is not currently serviced by council reticulated sewer infrastructure. There are water mains that front the subject site on Te Puna Road and along SH 2.

New Zealand Transport Agency (NZTA) have in recent years completed intersection safety and capacity improvements to the Te Puna/Minden intersection as part of the SH 2/Minden Road/Te Puna Road roundabout project. The new intersection north of the roundabout is a four-way intersection, with right turn bays and a left turn slip lane into the BP service station. There are three commuter and shopper bus routes available at Te Puna, however, there are currently no formal cycle provisions on road or off road in the vicinity of the subject site. Local pedestrian facilities have been provided to accommodate people who live on the southern side of SH 2 to access the commercial area.

According to the Bay of Plenty Maps, there is an unnamed tributary which is located partially within the subject site and the soil type is identified as Katikati black sandy loam. The subject site is not within a tsunami evacuation zone. The subject site is also not identified as a HAIL site, although there are several identified HAIL sites in the surrounding environment at the nearby orchards due to the persistent pesticide use.

Te Puna Village is currently not connected to the wastewater system, meaning that each site needs to treat their wastewater with an onsite wastewater treatment system / septic tank.

2.3 Existing Consents / Designations

The Applicant was granted resource consent to establish a boat yard, consisting of a show room and workshop, and a service station workshop (Supermac) associated with servicing vehicles and plant on the subject site in December 2016 (Consent Ref: P/1243/42).

The Te Puna hall was previously located on the corner of Te Puna Road and SH 2. This hall was removed due to the construction of the intersection upgrades by the New Zealand Transport Agency. The proposed hall location has been identified as being within the Te Puna Springs site, on the western boundary, and a designation has been approved by Western Bay of Plenty District Council. The designation has subsequently been appealed by the neighbouring property owner on the basis of potential reverse sensitivity effects.

SH 2, south of the site, is designated in the Western Bay of Plenty District Plan.

3 Explanation of the Plan Change

3.1 Purpose and Background

The purpose of the Plan Change is to:

- rezone the subject site from the present Rural and Commercial Zoning to a new “Te Puna Springs” scheduled site under the Commercial Zone.
- to provide for further business activities to service the Te Puna community and to create local commercial business opportunities.
- to establish new definitions as they relate to the new scheduled site.
- to establish new Rules and Assessment Criteria for the zoning.
- to add Rules and Performance Standards in the District Plan as they relate to the development of the site; and
- to incorporate a new Structure Plan in the District Plan as a guide to the development of the site, specifically relating to landscaping.

The Applicant has initiated this request for a Plan Change as it is considered that the introduction of a new scheduled site provision within the Commercial Zone would enable a coordinated and consolidated approach to the development of the subject site. A scheduled site would enable more specific and appropriate policy framework to apply to the subject site. In addition, there has not been any review of the Commercial Zone since the mid 1990's, which is before Te Puna experienced significant population growth, and the current Commercial zoning is also written more for commercial areas in Western Bay of Plenty which have a 'main street' which does not fit with the commercial area of Te Puna Village.

An important part of the development of this Plan Change is the dialogue that has been going on between the local community in Te Puna, the various landowners and businesses and Western Bay of Plenty Council. In December 2017, the Te Puna Community Plan was published which developed shared goals for the collective community of Te Puna. This acknowledges the extreme importance of the Te Puna commercial areas for local resilience. Following on from the release of that document, in mid-2018 elected members requested that community engagement be undertaken to help understand Te Puna community aspirations and issues and opportunities for the commercial zone, with the focus being on Te Puna Village (which the subject site is a part of). Western Bay of Plenty engaged with the Te Puna community in August – November 2018 to understand their expectations for the future of the commercial zone. In November 2018, a Discussion Paper was produced and released to the public to document this process and its outcomes. This Discussion Paper provided recognition of the need to comprehensively consider the future of Te Puna commercial zone.

“The commercial zone for Te Puna was inserted into the District Plan many years ago in recognition of the activities that existed or were planned at that time. The aim of commercial zones throughout the District is to provide a vibrant commercial environment that encourages social and cultural interaction in our communities. The rules are fairly permissive in that retail is retail so there is no consideration for the implications of different types of commercial activity (e.g. book shop vs a butcher).

For an area like Te Puna, there is no set formula used to determine how much commercial land is needed. It is a given that a community of this size should have access to a commercial centre to service the immediate catchment but how big that is and the types of services it provides is largely driven by land use zones, infrastructure capacity and the market response to community demand.”
(Page 11)

To prepare for this Plan Change, the Applicant has referred to the aspirations of the community and the Western Bay of Plenty District Council through building on the opportunities for the Te Puna Village, whilst attempting to reduce or mitigate any issues that were raised. This information was also supplemented by the two workshops that were held by Western Bay of Plenty and interested stakeholders in early 2019.

3.2 Rationale

The aim of the Plan Change is to enable a comprehensive plan for the subject site including enabling development of a new community hall, village green and pond, allowing for better utilisation of the land for commercial development (of a rural trade nature). The Plan Change will also include features such as naturalisation of the spring (as a result of pre-application consultation with Pirirakau). The Plan Change would avoid piecemeal proposals which may result in reverse sensitivity arising, reduce the reliance on the State Highway network, be in accordance with existing District Plan objectives and policies, which are supplemented by additional proposed site-specific rules, and a Structure Plan.

In terms of the removal of the Rural Zoning from the subject site, the subject site is not utilised for the purposes of Rural activity and is unlikely to be in the future given the uneconomic size of the landholding and the existing commercial zoning of part of the site. It is also considered inappropriate for rural lifestyle blocks or residential development to occur on the subject site due to the potential for reverse sensitivity effects to arise, given the close proximity to horticultural land uses.

The Applicant wishes to proceed with a Plan Change for the following reasons:

- The current Rural zoning does not allow for future commercial use of the site which the applicant seeks to achieve;
- The proposed rezoning will foster the development of complementary activities to the existing Te Puna Springs commercial zone;
- The proposed rezoning will positively contribute to creating a consolidated, futureproofed commercial hub for the benefit of the community;
- The proposed rezoning will provide certainty of investment as well as assist in long term infrastructure planning;
- The applicant seeks to expand their business on site, and provide leased tenancies for other companies who wish to locate themselves in Te Puna, and would require a Resource Consent to do so;
- The site is not and will not be used in accordance with the existing Rural zoning in the future due a number of constraints, including but not limited to, land size which is uneconomic to be utilised for the purposes of traditional rural activities, and the inappropriate use of the site for residential purposes due to the proximity to established horticultural uses adjacent to the site.

The applicant is pursuing this Plan Change Request as it considers rezoning the site as proposed would enable a coordinated and consolidated approach to development in a manner that effectively acknowledges the Commercial-Rural interface, provides landscaping requirements for visual amenity effects and allows for controls over the level and form of development available on site. It is considered that this Plan Change Request would remain consistent with the environmental outcomes anticipated through the objectives, policies and rules of the District Plan, and accords with the principles of the following statutory and non-statutory strategies:

Bay of Plenty Regional Policy Statement (2018)

- Includes policies in respect of a range of relevant matters such as air quality, integrated resource management, iwi resource management and urban and rural growth management;
- Policy AQ 1A actively discourages locating new sensitive activities near activities that discharge offensive and objectionable odours, chemical emissions or particulates;
- Policy IR 3B aims to adopt an integrated approach to resource management;
- Policy IR 4B encourages using consultation in the identification and resolution of resource management issues;
- Policy IW 2B recognises matters of significance to Māori;
- Policy MN 4B encourages ecological restoration and rehabilitation;

- Policy UG 7A provides for the expansion of existing business land in certain circumstances;
- Policy UG 8B implements high quality urban design principles;
- Policy UG 9B aims to ensure coordination of new urban development with infrastructure;
- Policy UG 10B requires rezoning for urban development of land to take into account sustainable rates of land uptake, existing or committed public and private sector investments, sustainable provision and funding of existing and future infrastructure and efficient use of local authority and central government financial resources;
- Policy UG 12B provides for quality open spaces;
- Policy UG 13B promotes the integration of land-use and transport activities;
- Policy UG 20B requires that development of rural areas does not compromise or result in reverse sensitivity effects on rural production activities and the operation of infrastructure;
- Policy UG 23B provides for the operation and growth of rural production activities;
- Identifies growth areas, however, Te Puna is not included.

Proposed SmartGrowth Future Development Strategy (2018)

- A Future Development Strategy is required by the Government for high growth areas such as the western Bay of Plenty sub-region, and requires alignment between the National Policy Statement on Urban Development Capacity 2016 and other land use and infrastructure policy;
- Identifies that the Bay of Plenty is in a transition phase between previous policy frameworks and moving forward on an emerging direction;
- SmartGrowth proposed desired outcomes include outcomes such as: growing a sustainable economy, creating an integrated planning and settlement pattern, building communities, sustaining and improving the environment;
- This document acknowledges the importance of the kiwifruit industry to the wider Bay of Plenty regional economy;
- Urban growth is planned to be provided for in two ways: Compact City and New Growth Areas, and Te Puna is identified as an area to be investigated for possible urban growth areas (long-term);
- Te Puna Business Park (located north-east of the subject site) is estimated to be development ready in 2021;
- Acknowledges that the delivery of sufficient infrastructure is in “catch up” mode;
- Promotes being ready for change, with the emerging technologies in transport, the way we work and the way we build our homes and places of business;
- Following the submission period in 2018, The SmartGrowth Leadership Group are to post updated documents in 2019.

Pirakau Hapū Management Plan (2017)

- Outlines consultation and engagement process;
- The Pirakau rohe is dominated by several important landscapes and waterscapes, including Te Puna;
- Seeks to ensure that they are in participation of all engagement which protects the Rural characteristic of Te Puna and prevention of urbanisation, with an intent to ensure horticulture and agriculture opportunities will continue;
- Pirakau seek mitigation of projects to restore and create wetlands;
- Pirakau do not support connections to the Omokoroa Wastewater pipeline unless mitigation of environmental effects is required;
- Proposes to influence the Te Puna Community Development Plan.

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Te Puna Community Plan (2017)

- Result of a community rather than Council driven process;
- Notes that it is the present intention of the Te Puna Hall Committee to build a modern Hall, to replace the structure built in 1922 on the site of the SH 2 roundabout, and to house the memorial plaques of those who served in the two World Wars;
- Te Puna Junction is a commercial area which is extremely important for local resilience (provision of food, services and resources), but this centre is likely to be affected by the removal of traffic and therefore customers if the Tauranga Northern Link eventuates;
- Construction of the Te Puna West Community Wastewater Scheme in 2017/18 will address issues of water quality in the Te Puna West area but elsewhere in Te Puna where there are older homes, outdated septic tanks will require upgrading;
- Encourages having a diverse range of work opportunities available locally;
- Te Puna to be kept an essentially rural area by limiting industrial and commercial areas to current locations and focusing on local services.

The details of the proposed change are set out in Section 5 of this report.

3.3 Wider Te Puna Village Development Plan

As recognised earlier, there has been extensive community and stakeholder engagement relating to the development of the Te Puna Village in the future. Whilst the focus of this Plan Change is on the subject site (which is the north-west corner of the Te Puna Village intersection), it is important to recognise that the proposal of this Plan Change would fit in with the wider Te Puna Village Development Plan which has been prepared.

The Plan Change would encourage business, cultural and social interaction and create a more central 'hub' of activity for the Te Puna Village on the subject site. The extension of the commercial zone over the subject site is similarly proposed to occur in the south-east corner of Te Puna Village. Various traffic calming, pedestrian/cycle ways and landscaping techniques are proposed throughout the subject site and the wider Te Puna Village in order to create a location with improved amenity and promotion of activity. In order to improve the severance caused by SH 2, a proposed crossing bridge has also been indicated as a possibility between the north-east and south-east corners of Te Puna Village. These features are in response to the ideas generated through the community and stakeholder engagement that has occurred over recent years.

4 District Plan Provisions

4.1 General

Part of the site is zoned Commercial (in pink), with the remainder of the site zoned Rural (in yellow) (shown in Figure 2). The site is not affected by any natural hazards, or cultural/heritage sites identified on the Planning Maps. The site is bound on two sides by SH 2, and Te Puna Road.

The land adjacent to the property is zoned Commercial (Four Square and offices and BP Service Station), Reserve (location of old Te Puna Hall (in green dash)) and the land directly adjacent to the site over Te Puna Road is zoned Post Harvest Industrial (ITM Building Supplies (in olive green)). There are two designations within the vicinity of the surrounding environment, D55 referring to a Telecommunication site of Telecom New Zealand, and D203 referring to SH 2 (NZTA). The relevant planning map U87 from the Western Bay of Plenty District Plan is also attached as **Appendix B**.

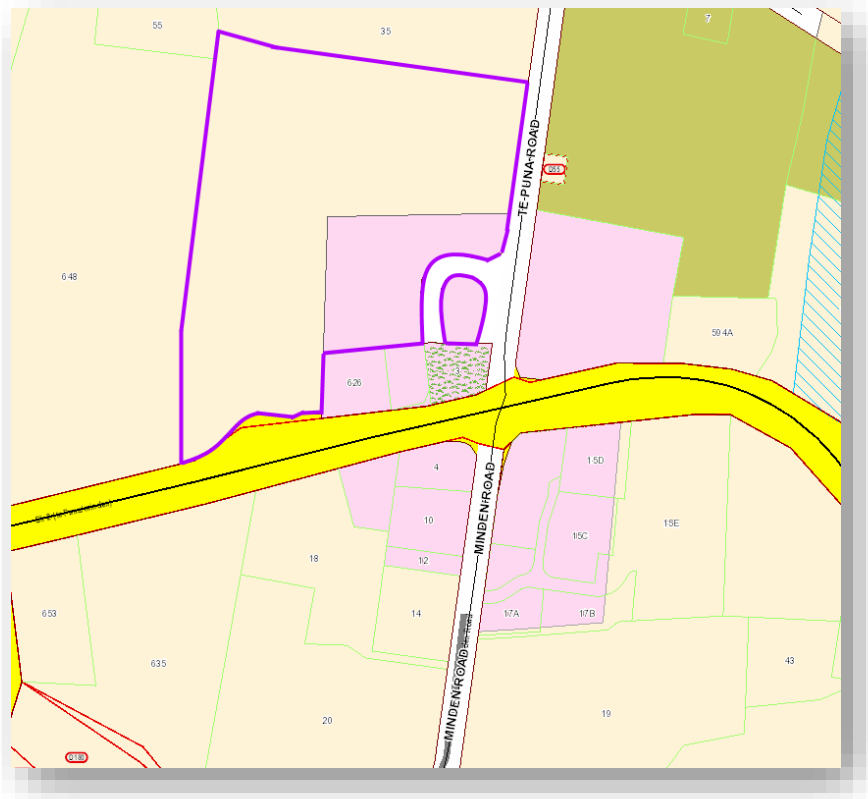


Figure 2: Operative District Plan map (with subject site identified in purple)

Relevant provisions applying to the site and proposed rezoning are contained in Section 18 (Rural) and Section 20 (Commercial).

There are no outstanding references to the District Plan that are of relevance to the site or to the provisions that this Plan Change Request seeks to amend.

4.2 Rural Zone

The District Plan identifies the Rural Zone as important to the Western Bay of Plenty District as a predominantly rural area, with rural production being the primary economic driver of the District. The main purpose of the Rural Zone and associated provisions is to maintain the zone's rural amenity and character. The District Plan recognises that:

“the magnitude of demand for rural living which has resulted in the high degree of rural land fragmentation through subdivision was not anticipated and the point has now been reached where the cumulative effects of the large amount of intensified rural development has now become evident. Many owners of land have also carried out subdivision to secure future development rights (Section 18, page 3).”

There are a range of objectives and policies in Chapter 18 of the District Plan which aim to maintain the rural land resource and provide for primary productive activities, whilst preserving the options for the future use of land identified in the Bay of Plenty Regional Policy Statement as being required for future urban development.

The more pertinent rules controlling land use in the Rural Zone can be summarised as follows:

- Minimum allotment area: 40ha
- Structure coverage: no restriction
- Setbacks:
 - Dwellings: 30m
 - Strategic Road / Designation boundary: 30m
 - All other buildings/structures: 5m
 - Side/rear yard: 10m
 - Front yard: 10m
- Structure height: 9m
- Screening & Landscaping: Required for solid waste storage and disposal areas

Subdivision of land in the Rural Zone is generally a Discretionary Activity. As the applicant's site is under six hectares in size, subdivision under the Rural Production provisions would be a Non- Complying Activity. The Rural zone applies a 30m front yard to buildings established on site and side yards can be reduced to 10 metres within certain circumstances as outlined in the District Plan.

4.3 Commercial Zone

The District Plan identifies the Commercial Zones are important as they provide “a sense of identity and belonging to individuals and the community in general”. Objectives for the Commercial Zone in the District Plan include aiming to create consolidated commercial centres that are vibrant commercial environments that encourage social and cultural interaction, and keeping them of an appropriate scale, well designed and to allow the Commercial Zone to operate effectively and efficiently.

The more pertinent rules controlling land use in the Commercial Zone can be summarised as follows:

- Dwelling houses: All dwellings located above ground floor
- Minimum allotment area: no restriction
- Structure coverage: no restriction
- Setbacks:
 - Strategic Road / Designation boundary: 10m
 - All other buildings/structures: 3m
 - (where property adjoins the Rural Zone)

- Structure height: 9m
- Screening & Landscaping: Required for interface with Rural Zone
- Building design: Verandas required
Daylight boundaries for all site boundaries adjoining Rural Zone
Floor area utilised for office purposes on the ground floor is not to exceed 20% of the GFA of the ground floor of the building

The Commercial Zone's rules do not differentiate between types of retail. It is also noted that the objectives, policies and rules in the Commercial Zone were written primarily for commercial areas which were based around the 'main street'. As Te Puna Village does not have a main street strip retail offering (with active frontages), there are some rules above that are inappropriate for Te Puna Village such as the requirement for verandas and active frontages.

5 Schedule of Proposed Amendments

This Plan Change Request introduces the following amendments to the District Plan to enable the rezoning of the site from Rural to a new scheduled site provision within the Commercial Zone, which is proposed to be titled as the “Te Puna Springs”. The proposed scheduled site is required for the purposes of providing appropriately zoned land for prefabricated manufacturing to be undertaken within a building.

There are three sub areas of the scheduled site provision proposed. Area A will ensure that no sensitive activity(ies) will locate within 30m of the northern and western boundaries (to avoid reverse sensitivity issues arising with the adjoining kiwifruit orchards). Area B is designed to accommodate Supermac’s future use of the site for prefabricated building manufacturing and it incorporates screening requirements. Area C is the remaining balance of the land and includes the hall and proposed village green.

Proposed changes/additions are highlighted in bold and underlined.

The Plan Change Request also refers to a proposed Structure Plan throughout the proposed changes/additions. The Structure Plan is provided in **Appendix C**.

5.1 Section 3 Definitions

Add new definitions, as follows:

“Prefabricated Building Manufacturing” means the manufacturing of prefabricated buildings, where the elements of a building are constructed onsite.

“Sensitive Activity(ies)” means activities which are sensitive to noise, dust, spray residue, odour which generate reverse sensitivity effects from nearby activities. This includes residential dwelling, accommodation facility, places of assembly, restaurants and other eating places, educational facilities and medical or scientific facilities.

Amend existing definition, as follows:

“Industry” means and includes manufacturing, processing, packaging or dismantling activities and engineering workshops (including panelbeaters and spray painters). **Excluded from this definition is Prefabricated Building Manufacturing.**

5.2 Section 4C – Amenity

Add new Activity Performance Standard, as follows:

4C.5.3.2 Screening in Industrial and Commercial Zones

(h) Te Puna Springs

(i) Any subdivision or development of land within the zone shall be designed, approved and developed in general accordance with the Te Puna Springs Structure Plan and Landscape Cross Section in Appendix 7;

(ii) Landscape plans shall be prepared by a qualified landscape designer and approved by Council. The plan for the stormwater pond shall be prepared in consultation with Pirirakau.

5.3 Section 19 Commercial

Add new permitted activity rule, as follows:

Additional Permitted Activities (Te Puna Springs only)

- (a) Rural Contractors Depot**
- (b) Offices (ancillary to activities occurring on site)**
- (c) Prefabricated Building Manufacturing within Area B**

(d) Places of Assembly within Area C

(e) Warehousing and Storage

Add new non-complying activity rule, as follows:

Additional Non-Complying Activities (Te Puna Springs only)

(a) **Sensitive activity(ies) located within Area A and B**

Amend / add to 19.4 Activity Performance Standards, as follows:

19.4.1 General

(a) Building height, setback, alignment and design

(v) Te Puna Springs

The maximum building/structure height in the Te Puna Springs shall be 12.0m.

(vi) All other areas including spot Commercial Zones

The maximum *height* shall be limited to two storeys and 9m and no provision is made for additional non-habitable space above the 9m *height* limit;

(vii) Any balustrade servicing a third floor (not in the Omokoroa Stage 2 Structure Plan Area) shall be either set back in accordance with Diagram 1 below or be 80% visually permeable.

(viii) Continuous retail frontage – Development in the Commercial Zone shall be constructed up to the road boundary except for vehicle access up to 6m wide per site, **with the exception of the Te Puna Springs.** Each building shall have clear windows on the ground floor that must cover at least 50% of the building's frontage to a main street and at least 25% for all other streets and public areas, such as walkways and public parking areas.

(ix) No car parking, other than underground parking, shall be located within 10m of any street boundary, **with the exception of the Te Puna Springs.**

(d) Yards

All buildings/structures

Minimum 3m where a property adjoins a Residential, Rural Residential, Future Urban, Rural Zone or reserve boundary.

Provided that:

A *building /structure* may be located within a side or rear yard and up to a side or rear boundary where the adjoining property is a road or where the written approval of the owner of the immediately adjoining property to a specified lesser distance is obtained.

Except that:

Where any yard adjoins:

- A Strategic Road or a designation for a Strategic Road (except in the Commercial Zones in Katikati and Te Puke), it shall be a minimum of 10m;
- A railway corridor or designation for railway purposes, it shall be a minimum of 10m.

Add to 19.7.4 Discretionary and Non-Complying Activities – Matters of Discretion and Assessment Criteria, as follow:

In considering an application for a Discretionary or Non-Complying Activity Council shall consider:

(a) The extent of non-compliance with the Permitted Activity performance standards and the actual and potential effects on the environment.

- (b) How well the development integrates with existing commercial development and its orientation to public space.
- (c) How the development meets the design outcomes of adopted town centre plans and the Built Environment Strategy.
- (d) Any national standards for urban design.
- (e) What provision is made for pedestrian and vehicular access.
- (f) The effect on the amenity values of adjoining residential and reserve land.

(g) Consideration of the extent to which rural production activities will be adversely affected by the development, including any reverse sensitivity effects.

5.4 Appendix 7

Add the Structure Plan to Appendix 7 as '**Section 13: Te Puna Springs**' (with reference to the Structure Plan in **Appendix C**).

Any other consequential amendments, including numbering, maps and cross references, as necessary.

6 Statutory Framework

6.1 Resource Management Act 1991

6.1.1 Section 73 – Preparation and change of District Plans

Section 73(2) of the RMA states that:

“Any person may request a territorial authority to change a District Plan, and the Plan may be changed in the manner set out in the First Schedule”.

Under Clause 22 of the First Schedule, a plan change request must:

- Explain the purpose and reasons for the request;
- Assess environmental effects, taking into account the provisions of the Fourth Schedule of the RMA, in such detail as corresponds with the scale and significance of actual or potential environmental effects anticipated from implementation of the requested plan change; and
- Contain an evaluation under Section 32 of the RMA for any objectives, policies, rules or other methods proposed.

The purpose and reasons for the Plan Change Request have been outlined in Section 3 of this document. These are further supported by the accompanying Assessment of Effects (Section 7) and Section 32 Assessment (Section 8, Part B).

6.1.2 Section 74 – Matters to be considered by territorial authority & Section 75 – Contents of district plans

Section 74 and 75 sets out the matters that Council must be taken into account and those that shall be had regard to. By way of summary the following items listed in section 74 are considered to be relevant to this Plan Change Request:

- Part 2 of the RMA;
- the functions and duties of the local authority under the RMA;
- the National Policy Statement on Urban Development 2020 (NPS-UD);
- the Proposed Regional Policy Statement; and
- any management plans and strategies prepared under other Acts.

6.1.3 Part 2 of the RMA – Purpose and Principles

Part 2 of the RMA comprises four key sections, each of which is discussed below.

Section 5 – Purpose

Section 5 requires an overall judgement as to whether the Plan Change Request would provide for the sustainable management of natural and physical resources:

The purpose of this Act is to promote the sustainable management of natural and physical resources.

In this Act, "sustainable management" means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while -

- (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*

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- (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

This purpose has two components, one enabling and one regulatory. The enabling component contained in the first paragraph entitles people and communities to use, develop, and protect resources in any way they desire in their pursuit of wellbeing. However, this may only occur if the Plan Change Request satisfies the terms of the regulatory component in sub-paragraphs (a) – (c) that are refined and given further meaning by sections 6, 7 and 8. If these terms cannot be met then the Plan Change Request falls short of achieving the purpose of the RMA.

Turning to the enabling component of the RMA, the Plan Change Request would allow for comprehensive development of the land in a manner that provides for an appropriate scale and form of commercial development that is consistent with the principle of urban consolidation while maintaining the ability of the surrounding orchards to continue to provide for their economic wellbeing without concerns raised around reverse sensitivity. The principle issue is whether the regulatory component can be satisfied.

The first regulatory matter addresses the potential needs as they relate to the subject land, which in our view are to fulfil a need to provide commercial development in an integrated way that will not adversely affect the natural and physical resources. For the reasons given in the following Assessment of Effects, it is not considered that adverse effects on the site's resources or the surrounding environment will arise from this Plan Change Request.

The second regulatory matter concerns safeguarding the life supporting capacity of air, water, soil, and ecosystems. It is considered that the Plan Change Request will not threaten any of the matters mentioned, with appropriate systems available to ensure the site is serviced in an environmentally sensitive manner.

The final regulatory matter is that to do with avoiding, remedying and mitigating adverse effects. A loss of amenity is inevitable where rural land is rezoned and developed for commercial purposes. However, the site currently displays minimal rural character and amenity value. In addition, as stated in the Property Economics Economic Overview report (provided in **Appendix D**), the land has not been utilised for rural activities for a number of years and it is highly unlikely that it would transfer back to that use. Existing standards within the District Plan, supplemented by site-specific standards, including adherence to the Structure Plan, will effectively control the scale and form of future development in a manner that is compatible with the receiving environment. For the reasons outlined in the Assessment of Effects, it is considered the effects of subsequent development in accordance with the Plan Change Request will be no more than minor.

It is considered that the Plan Change Request would build on the existing commercial zone provision, by allowing a more permissive planning framework for complementary activities (such as prefabricated building manufacturing, the community hall and rural trade). The potential issues have been worked through with the recent consultation undertaken and the additions are proposed to the District Plan in order to ensure that whilst the extent of commercial activity in the area will increase, there will also be a centrally located community hall, and a village green and pond which will help to add to the 'hub' feel that the Te Puna Village currently has, whilst ensuring that adjacent rural land uses on the orchards can continue to operate without concerns being raised in relation to reverse sensitivity.

The Plan Change Request is considered to be an efficient and sustainable method to manage the potential effects that expanding the Commercial Zone and the associated activities proposed to be permitted in the Te Puna Springs may have on the environment.

Overall it is considered that this Plan Change Request is an appropriate method to sustainably manage the natural and physical land resource that is available within the Te Puna Village. The Plan Change Request is therefore considered to be consistent with the purpose of the RMA.

Section 6 – Matters of National Importance

Section 6 contains seven matters that Council must recognise and provide for as "Matters of National Importance". Those matters that are considered relevant to the Plan Change Request are as follows:

- (a) The preservation of the natural character of...rivers and their margins, and the protection of them from inappropriate subdivision, use and development.

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The subject site is bisected by a few natural open channels that discharge into an existing attenuation pond behind an embankment located within the site boundary. Although the landform may require some shaping, it is considered that the natural character of the channels can be maintained. In addition, it is proposed that the embankments of the stormwater ponds and edges of the channel will be planted with wetland species and there will be the addition of the naturalised spring to the village green.

- (d) The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers.

The Plan Change Request provides for the acknowledgement of Pirirakau with the land and the spring on site which the applicant is proposing to relocate and open for public and cultural access

- (e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

Consultation has found there to be no issues with the Plan Change Request in respect of matters of culture and tradition of interest to Pirirakau.

- (h) The management of significant risks from natural hazards.

The Infrastructure Servicing Assessment (provided in **Appendix E**) acknowledges that the development sites within a catchment which may already have downstream issues with flooding and erosion. A conservative approach to stormwater management has therefore been incorporated into the Plan Change Request and an attenuation pond has been sized to meet the Bay of Plenty Regional Council stormwater management guidelines.

Section 7 – Other matters

Section 7 states that particular regard shall be had to the following matters considered to be of most relevance to this Plan Change Request:

- (b) the efficient use and development of natural and physical resources;*
- (c) the maintenance and enhancement of amenity values;*
- (f) maintenance and enhancement of the quality of the environment;*
- (i) the effects of climate change.*

The analysis and technical reports supporting this Plan Change Request contribute to the overall assessment of the proposal under Section 7 of this report. For the reasons contained therein, it is considered that appropriate regard has been had to the above matters.

The Plan Change Request is compatible with the policy and rule framework of the District Plan, which provides an appropriate and accepted means to control the nature and scale of development in the Commercial Zone. The site displays an open character only insofar as it is currently only developed in the areas closest to SH 2 and Te Puna Road. The site could not be said to be of strong rural character or high amenity. The open character of the site will undoubtedly undergo change, but overall in this part of the Te Puna Village the character will not be significantly altered. The rezoning will mean that the subject site no longer will experience having a split of Rural and Commercial Zones applying to the land parcel, and will ensure that development does not occur in close proximity to the northern and western sides of the site (which are adjacent to orchards). The resultant expansion of existing business land is consistent with Policy UG 7A of the Bay of Plenty RPS. As the aim of the extended business land is to accommodate the local provision of commercial uses in Te Puna Village, it is a different aim to just generally expanding the business land to accommodate wider demand for business land in the Western Bay of Plenty sub-region. It is contiguous with the site of an existing zoned business land in that part of the subject site is zoned Commercial at present. The Plan Change does not require connection to any urban water supply distribution, stormwater or wastewater infrastructure located within the urban limits, and it aims to avoid or mitigate effects on rural production activities nearby (through the use of setbacks for sensitive activities). In addition, the stormwater attenuation pond has been designed to ensure that post development flows should not exceed the 2 year, 10 year and 80% of the 100 year predevelopment rates in order to manage the potential issues with flooding and erosion on the subject site.

For these reasons, it is considered that the amenity values, quality, and character of the area will be maintained, if not enhanced. The existing roading and other infrastructure are able to accommodate future development allowed by the proposed rezoning. Providing for commercial development on a site adjacent to an existing commercial area and strategic road infrastructure is an efficient use of the site's resources. The proposal will promote a consolidated and coordinated pattern of development, with subsequent efficiencies in the better utilisation of infrastructure and services.

Section 8 – Treaty of Waitangi

Section 8 requires the principles of the Treaty of Waitangi to be taken into account when considering the proposal. Section 8 now needs to be considered alongside section 32(4A) which was introduced by the Resource Legislation Amendment Act 2017, which requires that the section 32 evaluation report also include a summary of advice received from iwi authorities and the response to that advice. This is another method of consultation with tangata whenua that is now formalised in the RMA.

This is different from the specific pre-notification consultation requirements in clause 4A of Part 1 of Schedule One. It applies to the Assessment of Environmental Effects ("AEE") that is prepared under clause 22 of Part 2 of Schedule One. The AEE is to address cultural effects and effects on cultural values. Consultation with Pirirakau has been undertaken to inform the effects on cultural values.

Pirirakau have been consulted during the course of the preparation of the Plan Change Request. Formal feedback has been received and is provided in **Appendix F**. Pirirakau have confirmed that they support the Plan Change on the provision of:

- Naming
- Puna intent to pip above ground as a feature
- Earthworks to require a Pirirakau cultural monitor to observe stripping

Consultation will be ongoing throughout the Plan Change process, with the opportunity to respond to any particular concerns as they may arise.

6.1.4 National Planning Documents

The NPS-UD is considered relevant to the Plan Change Request.

Part B of this report provides an assessment of the Plan Change Request in the context of giving effect to this document, as required by section 75 of the RMA.

6.1.5 Regional Planning Documents

The following regional planning documents are considered the most relevant to the Plan Change Request:

- Bay of Plenty Regional Policy Statement (RPS);
- Bay of Plenty Regional Natural Resources Plan (RNRP);
- Bay of Plenty Regional Land Transport Plan (RLTP);
- Proposed SmartGrowth Future Development Strategy (2018); and
- Pirirakau Hapū Management Plan (2017).

Part B of this report provides an assessment of the Plan Change Request in the context of giving effect to, and being consistent with these document, as required by sections 74 and 75 of the RMA.

The subject site contains no archaeological or historical features that would then necessitate matters under the Historic Places Act to be assessed. There are no other statutory planning documents or instruments to be considered.

7 Assessment of Environmental Effects (AEE)

The following is an assessment of the potential effects on the environment that may arise from the Plan Change Request and the type of development that is expected to follow. It is produced in accordance with Schedule 4 of the RMA.

In consideration of the Plan Change Request and the actual and potential effects associated with subsequent development, the request is supported by the following reports:

- Economics Assessment (**Appendix D**);
- Infrastructure Servicing Assessment (**Appendix E**);
- Integrated Transport Assessment (**Appendix G**); and
- Spray Drift Assessment (**Appendix H**).

7.1 Existing Environment

In order to assess the potential effects upon the environment, it is necessary to consider the nature of the surrounding land uses as they presently exist, and how these are likely to develop in the future given the nature of the surrounding zoning.

The subject site is located in the north-western corner of the intersection of SH 2 with Te Puna Road / Minden Road. It currently is zoned partially as Rural Zone and partially as Commercial Zone. Further north and west of the subject site there are orchards and rural residential dwellings, and south of the subject site there is a 4 Square supermarket and a petrol station adjacent to SH 2. Other development in the area includes commercial sites to the east on the other side of Te Puna Road, and on the other side of SH 2. It is considered that due to the position of the subject site near to SH 2 and a mix of commercial buildings that the landscape amenity in the south and easterly direction is generally of low landscape amenity.

The Te Puna hall was previously located on the corner of Te Puna Road and SH 2. This hall was removed due to the construction of the intersection upgrades by the New Zealand Transport Agency. The proposed hall location has been identified as being within the Te Puna Springs site, on the western boundary, and a designation has been approved by Western Bay of Plenty District Council. The designation has subsequently been appealed by the neighbouring property owner on the basis of potential reverse sensitivity effects.

SH 2 is designated by NZTA for State Highway purposes. NZTA have recently completed intersection safety and capacity improvements to the Te Puna/Minden intersection through their Tauranga Northern Link (TNL) project. As acknowledged in the Integrated Transport Assessment (**Appendix G**), TNL was to commence construction in late 2018 with completion in 2022 but there is no indication of when TNL will be constructed currently.

In summary, the nature of the nearby land to the immediate south and east is mixed use / commercial in nature, with the Te Puna Village acting as a hub for the local area. The land located to the west and north of the site is land zoned for rural purposes, characterised by horticulture and low residential density.

7.2 Density

One of the purposes of the Plan Change is to enable further commercial development of the subject site. The proposed scheduled site (Te Puna Springs) and inclusion in the Commercial Zone will change the ability of the subject site to be subdivided.

As part of the site is within the Rural Zone and part of the site is within the Commercial Zone currently, this provides difficulty in developing the site in a comprehensive manner. As noted earlier, subdivision of land in the Rural Zone is generally a Discretionary Activity but as the applicant's site is under six hectares in size, subdivision under the Rural Production provisions would be a Non-Complying Activity. The Rural zone also applies a 30-metre front yard to buildings established on site and side yards can be reduced to 10 metres within certain circumstances as outlined in the District Plan.

The proposed density will be altered as under the Commercial Zone there is no minimum allotment size. The proposed site-specific provisions relating to Te Puna Springs would also provide allowance for 12m high buildings, however, in terms of setbacks, the site-specific provision would be in regards to the Area A where any sensitive activities within 30m of the boundary in Area A would be non-complying. This provides for the same setback from those rural activities than is provided for by the existing zoning.

It is acknowledged that the rezoning will see larger buildings and more activity over the site than what the current partial rural zoning allows for. In recognition of this, the proposed Structure Plan and associated rules will provide for a logical continuation of development that will integrate visually with existing Te Puna Village and the strategic road network.

It is not considered that the proposed zoning would result in a density that is out of character with the surrounding environment. As shown in the Structure Plan (in **Appendix C**), as the scheduled site has been developed in consultation with stakeholders, and includes elements such as a centrally located community hall, a village green and pond, and larger sized lots on the boundary of the subject site, it is considered that the proposed density would be able to be accommodated (with the suggested landscaping provisions). It is considered that the proposed density under the Commercial Zone, plus scheduled site provisions, are the most appropriate for the site.

7.3 Landscape and Visual Effects

The subject site is generally of flat contour (although it rises towards the west), compared to the other three of the 'four corners' which all feature various inclines. The elevated nature of SH 2 means that the subject site is visible to passing motorists, particularly those travelling west towards Katikati. There are no identified waterways on the site, but there is a small drain through the site which drains to a lower section of the site in the north-western corner.

The subject site is currently only partially used for the storage of 'Modcom Portable Buildings' in association with SuperMac Group's business operations. As previously mentioned, the site is bound by orchards to the north and west and commercial activities to the south and east.

While a loss of open character and outlook will occur, there is no good landscape reason why these aspects should be preserved in the context of the site. The extent and nature of rezoning is considered appropriate to its setting and is in accordance with the environmental results anticipated by the relevant policies and guidelines of the District Plan. The rules and Structure Plan will ensure development will be sympathetically integrated with its wider setting. Future development will assuredly display a level of amenity appropriate to its setting, albeit derived from commercial nature rather than rural.

The direct effects on landscape character will be the loss of rural character as well as a change in the level of the built environment to include commercial development. The visual effects of the site will be changed from the existing open spaces to the west of the subject site with storage facilities to the Te Puna Road side of the site into a comprehensively designed area where a community hall is located in the centre, and there are a mix of large modular buildings located on either side of a new proposed road to allow for each new lot on the outer edge of the subject site to have access to both SH 2 and Te Puna Road.

To mitigate the effects of the change in landscape it is proposed through the Structure Plan to provide shelter belts, landscape buffer strip, village green and pond. This will complement the centrally located community hall.

The benefit of the scheduled site provisions is that Council can ensure through the additions to Section 4C – Amenity that any subdivision or development of land within the Te Puna Springs will be designed, approved and developed in accordance with the Structure Plan. The Applicant has also proposed that landscape plans be prepared in consultation with Pirirakau.

The character of the site is envisaged to be a commercial area of higher amenity values than currently experienced in the Te Puna Village, with the effects of the larger commercial buildings being mitigated through the level of landscaping proposed. Over time this vegetation will mature and add to the rural characteristics of the area.

A stormwater attenuation pond are proposed as part of the on-site stormwater management. These ponds will be planted with wetland species.

It is considered that the proposed development will integrate visually with the rural land uses to the north and west, whilst improving the commercial look of the existing Te Puna Village. The landscape character of the area will be enhanced through the landscaping of the site boundaries and the stormwater pond.

7.4 Transport Effects

It is proposed as per the Structure Plan to provide a new internal 'L shaped' privately owned road to provide access for the identified lots to both SH 2 and Te Puna Road.

Consultation with NZTA has been undertaken. It has been highlighted that when the roundabout was designed, NZTA had certain assumptions of the types of development that would occur on the subject site. It is considered that the proposed amendments to the District Plan will ensure that the development that will subsequently be permitted in the scheduled site would not be inconsistent with these assumptions (as there are no high volume, short term turnover activities accommodated for). As the proposed land uses to be included as part of the Plan Change are similar to those that were considered when the SH 2 roundabout was modelled, NZTA are comfortable that the roundabout is designed with adequate capacity.

In addition, it is considered appropriate for the rule for car parking to be located 10m back from street boundary to be omitted for the subject site as that rule is aiming to ensure that commercial centres with 'main streets' and is not necessary for a commercial area such as Te Puna Springs.

An indicative internal road layout is shown on the Structure Plan. All internal roads will be designed and constructed in accordance with the Code of Practice.

Attached as **Appendix G** is an Integrated Transport Assessment which outlines the transport effects associated with the Plan Change. In terms of traffic generation, the expected traffic generation has already been accounted for in the design of the Te Puna Road, Minden Road, SH 2 roundabout and associated roading improvements. It is considered that more than adequate room is available on the sites to accommodate expected parking, loading and manoeuvring. In addition, internal private roading and intersections with public road will be designed in accordance with Austroads and Safe System Principles. The Integrated Transport Assessment provided in **Appendix G** does recommend that construction of cycling facilities to link the Omokoroa to Bethlehem cycle path will need to be considered as the area develops and as the commercial area develops, Council will need to consider a permanent reduction in speed limit on SH 2 and Engineering and Safe System measures to urbanise Te Puna Road and Minden Road. The Plan Change Request can be supported from a transport and road safety perspective.

7.5 Infrastructure Effects

Aurecon were engaged to carry out an investigation of servicing networks to determine availability and capacity to accommodate the proposed rezoning. Attached as **Appendix E** is an Infrastructure Servicing Assessment describing the existing servicing networks in the vicinity of the site and outlining the proposed methods for servicing future development of the site under the proposed zoning regime. The following sections summarise the key findings of the Infrastructure Service Assessment.

7.5.1 Water Supply

There is an existing 200 mm diameter water main which fronts the subject site on Te Puna Road, and a 150 mm diameter water main which fronts the subject site along SH 2. Based upon the Western Bay of Plenty District Council Development Code, a peak hourly flow of 1.5 L/sec/ha is anticipated to be appropriate for the proposed development, therefore, an approximate supply demand of 12L/s is required. An indicative proposed reticulation layout to comply with NZS4404 is provided in Figure 12 of the Infrastructure Service Assessment in **Appendix E**. All lots would be serviced by a standard 150mm double ended principle main connection between the existing water mains on SH2 and Te Puna Road providing a peak demand of 12L/s. Standard 20mm lot connections would service each lot. The proposed commercial development is expected to be classified as a Fire Hazard Category 2 and Fire Water Classification 4. The indicative locations of fire hydrants within the development are also shown in Figure 12 of the Infrastructure Service Assessment in **Appendix E**.

The Plan Change is not expected to have any significant constraints in regard to water supply.

7.5.2 Wastewater

The subject site is located within an area that is not currently serviced by council reticulated sewer infrastructure. Therefore, the wastewater will either need to be treated and disposed of using onsite effluent treatment systems (OSETs) or alternatively a new reticulated system connecting to the existing rising main in Omokoroa or conveying the wastewater to a new treatment plant or disposal field on nearby land.

During the community engagement undertaken to help understand Te Puna community aspirations and issues and opportunities for Te Puna Village (discussed in Section 3 of this Plan Change Report), it was clear that wastewater management was a key issue. It is understood that Western Bay of Plenty District Council have engaged with consultants to conduct an assessment of the wastewater servicing options and the report identified that the existing OSET systems for the current commercial businesses were undersized or not installed at all. At the time of writing, no plans have been confirmed for the proposed connection to the municipal reticulation. For the purposes of the Plan Change, the Infrastructure Servicing Assessment (provided in **Appendix E**) considered both on-site treatment and the connection to an offsite municipal treatment or connection to the existing Omokoroa rising mains.

Sewer connections from the planned development have been found to be achievable using options of either connection to the proposed new rising main on Te Puna Road which would convey the wastewater to an offsite treatment facility or existing council reticulation, or utilisation of On-site-effluent-treatment systems within each lot boundary. Reticulation to off-site treatment or existing Council network would require a pipeline location within the berm of Te Puna Road and both systems would require a pump station. Initial discussions with WBOPDC have, however, suggested that there are already capacity issues within the Omokoroa catchment and hence it is unlikely that the Te Puna commercial area will be able to connect directly into this existing infrastructure without other upgrades to the system being completed. In terms of OSET systems, Lots 2 and 3 may require more sophisticated treatment systems to accommodate the high occupancy, whereas the remainder of the Lots should only require typical on-site effluent treatment systems and disposal fields. There is expected to be sufficient space for a disposal field.

The Plan Change is not expected to have any significant constraints in regard to wastewater.

7.5.3 Stormwater

The subject site sits within a catchment which may already have downstream issues with flooding and erosion and hence a relatively conservative approach to the stormwater management is required to meet the council guidelines.

The BOPRC stormwater management guidelines state that the post development flows should not exceed the 2yr, 10yr and 80% of the 100yr predevelopment rates. To meet these design criteria the existing attenuation pond sizing will need to be increased from the current 3100m³ to approximately 8300m³. There is provision for 7000m² of reserve/wetland located in the natural low point of the site so increasing the pond area is not expected to be an issue.

Some reshaping of the terrain within the site will be required to optimise the usable areas and create suitable building platforms. Most of the fill required will be used to infill the existing stormwater gullies with the existing pipes being extended within the fill to reach the new pond. It is expected that some imported fill will be required to complete the reshaping with approximately 25,000m³ of material to be moved onsite.

Flood levels during the 100yr ARI are expected to reach a peak of RL 14.24m so all building platforms will need to be set at a min of 14.54m to maintain a 300mm freeboard.

Stormwater on site will be collected by roadside catchpits and open swales which will divert the stormwater flow into the gravity pipe network. The gravity network will convey all stormwater into the two extended detention ponds located either side of the main flow path for the greater catchment. From the extended detention ponds the stormwater will then be released at the controlled rate into the main attenuation pond located in line with the existing stream flow at the site of the existing pond which is the natural low point within the entire site.

The Plan Change is not expected to have any significant constraints in regard to stormwater.

7.5.4 Telephone

There is not expected to be any servicing constraints with connections to the nearby telephone network.

7.5.5 Power

There is not expected to be any servicing constraints with connections to the nearby Power and Fibre networks located in the road frontage on SH 2 and Te Puna Road.

7.6 Cultural Effects

There are no known sites of cultural or historical significance on or near the property in question. Consultation has been undertaken with Pirirakau and they have confirmed that they do not oppose the zone change but would require consultation on future commercial activities within the newly created commercial zone. Certain aspects of the Structure Plan have been accommodated due to views from Pirirakau, such as the naturalisation of the spring in the village green. Consultation will be ongoing throughout the Plan Change process, with the opportunity to respond to any particular concerns as they may arise.

7.7 Reverse Sensitivity

Reverse sensitivity describes the effect that development of one kind may have on activities already occurring in an area. The use of zoning in the District Plan is intended to provide land uses that are compatible within identified areas and avoid the indiscriminate mixing of incompatible land uses and developments, and the associated potential for reverse sensitivity effects to occur.

With regards to the subject site, there are two neighbouring orchards, one to the north (Okaro Orchard) and one to the west (648 State Highway 2 Orchard). As the prevailing wind is west to southwest, the greatest risk of spray drift comes from the orchard at 648 State Highway 2. Whilst there are very few recorded events where off-target spray dirt has caused any issues for neighbouring properties, the most significant issue is the anxiety experienced in relation to spray drift. Information is considered to be the best means of reducing this anxiety. However, the Applicant has decided that additional shelter belts are to be included in the Structure Plan in order to ensure that there is minimal risk of spray drift and has proposed a non-complying activity status for sensitive activity(ies) within Area A. Please refer to the Spray Drift Report in **Appendix H** for more detail.

It is considered that the combination of building setbacks, enhanced boundary shelter belts and plantings will adequately address any potential reverse sensitivity matters.

7.8 Economic Effects

Property Economics have provided a high-level economic overview of the implications of the Plan Change, which is provided in **Appendix D**.

The Economic Overview report estimates that the identified catchment of Te Puna's localised economic market has a population base of around 3,750 people, but this is forecasted to grow to 4,100 over the projection horizon to 2038. Due to Tauranga's high growth status, Property Economics considers it prudent to consider a high growth scenario for Te Puna too, which would bring the population base up to approximately 4,750 by 2038. In addition, the continual growth of SH 2 traffic means that the level of demand for commercial activities and services in Te Puna is likely to grow over the foreseeable future, increasing the requirement for commercial land locally.

In terms of economic effects, the Economic Overview report considers that the activities provided for in the Plan Change would complement the existing commercial activity within the Te Puna Town Centre. As the land is unlikely to be used for rural purposes, it also creates a more economically efficient use of the site.

The addition of the community meeting hall on the site will also create a sense of community for the area and the consolidated hub will be in line with community aspirations for the Te Puna Springs area.

It is considered that the proposed rezoning will provide economic benefits to Te Puna through the development of complementary activities to the existing provision in Te Puna Springs and will positively contribute to creating a consolidated and futureproofed commercial site in the Western Bay of Plenty.

7.9 Conclusion

The appended specialist's reports confirm that potential effects of the proposed Plan Change relating to transport, infrastructure and reverse sensitivity are able to be avoided, remedied or mitigated through the development of appropriate scheduled site rules in the District Plan and a Structure Plan together with the existing Commercial rules.

It is considered that the current zoning and use of the site is neither productive or efficient, and the sustainable management of resources would be better served through the proposed zoning. It is considered that the actual and potential effects associated with the proposed rezoning can be appropriately managed by the existing District Plan provisions and the additional provisions promoted through the Plan Change Request and through future Bay of Plenty resource consent processes.

Overall, it is considered that the site is suitable for the development of Commercial zoned land as provided by the Plan Change request, and that the environmental effects of such development will be no more than minor.

8 Section 32 Assessment

8.1 Section 32, RMA

This assessment has been prepared to fulfil the requirements of Section 32(1) of the RMA. The RMA requires Council to undertake a further evaluation under Section 32(2) before making a decision on a private plan change request under Clause 29(4) of the First Schedule to the RMA.

Section 32 sets out the manner in which any proposed objective, policy, rule or other method is to be evaluated. The parts of Section 32 of the RMA relevant to the present proposal are as follows:

- ...
 (3) *An evaluation must examine—*
- (a) *the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
 - (b) *whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*
- ...
 (4) *For the purposes of the examinations referred to in subsections (3) and (3A), an evaluation must take into account—*
- (a) *the benefits and costs of policies, rules, or other methods; and*
 - (b) *the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*
- ...

The key matter referred to in Section 32(3)(a) is that the Plan Change Request must be assessed in terms of whether it is the most appropriate way to achieve the purpose of the RMA. This matter, and other relevant assessment matters relating to efficiency and effectiveness (Section 32(3)(b)), benefits and costs (Section 32(4)(a)), and any potential risks arising from uncertain or insufficient information (Section 32(4)(b)), are addressed in the following sections.

'Effectiveness' means how successful a particular option is in achieving the desired environmental outcome as stated in the objectives.

'Efficiency' means measuring by comparison of the benefits to costs. The most efficient method will achieve the environmental outcome at the least overall cost.

The Plan Change Request does not alter any objectives or policies in the District Plan. Whilst it does add in new rules, this is specific to the Te Puna Springs and is considered necessary to establish the framework within which the effects of development can be appropriately managed. The following assessment therefore focuses on the extent to which the Te Puna Springs scheduled site under the Commercial Zone and its associated provisions is a more efficient and effective method for achieving the existing objectives of the District Plan, than the existing partial Rural, partial Commercial zoning. This assessment has been informed by an evaluation of the associated benefits and costs of the proposal.

At this stage, it should also be recognised that the Plan Change Request relates to activities that fall within the scope of Council's functions listed in Section 31 of the RMA. The parts of Section 31 relevant to the proposal are as follows:

- (1) *Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*
- (a) *The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.*
 - (aa) *the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district:*

The District Plan takes into account these functions, and the Plan Change Request makes changes that are consistent with these functions of the Council.

Section 32 as part of a Plan Change processes requires a robust analysis of policy options, in addition to consideration of costs and benefits, before coming to a decision on the preferred option. The Plan Change is requested due to the following matters:

- The current Rural zoning does not allow for future commercial use of the site which the applicant seeks to achieve;
- The proposed rezoning will foster the development of complementary activities to the existing Te Puna Springs commercial zone;
- The proposed rezoning will positively contribute to creating a consolidated, futureproofed commercial hub for the benefit of the community;
- The proposed rezoning will provide certainty of investment as well as assist in long term infrastructure planning;
- The applicant seeks to expand their business on site, and provide leased tenancies for other companies who wish to locate themselves in Te Puna, and would require a Resource Consent to do so;
- The site is not and will not be used in according with the existing Rural zoning in the future due a number of constraints, including but not limited to, land size which is uneconomic to be utilised for the purposes of traditional rural activities, and the inappropriate use of the site for residential purposes due to the proximity to established horticultural uses adjacent to the site.

8.2 Current District Plan Provisions

The Plan Change Request has been developed in a manner that is considered consistent with the issues, objectives policies and methods contained within the Western Bay of Plenty District Plan. The following discussions focuses on those objectives and policies of most relevance to the Plan Change Request, which are those found in the following chapters:

- Section 3 – Definitions;
- Section 4C – Amenity;
- Section 18 – Rural;
- Section 19 – Commercial.

The proposal involves rezoning the subject site to Commercial Zone, and to also add a scheduled site allocation ("Te Puna Springs"). This approach is similar in style to other Western Bay of Plenty plan changes, where certain Structure Plans have been introduced and additional rules are added in relation to those Structure Plans (e.g. for Rangiuru Business Park and Comvita Campus).

It is not proposed to amend any of the objectives or policies of the District Plan, as it is considered that the proposal is consistent with this overriding framework and can fit within the Commercial Zone. Table 1 below demonstrates the consistency with the relevant objective and policies.

Table 1: Policy Assessment with Operative District Plan

Objective / Policy	Consistency of the Plan Change
Objective 19.2.1.1: Consolidated commercial centres that are vibrant commercial environments that encourage social and cultural interaction	The Plan Change would consolidate this north-west corner of the Te Puna Village and encourage social and cultural interaction, particularly with the centrally located community hall and the landscaping proposed.

Objective / Policy	Consistency of the Plan Change
Objective 19.2.1.2: Well designed commercial centres which reflect accepted urban design principles	The Plan Change would incorporate urban design principles into Te Puna Village, which was noted during consultation as something would could be improved on with a comprehensive plan for the subject site.
Objective 19.2.1.3: Convenient and safe commercial centres	<p>The Plan Change would improve upon the current offering of the Te Puna Village and the proposed traffic and landscaping changes would improve the safety.</p> <p>As stated in the Integrated Transport Assessment provided in Appendix G, Te Puna Road access will be designed in accordance with AUSTROADS to accommodate the expected design vehicles, details of which will be confirmed and submitted to WBoPDC for approval prior to construction. It is intended that the design of this intersection will incorporate safe system measures to complement the expected future reduction in speed limit on Te Puna Road.</p>
Objective 19.2.1.4: Commercial development of a scale that is appropriate for the location	The Plan Change is considered to increase commercial development on the subject site, but it is of an appropriate scale.
Objective 19.2.1.5: Public, civic and private space that relate well to each other	The Plan Change incorporates public spaces (such as the pond and village green) in a comprehensive manner, alongside the civic offering of the community hall and the private space of the commercial uses. It is considered that the mix of public, civic and private space relates well to each other.
Objective 19.2.1.6: Commercial centres that have a high level of amenity	The Plan Change would improve upon the current level of amenity at the subject site, and create a more attractive and mixed-use environment through the variety of features in the Structure Plan.
Objective 19.2.1.7: Commercial Zones in which commercial activities can operate effectively and efficiently, without undue restraint from non-commercial uses which may require higher amenity values	The Plan Change would ensure that the subject site, which has commercial uses on part of the site and is located adjacent to the Rural Zone (and orchards with concern about reverse sensitivity) would be used for commercial activities without undue restraint from non-commercial uses.
Objective 19.2.1.9: An efficient network of road, cycle and pedestrian linkages connecting the District's commercial centres to surrounding	The Plan Change would ensure that the network of road, cycle and pedestrian linkages connecting the commercial area of Te Puna Springs to the surrounding area continues to operate efficiently. As recognised in the Integrated Transport Assessment provided in Appendix G , the expected traffic generation has already been accounted for in the design of the Te Puna Road, Minden Road, SH 2 roundabout and associated roading improvements. There is more than adequate room available to accommodate the expected parking loading and manoeuvring. Internal private roading and intersections with public road will be designed in accordance with Austroads and Safe System Principles. A pedestrian facility is provided across SH 2 near the bus stops. The Integrated Transport Assessment does acknowledge the need to incorporate more crossing facilities for pedestrians and cycling facilities as the area develops.

Objective / Policy	Consistency of the Plan Change
<p>Objective 19.2.1.10: The development of commercial centres and associated transportation networks that enhance social, economic and cultural activity through attention to design detail and the integration of the public, civic and private places nearby and therein.</p>	<p>The Plan Change would provide for the development of Te Puna Village that would enhance the social, economic and cultural activity through the mix of activities which would be promoted and to ensure that development was progressed in a comprehensive manner. As recognised in the Economic Overview report (provided in Appendix D), the land is in a competitive and economically efficient location to extent the Te Puna commercial area while maintaining a consolidated commercial hub, as well as aligning with community aspirations for the future of the commercial area.</p>
<p>Policy 19.2.2.1: Provide for the comprehensive development of commercial areas, including the redevelopment of multiple commercial sites by:</p> <ul style="list-style-type: none"> (a) Encouraging the aggregation of land titles in accordance with the relevant town centre plan. (b) Providing incentives (such as a reduction in the required number of onsite car parks) to off-set the acquisition of land required to achieve relevant town centre plan design outcomes. 	<p>The Plan Change would be consistent with the intent of this policy. The aggregation of land titles on the subject site has resulted in a change of Zoning within the aggregated land titles owned by the Applicant. Therefore, the Plan Change would allow for the logical allowance to provide for comprehensive development of the subject site.</p> <p>As recognised in the Economic Overview report (provided in Appendix D), the Plan Change would provide a certainty of investment as well as assisting in long term infrastructure planning for Te Puna.</p>
<p>Policy 19.2.2.3: Limit the establishment of commercial activities in non-commercial zones.</p>	<p>The Plan Change would ensure that commercial activities would be located in a site that is intended for commercial uses. The subject site is partially zoned for Commercial and partially zoned for Rural, which would mean that the alternative of applying for piecemeal resource consents for commercial activities in the Rural zoned part of the land would be inconsistent with this policy.</p> <p>As recognised in the Economic Overview report (provided in Appendix D), Property Economics do not consider that the rezoning necessarily represents a 'loss' of rural land as it is highly unlikely to transfer back to that use as the land has not been utilised for rural activities for a number of years and it is likely to be too small in scale to have the ability to sustain a rural productive unit. The Plan Change, therefore, is more in line with an efficient use of the site as the increase in commercial land provides the flexibility for the centre to grow as market demand grows.</p>
<p>Policy 19.2.2.4: Ensure buildings /structures in Commercial Zones:</p> <ul style="list-style-type: none"> (a) Provide sufficient shelter for pedestrians so as to protect them from the natural elements. (b) Do not compromise pedestrian access unless the characteristics of the locality of the site or the site itself are such that verandas or other forms of pedestrian shelter are not required. (c) Support the development of areas that encourage social interaction. 	<p>The Plan Change would support the progression of the subject site towards a more active 'hub' in the Te Puna Village. With the central location of the new community hall, and the village green, whilst the area would be more actively used by the commercial uses, it would also encourage social interaction for the wider community.</p> <p>A footpath has been constructed on the SH 2 frontage of the Motel and accommodation with a central refuge in the SH 2 median island on the western side of the roundabout. The path extends to the bus stop and shelter.</p> <p>The Integrated Transport Assessment (provided in Appendix G) does acknowledge the need to incorporate crossing facilities for pedestrians to cross either Minden Road or Te Puna Road from west to east as Te Puna Springs develops and expands. It is considered that sufficient shelter and pedestrian access to buildings/structures within Te Puna Springs can be incorporated during the resource consent process.</p>

Objective / Policy	Consistency of the Plan Change
Policy 19.2.2.8: Prevent non-commercial activities that conflict with or detract from the integrity of the Commercial Zone	<p>The Plan Change would ensure that commercial activities would be located in a site that is intended for commercial uses. The subject site is partially zoned for Commercial and partially zoned for Rural, which would mean that the alternative of applying for piecemeal resource consents for commercial activities in the Rural zoned part of the land would be inconsistent with this policy.</p> <p>As recognised in the Economic Overview report (provided in Appendix D), Property Economics do not consider that the rezoning necessarily represents a 'loss' of rural land as it is highly unlikely to transfer back to that use as the land has not been utilised for rural activities for a number of years and it is likely to be too small in scale to have the ability to sustain a rural productive unit. The proposed rezoning would foster the development of complementary activities to the existing provision in the Te Puna commercial zone. Property Economics considered that the rezoning has no meaningful potential to adversely affect the role, function, vitality and viability of the Te Puna area.</p>
Policy 19.2.2.11: Apply height limits that are appropriate for the location of the Commercial Zone especially in relation to smaller communities such as Maketu, Pukehina and Paengaroa where large commercial buildings /structures could detract from the amenity of the area.	<p>The Plan Change would apply a new height limit that is appropriate for a scheduled Commercial site. Whilst the commercial buildings/structures would be large scale, it is considered that the larger lot sizes and the other features of the Structure Plan would ensure that these buildings/structures would not detract from the amenity of the area.</p>
Policy 19.2.2.12: Promote pedestrian and cycle accessibility by controlling the location and design of accessways.	<p>The Plan Change would promote pedestrian and cycle accessibility by controlling the location and design of accessways. As detailed in the Integrated Transport Assessment (provided in Appendix G), the proposed slip lane access at SH 2 provides for left in and left out onto SH 2. The private road access will provide for all movements although left turn exiting and right turn entering the private road are expected to be low volume as drivers will not arrive or depart this way unless needing to use the Four Square or BP Service Station etc.</p> <p>The intersection will be designed to accommodate the required vehicle swept paths to avoid any potential for turning conflicts. There is currently a 30km/h temporary speed limit in this area which is anticipated to be made permanent in the near future.</p> <p>Internal private roading and intersections with public road will be designed in accordance with Austroads and Safe System Principles. A pedestrian facility is provided across SH 2 near the bus stops. The Integrated Transport Assessment does acknowledge the need to incorporate more crossing facilities for pedestrians and cycling facilities as the area develops.</p>
Policy 19.2.2.14: Ensure that development in Commercial Zones is designed and constructed to be consistent with the New Zealand Urban Design Protocol and National Guidelines for Crime Prevention through Environmental Design.	<p>The Plan Change would ensure that development progresses in line with urban design principles and will consider the safety of the local community in its design.</p>

The changes proposed to the definitions and rules are limited to those necessary to ensure that the Plan Change makes specific provision for the activities included within the Structure Plan, whilst ensuring that certain rules are set in order to ensure environmental effects can be managed.

It is useful to consider the objectives and policies for the Rural Zones (Section 18) in order to understand the status quo, as the subject site is currently split between being zoned Rural and Commercial. The status quo means that under the current District Plan, the land owned by the Applicant has very different objectives and

policies. In comparison to the above objectives and policies for the Commercial Zone, the Rural Zone seeks to maintain and enable rural production of the Rural Zones ((Objective 18.2.1.1) and Policies 18.2.2.1 to 18.2.2.5)), to maintain, amongst other matters, the rural setting of urban areas (Objective 18.2.1.5 and Policy 18.2.1.11).

The status quo seeks to provide for these desired outcomes through a 40ha minimum subdivision, and bulk and location standards relative to the retention of rural character.

Since the time the above policy framework was formulated, Te Puna has grown through the increased population from the level of rural subdivision occurring. The local community values the current offering of Te Puna Village and the various stakeholders who occupy land within the existing Commercial Zone are looking to grow.

8.3 Plan Change Consistency with S74-75 RMA

Sections 74 and 75 of the RMA require an analysis of the Plan Change Request in the context of giving effect to, and being consistent with, Part 2 and relevant regional planning documents. Section 6 of this report contains an assessment against the purpose and principles set out in Part 2. What follows is consideration of the Plan Change Request in terms of the relevant national and regional planning documents.

8.3.1 National Policy Statement on Urban Development 2020 (NPS-UD)

The NPS-UD came into effect on 20 August 2020. This replaced the NPS-UDC.

The objectives of the NPS-UD seek to achieve the following:

- a) Well-functioning urban environment that enable people to provide for their social, economic and cultural well-being, and for their health and safety, now and into the future;
- b) Planning decisions that improve housing affordability;
- c) Enable more people to live in areas of an urban environment that are near centres, employment, well served by public transport or there is a high demand for housing;
- d) Recognition that urban environments and amenity values change overtime;
- e) Planning decisions take into the principles of the Treaty of Waitangi;
- f) Decisions on urban development are integrated with infrastructure and planning decisions, strategic over the medium and long term, and responsive;
- g) Local authorities have robust and up to date information about their urban environments and use it to inform planning decisions;
- h) Urban environments support reductions in greenhouse gases and are resilient to the effects of
- i) climate change

The NPS-UD identifies Western Bay of Plenty District Council as a Tier 1 local authority.

Objective 1 seeks well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

Objective 3 seeks for district plans to enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

- (a) the area is in or near a centre zone or other areas with many employment opportunities;
- (b) the area is well-served by existing or planned public transport;
- (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.

Objective 4 seeks for urban environments, including their amenity values to develop and change over time in response to diverse and changing needs of people and communities.

Objective 5 requires planning decisions to take into account the principles of the Treaty of Waitangi.

Objective 6 seeks for local authority decisions on urban development to be integrated with infrastructure planning and funding decisions, strategic over the medium term and long term and responsive.

Policy 1 seeks that planning decisions contribute to well-functioning urban environments; which are urban environments that as a minimum:

- (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size;
- (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport

Policy 2 requires Tier 1 local authorities to provide at least sufficient development capacity to meet expected demand for business land over the short term, medium term, and long term.

Policy 9 requires local authorities to involve hapū and iwi in the preparation of RMA planning documents and any FDSs by undertaking meaningful and early consultation.

The SmartGrowth Housing and Business Development Capacity Assessment 2017 recognised that there was high growth in employment projected for the sub-region in the short term, with Western Bay of Plenty employment to grow by 33.1% by 2050. This Assessment Report also recognised that in the Western Bay of Plenty District all of the four urban growth area townships have substantial provision for commercial zones. However, while development capacity is well catered for across the sub-region, the Assessment Report does recognise that *“there will be emerging pressure on some smaller neighbourhood centres, especially if increasing demand for services results from higher densities of residential activity and higher proportions of older residents in these areas”*. The SmartGrowth Development Trends Technical Report 2018 recognised that commercial building consents were very slow in Western Bay of Plenty District.

The Plan Change is considered to support Tauranga in becoming a well-functioning urban environment, providing people and communities the ability to enhance their social, economic and cultural wellbeing into the future. The Plan Change will assist in the provision on efficient use of land, and additional provision of business land to the Te Puna Village. This will support businesses which are in close proximity to the existing Commercial Zone, and enable the urban environment to develop and change as the area grows. Whilst there is the Te Puna Business Park located in Te Puna, it is considered that the commercial offering provided by the activities promoted in this Plan Change are different from the industrial supply of land through the Te Puna Business Park. The findings made by Property Economics in the Economics Overview report (provided in **Appendix D**) confirm that as consider that the site is in a better location to facilitate commercial, community and light industrial growth than other vacant land in Te Puna, as well as the business park zoning to the north.

In preparation of the Plan Change, engagement has been undertaken with iwi, see section 9 for further details. It is considered that the principles of the Treaty of Waitangi have been taken into account in the preparation of this Plan Change.

The Plan Change is also able to achieve suitable servicing infrastructure. Although wastewater is an issue for the area, it has been found that sewer connections using either connection to the proposed new rising main on Te Puna Road which would convey the wastewater to an offsite treatment facility or existing council reticulation or utilisation of OSET systems within each lot boundary. Regarding Objective 6, it is also recognised that whilst the servicing assessment did not rely on the investment of a council funded network reticulation scheme, that Western Bay of Plenty District Council has subsequently committed to a scheme which is estimated to commence in 2021. An information sheet on this process is provided in **Appendix I**.

8.3.2 Bay of Plenty Regional Policy Statement (RPS)

The RPS became operative in 2014 (last amended in December 2018). It sets the framework for resource management in Bay of Plenty, providing an overview of the significant resource management issues facing

the region, and setting out objectives, policies and methods to address the region's resource management issues. The goal of the RPS is the integrated management of the region's natural and physical resources.

The Plan Change Request is considered to be consistent with the provisions of the RPS. It is acknowledged that while the RPS identifies growth areas, Te Puna is not included.

Table 2 below demonstrates the consistency with the relevant policies.

Table 2: Policy Assessment with Bay of Plenty RPS

Policy	Consistency of the Plan Change
Policy AQ 1A actively discourages locating new sensitive activities near activities that discharge offensive and objectionable odours, chemical emissions or particulates	The Plan Change is proposing larger separation distances between buildings/structures and the adjoining orchards, in addition to a rule requiring resource consent if a new sensitive activity were proposed in the Commercial Zone. It is therefore considered that the Plan Change is consistent with this policy.
Policy IR 3B aims to adopt an integrated approach to resource management	The Plan Change involves an integrated approach to redeveloping the subject site, and the Structure Plan proposed has been developed through a consultation process. It is considered the Plan Change has adopted an integrated approach to resource management.
Policy IR 4B encourages using consultation in the identification and resolution of resource management issues	The Plan Change has referred to the consultation process led by Western Bay of Plenty in order to inform the Structure Plan and the proposed additions to the District Plan rules.
Policy IW 2B recognises matters of significance to Māori	The Applicant has consulted with Pirirakau in relation to the Structure Plan. It is considered that the Plan Change has recognised matters of significance to Māori.
Policy MN 4B encourages ecological restoration and rehabilitation	<p>The Plan Change incorporates landscape mitigation through the Structure Plan to provide shelter belts, landscape buffer strip, village green and pond.</p> <p>The character of the site is envisaged to be a commercial area of higher amenity values than currently experienced in the Te Puna Village, with the effects of the larger commercial buildings being mitigated through the level of landscaping proposed. Over time this vegetation will mature and add to the rural characteristics of the area.</p> <p>A stormwater attenuation pond are proposed as part of the on-site stormwater management. These ponds will be planted with wetland species. In addition, it is proposed that a spring located south of the Village green will be naturalised and will be piped into the village green area.</p> <p>It is considered that these landscape mitigation measures will encourage ecological restoration and rehabilitation.</p>
<p>Policy UG 7A provides for the expansion of existing business land outside the urban limits shown in Appendix E, only if the proposal will:</p> <ul style="list-style-type: none"> (a) For the expansion of existing zoned business land, not be able to be accommodated within existing business zoned land in the western Bay of Plenty sub-region; (b) Be contiguous with the site of an existing business activity or existing zoned business land; 	<p>Although the Plan Change would expand the existing zoned business land, the aim of the extension is for the local needs of Te Puna. The aim is not to increase supply in order to accommodate demand within the greater western Bay of Plenty sub-region.</p> <p>The subject site is not only contiguous with the site of an existing business activity or existing business land, but it is partly within a business zoned land.</p> <p>The Plan Change does not require new connections to urban water supply distribution, stormwater or wastewater infrastructure located within the urban limits, as stormwater can be managed on site, there is a nearby water main and sewer connections can be achieved</p>

Policy	Consistency of the Plan Change
<ul style="list-style-type: none"> (c) Not require new connections to urban water supply distribution, stormwater or wastewater infrastructure located within the urban limits; (d) Avoid, remedy or mitigate effects on rural production activities; (e) Not compromise access to identified regionally significant aggregate and other mineral resources; and (f) Not adversely affect existing, consented, designated or programmed regionally significant network utilities and infrastructure. 	<p>through either new pipes to reticulated treatment facilities or OSET systems.</p> <p>The Plan Change has sub areas and site specific rules proposed in order to avoid reverse sensitivity effects on the existing orchards located north and west of the subject site.</p> <p>The Plan Change does not compromise access to identified regionally significant aggregate, or adversely affects any regionally significant network utilities and infrastructure.</p>
Policy UG 8B implements high quality urban design principles, with Appendix B including principles of high quality urban design	The Plan Change proposes implementing high quality urban design principles, with development to be progressed in line with the Structure Plan.
Policy UG 9B aims to ensure coordination or new urban development with infrastructure	The Plan Change is considered to be an efficient addition of commercial land to the existing Te Puna Springs commercial zoned area. The Integrated Transport Assessment (provided in Appendix G) confirms that the expected traffic generation has already been taken into account for in the design of the Te Puna Road, Minden Road, SH 2 roundabout and associated roading improvements. The Infrastructure Servicing Assessment (provided in Appendix E) also concludes that the Plan Change is not reliant on the proposed connection to the municipal reticulation, although it would be beneficial for the Te Puna area.
Policy UG 10B requires rezoning for urban development of land to take into account sustainable rates of land uptake, existing or committed public and private sector investments, sustainable provision and funding of existing and future infrastructure and efficient use of local authority and central government financial resources	<p>The Plan Change considers sustainable rates of land uptake. The Economics Overview (provided in Appendix D) demonstrates that there is growing potential in the market for commercial expansion as the population and traffic in the core economic catchment increases. The increase in commercial land therefore provides flexibility for the centre to grow as the market demand grows which is important as at present there is limited, if any, vacant development capacity and growth potential within the Te Puna commercial zone.</p> <p>As stated above in relation to Policy UG 9B, the Plan Change is not reliant on the potential commitment for the proposed connection to the municipal reticulation.</p>
Policy UG 12B provides for quality open spaces	The Plan Change proposes a variety of landscaping, including shelter belts, landscape buffer strip, village green (with naturalised spring) and pond (with planting on the edges). It is considered that the Plan Change provides for quality open spaces.
Policy UG 13B promotes the integration of land-use and transport activities	<p>The Plan Change proposes similar land use activities to that used by NZTA in their assumptions made for the intersection modelling for the roundabout at SH 2, Minden Road, Te Puna Road and the associated upgrades. The expected traffic generation has therefore already been accounted for in the design of the area.</p> <p>As stated in the Integrated Transport Assessment provided in Appendix G, the Plan Change can be supported from a transport and road safety perspective. Internal private roading and intersections with public road will be designed in accordance with</p>

Policy	Consistency of the Plan Change
	Austroroads and Safe System Principles. A pedestrian facility is provided across SH 2 near the bus stops. The Integrated Transport Assessment does acknowledge the need to incorporate more crossing facilities for pedestrians and cycling facilities as the area develops.
Policy UG 20B requires that development of rural areas does not compromise or result in reverse sensitivity effects on rural production activities and the operation of infrastructure	The Plan Change is proposing larger separation distances between buildings/structures and the adjoining orchards, in addition to a rule requiring resource consent if a new sensitive activity were proposed in the Commercial Zone.
Policy UG 23B provides for the operation and growth of rural production activities	The Plan Change will in effect remove the partial Rural zoning from the site, however, it is not used and is not likely to be used for rural production activities given the size of the allotment and potential reverse sensitivity issues in the establishment of further horticulture uses on the site. This is supported by the Economic Overview report prepared by Property Economics (and provided in Appendix D).
Policy NH 11B incorporates the effects of climate change in natural hazard risk assessment. It seeks to ensure a consistent approach to identifying and assessing coastal hazards, which aligns with the most recent and internationally accepted scientific knowledge on climate change risk. This policy and Policy IR 2B set out minimum values for climate change projections to be taken into account when assessing natural hazards and identifying the types of natural hazards likely to be exacerbated by climate change	<p>The Plan Change has considered the potential flooding issues which are likely to be exacerbated by climate change and incorporated it into the stormwater solution. As the development sits within a catchment which may already have downstream issues with flooding and erosion, a relatively conservative approach to the stormwater management is required to meet the council guidelines.</p> <p>The BOPRC stormwater management guidelines state that the post development flows should not exceed the 2yr, 10yr and 80% of the 100yr predevelopment rates. To meet these design criteria the existing attenuation pond sizing will need to be increased from the current 3,100m³ to approximately 8,300m³. There is provision for a 7,000m² of reserve/wetland located in the natural low point of the site so increasing the pond area is not expected to be an issue.</p>
<p>Policy IR 2B recognises and provide for the predicted effects of climate change having particular regard to:</p> <p>(a) Predicted increase in rainfall intensity, taking account of the most recent national guidance and assuming a minimum increase in the annual mean temperature of 2 degrees C by 2090 (relative to 1990 levels); and</p> <p>(b) Predicted increase in sea level, taking into account the most recent national guidance and the minimum sea-level rise projections in Policy NH 11B.</p>	The Plan Change has considered the potential flooding issues which are likely to be exacerbated by climate change and incorporated it into the stormwater solution.

8.3.3 Bay of Plenty Regional Natural Resources Plan

The Operative Regional Natural Resources Plan (formerly the Bay of Plenty Regional Water and Land Plan) became operative in December 2008.

The provisions of the RNRP have been reviewed through the preparation of this Plan Change Request. An application for resource consent associated with the treatment and discharge of stormwater will be required at the time of development, providing the appropriate opportunity for environmental effects to be duly considered and mitigation measures identified. Furthermore, future development of the site is able to be serviced by reticulated wastewater treatment disposal or OSET systems, and water supply systems.

For the reasons contained in the Infrastructure Servicing Assessment (**Appendix E**), it is considered that the proposal gives effect to the provisions of the RNRP.

8.3.4 Bay of Plenty Regional Land Transport Plan

The Bay of Plenty Regional Land Transport Plan sets the strategic direction for land transport within the Bay of Plenty region over a 10-year period (2018-2028).

The Bay of Plenty's response to the transport challenges they face is an Optimised Transport System.

For the reasons contained in the Integrated Transport Assessment (**Appendix G**), it is considered that the proposal is consistent with the strategic direction of the Bay of Plenty Regional Land Transport Plan.

8.3.5 Proposed SmartGrowth Future Development Strategy (FDS)

A future development strategy is required by the NPS-UD 2020. This is the continuation of the work that SmartGrowth has been doing since the launch of the first SmartGrowth Strategy in 2004.

The FDS outlines how the partnership will provide for sufficient development capacity to meet demand for the next 30 years. The FDS is aligned with the TUS which sets out Council's strategic direction for responding to growth through a future spatial urban form that will provide for future growth.

The FDS was publicly consulted on in 2018 and considered growth characteristics over the next 30 years for the land area from Waihi Beach to Pukehina, with particular focus on growth in and around Tauranga City.

The FDS identifies the following issues:

- a) Aligned growth and infrastructure;
- b) Dealing with uncertainty;
- c) Growth funding;
- d) The impacts of growth;
- e) Housing affordability;
- f) Changing demographics;
- g) Development trade-offs.

The Proposed SmartGrowth Future Development Strategy aims to drive discussion and decision-making around expected population growth in the western Bay of Plenty. A Future Development Strategy is required by the Government for high growth areas such as the western Bay of Plenty sub-region, and requires alignment between the National Policy Statement on Urban Development Capacity 2016 and other land use and infrastructure policy.

The Bay of Plenty is identified as being in a transition phase between previous policy frameworks and moving forward on an emerging direction.

The SmartGrowth proposed desired outcomes include outcomes such as: growing a sustainable economy, creating an integrated planning and settlement pattern, building communities, sustaining and improving the environment. Urban growth is planned to be provided for in two ways: Compact City and New Growth Areas.

The Future Development Strategy acknowledges that the delivery of sufficient infrastructure is in "catch up" mode but promotes being ready for change, with the emerging technologies in transport, the way we work and the way we build our homes and places of business.

The Draft Future Development Strategy raises the question as to whether Te Puna should be considered for urban development in the long term (20-30 years). The importance of the kiwifruit industry to the wider Bay of Plenty regional economy is also acknowledged. Whilst Te Puna is not currently in a New Growth Area, it is considered that the Plan Change is consistent with the direction of the Proposed SmartGrowth Future Development Strategy as it is working towards the desired outcomes of growing a sustainable economy and creating an integrated planning and settlement pattern, with improvements made to the commercial environment.

8.3.6 Pirirakau Hapū Management Plan

The Pirirakau Hapū Management Plan was formally adopted in June 2017. The Pirirakau Hapū Management Plan contains information to give direction to Pirirakau leadership and management and for any party who needs to consult or engage with matters relevant to Pirirakau hapū and their rohe tribal area.

The Pirirakau Hapū Management Plan states that Pirirakau rohe is dominated by several important landscapes and waterscapes, including Te Puna. They seek to ensure that they are in participation of all engagement which protects the Rural characteristic of Te Puna and prevention of urbanisation, with an intent to ensure horticulture and agriculture opportunities will continue. The Pirirakau Hapū Management Plan also clarifies that Pirirakau seek mitigation of projects to restore and create wetlands and that Pirirakau do not support connections to the Omokoroa Wastewater pipeline unless mitigation of environmental effects is required. They also propose to influence the Te Puna Community Development Plan.

The pre-application consultation undertaken included Pirirakau, and the Applicant will continue this consultation throughout the Plan Change process. It has been suggested through the proposed amendments to the District Plan that the resultant landscaping plan is prepared with consultation to Pirirakau.

8.4 Alternatives Considered

Section 32 of the Act sets out a methodology for assessing changes to plans, with a focus on alternatives, benefits, and costs. In considering alternative methods it is necessary to consider different planning methods to achieve the purpose of the RMA, including retaining the status quo.

In terms of non-regulatory methods (including research and information, education, rates relief and levying charges), it is considered that none were appropriate in terms of achieving the objectives of the Plan Change, particularly due to the current situation on the subject site with two different zones applying. Non-regulatory methods therefore would not overcome the existing regulatory provisions of the District Plan and avoid the need for resource consent. In the interest of sustainable management, adopting the zoning technique is considered the most effective and efficient method available.

Four options have been considered in preparing this Plan Change Request:

1. Status Quo, i.e. retain existing part-Rural and part-Commercial Zone;
2. Development by Resource Consent;
3. District Plan Review;
4. Private Plan Change to rezone the site to Commercial Zone (with a scheduled site)

The following is an assessment of the alternatives considered for the purpose of this Plan Change.

Alternative	Costs	Benefits
Status Quo	<p><u>Environmental</u></p> <p>The site will continue to be utilised in an ad hoc manner, and not in keeping with the expectations of the Rural Zone in terms of wide open spaces, or for horticultural purposes.</p> <p>Potential reverse sensitivity issues associated with permitted rural productive operations.</p> <p>Does not deliver the village green, spring and other public amenities.</p> <p>Access to commercial services centres is reliant on private vehicle use and travel to Bethlehem.</p>	<p><u>Environmental</u></p> <p>No loss of rurally zoned land.</p> <p>Limited traffic movements.</p> <p>Limited impact on existing infrastructure.</p> <p>Potential amenity effects from ad hoc development.</p> <p><u>Economic</u></p> <p>There are no economic benefits in retaining the site as is as the Applicant is unlikely to utilise the site for the purposes it is zoned. It is not anticipated that employment for the rural use of the land will occur.</p>

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	<p><u>Economic</u></p> <p>The economic cost of the status quo that the land will continue to be used inefficiently. The site is not and will not be used in accordance with the existing Rural zoning in the future. This is due to several constraints, including but not limited to, land size which is uneconomic to be utilised for the purposes of traditional rural activities, and the inappropriate use of the site for residential purposes due to the proximity to established horticultural uses adjacent to the site.</p> <p>Does not deliver local commercial employment opportunities for the Te Puna community.</p> <p><u>Social</u></p> <p>There are no social costs identified.</p> <p><u>Cultural</u></p> <p>There are no cultural costs identified.</p>	<p><u>Social</u></p> <p>There are no social benefits identified.</p> <p><u>Cultural</u></p> <p>There are no cultural benefits identified.</p>
Lodge Resource Consents on an individual basis	<p><u>Environmental</u></p> <p>Loss of rurally zoned land.</p> <p>Potential for reverse sensitivity effects to not be properly considered on a consent by consent basis (particularly in regard to the nearby orchards).</p> <p>There is also the potential that indirectly there could be environmental costs following on from a successful resource consent application for similar land use activities in the Rural Zone (with others challenging the integrity of the current zoning framework). This could result in a loss of rural productive land and/or rural character over time.</p> <p>Ad hoc development with a lack of integrated planning.</p> <p><u>Economic</u></p> <p>A single resource consent application for a comprehensive development, or a series of resource consent applications would be required that would result in an inefficient use of resources. There is a high risk of consents being declined by Council, and there may be difficulty in obtaining and retaining potential tenants during this period to ensure the economic viability. There will be higher consent costs due to additional reporting required, and due to the nature of land use consents and conditions, if Council choose to grant the consents, over time the applicant may need to amend those to cater for future different tenants,</p>	<p><u>Environmental</u></p> <p>There are no environmental benefits identified in proceeding with resource consent(s).</p> <p><u>Economic</u></p> <p>A number of existing or new commercial activities can be relocated or established on site leading to greater employment opportunities for the Te Puna and wider areas.</p> <p><u>Social</u></p> <p>There are no social benefits identified.</p> <p><u>Cultural</u></p> <p>There are no cultural benefits identified.</p>

	<p>building designs or uses – all of which incur additional costs.</p> <p><u>Social</u></p> <p>Potential for resource consents to be non-notified or limited notified and avoid/limit the amount of consultation on the individual proposals.</p> <p><u>Cultural</u></p> <p>There are no cultural costs identified.</p>	
Pursue rezoning through a District Plan Review	<p><u>Environmental</u></p> <p>Loss of rurally zoned land.</p> <p><u>Economic</u></p> <p>The next District Plan review is approximately 7 years away. Therefore, this alternative includes additional holding costs and lost opportunity costs of being unable to develop the land for at least 7 years (at the earliest).</p> <p>The economic costs involved in the loss of rural land are low. The rural land holding is uneconomic for the purposes of traditional rural use given the size of the allotment, the existing activities on site and potential reverse sensitivity issues in the establishment of further horticulture uses on the site.</p> <p><u>Social</u></p> <p>There are no social costs identified.</p> <p><u>Cultural</u></p> <p>There are no cultural costs identified.</p>	<p><u>Environmental</u></p> <p>Better controls around the use of the land and management of environmental effects through site specific rules (e.g. visual and landscape controls).</p> <p>The development of the site can ensure no reverse sensitivity effects on the existing horticultural sites adjacent.</p> <p>Reduces reliance of the local community having to travel to commercial areas in Tauranga.</p> <p><u>Economic</u></p> <p>A number of existing or new commercial activities can be relocated or established on site leading to greater employment opportunities for the Te Puna and wider areas.</p> <p>Provides local employment opportunities.</p> <p><u>Social</u></p> <p>Allows local residents to 'live, work and play' in accordance with SmartGrowth policies through the extension of the existing commercial zone.</p> <p>Facilitate the creation of a more active 'hub' for the community for activities that are currently occurring out of zone in rural locations, particularly with the community hall and village green and the creation of the spring forming a part of the Structure Plan.</p> <p><u>Cultural</u></p> <p>Engagement with Pirirakau to take into account their views and relationship with the site.</p> <p>Benefits relating to additions such as providing access to the spring due to earlier consultation.</p>
Rezone the site to Commercial Zone (with a scheduled site) through a Private Plan Change	<p><u>Environmental</u></p> <p>Loss of rurally zoned land.</p> <p><u>Economic</u></p> <p>The economic costs involved in the loss of rural land are low. The rural land holding is uneconomic for the purposes of traditional rural use given the size of the allotment and potential reverse</p>	<p><u>Environmental</u></p> <p>Better controls around the use of the land and management of environmental effects through site specific rules (e.g. visual and landscape controls).</p> <p>The development of the site can ensure no reverse sensitivity effects on the existing horticultural sites adjacent.</p>

	<p>sensitivity issues in the establishment of further horticulture uses on the site.</p> <p><u>Social</u></p> <p>There are no social costs identified.</p> <p><u>Cultural</u></p> <p>There are no cultural costs identified.</p>	<p><u>Economic</u></p> <p>The proposed plan change will provide economic opportunities to both the Applicant and future occupiers of the site through economic opportunity, and a more efficient use of the land without having to wait until the next District Plan review. The Applicant has the ability to manage the process and there are set timeframes.</p> <p>A number of existing or new commercial activities can be relocated or established on site leading to greater employment opportunities for the Te Puna and wider areas.</p> <p><u>Social</u></p> <p>Allows local residents to 'live, work and play' in accordance with SmartGrowth policies through the extension of the existing commercial zone.</p> <p>Facilitate the creation of a more active 'hub' for the community, particularly with the community hall and village green forming a part of the Structure Plan.</p> <p><u>Cultural</u></p> <p>Engagement with iwi carried out to take into account iwi views on rezoning.</p> <p>Benefits relating to additions such as naturalised spring due to earlier consultation.</p>
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In order to assist with the processing of this Plan Change, an 'issues based' Section 32 report is provided in **Appendix J**.

Technical assessments that have been undertaken for this Plan Change which have provided information that is sufficient and at an appropriate level of certainty to allow additional methods and rules to be designed to address the residual issues identified. Therefore, an assessment of risk of acting or not acting is not needed.

8.5 Extent to which the relevant objective is the most appropriate way to achieve the purpose of the RMA

Section 32(3)(a) requires plan change proposals to be assessed in order to determine whether the objective is the most appropriate way to achieve the purpose of the RMA. In doing so, it is thus first essential to determine whether the objective will facilitate the purpose of the RMA, and secondly to assess the efficiency and effectiveness of each method.

The zoning and policy framework for managing commercial development is an existing feature of the District Plan, and to this end, the provisions relating to commercial activity have already been tested against Part 2 of the RMA. It is the imposition of a new scheduled site within the Commercial Zone and introduction of a Structure Plan upon which the assessment is to be focused in regards to whether the change is the most appropriate way to achieve the purpose of the RMA when compared to the other options.

In this case the rezoning being sought will allow a greater level of development to occur than the present zoning does. Whether or not the proposed change is necessary to achieve the purpose of the RMA ultimately turns on the adverse effects of the proposal. Such effects can be evaluated through a cost and benefit analysis as required by Section 32 of the RMA and in accordance with Part 2 itself.

Section 6 of this report provides an analysis of the Plan Change Request against Part 2. Overall it is considered the Plan Change Request is in general accordance with the purpose of the RMA. While the

existing zoning of the site does achieve the purpose of the RMA by providing land for activities that might support and encourage productivity, it is considered that the proposed change will facilitate development that better achieves the purpose of the RMA.

The remainder of this section sets out a cost-benefit analysis of the proposal compared against retaining the current zoning of the site (part Rural Zone, part Commercial Zone).

8.6 Taking into account the benefits and costs of the rule or other method

The following sections address the matters referred to in section 32(4)(a), being the benefits and costs of the proposed changes.

8.6.1 Economic Benefits and Costs

The proposal represents an efficient use of the site's resources. The Te Puna Employment Zone: Economic Overview report provided in **Appendix D** recognises that the land is situated in a competitive and efficient location to service both the local community, and to better 'tap into' servicing the SH 2 traffic generated by the Tauranga market. The existing wastewater disposal, water supply, power and telephone infrastructure in the locality does present matters that would need to be considered during detailed design however, the development of the site is not expected to have any significant constraints relating to services. Appropriate systems for treating and disposing of stormwater on-site will not compromise the quality of groundwater or surface water, or the functionality of existing drainage systems in the vicinity of the site. The costs of connecting to reticulated services and implementing the stormwater system will be borne by the developer. SH 2, Te Puna Road and the wider road network will easily accommodate the additional vehicle movements that will arise from the proposed development, and no upgrading of the roading network will be required. There will also be positive economic benefits in the form of increased local employment opportunities, firstly in the short term during the construction phase, and secondly through the establishment and operation of new businesses and community hall. As the area has already begun a state of change through the rise in population growth and Tauranga Northern Link, the Plan Change would enable the area to maximise on the growth and visibility from SH 2. Finally, more intensive use of the village's infrastructure may have positive economic effects by reducing the per capita costs of maintaining these services.

Given the use of existing commercial zoned land in Te Puna, it is considered appropriate to enable more land provision for the activities sought in this Plan Change. It is considered that they will build on the existing commercial zone provision rather than undermine it, and as such be complementary. The Economic Overview report provided in **Appendix D** considers that the site is in a better location to facilitate commercial, community and light industrial growth than other vacant land in Te Puna, as well as the business park zoning to the north due to the economic efficiencies generated through clustering of commercial activity.

As acknowledged in the Discussion Paper prepared by Western Bay of Plenty District Council (provided in **Appendix K**), for an area like Te Puna, there is no set formula used to determine how much commercial land is needed. It is recognised that a community of this size should have access to a commercial centre to service the immediate catchment but how big that is and the type of services it provides is largely driven by land use zones, infrastructure capacity and the market response to community demand.

Retaining the existing part Rural Zone, part Commercial Zone, would leave an applicant facing a costly hearing process for a notified resource consent were they to seek the type of development outlined in this Plan Change Request, with no certainty of gaining approval.

8.6.2 Social Benefits and Costs

The Plan Change contributes to the social needs of the community. The Te Puna Village is currently very valued by the local community and iwi, however, many commented on during the recent consultation that they were disappointed in how Te Puna Village has been developed in a piecemeal manner.

The proposal will make provision for the subject site to not only provide lots which could be leased by rural commercial businesses and prefabricated building manufacturers, alongside providing a 'hub' where the local community can use a centrally located community hall, village green and landscaped areas (shown in the Structure Plan). The addition of the naturalised spring to the village green was also recognised as beneficial to Pirirakau. As the subject site is the area of the 'four corners' of the Te Puna Village which is on the flattest land, it makes sense that this is the area of focus for social interaction. The rezoning will contribute to a vibrant commercial and civic environment that will improve the social wellbeing of residents and visitors alike. This is recognised in the Economic Overview report provided in **Appendix D**, as not only will the community meeting hall on the site facilitate social and cultural interaction and foster a sense of community, but there has been a community process where the message has been clearly made by the community that they want a consolidated commercial hub in Te Puna.

8.6.3 Environmental Benefits and Costs

The Plan Change request proposes a commercial environment that will be comprehensively developed to ensure that environmental costs are minimised. The site is currently partly within the Commercial Zone and will not result in detached urban development with its consequential environmental effects. There will be a loss of what is currently partially a vacant site, however this will be offset by a consolidated and coordinated development in the context of the Te Puna Village (with better layout and landscaping). Although the loss of rural zoned land is referred to in the alternatives considered in the assessment of this plan change, it is important to acknowledge that in the Economic Overview report provided in **Appendix D**, Property Economics considers that the proposing rezoning does not necessarily represent a 'loss' of rural land as it is highly unlikely to transfer back to that use and the land holding is likely to be too small in scale to sustain a rural productive unit.

By reinforcing the consolidation of Te Puna Village, the proposal is unlikely to generate pressure for outward extensions of the urban area into adjoining or intervening land. The Economic Overview report provided in **Appendix D** acknowledges that the rezoning is unlikely to generate significant reverse sensitivity effects for neighbouring businesses and the site-specific controls will also ensure that the potential for reverse sensitivity effects to occur at the nearby orchards are reduced (through the non-complying status of any sensitive activities within 30m of Area A and the screening proposed in the Structure Plan). This is important as it was highlighted in pre-application discussions that when the option of exploring options for the potential extension of commercial zone on the subject site was discussed, that the only 'con' was the impacts on adjacent landowners and rural character. The approach of the 30m sub area has been discussed with the orchard owner and is considered acceptable (as 30m is the required setback as per the current Rural zoning). Future development of the site in accordance with the existing and proposed rules is likely to provide for a level of amenity that is consistent with and complimentary to the receiving environment.

The site's natural resources will be protected as connections to reticulated services or OSET systems can be established, and appropriate stormwater management systems implemented, for the development. Developing a commercial environment and resolving the issue of having a site captured within two different zones, will ensure the amenity values of the urban and rural environment will be maintained and, in many respects, enhanced.

8.7 Whether, having regard to their efficiency and effectiveness, the rules or other methods are the most appropriate for achieving the objectives

The provisions that are the most efficient and effective are those that achieve the objectives at the least overall cost when compared to other provisions. For the purpose of this section 32 evaluation, this is limited to those rules and methods relevant to the change. While it is accepted there may be alternative objectives, policies, rules and methods available (e.g. less or more restrictive rules, or a suite of new bulk and location standards), the assessment supporting this Plan Change concludes that the proposed rezoning as Commercial Zone with a scheduled site and associated rules are appropriate to achieving the same environmental outcome.

Establishing the measure of efficiency and effectiveness is a process of comparing benefits to costs of options. The environmental, social and economic benefits of establishing commercial development and other activities such as a community hall on the site outweigh the costs, and from the above evaluation it is considered most appropriate to adopt a scheduled site under the Commercial Zone to control and guide development of the site in accordance with a Structure Plan. In this way, the Plan Change Request seeks to complement and add to the District Plan's existing planning framework to ensure compatibility between land uses.

Rezoning of the land allows for further economic development of the Te Puna centre, further employment opportunities for residents within the area, a more efficient use of land than the zoning currently allows for, and the opportunity to provide landscape and visual controls to provide a high-quality environment. As stated in the Property Economics Economic Overview report (in **Appendix D**), the Plan Change would provide *"the flexibility for the centre to grow as market demand grows and secures the town centre's long-term position in the market"*.

The other options, being the Resource Consent process or waiting for the next District Plan review would likely deliver the same or similar outcomes, albeit with further risk with the Resource Consent option and the possibility that Council could decline the application. However, both options are considered to be inferior in terms of efficiency of process, and do not provide the same certainty to landowners and other stakeholders. Furthermore, the Plan Change process provides the ability for the applicant to include specific landscape and visual controls.

It is not considered appropriate that the land remain partially subject to the restrictions of the current partial Rural Zone. Retaining the site's partial Rural zoning would not assist in meeting the Rural Zone's objectives, nor the Commercial Zone's objectives. The site is not and will not be used in accordance with the existing partial Rural zoning in the future due to a number of constraints, including but not limited to, land size which is uneconomic to be utilised for the purposes of traditional rural activities, and the inappropriate use of the site for residential purposes due to the proximity to established horticultural uses adjacent to the site.

In the interests of time and cost effectiveness, and certainty of outcome, relying on the resource consent process is not considered the most efficient way to achieve the purpose of the RMA. It is considered that the Commercial Zone in addition to the scheduled site provisions and associated Structure Plan included in the Plan Change Request are the most appropriate for achieving the objectives in relation to integrated management and form and function of the Te Puna Village area.

In summary, the approach taken in the Plan Change Request is to seek to achieve the policy intent of both the District Plan and the RPS, in the most efficient and effective manner. The addition of a scheduled site within a zone, with reference to a Structure Plan, is also noted as the standard Plan Change process that Western Bay of Plenty have been utilising.

This report concludes that the Plan Change Request is the most appropriate means of achieving the purpose of the RMA and the objectives of the District Plan. It is acknowledged that submissions on the Plan Change Request, and subsequent research into any issues raised in submissions, may give rise to amendments to the Plan Change Request and this evaluation.

8.8 Taking into account the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the rules, or other methods

Section 32(4)(b) seeks to ensure that the risk of acting on uncertain or insufficient information is taken into account.

If the Council fails to make adequate provision for commercial development within the subject site, there is the possibility that the Applicant and the other existing businesses could be attracted away from Te Puna Village, which could have a significant effect on the potential growth of the local economy.

The applicant is aware of the risks associated with acting with insufficient information. It has spent considerable time and resources in gathering the information and undertaking the assessments required to ensure the decision-making process associated with the Plan Change Request is based on sound and up to

date information and associated with best practice on this issue. Reassurance of the benefits of acting have been provided in particular from the community desire for a consolidated, futureproofed commercial hub and that Property Economics consider that the proposed rezoning will contribute positively towards the delivery of this in Te Puna.

For the above reasons there is not considered to be any potential area of uncertainty requiring specific consideration in terms of Section 32(4)(b).

8.9 Conclusion

Rezoning the site to a scheduled site within the Commercial Zone and incorporating an Structure Plan to guide development in accordance with existing and proposed rules, is considered necessary to provide certainty as to the ability to undertake commercial development and site a community hall within the subject site. The proposal will allow a range of land uses already acknowledged as legitimate in the District Plan, as well as make provision for activities such as Rural Contractors Depots, Offices (ancillary to activities occurring on site), Prefabricated Building Manufacturing (within Area B), Places of Assembly (within Area C) and Warehousing and Storage. Furthermore, future development will be subject to site-specific rules, in addition to existing standards that currently apply to the Commercial Zone specifically. Accordingly, it has been demonstrated that the proposed method of zoning for commercial development can be implemented and is enforceable and effective.

Having assessed the Plan Change Request against the provisions of Sections 32, 74 and 75 of the RMA, it is considered that the proposal is the most appropriate way to achieve the purpose of the RMA, and that the implementation of the proposed change will not have significant adverse effects, costs, or risks.

9 Consultation

9.1 Introduction

Prior to lodging this Plan Change request some preliminary consultation has already been completed. The First Schedule to the Resource Management Act 1991 provides some guidance on who is to be consulted during this phase.

The primary purpose of this preliminary consultation has been to seek feedback from parties before finalising the content of this Plan Change request.

9.2 Western Bay of Plenty

The Applicant has been actively engaging in recent consultation on the Te Puna Village Commercial Area. This consultation was led by Western Bay of Plenty District Council, as an exercise to understand the Te Puna community aspirations and the issues and opportunities for the commercial zone.

The five key issues identified for Te Puna Commercial Area include; wastewater, transport, commercial zone, amenity and bigger picture. Further details of the consultation undertaken, and the options put forward for each issue can be found in the 'Te Puna Village Commercial Area: Discussion paper' (November, 2018) provided in **Appendix K**, that was produced by Cheryl Steiner from Western Bay of Plenty District Council.

9.3 Other Parties as required under Clause 3 of the First Schedule

The community engagement process involved the following parties:

- Pirirakau
 - Consultation has been undertaken with Pirirakau, being the local hapu over the area. Correspondence with Julie Shepherd is attached at **Appendix F** of this document.
 - Pirirakau are supportive of the naturalised spring component to the village green.
 - Pirirakau have confirmed that they support the zone change and would require provision of naming; Puna intent to pipe above ground as a feature; and to set aside this area for community use and enjoyment and earthworks to require a Pirirakau cultural monitor to observe stripping.
 - Consultation will be ongoing throughout the Plan Change process, with the opportunity to respond to any particular concerns as they may arise.
- NZTA
 - Consultation has been undertaken with NZTA and their inputs helped to prepare the Integrated Transport Assessment (provided in **Appendix G**).
 - NZTA wanted to ensure that the activities they anticipated in the subject site were similar to those proposed in the Plan Change – e.g. no high volume, short term turnover activities.
 - NZTA provided a letter confirming that they do not have any concerns regarding the proposed plan change in March 2020 (provided in **Appendix L**).
- Te Puna Heartlands
- Bay of Plenty Regional Council
- Te Puna Business Network.
- Adjoining land owners

In terms of adjoining owners, the applicant has had ongoing discussions with DMS and Zariba Holdings who have raised no concerns with the proposal on the basis that the proposal will complement existing and proposed future uses on their sites. A meeting was held on 24 September 2020 with Syd and Lorraine Muggeridge and the boundary of the land and the Muggeridge's' orchard was visited. It was agreed that a setback for sensitive activities would apply (such as childcare, education and food & Beverage), and that planting should be shown along the boundary as agreed on site. It was also agreed that a no-complaints covenant would be registered on the title of the applicant's land (outside of the plan change process) which acknowledges the Muggeridge's orcharding activities.

Two workshops have been held to inform the preparation of the 'Te Puna Village Commercial Area: Discussion paper'. Whilst these workshops involved wider discussions, the content and aims of this Plan Change were also discussed at the workshops. The minutes of these two meetings is provided in **Appendix M**.

At the first workshop on the 31st May 2019, a range of topics were discussed in terms of accessibility, stormwater and wastewater and open space and amenities. It was at this meeting, where the potential for bringing the spring up and creating a water feature was discussed. The concern was also raised in regard to reverse sensitivity and the need to avoid any sensitive activities. The options in regard to wastewater were also discussed and those attending were informed of an internal council workshop the Western Bay of Plenty were holding to discuss the benefits and costs of each option. It was also identified that the employment of young people is an important consideration for future development in Te Puna Village.

At the second workshop on the 17th June 2019, a first draft of the Outline Development Plan (now titled the Structure Plan) was provided and discussed. The need for landscaping to go on the subject site was discussed as being included in the subject of the plan change (with screening belt in addition to amenity planting). It was also discussed in terms of the practicalities of the spring restoration, the ownership of the stormwater reserves and how the open space and council reserve space next to the community hall will function (including how the parking will be managed). It was confirmed at this meeting that it was Council's intent to link Te Puna Village into the pipeline, but that work needed to occur on how this might occur. It was requested that a rule should be proposed in the plan to include a final detailed landscape plan, and this has been included in this Plan Change Request. It is acknowledged that it was discussed that there would be three pockets included in the proposing zoning of the Plan Change, however, the need for three separate sub zones has been avoided through the detail of the scheduled site rules. It was confirmed that Bay of Plenty District Council have used the scheduled site approach before for sites such as Comvita.

10 Conclusion

Te Puna Springs Estate Limited have proposed the Plan Change as discussed within this document. The purpose of the Plan Change is to provide for a scheduled site within the Commercial Zone for the Te Puna and northern Western Bay area. The site is strategically located behind the existing Commercial zone and can be considered a logical extension to that zone. It is an efficient use of land which is unlikely to be used for the purposes of which it is currently zoned and will allow the owner of the site to relocate his business from Tauranga and to also beautify the site.

The current zoning provides no opportunities for the expansion of the Commercial zone, or for the applicant to utilise the site for anything other than horticultural or rural uses. There is no permeant dwelling on site, and the site is unlikely to be used for residential occupation given the proximity to the State Highway and high traffic volumes and associated noise from the BP service station.

A comprehensive masterplanning exercise has been undertaken with a variety of experts to establish the best fit for this site and ensure the best possible environment, social and economic outcomes possible.

Extensive work and research has been undertaken in producing this Plan Change which is supported by a range of technical assessments. In addition, the Plan Change is considered to be consistent with the National Policy Statement on Urban Development Capacity, Regional Policy Statement and SmartGrowth.

Having evaluated the alternatives in accordance with Section 32 of the RMA this Plan Change is considered the most appropriate planning response, consistent with the higher order policy documents and meets the relevant statutory criteria

A

Records of Title

Appendix A

Records of Title



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R.W. Muir
Registrar-General
of Land

Identifier 873798
Land Registration District South Auckland
Date Issued 11 January 2019

Prior References

743718

Estate	Fee Simple
Area	5.4764 hectares more or less
Legal Description	Section 11 Survey Office Plan 491908 and Section 2 Survey Office Plan 529511

Registered Owners

Te Puna Springs Estate Limited

Interests

S477228 Gazette Notice declaring State Highway 2 fronting the within land to be a limited access road - 8.4.1970 at 9.50 am

6677589.3 Mortgage to ANZ National Bank Limited - 6.12.2005 at 9:00 am

10132424.1 Notice pursuant to Section 18 Public Works Act 1981 - 24.7.2015 at 5:17 pm

Transaction Id

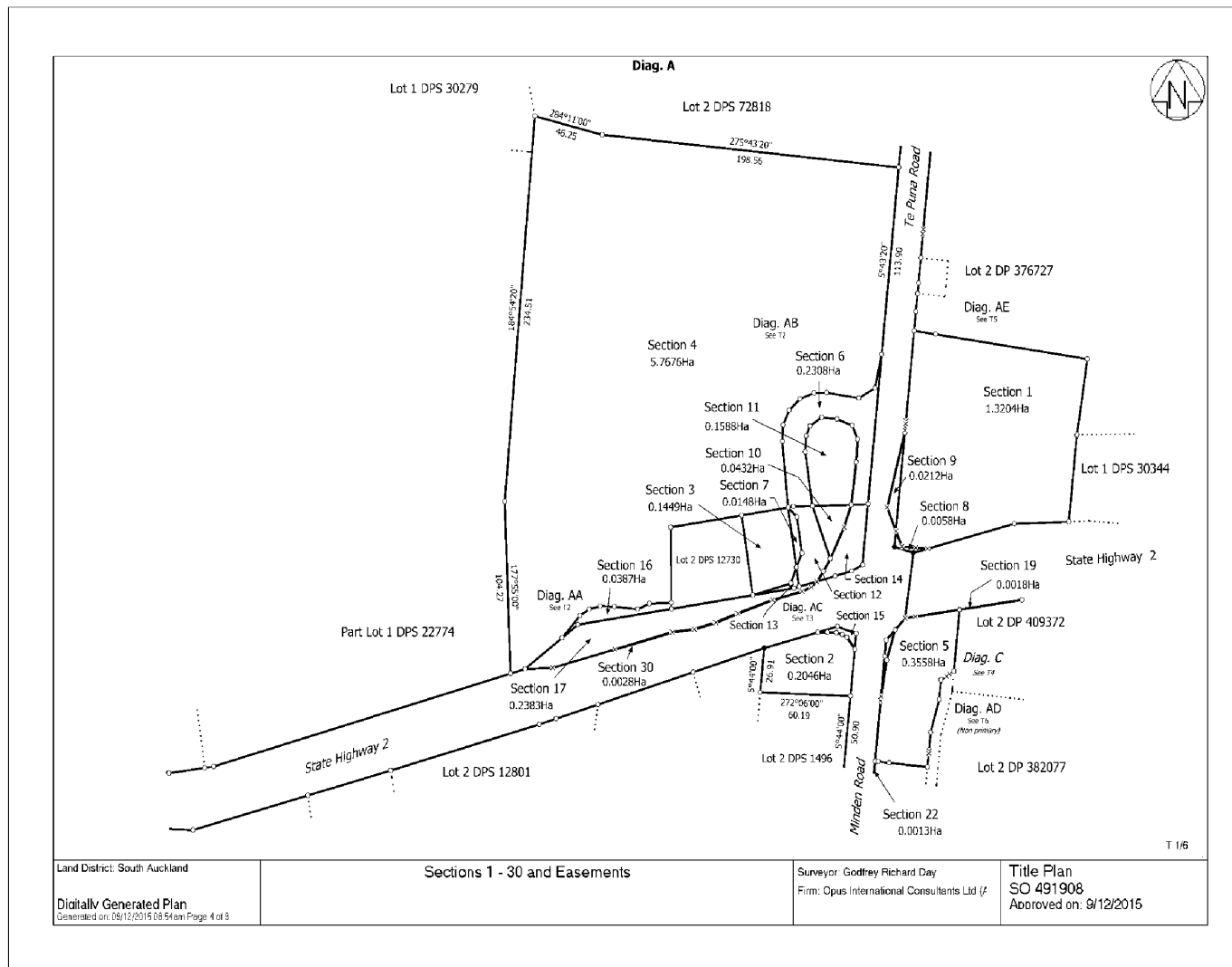
Client Reference 251282 - Title for Claire Steele

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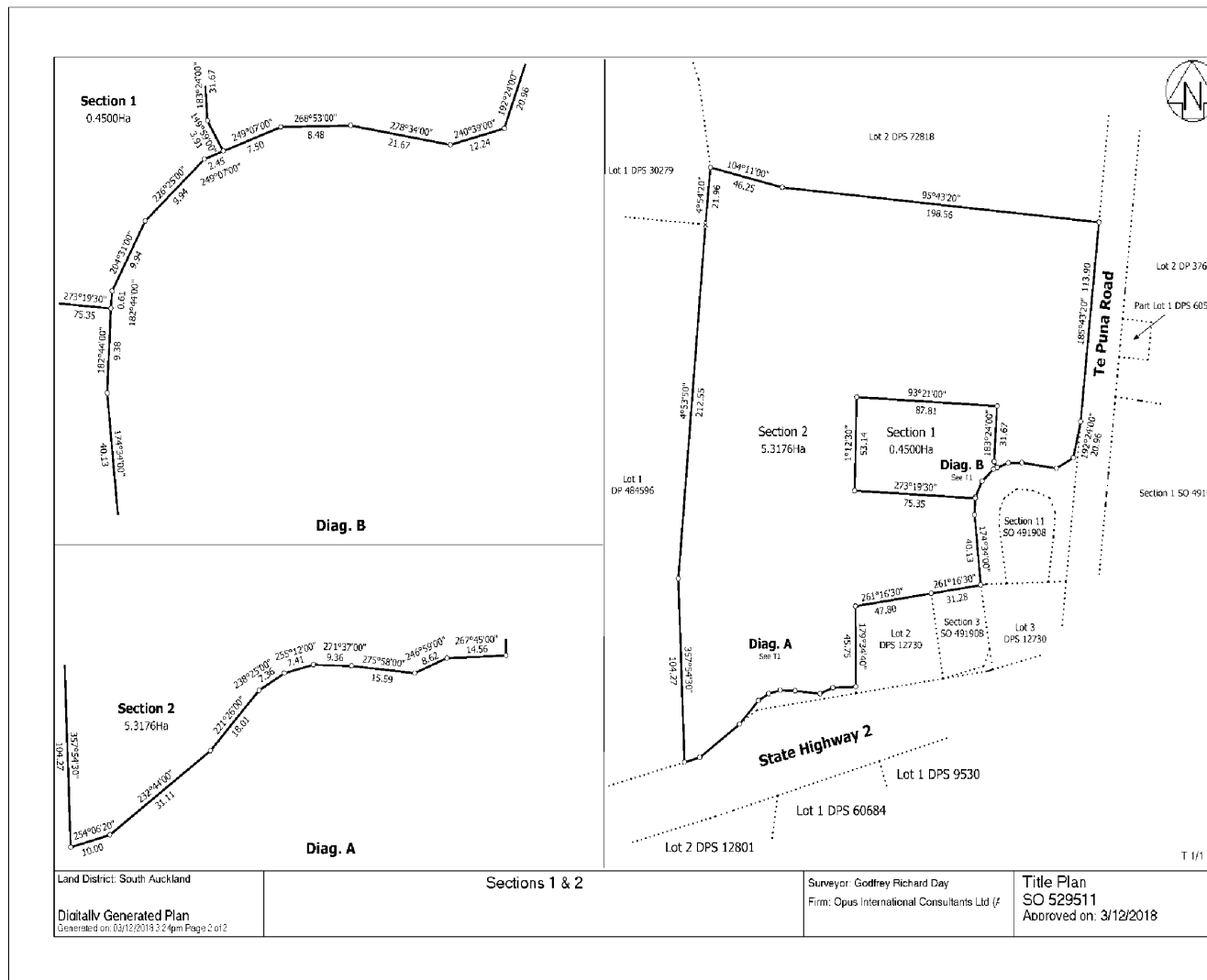
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Register Only

873798



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Guaranteed Search Copy Dated 11/07/19 10:18 am, Page 3 of 3
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**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R.W. Muir
Registrar-General
of Land

Identifier 883144
Land Registration District South Auckland
Date Issued 01 April 2019

Prior References

873797

Estate Fee Simple
Area 4500 square metres more or less
Legal Description Section 1 Survey Office Plan 529511

Registered Owners

Western Bay of Plenty District Council

Interests

Subject to section 11 Crown Minerals Act 1991
Subject to Part IVA of the Conservation Act 1987

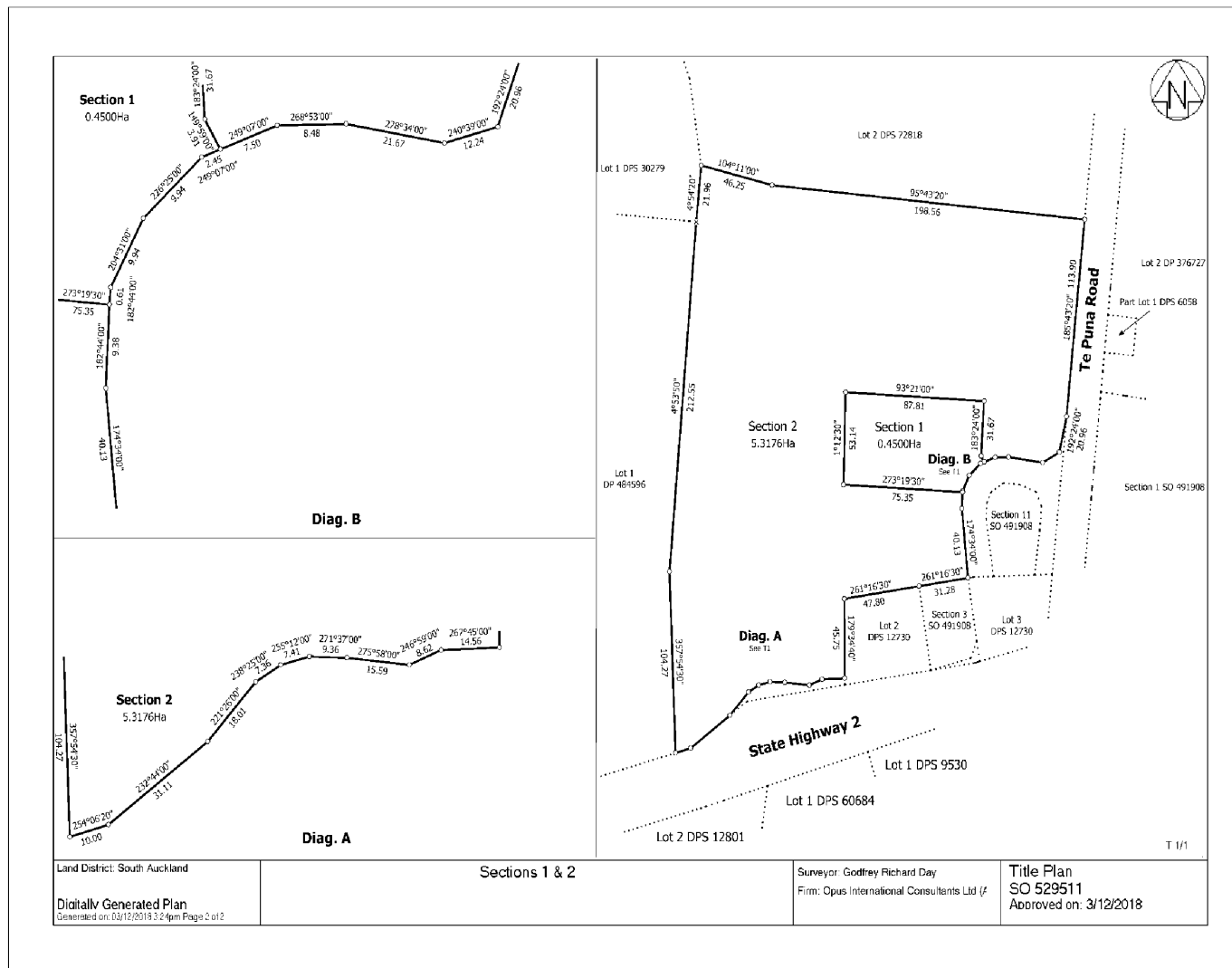
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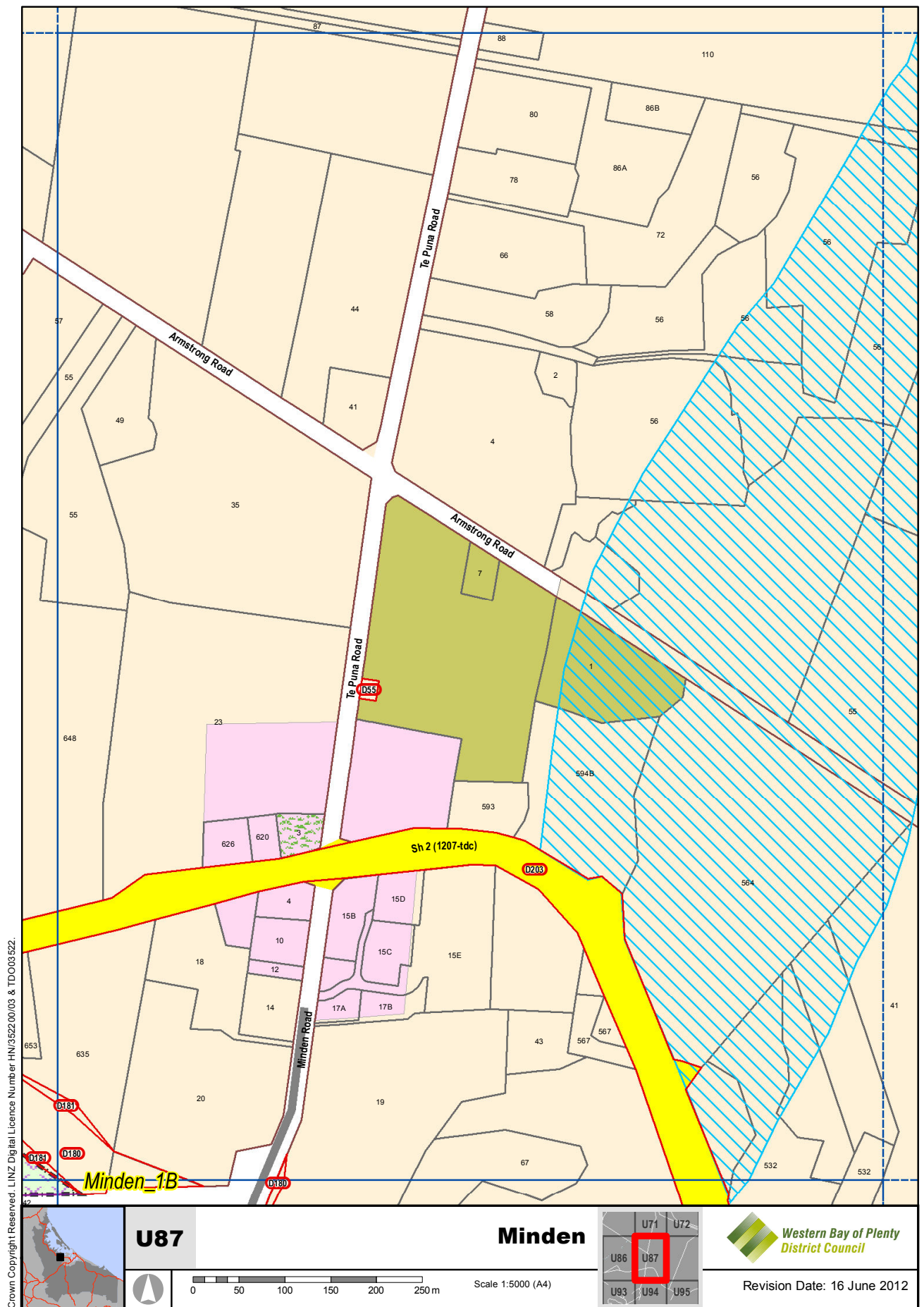
B

Operative District Plan Map

Appendix B

Operative District Plan Map

Company name



U87

C

Proposed Structure Plan

Appendix C

Proposed Structure Plan

.

Company name

File Ref: T18002_Site_Masterplanning_20201102.indd

LEGEND

- 1 Commercial
- 2 Commercial
- 3 Hall
- 4 Village Green and Spring
- 5 Commercial
- 6 Commercial
- 7 Commercial
- 8 Commercial
- 9 Stormwater management area
- 10 4m wide landscape buffer strip
- 11 2m wide landscape buffer strip

KEY

- Specimen trees
- Landscape buffer strip
- Grassed area
- Shelter belt (Height: 6-8m)
- Traffic calming strip
- 30m Setback



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Data Sources: Aurecon Limited

Projection: NZGD2000 N.Z. Transverse Mercator



Legend

- Area A
- Area B
- Area C

TE PUNA SPRINGS INDUSTRIAL DEVELOPMENT

Structure Plan

| Date: 03.11.2020 | Revision: J |

Plan prepared for Aurecon by Boffa Miskell Limited

Project Manager: Morne.Hugo@boffamiskell.co.nz | Drawn: ALi | Checked: MHu

T18002
Sheet 1



D

Economic Overview

Appendix D

Economic Overview

Company name

PROPERTY ECONOMICS



TE PUNA EMPLOYMENT ZONE

ECONOMIC OVERVIEW

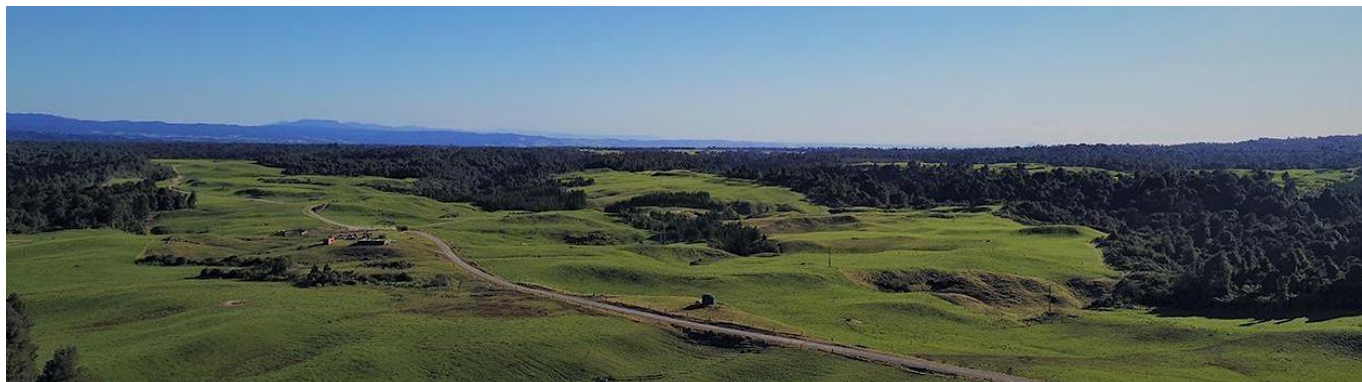
Client: Te Puna Springs Estate

Project No: 51731

Date: October 2019

W: www.propertyeconomics.co.nz **E:** info@propertyeconomics.co.nz **P:** 09 479 9311 **A:** 1/44D Constellation Drive, Rosedale 0632

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1. INTRODUCTION

Property Economics has been engaged by Aurecon, on behalf of Te Puna Springs Estate Limited, to provide a high-level economic overview of the implications of their proposed Plan Change to rezone their land at 23 Te Puna Road, Tauranga.

It is Property Economics understanding that under the Western Bay of Plenty (WBOP) Operative District Plan (ODP) a small portion of the existing site is currently zoned Commercial Business as forms part of the Te Puna Town Centre, with the balance being zoned Rural. The applicant seeks to have the rural component of the site rezoned to be an extension of the Commercial Business Zone, with specific landscaping and building design controls.

The economic overview has a specific focus on the appropriateness and potential RMA economic effects associated with the use of approximately 4.75ha of land currently zoned rural activity being rezoned for commercial business purposes. It will consider the practical appropriateness of the land in question to be zoned either rural or commercial businesses, through the consideration of WBOP ODP provisions and community aspirations. The assessment will also consider whether the proposed rezoning would have propensity to generate adverse economic effects on the existing commercial zoned Te Puna Town Centre in the context of the RMA.

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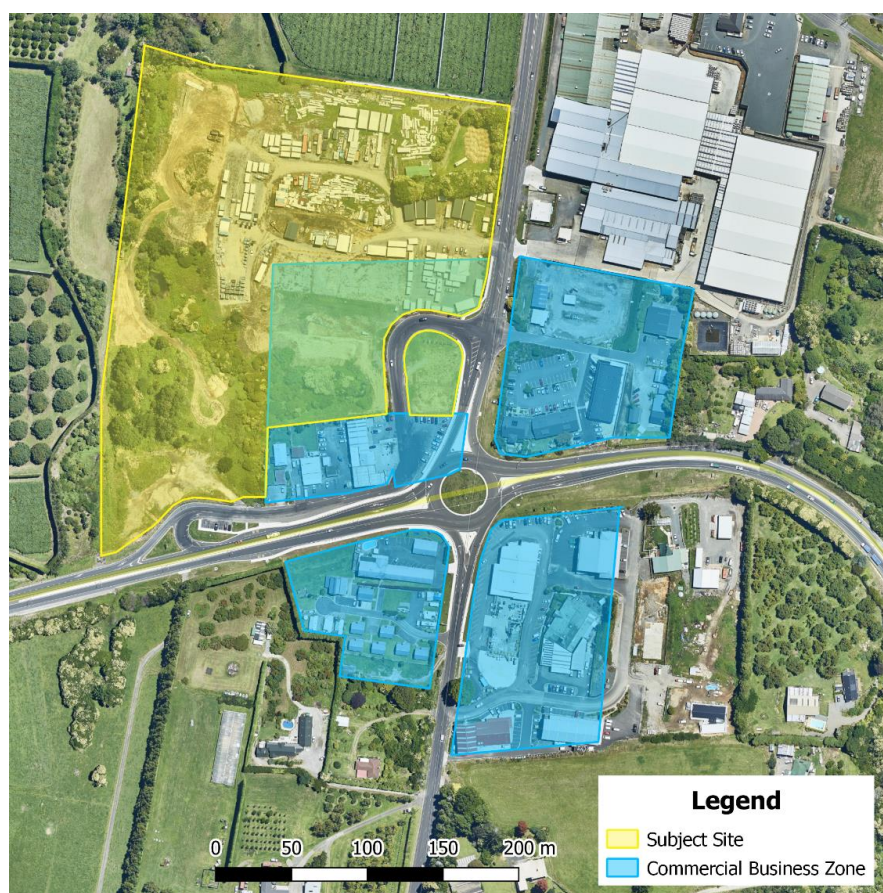


2. LOCALISED TE PUNA MARKET

The subject site at 23 Te Puna Road is situated on the north-western edge of the Te Puna Town Centre and is currently occupied by a house removal business. The total site occupies approximately 5.91ha, with 4.75ha being within the Rural zone and 1.16ha being zoned Commercial Business.

Figure 1 below shows the site outline, as well as the surrounding Commercial Business zone of the Te Puna Town Centre.

FIGURE 1 – TE PUNA TOWN CENTRE – SUBJECT SITE AND COMMERCIAL BUSINESS ZONE



Source: Property Economics, WBOP District Council

To assess the appropriateness of an expansion to the Commercial Business zone, it is important to understand and assess the size of the localised market which the Te Puna Town Centre more frequently services, albeit acknowledging the town centre's SH2 location and traffic flow is an important 'lifeline' to the commercial viability of the centre.

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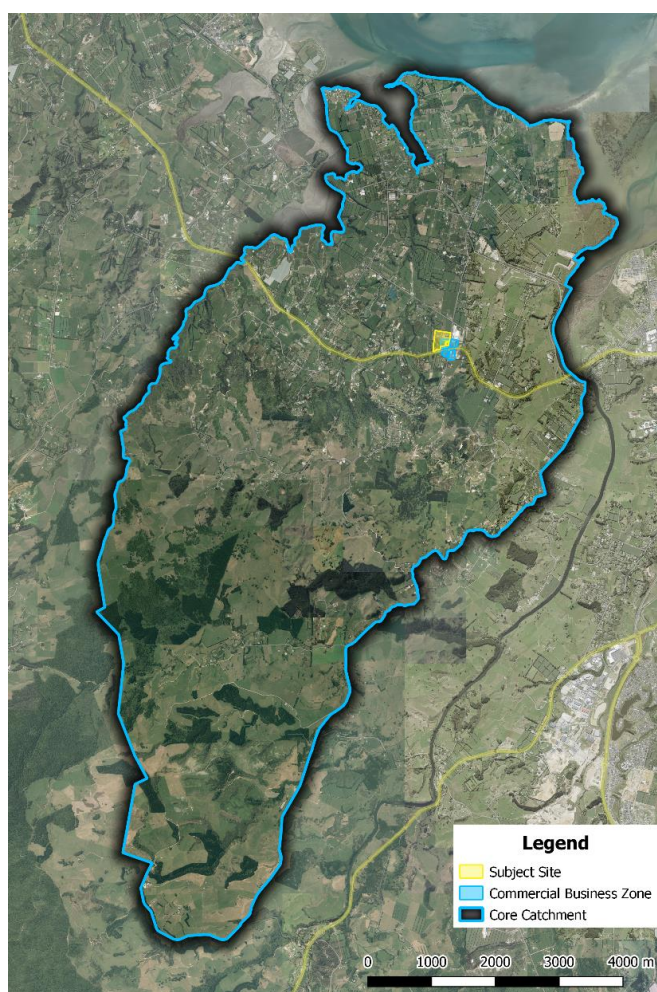
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Figure 2 below illustrates the indicative localised economic market for Te Puna. Given the more rural nature of Te Puna's localised economic market and roading access to SH2, the commercial core would service a market slightly wider than just the immediate Te Puna area itself.

This economic market is not intended to represent the entire catchment for Te Puna given SH2's influence, but the localised area where residents would utilise the Te Puna Commercial Centre on a more frequent basis.

FIGURE 2 – TE PUNA LOCALISED ECONOMIC MARKET



Source: Property Economics

Figure 3 following displays the population and household growth projections within the identified catchment (Figure 2) and represents Te Puna's localised economic market. These projections are derived from the Property Economics Growth Model with the base inputs being the most recent Statistics New Zealand (SNZ) Medium series projections.

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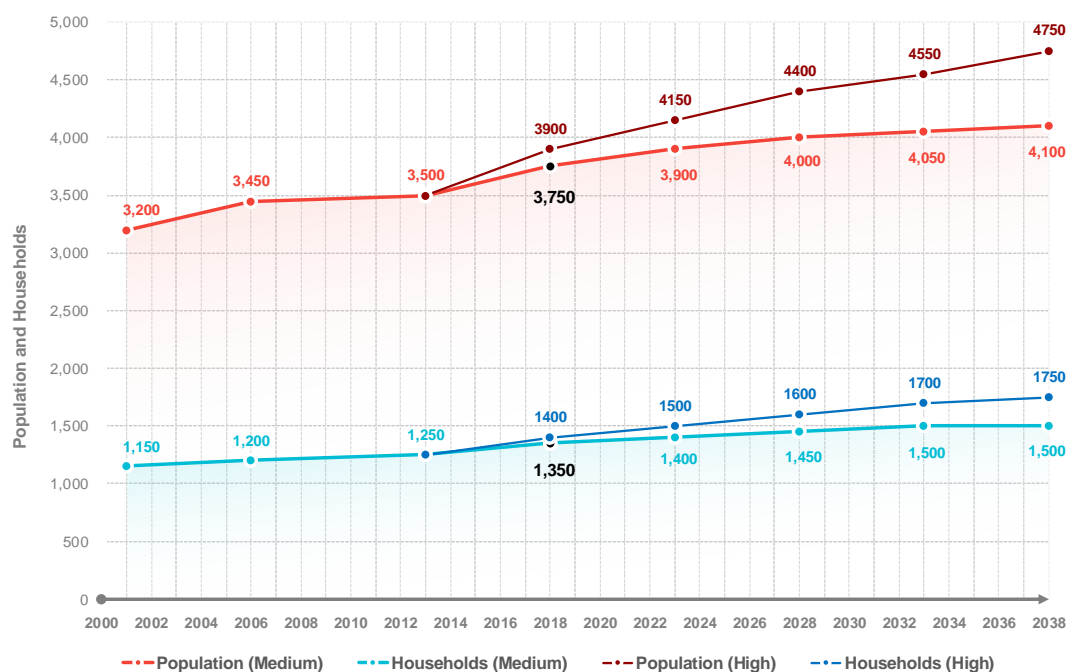
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The identified catchment is estimated to currently have a population base of around 3,750 people and 1,350 households (rounded). This is forecast to grow to 4,100 and 1,500 respectively over the projection horizon to 2038 under the SNZ Medium growth series.

Tauranga is a city with a predisposition to achieve higher growth rates than projected, and Te Puna would benefit from this. As such, Property Economics consider it prudent to consider a high growth scenario as well. Under the SNZ High growth scenario, population for the localised catchment is forecast to grow to around 4,750 by 2038, with households growing 1,750 over the same forecast period.

FIGURE 3 – TE PUNA CATCHMENT FORECAST POPULATION AND HOUSEHOLD GROWTH



Source: Property Economics, Statistics NZ

Figure 3 shows that while the population base nominally may not be large in commercial terms, it is forecast to be a growth area. This, combined with the likely continual growth in SH2 traffic (and the market this offers Te Puna) means the level of demand for commercial activities and services in Te Puna is likely to grow over the foreseeable future, increasing the requirement for commercial land locally.

NZTA reported that there were approximately 18,000 vehicles per day travelling through Te Puna on SH2 in 2016 and have an objective of increasing the SH2 road capacity to cater for 23,000 vehicles per day by 2025. This would elevate Te Puna commercial demand further.

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The aforementioned data shows there is growing potential in the market for commercial expansion as the population and traffic in the core economic catchment increases. However, it is expected that Te Puna will continue to draw commercial activity from a wider catchment than in Figure 2, due to its location on a main arterial route (SH2) in and out of Tauranga, as well as the type of activity present in the Town Centre.

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3. ECONOMIC OVERVIEW

3.1. SITE AND SURROUNDING AREA CONSIDERATIONS

At present, the 5.91ha site sits on 4.75ha of rural zoned land and 1.16ha of commercial business land and is occupied by a house removal business. This current use is deemed a more industrial yard type use, however, is operating on rural zoned land. When identifying the costs and benefits of the proposed rezoning, including the loss of rural land, it is imperative to consider the current fact that the land is not being utilised for rural activities, despite being zoned as rural.

As such, the proposed rezoning does not necessarily represent a 'loss' of rural land in Property Economics view as it is highly unlikely to transfer back to that use as the land has not been utilised for rural activities for a number of years. From a commercial viability perspective the subject land holding is likely to be too small in scale to have the ability to sustain a rural productive unit.

Property Economics consider that the existing zoning of the site is not in line with the current, and potential use of the land, with the proposed zone change creating a more economically efficient use for both the site and the adjacent Te Puna Town Centre.

The existing Commercial Business zone in Te Puna Town Centre is occupied by a range of activities including industrial service activity, a motel and a small number of retail and commercial service activities. As such the proposed development would not compete with the Te Puna Town Centre, but act as a complementary rezoning. The proposed development will provide a range of commercial and light industrial activities, including:

- Prefabricated building manufacturing
- Places of assembly
- Warehousing and storage
- Ancillary office to activities occurring on site

In Property Economics opinion, these activities will complement the existing commercial activity within the Te Puna Town Centre and supporting its existing role and function, creating a futureproofed, consolidated commercial hub for Te Puna. A functioning consolidated commercial hub will provide certainty of investment as well as assist in long term infrastructure planning for Te Puna.

The increase in commercial land provides the flexibility for the centre to grow as market demand grows and secures the town centre's long-term position in the market. This is considered important as at present there is limited, if any, vacant development capacity and growth potential within the Te Puna commercial zone.

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3.2. DISTRICT PLAN AND COMMUNITY CONSIDERATIONS

The commercial zone in Te Puna was included in the District Plan many years ago to recognise and promote the existing activities that were already operating, or planned at the time. The zone is intended to provide a vibrant commercial environment that fosters and encourages social and cultural interaction. The rules are fairly permissive in terms of classification of activity, as well as no set formula used to determine the quantum of commercial land required.

It is set out that the community should have access to a commercial hub that is large enough to service the immediate catchment, with the size and scale of this activity driven by land use zones, infrastructure capacity and the response to demand in the market. Property Economics agree this is appropriate as it supports economic efficiencies, as well as economic wellbeing of the community and improved social amenity.

A discussion paper regarding the Te Puna Village Commercial Area in November 2018 by the Western Bay of Plenty District Council outlines the community's vision and aspirations for the commercial area, as well as responses to forecast challenges surrounding the commercial area.

The discussion paper outlines that a key consideration for the commercial area in Te Puna is the Te Puna Community Plan, developed in 2017. The plan outlines community aspirations for Te Puna, as well as frameworks for how these might be achieved.

Key conclusions from the community plan include:

- The community recognises the importance of the Te Puna commercial area for resilience (food, services and resources).
- Te Puna is to be kept essentially rural by limiting industrial and commercial areas to current locations. This includes consolidating any future development to the existing commercial areas.

During consultation with the community, it was documented that the community believe there are limitations to commercial growth in the area, as the supply of commercial land available is not enough to facilitate growth.

As outlined earlier, Te Puna's location on SH2 as a growing arterial route in and out of Tauranga, as well as 22% forecast population growth over the next 20 years (under the SNZ High scenario) shows that there is growing demand for commercial land in the area, however there exists limited expansion potential. Of the 5.5ha of commercial zoned land in Te Puna, there is very limited, if any, opportunity for growth as the bulk of the land is already occupied / developed.

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4. SUMMARY

Overall, both subject site and surrounding area considerations as well as WBOP ODP and community considerations show that the rezoning of the land at 23 Te Puna Road to be an extension of the Te Puna commercial zone is a more economically efficient, and desirable outcome for the community of Te Puna.

The land is situated in a competitive and efficient location to service both the local community, and to better 'tap into' servicing the SH2 traffic generated by the Tauranga market which benefits the local Te Puna economy.

It is of Property Economics opinion that the site proposed to be rezoned is in a better location to facilitate commercial, community and light industrial growth than other vacant land in Te Puna, as well as the business park zoning to the north. This is due to the economic efficiencies generated through clustering of commercial activity e.g. certainty of investment and ease of infrastructure development, and the site being adjacent to the existing commercial zone representing a 'natural' extension of the zone.

Not only is it considered a more economically efficient location for development, but the proposed development is also in line with community aspirations for a consolidated commercial hub in Te Puna, and will contribute to the aspiration of Te Puna as a 'village' like commercial area, akin to Matakana to the north of Auckland.

The community meeting hall on the site will facilitate social and cultural interaction within the area and help foster a sense of community, while the commercial aspects of the development would provide the opportunity to create a high-quality commercial hub for local businesses to expand.

On the whole, the proposed rezoning will foster the development of complementary activities to the existing provision in the Te Puna Town Centre and will positively contribute to creating a consolidated, futureproofed commercial hub for the benefit of the community in Te Puna. In essence, the proposed rezoning has no meaningful potential to adversely affect the role, function vitality and viability of the Te Puna Town Centre (in fact it would support these functions), and is unlikely to generate significant reverse sensitivity effects for neighbouring businesses.

Given the above, Property Economics do not believe a full economic impact assessment of the proposed rezoning is necessary given the land in question is in a competitive and economically efficient location to extend the Te Puna commercial area while maintaining a consolidated commercial hub, as well the type of development aligning with community aspirations for the commercial area.

Yours faithfully

Tim Heath
Director

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51713.3



APPENDIX 1 - TE PUNA SPRINGS DEVELOPMENT PLAN





E

Infrastructure Servicing Assessment

Appendix E

Infrastructure Servicing Assessment

Company name

Te Puna Springs Estate

Infrastructure Servicing Assessment

Supermac Group Ltd

Reference: 251282

Revision: 1

2019-10-30



Document control record

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Document code		251282-0000-REP-CC-0001	Project number		251282		
File path		P:\Projects\251282 - Supermac - Te Puna Springs Estate\Project Delivery\Civil\Reports\251282-0000-REP-CC-0001 Services Assessment Report.docx					
Client		Supermac Group Ltd					
Client contact				Client reference			
Rev	Date	Revision details/status	Author	Reviewer	Verifier (if required)	Approver	
1	2019-10-29	Issue to Client	T. Hambrook	N. Raynor		N. Raynor	
Current revision		1					

Approval			
Author signature		Approver signature	
			
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1 Introduction

This infrastructure services report has been prepared to accompany the plan change request submitted by Te Puna Springs Estate Limited ("Te Puna Springs") and covers the site located on the corner of Te Puna Road and State Highway 2 (SH2). According to the District Plan, a portion of the site along Te Puna Road is zoned as Commercial with the remainder of the site being zoned as Rural.

The site has a combined area of 5.93 ha, of which approximately 2 ha is currently being used by the Supermac Group.

The roading network adjacent to the site has recently been upgraded, with a new roundabout at the intersection of Te Puna Road and State Highway 2; and a new road that provides access to the BP service station and adjoining commercial properties. The access road to the BP service station bisects the proposed site.



Figure 1: Site Locality¹

Based on 2014/15 lidar data from LINZ, the site has a maximum elevation of approximately 24m RL at the north-east and a minimum elevation of 10.6m RL at the north-western corner of the site. The site is bisected by a network of natural open channels that merge and flow into an existing ponding area behind an earth embankment. The pond outlet is fitted with two 300mm dia discharge pipes that discharge into a stream that merges with the Oturu Creek approximately 730m downstream.

The open channel network subdivides the site into three catchments. The north-eastern catchment generally slopes at a grade of 3.5 to 5% towards the open channel. The south-western catchments have steeper grades varying from 8 to 15% towards the open channels.

¹ Aerial imagery sourced from LINZ, bay-of-plenty-0125m-urban-aerial-photos-2014-15

2 Proposed Development Plan

The proposed development plan involves subdividing the site into 8 lots and rezoning for commercial purposes. The indicative development plan is shown in Figure 2.



Figure 2: Proposed Te Puna Springs Development Plan²

Table 1 provides more information on the anticipated land utilisation and occupancy based on the information available. The information contained in Table 1 is provisional and subject to refinements during the future design stages.

Table 1: Land Utilisation and Occupancy

Lot No.	Site Description	Lot Area (m ²)	Building Area (m ²)	Occupancy	Required Parking Lots
1	Commercial	11165	■ 1500 ■ 1200	■ 5 Staff ■ 5 Staff	10 - 15
2	General commercial and 12 Workshop units	5030	■ 1200 ■ 12 x 50 = 600	■ 5 Staff ■ 12 x 2 = 24 Staff	30
3	Te Puna Memorial Hall	2850	■ 600	■ 120 Visitors ■ 3 Staff	60
4	Village green and spring	2450			
5	Commercial/The group	3630	■ 570	■ 12 Staff	15
6	Commercial and retail	2680	■ 450	■ 3 Staff	10

² Sourced from Boffa Maskell Drawing. T18002 Rev 1

7	Supermac Group – the existing portion of the site used by Supermac will be cleared and re-established on the proposed lot	18600	■ 1400 ■ 1050	■ 15 Staff	15 -18
8	Boat Place - Retail	1920	■ 420	■ 5 Staff	5

3 Site Access and Internal Roads

Two access locations are proposed for the site, one along SH2 shown as (A) (via an existing road servicing the commercial development adjacent to the proposed site), and the other from Te Puna Road shown as (B). These proposed access locations are shown in Figure 3.



Figure 3: Proposed Site Access and Internal Roads³

The proposed access along SH2 is located within the vicinity of an existing open channel. To accommodate the road, the existing channel will require infilling in conjunction with the extension of a 750mm dia culvert installed beneath SH2 (discussed in greater detail in Section 5).

The Western Bay of Plenty District Council Development Code (WBOPDC) requires that proposed roads comply with a set of design criterion. Accordingly, commercial roads are required to have a minimum road reserve width of 20m and maximum grades of 5% along the road. Based on a broad brush conceptual geometric design of the proposed road, it is anticipated that approximately 3500m³ fill will be required to construct the road, based on a road carriageway width of 11m and fill batters of 1V to 3H.

Access to the individual lots, as described in Section 2, shall be in accordance with WBOPDC drawing W435, with a minimum apron width of 6m and backing slab width of 5.4m for dual access.

Based on the site access and internal roading assessment, the WBOPDC design requirements will be met.

³ This material is based on LINZ services provided by the Open Topography Facility with support from the National Science Foundation under NSF Award Numbers 1557484, 1557319 & 1557330

4 Landform and Building Platforms

The site is bisected by a few natural open channels, resulting in an undulating terrain. To facilitate an increased land utilisation and to meet the requirements of the proposed development plan, some of the lots proposed may require some shaping.

Figure 4A shows the undeveloped landform with 0.5m contour increments. Lots 3 to 6 and Lot 8 generally slope from east to west at grades of 5% or less. However, Lot 1, 2 and 7 have steeper slopes due to the positioning of the existing open channels within their boundaries. To support the proposed development, the landform of these Lots will be reformed/shaped through the removing of material in certain areas and placement of suitable material in other areas. The majority of placement and compaction of suitable material will take place within the existing open channels.

Infilling of the natural open channels will necessitate the installation of piping to accommodate flows from upstream catchments (discussed in greater detail in Section 5).

A high-level, conceptual landform design was completed to facilitate the potential for increased land utilisation, see Figure 4B. The indicative cut and fill requirements to form the proposed landform design are approximately 24000m³ cut and 25000m³ fill. Assuming a compaction factor and the unsuitability of topsoils for structural fill it is envisaged that some material will need to be imported to the site to complete these landform adjustments.

Further refinements to the landform design during the detailed design stages may optimise the required earthworks quantities, which should be conducted in conjunction with a detailed geotechnical assessment and survey.

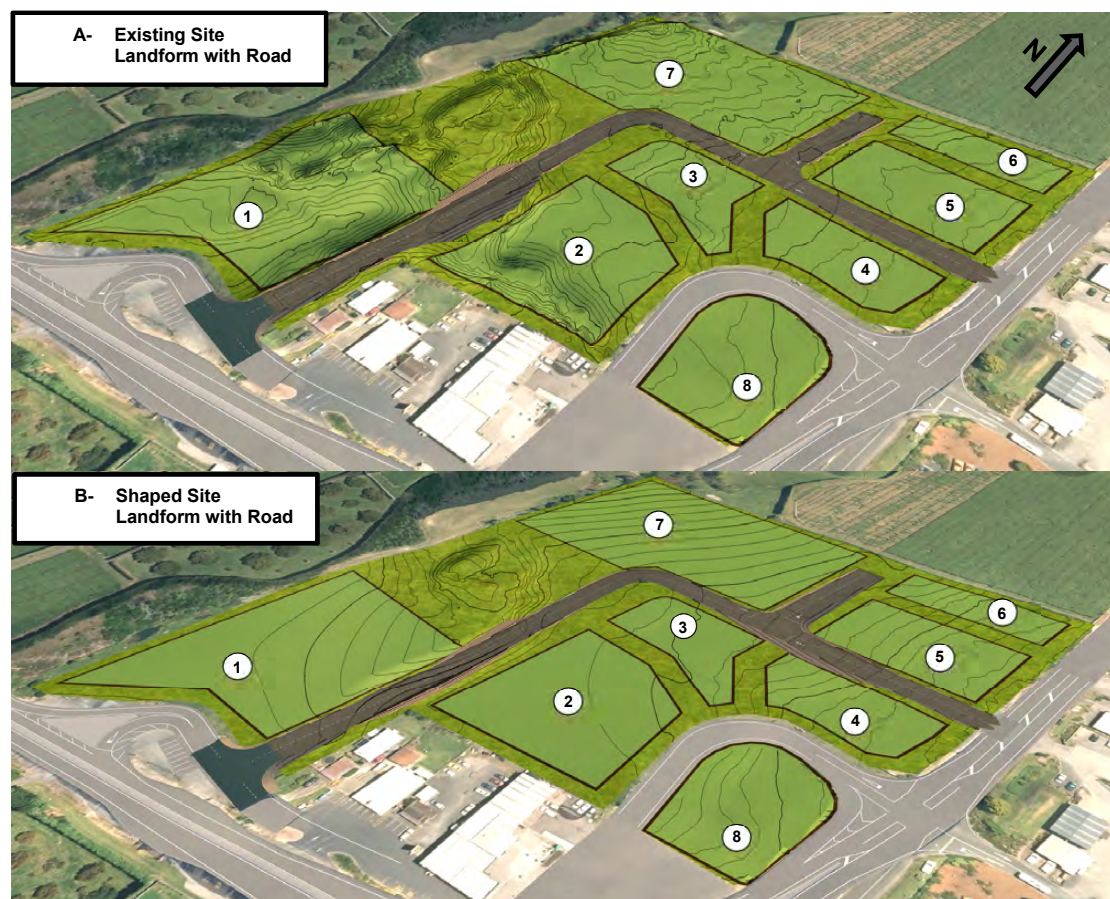


Figure 4: Pre and Post Shaped Landform

The preliminary landform allows for freeboard above the expected water levels within the stormwater detention area. Based on the LINZ topographical information, the existing embankment wall has an elevation of 14.25m

RL and this will be maintained with the new pond design. Based on the nested 100yr event the maximum water level will 14.24 RL (refer to Section 5).

Lot 7 has the lowest elevation in the proposed development, with an elevation of approximately 14m RL at the north-western corner of the Lot (refer to Figure 4B). This area may be prone to occasional flooding and buildings on the site will need to be constructed with floor elevations above 14.54 RL.

The levelling of Lot 1 to create a building platform at RL 17.5 will effectively cut off the existing stormwater channel entering the site from the West of lot 1. To mitigate and effect on the neighbouring property this stormwater channel will be conveyed via a pipe network to the attenuation ponds (see chapter 5.4 On-site Stormwater Management, for more details on this).

5 Stormwater

The Te Puna Springs Estate site is located at the downstream end of a larger catchment. A few natural open channels exist on the Te Puna Springs Estate site that discharge into an existing attenuation pond behind an embankment located within the site boundary.

The pond was originally constructed by DWS Progrowers Limited to attenuate flow from their site. DWS Progrowers Limited proposed alterations to their site in 2007, whereby increasing their hardstand area. A stormwater pipeline was constructed from their site, running through the Te Puna Springs Estate site and discharging into the pond. According to the BOPRC Resource Consent (application number 63865), the attenuation formed by constructing the embankment reduced the pre-development flow from 2.7m³/s to a post-development flow of 0.82m³/s for the 10% AEP, 60minute storm event.

Since the construction of the pond, SH2 was upgraded (2015-16), by constructing the roundabout at the intersection with Te Puna Road / Minden Road. We have not seen any of the consents associated with this work however it is not anticipated that the alterations to the highway, and associated stormwater infrastructure, would have significantly impacted the peak runoff quantities discharging into the Te Puna Springs Estate site.

Topographical information extracted from the LINZ data service (LiDAR was captured by BOPLASS Ltd and supplied by OpenTopography, dated 2014-15), was used to create a digital elevation model (DEM). The dam's upstream catchment area was delineated based on the DEM. The delineated catchment has an area of approximately 38ha and is shown in Figure 5.

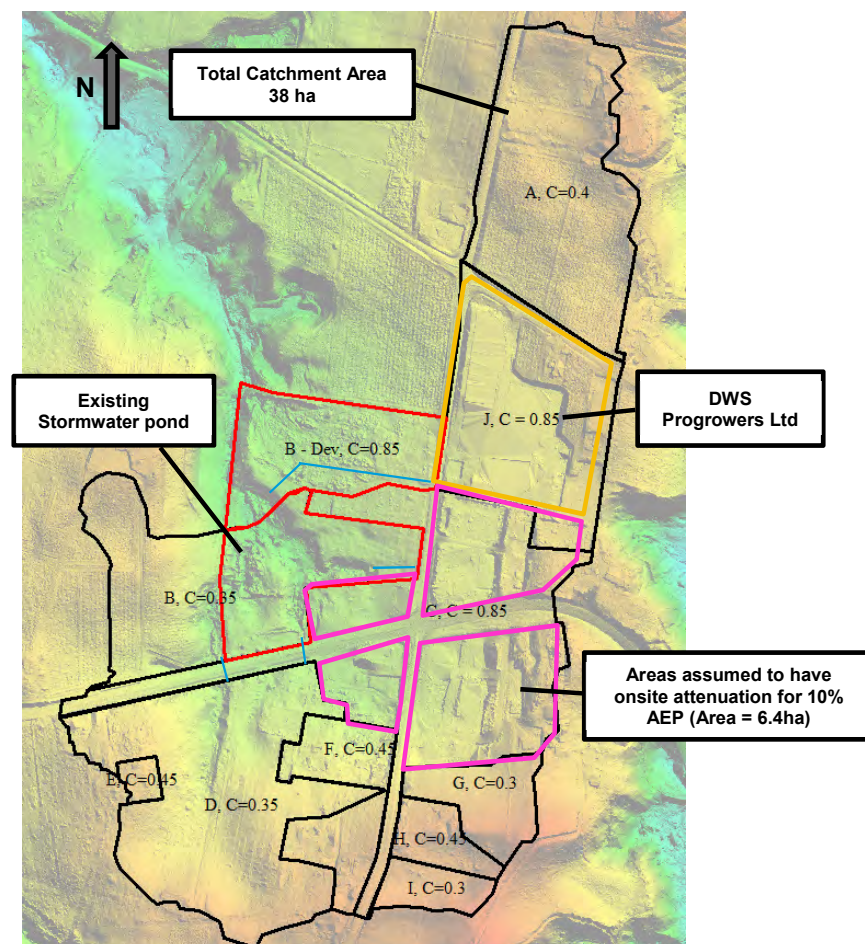


Figure 5: Pond Catchment and Sub-Catchments Based on Roughness Coefficient

It is assumed that the existing commercial developments, with the exclusion of the DWS Progrowers Ltd site, has been constructed to attenuate the 10% AEP runoff within their site boundaries. The commercial sites in question are shown in Figure 5.

The stormwater management philosophy for the proposed Te Puna Springs Estate Development is to collect and treat the stormwater using combined inline extended detention and attenuation ponds which will replace the existing pond and discharging into the water course at the existing point.

Current BOPRC guidelines require that the pond is designed to attenuate to 80% of the 100-year ARI predevelopment flows and match the 10-year and 2-year ARI predevelopment flows to ensure there are no downstream impacts from increased runoff. To mitigate any erosion effects from events smaller than the 2yr ARI, an extend detention pond will be used to distribute these runoff volumes over a 24hr period.

Using the Ramser-Kirpich formula, the Time of Concentration (ToC) was calculated to be approximately 17 minutes. This was based on the longest water course and slope based on the average area methodology. Similar results were achieved using the SCS ToC formula.

5.1 Existing Pond

The current pond design has twin 300mm dia pipe outlets located at approx. RL 11.75 and an approximately 9mtr wide spillway located at RL 14.5. See Figure 6 below showing the aerial view and cross section of the existing pond.

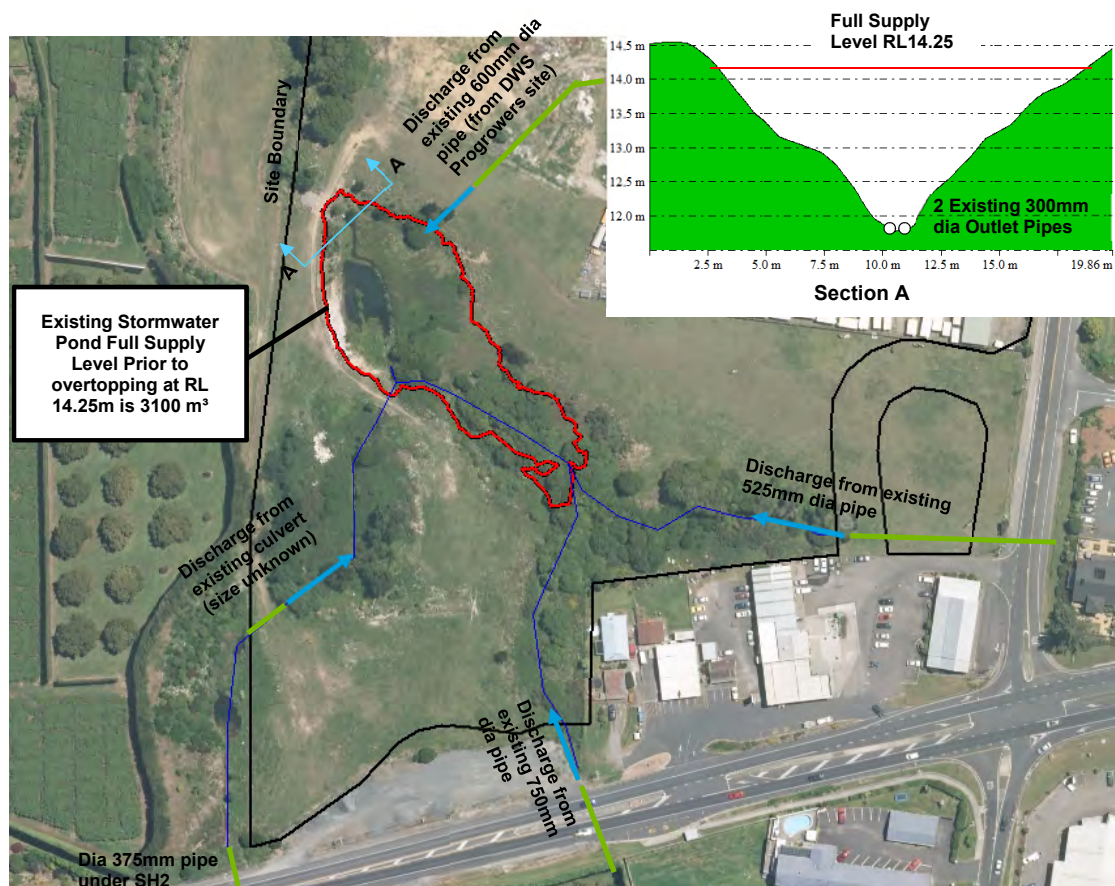


Figure 6: Existing Pond and Tributary Flows (overtopping at RL 14.25m)

As shown above the existing pond area at full level is approximately 3100m² and extends towards the SE following the existing gully and overland flow paths.

Using a 24hr nested storm off the existing catchment the existing pond is shown to exceed its capacity in even a 2yr storm event, with the Top Water Level (TWL) exceeding the crest level, and provides limited attenuation.

The 2yr, 10yr and 100 yr existing catchment flows have been calculated using the HEC-HMS with the existing stage storage for the existing ponding area and this has determined the existing predevelopment flows. These are detailed in Table 2 below.

5.2 Stormwater Pond Sizing

The HEC HMS stormwater model was then used to test increased storage and outlet configurations behind to provide the attenuation to match the target flow rates based on the predevelopment rates for the 2yr, 10yr and 80% of the 100yr. To calculate the 100yr target the existing contribution from the development site was determined, and 80% of this value was added to the balance of the catchment's flow to determine the maximum discharge in the 100yr event.

The resulting discharge rates and top water levels are shown in Table 2 below.

Table 2: Peak flow rates for Pre and Post development during 2,10 and 100yr ARI events

ARI	Predevelopment Flow (m ³ /s)	Post development Flow (m ³ /s)	Required storage volume (m ³)	Peak Elevation (m RL)	Controlling outlets
2yr	4.22 at RL 14.6m (i.e. spilling)	4.11	3000	12.62	2x 1050mm dia pipes at invert level 11.35 RL
10yr	7.62 at RL 14.7m (i.e. spilling)	7.53	5200	13.38	2x 825 mm dia pipes at invert level 12.625 RL
100yr	11.84 (1.98 from site + 9.85 from the rest of the catchment) at RL 14.77m (i.e. spilling) Targeting = 80% of 1.98(1.6) + 9.85 = 11.45	10.53	8300	14.24	As above

The peak runoff flows from the combined catchments were also calculated using the Rational formula for comparison and these results can be seen in the stormwater calculations in Appendix A.

The proposed green space area in the scheme plan covers approx. 7000m² and it is envisaged that the designed attenuation ponds and extended detention ponds would require approx. 4000 m² of this space to create the require volume. Some excavation and shaping between levels RL 11.25 to RL 14.25m will be required to achieve these storage volumes.

A representation of the possible pond position and the area required is shown below in Figure 7. The pond will be positioned within the existing watercourse area and will for the most part be reduced to a small channel running down the centre of the gully.

The embankments of the ponds and edges of the channel will be planted with wetland species and the surrounding area can be planted with larger species as is typical of a reserve/recreational area.



Figure 7: Possible stormwater pond sizing and available area.

5.3 Water Quality and Extended Detention

Two combined extended detention and water quality ponds are planned to be used adjacent to the existing main channel flow and separate from the rest of the catchment. They will be separated from the watercourse by low embankments which will be planted with wetland species.

Based on BOPRC guidelines the WQV has been assessed at 1580 m³ (650 + 930m³) from the areas highlighted in Figure 8 below. The extended detention volumes required are then calculated to be 1900m³ (780+1120) see stormwater calculations in Appendix A.

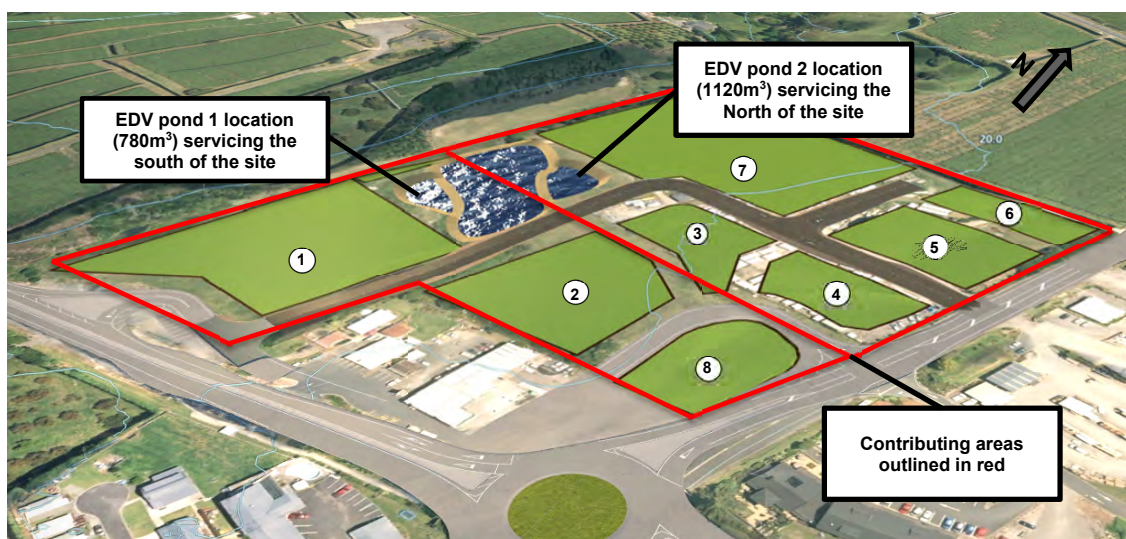


Figure 8 - EDV pond location and catchment areas

During the 100yr storm events it is envisaged that the extended detention ponds will be inundated and the storage volume above these ponds will form part of the attenuation pond storage capacity.

5.4 On-site Stormwater Management

Stormwater on site will be collected by roadside catchpits and open swales which will divert the stormwater flow into the gravity pipe network. The gravity network will convey all stormwater into the two extended detention ponds located either side of the main flow path for the greater catchment.

The stormwater channels that currently passes through proposed lots 1 & 2 will be connected to the new attenuation ponds by an extension of the existing culverts beneath the proposed fill material as shown by the red arrows in Figure 9. As these existing channels are already culverted, beneath an access crossing just inside the site boundary and under State Highway 2, this additional piping is not expected to cause any increase upstream from “heading up” at the inlet.

Overland flows from the southern side of SH2 will cross SH2 at the low point, overland flow down the service lane to approximately the location of the proposed road entry. This access road will be designed to provide overland flow to the attenuation pond to ensure the full upstream catchment passes through the pond.

From the extended detention ponds the stormwater will then be released at the controlled rate into the main attenuation pond located in line with the existing stream flow at the site of the existing pond which is the natural low point within the entire site. See Figure 9

It is understood that the Hall located on Lot 3 will have its own on-site stormwater attenuation system such as storage tanks and soakage, however for this initial assessment, this area has been included in the catchment calculations for the developed site.

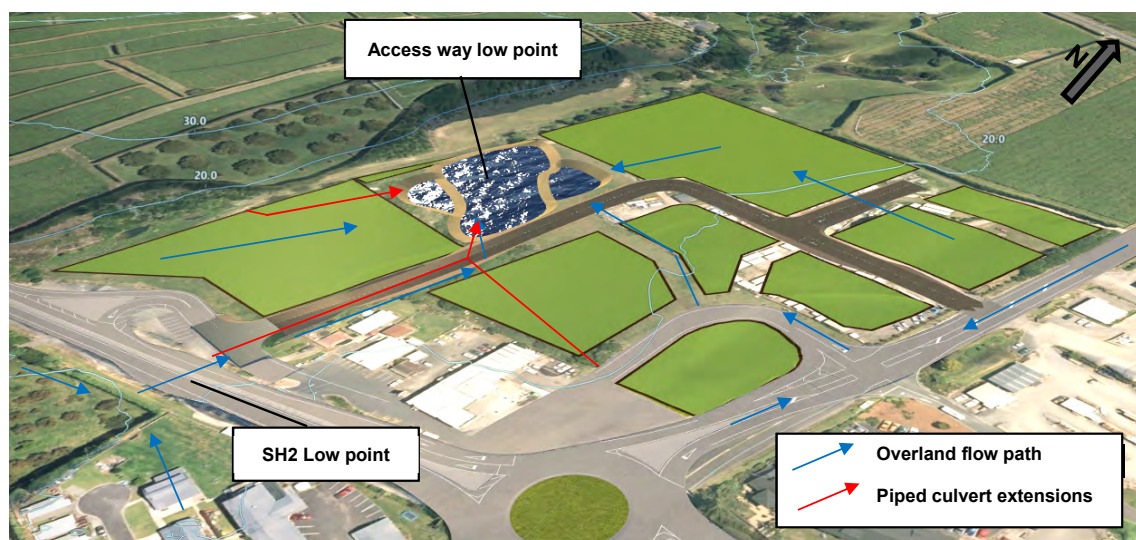


Figure 9 - Onsite stormwater management network

6 Sanitary Sewer

The proposed Te Puna Springs Estate site is located within an area that is not currently serviced by council reticulated sewer infrastructure. Therefore, the wastewater will either need to be treated and disposed of using onsite effluent treatment systems (OSETs) or alternatively a new reticulated system connecting to the existing rising main in Omokoroa or conveying the wastewater to a new treatment plant or disposal field on nearby land.

WBOPDC have recently conducted a community engagement program to understand the requirements within the Te Puna commercial area (see Appendix B and C). Five key issues were identified through this consultation of which wastewater management was one of them.

As a result, WBOPDC then engaged with consultants Pattle Delamore Partners Ltd (PDP) to conduct an assessment on the Te Puna wastewater servicing options and their report was completed in May 2019 (see Appendix A). The PDP report identified that the existing OSET systems for the current commercial businesses were undersized or not installed at all suggesting that current wastewater treatment within the area was not meeting the required standards.

At this point no plans have been confirmed for the proposed connection to the municipal reticulation although an update is expected at the end of October. For the purposes of this report both on-site treatment and the connection to an offsite municipal treatment or connection to the existing Omokoroa rising mains have been considered.

Typical design flows (extracted from Table H3, NZS 1547:2012 - On-site Domestic Wastewater Management) were used to calculate the anticipated daily flows from each of the proposed Lots. The findings are summarised in Table 3.

It is understood that the Hall located on Lot 3 will have its own on-site waste water treatment system and will be managed separate to the Te Puna Springs development.

Table 3: Provisional design flows for treatment and onsite disposal

Lot No. ⁴	Occupancy per day	Typical wastewater design flows (L/person/day)	Total flow (L/day)	Expected Weekly Flow (L/week)
1	10 Staff	50	500	2500
2	29 Staff	50	1450	7250
3	120 Visitors ⁵ 3 Staff	30 50	3750	11250 ⁶
4	N/A	N/A	N/A	N/A
5	12 Staff	50	600	3000
6	3 Staff	50	150	750
7	15 Staff	50	750	3750
8	5 Staff	50	250	1250

6.1 Reticulation to off-site treatment or existing Council network

Disposal of the wastewater to either a remote disposal field for treatment or connection to the existing council rising main and treatment plant facility will likely require a pipeline located within the berm of Te Puna road. To date there has been no consideration regarding the location of a remote disposal field so a conservative approach on the treatment and disposal field should be employed.

⁴ Refer to Figure 4 for proposed Lot layout

⁵ The number of visitors will be intermittent, however on a worst-case scenario, 120 visitors are expected

⁶ Lot 3 will have its own on-site waste water treatment system and will be managed separate to the Te Puna Springs development

Due to the topography in the area (falling away from the road to the west) both of these systems will require effluent to be pumped from the individual lots back up to the sewer main at the road.

A network of storage tanks, pumps and rising mains would be needed to convey the wastewater back up to Te Puna Road and connection to the chosen Municipal disposal system. An example of the possible pipe network is shown below in Figure 10.

All pipe networks should be constructed in accordance with WBOPDC development code guidelines.

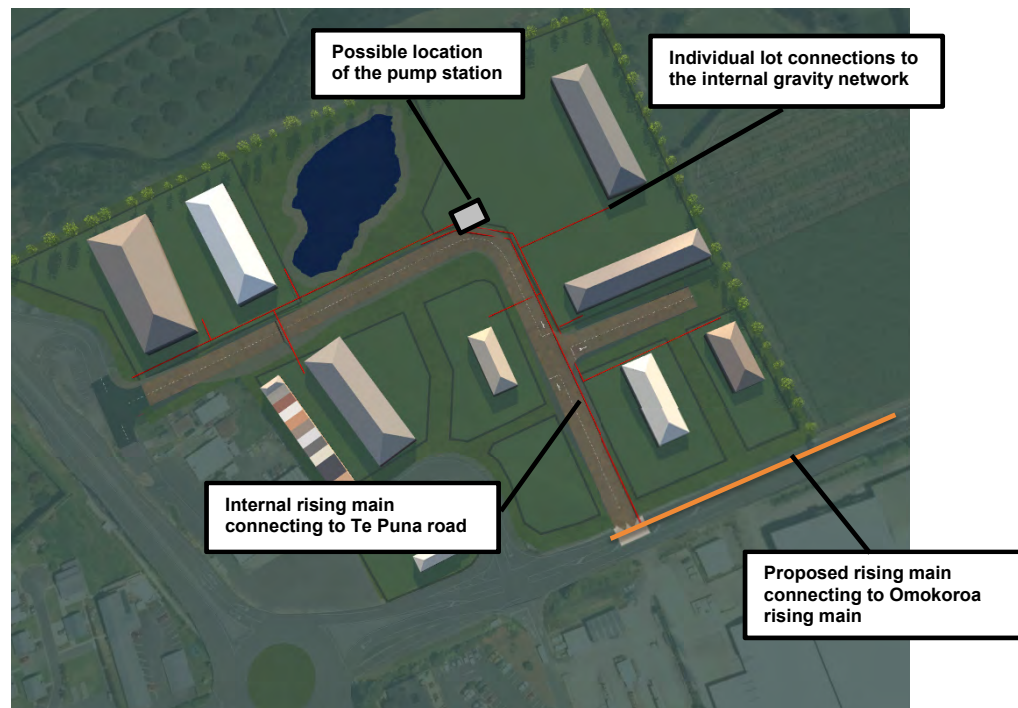


Figure 10 - Wastewater pipe network proposal

Initial discussions with WBOPDC suggest that there are already capacity issues within the Omokoroa catchment and hence it is unlikely that the Te Puna commercial area will be able to connect directly into this existing infrastructure without other upgrades to the system being completed.

6.2 On-site Effluent Treatment Systems

Based on the anticipated occupancy shown in Table 1, Lots 2 and 3 may require more sophisticated treatment systems to accommodate the high occupancy, whereas the remainder of the Lots should only require typical on-site effluent treatment systems and disposal fields.

6.2.1 Sewage Treatment

According to Table J1 in NZS 1547:2012, septic tanks of capacity of 3500L and 4500L will be sufficient to cope with the design flows for the proposed Lots.

Treatment products such as the Oasis Clearwater Aerated wastewater treatment systems (refer to Appendix E), or similarly approved, are recommended for high design flow applications.

6.2.2 On-site Disposal

Based on the anticipated ash soils found in the area, the site is expected to have a weakly structured Category 3 type soil (NZS 1547:2012, classification of loamy material), however this, together with other soil properties will require further investigation prior to detailed design of the disposal system. Based on the relatively low-

density building proposal there is not expected to be any issues allocated space for the required disposal fields.

The proposed option for the Te Puna Memorial Hall site will have the highest effluent production and hence the largest disposal field of approx. 542m². This based on a 30mm/day DLR for Secondary treated effluent and generic trench width of 450mm, depth of 400mm and spacing of 1500mm between trenches.

Based on an available green space area of land of approx. 1400m² (see Figure 11 below) there is expected to be sufficient space for the disposal field.

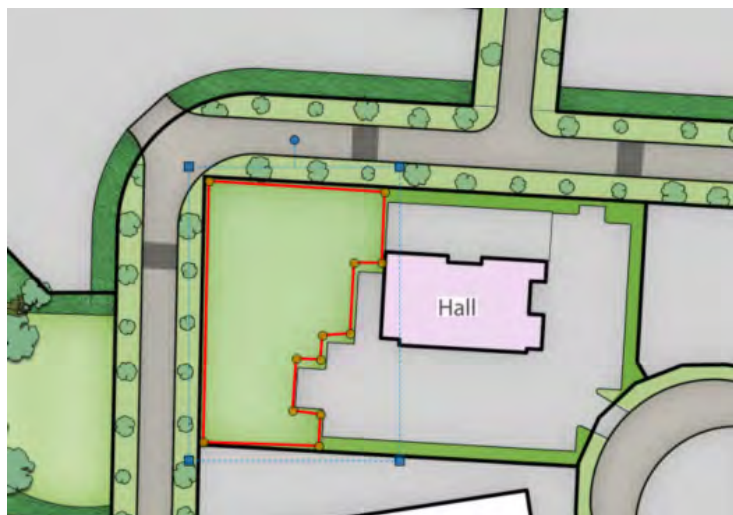


Figure 11 - Available land for disposal field

The remainder of the Lots have lower effluent generation and should therefore also have sufficient capacity to accommodate parking and disposal field requirements, and therefore, the wastewater servicing requirements are met for the Te Puna Springs Estate development.

7 Water

A 200 mm dia water main fronts the site on Te Puna Road and a 150 mm dia fronts the site along SH2. Based on the WBOPDC, a peak hourly flow rate of 1.5L/sec/ha is anticipated to be appropriate for the proposed development, therefore, an approximate supply demand of 12L/s is required. A 150mm dia principal main is expected to be sufficient. This complies with the empirical guidelines provided in NZS4404 Table 6.2 which specifies that a 150mm dia pipe is sufficient to supply 23ha of general industrial developments. A connection is proposed to the existing 200mm dia pipe along Te Puna Road and a connection to the 150mm dia pipe along SH2. An indicative proposed reticulation layout is shown in Figure 12.

A standard 20 mm dual check backflow metered water connection is expected to be sufficient to meet the demand and water protection requirements for each of the proposed lots. If the capacity of the 20mm dia connection is found to be insufficient for any of the lots during future design stages, the dual check valve will need to be installed on the property side of the boundary.



Figure 12: Proposed Reticulation Layout for Te Puna Springs Estate

In accordance with the NZ Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008), the proposed commercial development is expected to be classified as a Fire Hazard Category 2 and Fire Water Classification 4. The following assumptions were made to establish the Fire Hazard Category and Fire Water Classification:

- low fire loads with storage stacks of less than 3m high;
- none of the proposed buildings have firecells larger than 600m²; resulting in a
- primary water flow requirement of 3000L/min within a distance of 135m;

- a secondary waterflow of 3000L/min within 270m for each of the proposed buildings.

Figure 12 indicatively shows the proposed locations of fire hydrants within the development. The proposed fire hydrants are positioned no further than 90m apart and are within reach to provide the required primary and secondary flows to any of the buildings within the proposed development. In the event of a fire, pipe flow velocities are not anticipated to exceed 3m/s, based on the proposed dual connection to the existing bulk water supply.

Subject to approval by Council, it is anticipated that the required development code standards will be satisfied for water reticulation on the Te Puna Springs Estate site.

8 Utilities

A dial B4 u dig enquiry has been undertaken to confirm any utilities located near the site. This enquiry confirmed the presence of the following services:

Powerco: LV cables located in the road frontage on SH2 and Te Puna road.

Chorus: High Capacity and Fibre cables located around the existing service station and on the East side of Te Puna road.

Service providers have not been contacted directly but it is unlikely that the proposed development will exceed the existing capacity to supply the proposed lots, and therefore servicing capacity constraints are not anticipated.

9 Conclusion

The development of the site on the corner of the Te Puna Road and SH2 by Te Puna Springs Estate Limited after the proposed plan change is not expected to have any significant servicing constraints however the following factors should be considered during detailed design.

The development sits within a catchment which may already have downstream issues with flooding and erosion and hence a relatively conservative approach to the stormwater management is required to meet the council guidelines.

The BOPRC stormwater management guidelines state that the post development flows should not exceed the 2yr, 10yr and 80% of the 100yr predevelopment rates. To meet these design criteria the existing attenuation pond sizing will need to be increased from the current 3100m³ to approx. 8300 m³. The current B&L plan has provision for a 9300m² of reserve/wetland located in the natural low point of the site so increasing the pond area is not expected to be an issue.

Some reshaping of the terrain within the site will be required to optimise the usable areas and create suitable building platforms. Most of the fill required will be used to infill the existing stormwater gully's with the existing pipes being extended within the fill to reach the new pond. It is expected that some imported fill will be required to complete the reshaping with approximately 25,000m³ of material to be moved onsite.

Flood levels during the 100yr ARI are expected to reach a peak of RL 14.24m so all building platforms will need to be set at a min of 14.54m to maintain a 300mm freeboard.

Sewer connections from the planned development can be achieved using either a). connection to the proposed new rising main on Te Puna Road which would convey the wastewater to an offsite treatment facility or b). the existing council reticulation network on Te Puna Station road. Strategic planning options from the WBOPDC Council regarding the future wastewater treatment options for the Te Puna Commercial area are expected in the near future and will influence the available connection options. Alternatively, the wastewater can be treated and disposed of via on-site-effluent-treatment systems within each lot boundary.

All lots would be serviced by a standard 150mm double ended principle main connection between the existing water mains on SH2 and Te Puna Road providing a peak demand of 12L/s. Standard 20mm lot connections would service each lot. The proposed commercial development is expected to be classified as a Fire Hazard Category 2 and Fire Water Classification 4.

There is not expected to be any servicing constraints with connections to the nearby Power and Fibre networks located in the road frontage on SH2 and Te Puna Road.



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PDP Report – Te Puna Wastewater Servicing Options – May 2019

Te Puna Wastewater Servicing Options Report

✦ Prepared for

Western Bay of Plenty District Council

✦ May 2019

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WESTERN BAY OF PLENTY DISTRICT COUNCIL - TE PUNA WASTEWATER SERVICING OPTIONS
REPORT

Quality Control Sheet

TITLE Te Puna Wastewater Servicing Options Report

CLIENT Western Bay of Plenty District Council

VERSION Final

ISSUE DATE 10 May 2019

JOB REFERENCE T01663200

SOURCE FILE(S) T01663200R001.docx

DOCUMENT CONTRIBUTORS

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Limitations:

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Executive Summary

PDP was engaged by Western Bay of Plenty Regional Council to investigate the options for community scale wastewater treatment and disposal for the Te Puna commercial area.

The current land within the area of benefit use includes accommodation, retail stores, cafes, pubs, a petrol station, a butchery and two kindergartens.

The existing businesses are serviced by their own on-site wastewater treatment and disposal systems within their own property boundaries. Four properties hold current resource consents from Bay of Plenty Regional Council to discharge wastewater to ground. These current consents issued allow for a total wastewater volume of 26.11 m³/day to be discharged within the area. In January 2019, a maximum water use of 27 m³/day was measured from water meter readings. Given the short period of time these measurements were taken over, this figure should be treated with a level of conservatism. However, based on these water use records, only two sites have adequately sized land disposal fields for both their consented disposal volume, and actual disposal volume. The remaining sites have various reasons for non-compliance with consent conditions, or no resource consent.

The maximum existing design wastewater volumes for all the businesses within the area of benefit is 55 m³/day based on the survey of existing properties and in accordance with AS/NZS 1547: *Onsite Domestic Wastewater Management* (Standards New Zealand, 2012). Inclusion of 30m³/day from the adjacent Avocado factory at 1 Armstrong Road and allowance for infill, increases the maximum flow to 125 m³/day.

The wastewater from the proposed area to be serviced is expected to be a higher strength than domestic wastewater and its loading is estimated to be equivalent to the domestic load of approximately 1,500 people. This will influence treatment plant and collection system selection requirements to achieve satisfactory level of contaminant removal.

Both flow figures are average dry weather flows. To find equivalent wet weather flows, a peaking factor of 1.2 was applied giving 66 m³/day and 150 m³/day respectively.

The requirements for a land disposal field have been assessed based on a poorly structured Category 3 soil as per AS/NZS 1547 (2012). For drip irrigation of wastewater, a design loading rate of 3.5 mm/day is required by AS/NZS 1547 (2012). Final effluent requirements are specified as 10 g/m³ BOD, 10 g/m³ TSS and 30 g/m³ Total Nitrogen to provide a suitable effluent for disposal to land with a nitrogen loading rate of 240 kg N/ha/year. A land disposal area of 3.6 ha is required for the ultimate PDDWF. Including set-back distances and access tracks, 5 ha should be allowed for.

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Land surrounding Te Puna is generally of high value with rural residential and intensive horticultural land use the predominant land uses. It is expected that the disposal field could be located some distance from the Te Puna commercial area for cost and land availability reasons.

Two options are considered for the collection network; A STEP system or a low pressure sewer system. The collection system will have an impact on the collection system requirements. The collection network costs are estimated at approximately \$1.4M and are expected to be similar to the cost to provide a collection system and connect to the Omokoroa rising main pipe at Te Puna Station Road, which is approximately 2 km away.

Owing to the potentially high wastewater strength, chemical dosing is expected to be used on conventional proprietary secondary treatment plant technologies. GRAF NZ have provided a proposal that they claim will not require chemical dosing with the use of SBR treatment plant. However, they have stated that the treatment plant is not suitable for a STEP collection system. The requirements for chemical dosing to limit the levels nitrogen discharged will be increased with the use of STEP collection system.

For the ultimate wastewater flows, it is estimated the total cost for this system is \$ 5M - \$ 6M exc. GST.

It is recommended that considerations of alternative disposal methods are considered by WBoPDC, especially connecting into the Omokoroa rising main, or installation of a duplicate rising main. However, if this project was to continue, the next steps would be to locate a suitable piece of land and conduct a detailed site investigation in order to confirm land requirements prior to purchase.

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WESTERN BAY OF PLENTY DISTRICT COUNCIL - TE PUNA WASTEWATER SERVICING OPTIONS
REPORT

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1.0 Introduction and Background

1.1 Project Scope

Pattle Delamore Partners Ltd (PDP) was engaged by Western Bay of Plenty District Council (WBoPDC) in February 2019 to assess the requirements and options for providing a community scale wastewater treatment and disposal scheme for the Te Puna commercial area. This scope of engagement includes considering both existing and future development scenarios.

1.2 Site Location

The Te Puna commercial area is located approximately eight kilometres west of Tauranga city at the intersection of State Highway 2 (SH 2) with Te Puna Road and Minden Road (Appendix A, Figure A1). The area is commercially zoned (Appendix A, Figure A2) and hosts cafes and bars, accommodation, retail stores, a petrol station and two kindergartens. The mixed retail use is varied and includes a butchery, rural supplies, a physiotherapist clinic and a veterinary clinic.

The Te Puna area in general is growing rapidly and has recently received an upgrade to the SH2 intersection itself with the addition of a roundabout, which is designed to improve traffic flow. The Area of Benefit of the Te Puna commercial area as used for this report is shown in Figure A2 and is demarcated by the red outline. This area has been assumed based on the existing Commercial Zone identified in the WBoPDC District Plan but with some adjustments to meet the existing land uses present in the area (as shown in Appendix A, Figure A3). This area should be confirmed as suitable, or otherwise, by WBoPDC.

A map of the individual properties is located in Appendix A (Figure A3). At present the Area of Benefit is not connected to any municipal wastewater network. Individual properties each have their own OSET (on-site effluent treatment and disposal) systems. These systems rely on effluent disposal by soakage to ground and have varying degrees of success and compliance with consent conditions.

1.3 Performance and Issues of Existing OSET Systems

It is understood that only five properties (some of which contain multiple businesses) are currently consented to discharge wastewater to land via on-site wastewater treatment systems. All the consents to discharge wastewater expire in the next ten years with the consent for No 4 Minden Road (Accommodation Te Puna) expiring at the end of 2019.

According to Bay of Plenty Regional Council (BoPRC), based on details supplied by WBoPDC, two properties are considered to be breaching their consented wastewater volume. These properties are No 4 Te Puna Road and No 4 Minden Road. These two properties also have under-sized disposal fields for the disposal methods and consented disposal volume.

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The properties at No 626 and No 620 SH 2 (Four Square, BP Connect, Te Puna Motors and Professionals Real estate) do not have any known resource consents for their wastewater disposal. There are also two residential houses (at No 626 SH2 and No 12 Minden Rd) that are within the commercial zone. They are likely to be operating old septic tanks and would eventually contribute to a wastewater flow and load for a community wastewater scheme.

2.0 Wastewater Loading

2.1 Land Use and Wastewater Quality

The land use includes some businesses that will produce large volumes of wastewater including commercial kitchens, pubs, a butchery and a popular café.

The site of No 17B Minden Road is currently zoned as rural land but has been included in the Area of Benefit as it includes domestic wastewater discharges adjacent to the study area. WBoPDC has also advised to include No 1, 7 and 25 Armstrong Road (Avocado and Kiwifruit Packing Sheds) in the Area of Benefit, as their consent requires connection to a public sewer system if it is available.

2.2 Water Metering

WBoPDC data was supplied that shows the daily water use for each property over a fifteen day period in January 2019. This can be used as a gauge of wastewater production for these sites. For the Te Puna commercial area the average daily water use was measured as 20.9 m³/day. The maximum measured daily use over this time totals 27.2 m³/day. It is noted that given the relatively short period of metering, this represents only a “snapshot” of the water use/wastewater generation and as such these number needs to be treated conservatively.

2.3 Wastewater Flows for Te Puna Commercial Area

Phone calls were made in February and March 2019 to determine the numbers of staff, customers and guests on the site for each business. In some cases, this was not possible so a field survey was undertaken by PDP staff on 6th March 2019 and staff visited some businesses to obtain the required information.

AS/NZS 1547: *Onsite Domestic Wastewater Management* (Standards New Zealand, 2012) provides design wastewater flows in litres per person per day for various types of facilities for the design of on-site wastewater treatment and disposal systems. Using this, the current maximum wastewater production is assessed to be 55 m³/day. This maximum value was cross checked using Auckland Watercare Guidelines (2018). Comparable results were achieved.

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It is considered that this flow represents a Peak Daily Dry Weather Flow (PDDWF). This is regarded as a slightly conservative approach as the wastewater treatment and disposal systems covered by AS/NZS 1547 (2012) normally only apply for domestic wastewater flow up to 2 m³/day (Standards New Zealand, 2012). As such, it is likely to result in an overestimation of wastewater generation when scaled up to a large development. It assumes maximum occupancy of all properties at the same time, which is considered unlikely, especially for a commercial area with varied water use/wastewater production.

The 55 m³/day is well above the maximum recorded water use of 27.2 m³/day for the area. However, it is again noted that given the relatively short period of metering, the maximum recorded water use (and essentially wastewater production) needs to be treated conservatively. It is expected that higher water use (and wastewater production) would be typically occur during seasonal horticulture activities (picking and packing) and/or events such as Aims Games.

Peak wet weather flows are dependent on the type and condition of the waste water reticulation. For this development (as discussed in Section 4.1) a pressurised reticulation system is proposed for the network. Along with other advantages, this significantly reduces the likelihood for stormwater inflow and groundwater infiltration. A peak wet weather factor of 1.2 has been assumed. A Peak Wet Weather Flow (PWWF) of 66 m³/day has been calculated for the existing businesses.

2.4 Wastewater Flows for Ultimate Development

Infill development is estimated using flow rates from AS/NZS 1547 (2012) for vacant premises. An additional 70% is included for further development at 15 and 17 Minden Road and the vacant land adjacent to BP Connect on Te Puna Road. Table B2, Appendix B shows this calculation.

The Avocado Packing Shed on Armstrong Road will be adjacent to a public sewer if this system is constructed. As such it will be required to connect to the system as this is a condition of their current wastewater disposal consent. This property has recently been consented for an on-site wastewater treatment and disposal system to discharge 30 m³/day of domestic wastewater from the packing shed.

Based on these assumptions, a PDDWF of 125 m³/day is estimated for existing land uses based on AS/NZS 1547 (2012) hydraulic loading rates.

Again, a peak wet weather factor of 1.2 has been assumed. A Peak Wet Weather Flow (PWWF) of 150 m³/day has been calculated for the ultimate development.

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As a sensibility check on the ultimate development loads, WBoPDC's Engineering Code of Practice provides a design flow of 0.4 L/s/ha for light commercial/industrial land use. This figure is typically used in the design of larger gravity reticulation systems subject to wet weather inflows and usually needs to provide a wet peaking factor of 3-4 times ADWF for commercial and industrial properties (this equates to 0.1 - 0.125 L/s/ha for ADWF). An ADWF of 116 - 152 m³/day has been calculated assuming all land within the Te Puna commercial area has been developed which is comparable to the PDDWF of 125 m³/day (once the peaking factor has been applied).

2.5 Wastewater Loads

Wastewater loads for levels of BOD₅ and NH₄-Nitrogen are estimated from loading rates included in British Waters Loading Guidelines (2005) for the PDDWF from the existing commercial area (125 m³/day). This equates to a total untreated wastewater load of approximately 30 Tonne of BOD₅ per year and 6,300 kg of Nitrogen per year. These contaminant loads equate to an equivalent wastewater load from a population of 1300 to 1500 people. These calculations can be seen in Table B3, Appendix B. These loads are much higher than typical residential wastewater. This is an important factor in treatment plant and disposal field selection and design.

2.6 Summary

There are several businesses that produce large volumes of wastewater including cafes and accommodation. The loading rate of the wastewater will be higher than typical residential wastewater. Design flows for the existing and ultimate development are presented in Table 1.

Table 1: Design Flows		
Wastewater Volume Scenario	Existing Development ¹ (m ³ /day)	Ultimate Development ² (m ³ /day)
Average Dry Weather Flow ³	25	73
Peak Daily Dry Weather Flow	55	125
Peak Wet Weather Flow ⁴	66	150
Notes: <ol style="list-style-type: none"> 1. Assessed by facility type (AS/NZS 1547) for each land use and occupancy rate. 2. Increase in the existing flow assuming an additional 25% allowance for infill development and 30 m³/d flow from the Avocado Packing Factory adjacent to the Te Puna Commercial Area. 3. The existing ADWF is based on the average water meter reading data of 20.9 m³/d, with 20% allowed for conservatism. The ultimate ADWF maintains a similar ADWF/PDDWF ratio but allows for the Avocado Packing Factory flows. 4. PWWF allows for a peaking factor of 1.2 x PDDWF. 		



For high level conceptual design, a community wastewater treatment and disposal system should allow for the ultimate development flows of 125 m³/day and peak wet weather flows of 150 m³/day. The volume and effluent strength design flows shall be verified and confirmed prior to the selection of a suitable parcel of land and the preliminary and detailed design process.

3.0 Existing Onsite Systems

3.1 Description

The current consents held in the Area of Benefit are described below. This data was sourced from BoPRC. It should also be noted that there are multiple sites operating on old septic tanks or unconsented systems.

Table 2: Current Wastewater Disposal Consents				
Property	Consent Number	Consent Expiry Date	Maximum Daily Volume ¹	Treatment and Disposal Method
4 Minden Road	65367	2019	7 m ³ /day	Unknown, Dripper Irrigation
15 and 17 Minden Road	65934	2026	14.11 m ³ /day	Unknown, Disposal Trenches
17B Minden Road	RM18-0060	2028	1.5 m ³ /day	Hynds Lifestyle, Disposal Trenches (not constructed)
4 Te Puna Road	63442	2025	3.5 m ³ /day	Innoflow, Dripper Irrigation
620 SH 2	No consent			Hynds Lifestyle, Raised Soakage Bed (20m ²)
626 SH 2	No consent			Unknown treatment and disposal
Notes: 1. This is the maximum consented volume of wastewater to be produced/disposed of each day				

The location of each property/consent is marked in Appendix A, Figure A4. The current consented daily disposal volume totalled in Table 2 is 26.11 m³/day. This is less than the volume calculated as the current daily maximum use or the maximum estimated wastewater flows for the businesses present.

All consents expire in less than 10 years' time, with the consent for 4 Minden Road (Accommodation Te Puna) due for renewal at the end of this year.



Wastewater production of individual properties has also been compared to their consented volumes and this is shown in the same figure (Figure A4) of Appendix A.

3.2 Suitability of Existing On-Site Systems

As shown in Figures A4 and A5 of Appendix A, not all sites in the Te Puna commercial area are operating outside of their current system capabilities and consent conditions.

The disposal area proposed for No 15 and 17 Minden Road (Te Puna Tavern, Farmlands etc.) appears to be sufficient for the currently measured water used and 17B Minden Road (Kindergarten) has been correctly designed but has yet to be constructed. Water use figures suggest that 4 Te Puna Road (Nourish café) is producing far more wastewater than the treatment plant and disposal field is designed to handle. Furthermore, the specified wastewater disposal field areas do not appear to have been fully constructed. During the site visit it was observed that one is a steep sloping section of ivy and the other is now concreted and split by a retaining wall. An area near the carpark appears to be the current disposal site by drip irrigation. During the site visit no drip lines were seen, however, the soil in the area was saturated.

The field size for 4 Minden Road shown on the consent drawings was less than what is required for the consented volume. The maximum measured water usage was also much higher than the consented disposal volume.

No 620 SH2 (Te Puna Motors and BP Connect) has a recently installed secondary treatment plant and a raised 20 m² disposal bed. This was observed to be seeping to the surrounding ground when on site. It is also too small for the measured water volumes being disposed to it.

626 SH 2 (Four Square site) also does not have a consent. Nothing is known about the wastewater treatment here. It is assumed the site has an old septic tank.

3.3 Soil Types

The soil type is particularly important for wastewater disposal and *AS/NZS 1547: On-Site Domestic Wastewater* (Standards New Zealand, 2012) provides guidance on recommended design irrigation/loading rates for treated wastewater disposal. This directly affects the size of the required disposal system.

S-Map Online (a database produced by Landcare Research) describes soil in the Te Puna area as well drained, 'Ngakura-f' loam with rapid permeability.

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In previous consents the soil has been categorised as category 3 or 4 (AS/NZS 1547, 2012) with a poor structure. During the PDP site visit conducted on 6 March, 2019, from observations of road cuttings and it was found that the soil onsite was classed as weakly structured sandy silt with coarse sand. The material is re-worked volcanic material and is highly layered. This is consistent with geotechnical records for recent highway works. This soil is not expected to retain its strength when unconfined and wet. For this reason, calculations were carried out assuming the soil was a category 3 massive soil in accordance with AS/NZS 1547 (2012).

Based on this category, a maximum design loading rate of 3.5 mm/day has been assumed for a community scale wastewater and disposal system. This is a critical assumption, which will need to be carefully considered prior to the purchase of any land for disposal.

4.0 Options and Requirements

4.1 Collection System and Layout

A preliminary reticulation system was developed by PDP as part of this exercise. This can be seen in Figure A6 of Appendix A. The following features have been noted that are relevant in any collection system for the Area of Benefit:

1. Properties on the eastern side of Minden road fall away from the road and will need pumps to pump wastewater back to Minden road to avoid locating infrastructure in the State Highway corridor.
2. 15 Minden Road already discharges through a pumped system and interceptor tanks. Extensive internal site works will be required to convert this system to gravity operation.
3. A central pump station may also be required to collect wastewater to pump it to a disposal field and treatment plant if it is required to be located some distance from the area to be services.
4. At least 24 hours emergency storage is desirable to provide backup storage in case of mechanical or electrical failure of the forwarding pumps.

Owing to the topographical constraints above, and the presence of the existing STEP tanks at 15 Minden Road, a gravity system is generally unsuitable for the Area of Benefit. A low pressure sewer system (LPSS) or Septic Tank Effluent Pumping (STEP) sewer collection system will likely be required for the collection system and have been considered in this report. While, existing businesses at 15 Minden Road already have interceptor tanks and pumps, it is anticipated that these will need to be upgraded to provide satisfactory emergency storage.

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A STEP system provides pre-treatment with an interceptor tank including a filtered outlet prior to a high pressure pump to transfer the wastewater to the main treatment plant. This improves the pump reliability and reduces some of the treatment requirements. However, to remove nitrogen, carbon is required in the wastewater. This is usually provided from the solids in the wastewater. In a STEP system where these are separated out before a treatment plant, carbon dosing at the treatment stage is often required.

A LPSS sends the wastewater through a grinder pump station to reduce the size of the solids before pumping the wastewater into the network. Each property has its own grinder pump station. It is normal practice for LPSS and STEP systems to provide up to 24 hours storage of continued discharges in the event of mechanical failure elsewhere in the system.

The advantages and disadvantages of each collection system are listed below:

Table 3: LPSS vs STEP Systems		
	Low Pressure Sewer System	Septic Tank Effluent Pumping System
Advantages	<ul style="list-style-type: none"> Levels of organic materials maintained assisting N removal. 	<ul style="list-style-type: none"> Removal of some solids resulting in improved pump reliability. Removal of solids reduces cost of sludge removal at treatment plant. Allows for easier incorporation of storage tanks at each property, particularly at low flows.
Disadvantages	<ul style="list-style-type: none"> Higher maintenance costs due to pump wear and solids blockages. No “pre-treatment” prior to treatment plant resulting in greater solids disposal costs, and higher BOD. 	<ul style="list-style-type: none"> Solids collection in STEP tanks requires routine removal and ongoing costs. Removal of solids before network increases treatment costs as carbon dosing is often required.

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4.2 Wastewater Treatment and Disposal

4.2.1 Disposal Method and Land Area Requirements

Potential sites for a WWTP and land disposal site have not been considered in any detail by WBoPDC or PDP at this stage. Given the uncertainty of the location, it is not possible to determine the sensitivity of the receiving environment and the proximity to neighbours.

As such, a relatively conservative approach must be taken. It is assumed that a sub-surface drip irrigation system will be utilised for disposal. This is a relatively low profile form of discharge (compared to a direct discharge to water or an above ground irrigation system).

For the ultimate PDDWF of 125 m³/day and a design loading rate of 3.5 mm/day, this would require a minimum net irrigation area of 3.6 hectares as shown in Table 4.

Table 4: Land Disposal Area			
Wastewater Flow ¹	Net Irrigation Area by Hydraulic Loading ¹	Annual Discharge Depth (mm/yr)	Areal Nitrogen Loading (kg TN/ha/yr)
125 m ³ /d	3.6 ha	750	230
Notes: 1. PDDWF has been used to determine the net irrigation area. 2. ADWF has been used to calculate the annual discharge depth and the areal nitrogen loading rate (30g/m ³).			

The hydraulic loading rate typically needs to be limited to less than 750 mm disposal depth per year to limit nutrient leaching. This will vary from soil to soil and detailed modelling of a water balance during winter conditions will be required prior to applying for resource consent for the discharge.

Final land area requirements will be greater than the disposal area calculated above due to allowances for buffer strips, cut off drains, access tracks, fencing and the WWTP compound. Typically, this would comprise of an additional 10 m around the perimeter of the irrigation field (for drip irrigation) and around 2,000 m² for the WWTP compound (TBC). In total this may equate to an additional 1.5 hectares. Additional buffers may be required around any sensitive areas or areas not suitable for irrigation.

At a conceptual level, prior to the selection and confirmation of a suitable parcel of land, 5 hectares should be allowed for.



4.2.2 Wastewater Treatment Plant Requirements

To enable disposal via a drip irrigation system, PDP considers that effluent quality for both biochemical oxygen demand (cBOD₅) and suspended solids (TSS) should have typical concentrations of less than 10 g/m³. This requires a relatively high level of treatment, consistent with that provided for the Ongare Point Wastewater Scheme.

A WWTP achieving this quality is typically able to achieve a Total Nitrogen concentration of around 30 g/m³, which has been adopted in the areal nitrogen loading rate in Table 4.

The nitrogen loading rate of 230 kg/ha/year is considered within the range suitable for a cut and carry operation and similar to other schemes in New Zealand. A nitrogen loading rate of this magnitude is likely to have a limited off-site environmental effect and therefore is likely to be granted discharge consent without too much difficulty (subject to further assessment). In comparison to Ongare Point the AEE outlined a range of nitrogen loading rates from 200 to 330 kg/ha/year throughout lifetime of the scheme.

Phosphorus is not expected to be a limiting factor in the selection of a disposal field. *S-Map Online* data extracted for the nearby areas indicate that the soil has a high Phosphorus retention capacity of 83%. Assuming a minimum unsaturated zone depth available for phosphorus retention is 1.0 m, it is likely that there is over 50 years of Phosphorus retention available for WWTP disposal. Therefore, the risk of Phosphorus migration to groundwater is expected to be low.

Other key contaminants such as BOD₅ and TSS will be treated sufficiently in such plants and will not influence disposal options. Pathogens are typically treated well in land disposal systems, but if they are a concern, ultraviolet treatment can be added to the plant discharge.

4.2.3 Potential Disposal Field Locations

Land use around Te Puna commercial area is generally horticultural or rural residential, and in small parcels. Larger areas of undeveloped land close to the Te Puna commercial area are generally limited to steeper land or low lying land in the base of gullies. PDP considers that it is likely that land for a suitable disposal field could be up to 2 km away from the Te Puna Commercial area.

4.3 Alternative Disposal Methods

High level consideration of alternative disposal methods produced five options, which are detailed in the following Sections.

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4.3.1 Status Quo

The 'status quo' approach would force those sites who are not complying with their resource consent conditions to become compliant individually. While this option has the least cost involved (from the District Council's perspective), it does not address the issue that some sites will likely not become compliant as their available disposal area will be insufficient. This is already an issue with multiple sites in the area and as their consents come up for renewal.

4.3.2 Surface Water Discharge

It may be feasible to obtain a higher quality of wastewater and discharge to the low lying land in the base of the gullies adjacent to Tauranga Harbour. This will effectively be a surface water discharge owing to the proximity to surface water bodies and high groundwater levels. Some additional treatment will also be obtained by discharging through a natural wetland system and ultimately to the Tauranga harbour. This may become an option to avoid the need to purchase a large area of high value land for a land disposal field. However, this option would require a very high level of treatment and increase the difficulty and complexity of consenting the discharge.

4.3.3 Deep Groundwater Injection

Groundwater injection will also require a high level of treatment and involve complex consenting issues to overcome.

It is noted that the surrounding area water supplies are largely serviced from the public water supply. There are some ground water bores used for horticulture, but generally it has not been economic to provide water supplies for individual properties owing to the depth of bore required. This will be a key consideration in terms of discharge effects.

It would be necessary to obtain a better understanding of the local hydrogeology to confirm the feasibility of this option.

4.3.4 Omokoroa Rising Main Connection

This option considers pumping wastewater approximately 2 km from the Te Puna Area of Benefit into the sewer rising main running from Omokoroa to Bethlehem. This rising main discharges into the Tauranga City Council (TCC) wastewater network and ultimately TCC's Chapel Street WWTP.

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Based on information from WBOPDC staff, PDP understands that this rising main will be at capacity when all the planned connections at Omokoroa are functioning. Therefore, connection to this rising main may not be desirable in the long term. It is possible that a similar land disposal system (to that proposed for Te Puna) may be more cost efficient for one of these planned connections. This would then allow the Te Puna system to connect to the sewer line in its place. This cost would be predominately determined by land value at each location.

It may also be possible to implement this option as an interim measure prior to construction of the WWTP and disposal site for Te Puna, even if it is not possible to consider as a long-term option.

4.3.5 Duplicate Rising Main to the TCC Network

If agreement can be reached with TCC, it may be plausible to discharge a separate rising main (approximately 3.5 km length) into the TCC network in Bethlehem. This removes the difficulty and complication of a standalone wastewater treatment and disposal system. The option may be a very cost competitive option if there is sufficient capacity in the downstream Tauranga City Sewer network and treatment facilities.

4.4 Recommended Centralised Treatment Plant and Land Disposal Field

Depending on WBoPDCs consideration of alternative disposal methods, PDP recommends sizing a centralised treatment plant with land disposal for a PDDWF of 125 m³/day. A land disposal site (including the WWTP) would require a total area of approximately 5 hectares (subject to suitability).

Considerations between a pressure sewer and a STEP system should consider the variation in treatment process capability, maintenance costs and the ease of incorporating emergency storage tanks to the collection system.

It is recommended to consider the possibility of connecting a collection system to the Omokoroa rising main as an interim measure prior to construction of the WWTP and disposal site.

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5.0 Cost Estimate

A preliminary costing for a community wastewater system has been broken down in Table 5.

Table 5: Preliminary Cost Estimate	
Item	Costs (exc. GST)
Collection System	\$870,000
Wastewater Treatment Plant	\$1,250,000
Disposal Field Construction	\$90,000
Contractors Preliminary and General (15%)	\$330,000
Design and Consenting (15%)	\$380,000
Capital Works Subtotal	\$2,920,000
Land Purchase Costs	\$1,000,000
Project Costs Subtotal	\$3,920,000
Contingency (30%)	\$1,176,000
Total Estimated Project Costs	\$5,096,000
Notes 1. Land value is estimated at \$200,000/ha based on rateable land values in the area. 2. Treatment plant costs are estimated at \$10,000/(m3/day) based on previous experience. 3. Disposal field estimate at \$25,000/(ha) based on previous experience. 4. All costs exclude GST.	

The alternative discharge option of a wastewater pump station and rising main to pump wastewater to the TCC network (as described in Section 4.3.5) should be considered further by WBoPDC. This may offer cost savings, with a high-level estimated project cost of around \$4M. This option will also reduce the risk associated with a discharge consent process and will be able to better cope with any unaccounted increases in wastewater flow in future.

We note that PDP have prepared the cost estimate for the conceptual purposes of this report. PDP have no control over the cost of labour, material, equipment or services provided by others, or contractor prices, or competitive bidding of future market conditions and inflation. Any opinion of estimated cost is PDP's opinion based on our experience and represents our judgement as experienced and qualified professional engineers. PDP cannot guarantee that proposals, bids or actual construction costs will not vary from our estimate.

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6.0 Proposals

Preliminary proposals were sought from three suppliers to assess footprint and treatment options for a WWTP in the order of 125 m³/day. To date, responses from three suppliers have been received, Innoflow Technologies, Graf NZ Ltd and Hynds in Appendix C.

6.1 Innoflow Technologies

Innoflow Technologies have proposed a three stage treatment plant. Two stages are required to treat to 25 mg/L nitrogen and they claim that they can achieve up to 5 mg/L nitrogen with the third stage. At this level of treatment, hydraulic loading rates will be the governing factor and the additional treatment may be of limited benefit in reducing land requirements

A minimum area of five hectares of favourably contoured land is anticipated to be required. A footprint area of 2000 m² is also required for the treatment plant.

All options proposed by Innoflow Technologies include Step Sewer collection systems and will require chemical dosing to achieve the required nitrogen.

The total costs from Innoflow are estimated at \$5M to \$5.4M exc. GST (including land costs) which is well within the margins of PDP's estimate. This provides some confidence that the scheme is likely to cost in the order of \$5M to \$6M exc. GST.

6.2 Graf New Zealand

Graf NZ Ltd can provide a proprietary Sequencing Batch Reactor (SBR) Plant with a pressure sewer collection system.

They state that they can meet a 30 mg/L total nitrogen standard of treatment without any chemical dosing to limit nitrogen levels, but only with a pressure sewer collection system that retains organic content in the wastewater. In practice, SBR plants have been known to achieve higher levels of treatment than 30 mg/L for commercial developments. A correctly operated SBR plant should not need any chemical dosing to achieve the required level of nitrogen removal but can be difficult to set up for variable effluent loads.

Graf NZ has provided a budget cost of \$1.1M to design and construct an SBR treatment plant. Based on other costs included in Table 5, total costs of \$5.1M are estimated for the Graf NZ SBR treatment plant.

6.3 Hynds

Hynds proposed four 30 m³/day Oxyfin Submerged Aerated Fixed Film Plant modules to treat up to 120 m³/day. However, chemical dosing will be required to achieve reasonable level of nitrogen reduction and the plant will only treat up to 50 m³ BOD per day (when 80 m³/day is expected). No price or any further information was received from Hynds.



The submission from Hynds illustrates the need for specific design and general unsuitability of standard proprietary domestic plants to treat the flows and loads at Te Puna.

7.0 Next Steps

The most important step to move forward with this project is to determine if a local land disposal plant and field is preferable to the options discussed in Section 4.3. If so, the next step is to confirm the availability of an adequate site for the disposal field and treatment plant.

Once the site has been confirmed, a detailed site investigation must be carried out to determine soil type and category. It should also consider a water balance, nutrient modelling, assessment of any slope stability issues, any potential groundwater mounding effects and other groundwater issues to support a resource consent application to discharge effluent to land. It is recommended that the design flow rates will need to be reviewed and agreed upon for this process.

As an interim measure, WBOPDC could consider installing the collection system to pump the non-compliant onsite systems to the Omokoroa Rising Main prior to its capacity being exceeded. This could be particularly beneficial if the land for the proposed treatment plan and disposal field are to the north of State Highway 2.

8.0 Conclusions

The Te Puna commercial business area has varied land uses including accommodation, retail stores, cafes, pubs, a petrol station, a butchery and two kindergartens. Only two sites are currently complying with their consented wastewater flows. All other sites either have no consent or do not appear to be operating in accordance with their consent conditions.

Current consents issued allow for a maximum of 26.11 m³/day. However, the maximum measured water usage of 27.2 m³/day exceeds this figure. Wastewater volumes were also calculated for the existing and ultimate wastewater productions according to AS/NZS 1547 (2012). These are 55 m³/day and 125 m³/day respectively (PDDWF).

Using these volumes, and the anticipated soil category, the requirements for a disposal field was assessed. The required net disposal area is approximately 3.6 hectares (subject to land suitability) with a total site area of 5 hectares expected. The exact area requirements will vary from soil to soil and detailed modelling of a water balance during winter conditions will be required prior to applying for resource consent for the discharge. It is noted that the contaminant loads from the system equate to an equivalent wastewater load from a population of 1300 to 1500 people.

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The collection system is recommended to be either a STEP system or a low pressure sewer system. A STEP system has its own advantages; however, a pressure sewer system has the added advantage that it could be connected to the Omokoroa main line in the interim as the treatment site is constructed.

A high level cost estimate has been prepared along with supplier estimates for the wastewater collection, treatment and disposal system. It is estimated that the scheme is likely to cost in the order of \$5M to \$6M exc. GST.

Prior to implementing this system, it is recommended that an alternative discharge option of pumping wastewater to the TCC network via a new rising main should be considered. This may offer cost savings, with a high level estimated project cost of around \$4M exc. GST and may also reduce the risk associated with consenting.

Should the centralised wastewater treatment and disposal system be considered further, then the next step in this process is to confirm the availability of an adequate site for the disposal field. A detailed site investigation would then be required along with confirmation of wastewater flow rates, which would dictate the treatment quality requirements. This would enable a preliminary design and improved cost estimates to be provided.

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9.0 References

British Water. (2005). *Code of Practice: Flows and Loads 2*. London, United Kingdom.

Standards New Zealand. (2012). *NZS 1547: On-site Domestic Wastewater Management*. Wellington, New Zealand.

Watercare. (2018). *Water and Wastewater Code of Practice for Land development and Subdivision: Chapter 5*. Auckland, New Zealand.

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WESTERN BAY OF PLENTY DISTRICT COUNCIL - TE PUNA WASTEWATER SERVICING OPTIONS
REPORT

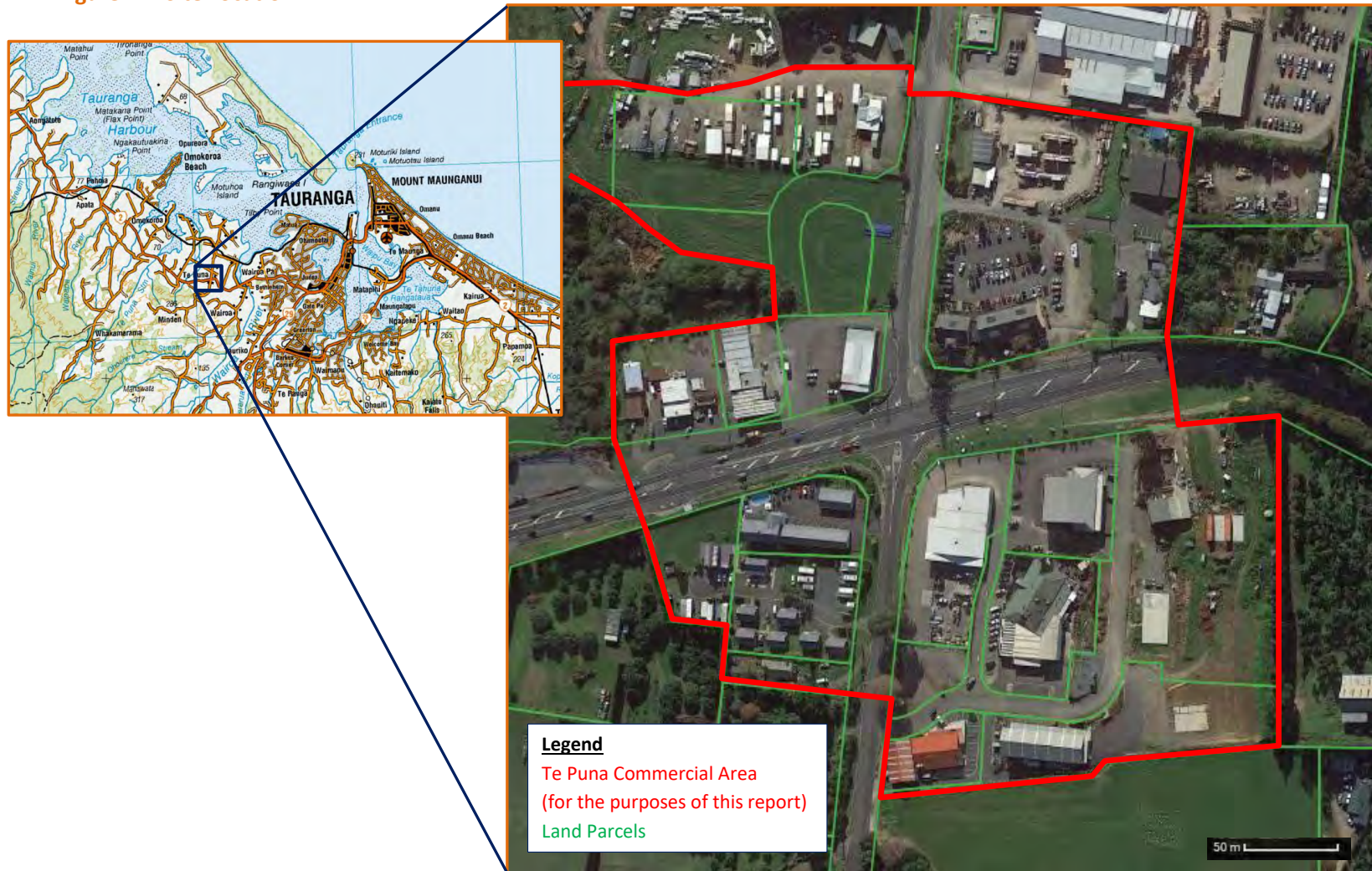
Appendix A: Figures

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Western Bay of Plenty District Council – Te Puna Waste Water Servicing Options Report – Appendix A

Figure A1: Site Location

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Figure A2: Existing District Plan Land Zoning

Western Bay of Plenty District Council – Te Puna Waste Water Servicing Options Report – Appendix A

Figure A3: Site Properties and Businesses**Site: 620 SH 2**

BP Te Puna
Te Puna Motors

Site: 626 SH 2

Professionals Real Estate
Te Puna Four Square
One residential house

Site: 4 Minden Road

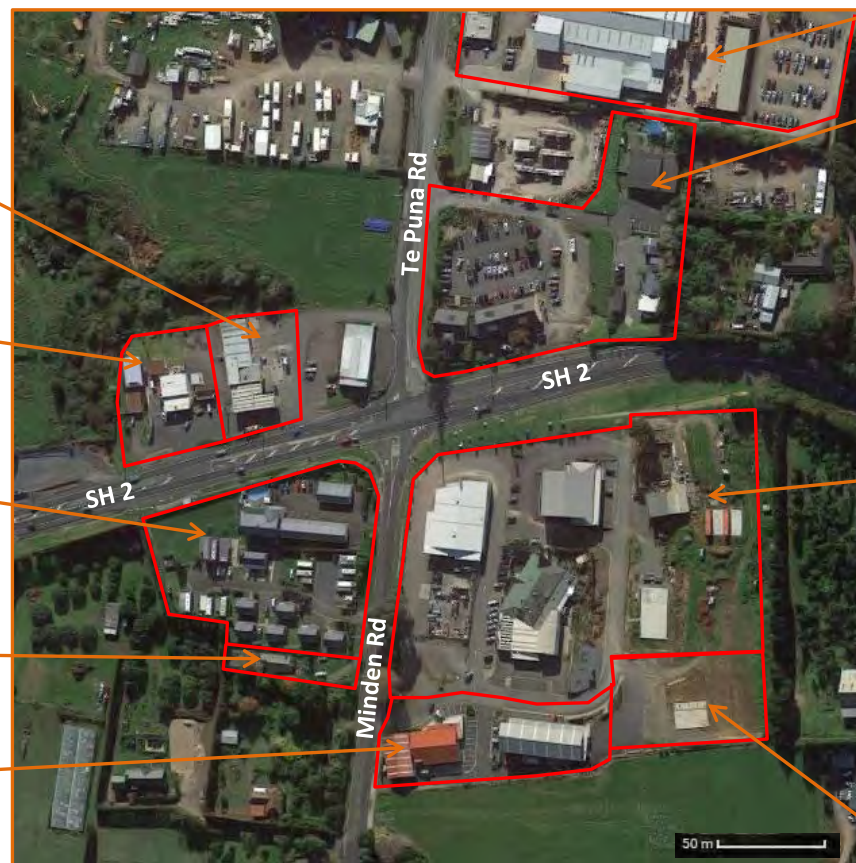
Accommodation Te Puna
Te Puna Motel

Site: 12 Minden Road

One residential house
(lumped with 4 Minden Rd)

Site: 17 Minden Road

Minden Munchies Lunch Bar
Naked Meats
Quarry Commons Office
Te Puna Super Liquor

**Site: 1, 7 & 25 Armstrong Rd**

Avocado Packing Sheds

Site: 4 Te Puna Road

Above and Beyond Education and
Care Centre
Bespoke Physiotherapy
Dorje Wholesale
Federation Homes
Heaven Boutique
Nourish Café
Ray White
Te Puna ITM

Site: 15 Minden Road

Advanced Housing Systems
Canam Construction
Farmlands
Minden Backpackers
Te Puna Tavern
Top Shot Bar
WaterForce
One residential house

Site: 17B Minden Road

Inspired Kindergartens

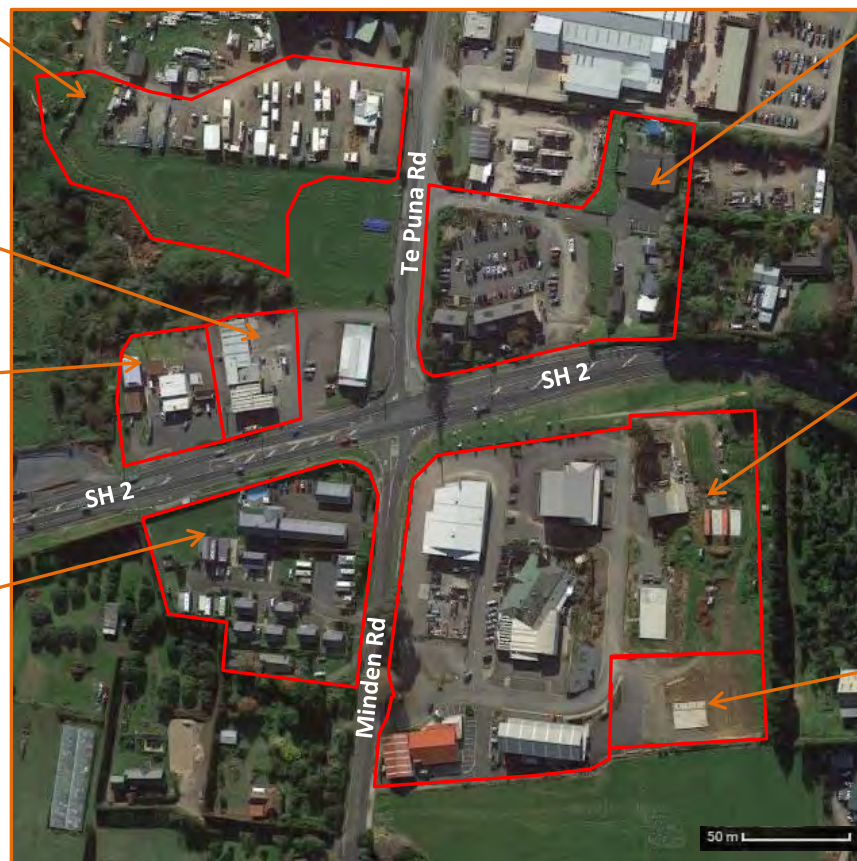
These boundaries represent the boundaries created for the purposes of determining waste water loading. They are roughly indicative, but not necessarily accurate representations of the legal property boundaries on the site.

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Western Bay of Plenty District Council – Te Puna Waste Water Servicing Options Report – Appendix A

Figure A4: Current Resource Consents Held, Consented Volumes and Measured Water Use

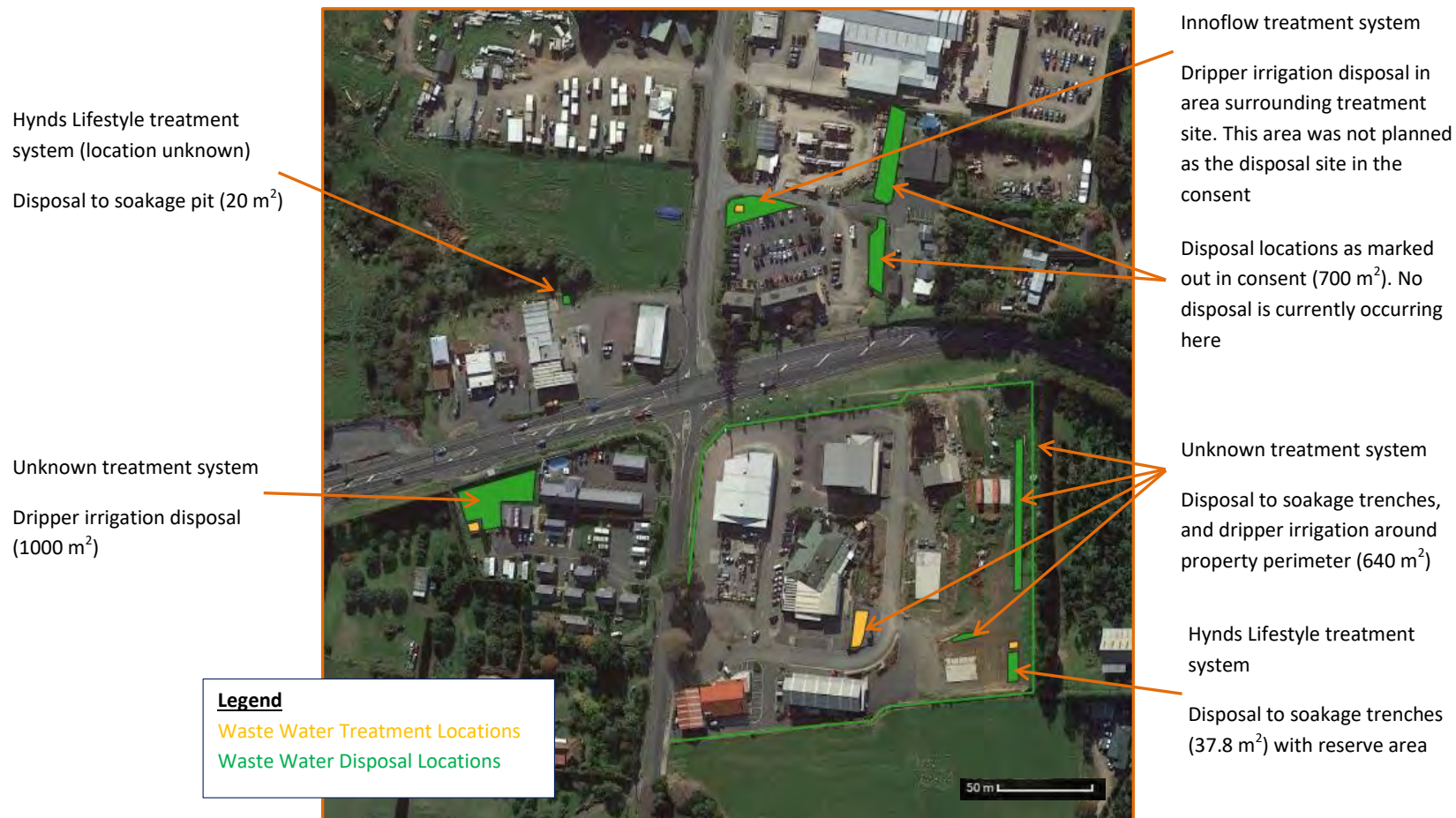
Site	23 Te Puna Road
Resource Consent No.	No consent
Max measured water use	0.75 m ³ /day
Site	620 SH 2
Resource Consent No.	No consent
Max measured water use	1.43 m ³ /day
Site	626 SH 2
Resource Consent No.	No consent
Max measured water use	1.25 m ³ /day
Site	4 Minden Road
Resource Consent No.	5367
Consented Volume	7 m ³ /day
Max measured water use	9.93 m ³ /day



Site	4 Te Puna Road
Resource Consent No.	63442
Consented Volume	3.5 m ³ /day
Max measured water use	13.94 m ³ /day
Site	15 & 17 Minden Road
Resource Consent No.	63934
Consented Volume	14.11 m ³ /day
Max measured water use	5.71 m ³ /day
Site	17B Minden Road
Resource Consent No.	RM18-0060
Consented Volume	1.5 m ³ /day
Max measured water use	No data yet

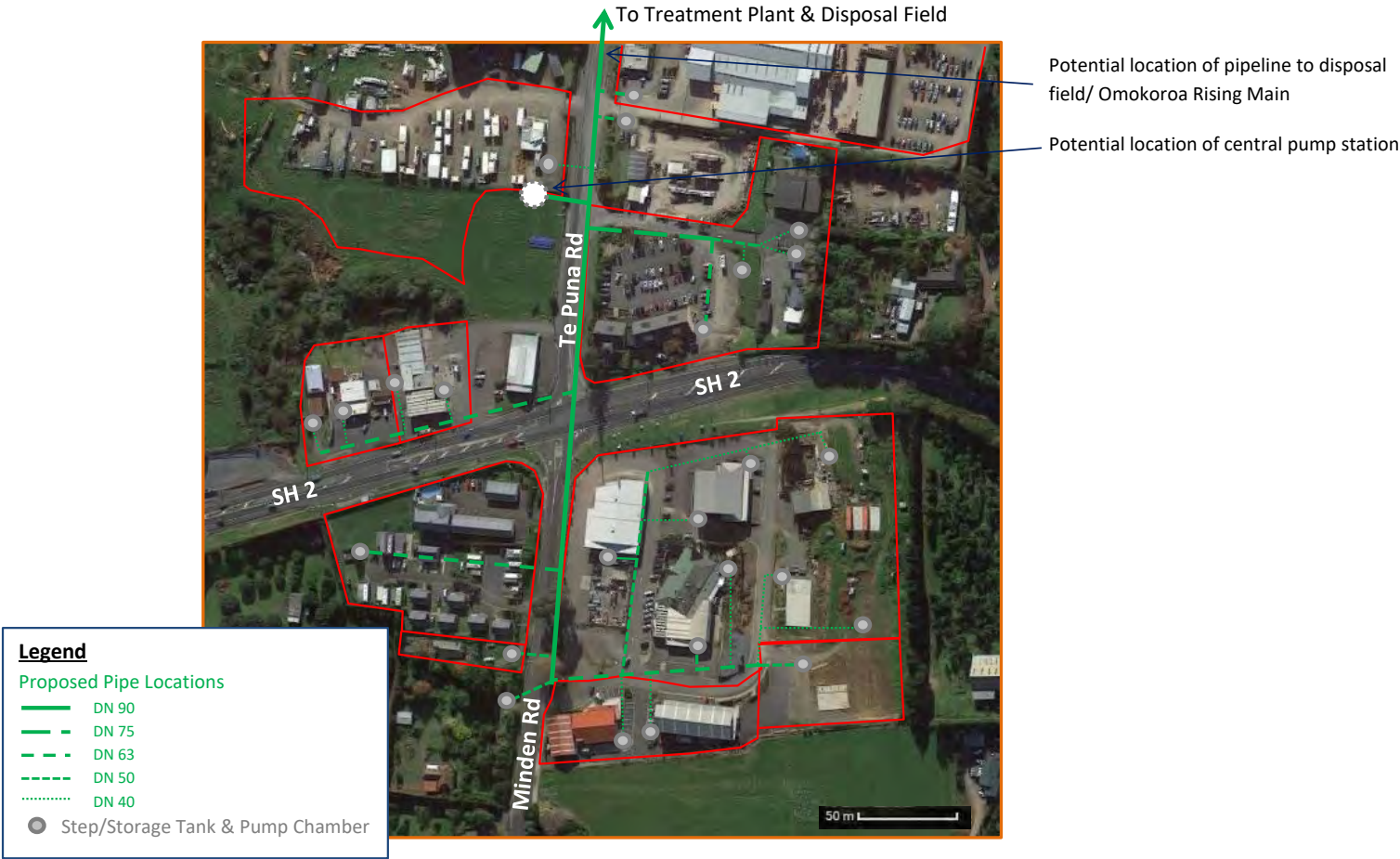
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Western Bay of Plenty District Council – Te Puna Waste Water Servicing Options Report – Appendix A

Figure A5: Treatment Plant and Land Disposal Locations

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Figure A6: Preliminary Reticulation Network





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WESTERN BAY OF PLENTY DISTRICT COUNCIL - TE PUNA WASTEWATER SERVICING OPTIONS
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Appendix B: Wastewater Volume and Strength Calculations

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Western Bay of Plenty District Council - Te Puna Waste Water Servicing Options Report - Appendix B

**Table B1: Waste Water Volume and Land Disposal Area Calculations
From NZS 1547**

Location	Business	Unit	Number of Unit	Volume per Unit (l)	Volume (m3)
15 Minden	Advanced Housing Systems NZ Ltd	staff	5	50	0.25
	Canam Construction	staff	5	50	0.25
	Farmlands	staff	12	50	0.6
	Minden Backpackers	staff	0	50	0
	Minden Backpackers	guest	30	130	3.9
	Mr Groom Mobile Car Valet	staff	1	50	0.05
	Residential	household	225	1	0.225
	Te Puna Taven	customer	200	20	4
	Te Puna Taven	staff	5	50	0.25
	Top Shot Bar	customer	100	20	2
	Water force	staff	7	50	0.35
17 A Minden	Te Puna Super Liquor	staff	3	50	0.15
	Minden muchies lunch bar	staff	2	50	0.1
17 B Minden	Farmer Sustainable Meats - Office	part of Naked Meats			0
	Naked Meats procesing	processing	1	500	0.5
	Naked Meats Retail	staff	8	50	0.4
	Quarry Commons (Office)	staff	8	50	0.4
17B Minden	Inspired Kindergartens	pupils+staff	50	30	1.5
4 Te Puna	Above and Beyond Education	pupils+staff	70	30	2.1
	Dorje	staff	3	50	0.15
	Federation Homes	staff	10	50	0.5
	Heaven Boutique	staff	4	50	0.2
	Nourish - Café	customers	500	15	7.5
	Bespoke Physiotherapy	customers	40	15	0.72
	Bespoke Physiotherapy	staff	5	50	0.25
	Ray White	staff	12	50	0.6
	Retail - spare				0
	Retail - spare				0
	Sky-line Buildings	part of Federation homes			0
	Te-Puna ITM (Vacant)				0
4 Minden	Te Puna Accomodation - Motel	guests	88	220	19.36
	Te Puna Accomodation - Motel	reception	2	30	0.06
	Te Puna Accomodation - Campsites	guests	36	130	4.68
	Residential	household	225	1	0.225
626 SH 2	Residential	household	225	1	0.225
	Four-Square Te Puna	staff	4	50	0.2
	Professionals Real estate	staff	8	50	0.4
620 SH 2	BP Connect	customers	500	5	2.5
	BP Connect	staff	5	50	0.25
	Te Puna Motors	staff	4	50	0.2
SUM					55.045 m ³ /day

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Western Bay of Plenty District Council - Te Puna Waste Water Servicing Options Report - Appendix B

Table B2: Waste Water Volume and Land Disposal Area Calculations
From NZS 1547, Allowing for Infill

Business	Unit	Number of Unit	Volume per Unit (l)	Volume (m3)
Builders Office/ Showhomes	staff	5	50	0.25
Office-1	staff	5	50	0.25
Unused future Office	m2	7	50	0.35
Rural Retail	staff	12	50	0.60
Mr Groom Mobile car Valet	staff	2	50	0.10
Backpacker	staff	2	50	0.10
Backpackers	guest	30	130	3.90
Residential	household	4	225	0.90
Bar-1	customer	200	20	4.00
Bar-1	staff	5	50	0.25
Bar-2	customer	150	20	3.00
Bar-2	Staff	6	50	0.30
Farm Retail	staff	7	50	0.35
Liquor Store	staff	3	50	0.15
Food Takeaway (Lunchbar)	staff	2	50	0.10
Butchers	staff	8	50	0.40
Butchers	Animals	20	25	0.50
Office-2	staff	8	50	0.40
Unused future Office	m2	12	50	0.60
Kindergarten -2	pupils+staff	50	30	1.50
Future Increase / Infill	%	30%		5.40
Daycare	pupils+staff	70	30	2.10
Retail1	staff	3	50	0.15
Builders Office/ Showhomes	staff	10	50	0.50
Retail2	staff	4	50	0.20
Café with onlicence	customers	500	15	7.50
Physio & health centre	customers	40	15	0.72
Physio & health centre	staff	5	50	0.25
Realestate	staff	12	50	0.60
Retail - spare	staff	6	50	0.30
Retail - spare	staff	6	50	0.30
Future Minmarket	Staff	12	50	4.00
Motel	guests/resident staff	88	220	19.36
Motel	reception	2	30	0.06
Campsites	guests	36	130	4.68
Residential	household	225	1	0.23
Residential	household	225	1	0.23
Mini Market	staff	4	50	0.20
Realestate	staff	8	50	0.40
Service Station - large	customers	500	5	2.50
Service Station - large	staff	5	50	0.25
Workshop	staff	4	50	0.20
Avocado Oil factory (Domestic only)		750	40	30.00
Infill Te Puna Road	%	0.25		24.53
			SUM	122.65 m³/day
			Design	125.00 m³/day

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Western Bay of Plenty District Council - Te Puna Waste Water Servicing Options Report - Appendix B

Table B3: Waste Water Volume and Land Disposal Area Calculations
From NZS 1547, Effluent Strength

Business	Volume (m3)	BOD gms	Ammonia gms	Total Nitrogen gms
Builders Office/ Showhomes	0.25	125	25	42
Office-1	0.25	125	25	42
Unused future Office	0.35	175	35	58
Rural Retail	0.60	300	60	100
Mr Groom Mobile car Valet	0.10	50	10	17
Backpacker	0.10	76	10	17
Backpackers	3.90	1320	240	399
Residential	0.90	240	32	53
Bar-1	4.00	3800	500	831
Bar-1	0.25	190	25	42
Bar-2	3.00	2850	375	623
Bar-2	0.30	228	30	50
Farm Retail	0.35	125	35	58
Liquor Store	0.15	125	15	25
Food Takeaway (Lunchbar)	0.10	200	10	17
Butchers	0.40	304	40	67
Butchers	0.50	125	50	83
Office-2	0.40	200	40	67
Unused future Office	0.60	300	60	100
Kindergarten -2	1.50	1250	250	416
Future Increase / Infill	5.40	2700	540	900
Daycare	2.10	1500	2400	780
Retail1	0.15	1750	350	582
Builders Office/ Showhomes	0.50	75	15	25
Retail2	0.20	250	50	83
Café with onlicence	7.50	100	20	33
Physio & health centre	0.72	10000	1500	2494
Physio & health centre	0.25	760	160	266
Realestate	0.60	125	25	42
Retail - spare	0.30	300	60	100
Retail - spare	0.30	150	30	50
Future Minmarket	4.00	150	30	50
Motel	19.36	300	60	100
Motel	0.06	4400	528	878
Campsites	4.68	50	10	17
Residential	0.23	1584	288	479
Residential	0.23	240	32	53
Mini Market	0.20	240	32	53
Realestate	0.40	152	24	40
Service Station - large	2.50	304	48	80
Service Station - large	0.25	5000	1000	1663
Workshop	0.20	190	30	50
Avocado Oil factory (Domestic)	30.00	152	24	40
Infill Te Puna Road	24.53	28500	3750	6234
	122.65	71080	12873	18195
Load per person gms/day		60	8	13
Population Equivalent		1362	1610	1315

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WESTERN BAY OF PLENTY DISTRICT COUNCIL - TE PUNA WASTEWATER SERVICING OPTIONS
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Appendix C: Treatment Plant Proposals

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PATTLE DELAMORE PARTNERS LTD

Project Name: Te Puna Village - Commercial District
Project Number:

Wastewater Treatment Plant & Land Application System

SCHEDULE OF PRICES
 19.03.19

Tenderer : Innoflow Technologies NZ Limited

Item	Description	Unit	Quantity	Rate	Amount
A1	WASTEWATER TREATMENT PLANT AND LAND APPLICATION				
A1.1	Establishment & Engineering: establishment/disestablishment costs, general freight, hiab/crane to place pods, health & safety, insurances. Includes design, design drawings and commissioning of the full system by Innoflow and provision of sign off documentation by drainlaying contractors and electricians. Additionally an electronic management plan and as-built schematic of the system will be provided upon completion of the system.	LS	1	\$53,025.00	\$53,025.00
	COLLECTION TANKS				
A1.2	26 x 6 m³ Collection Tanks (STEP Tanks): Tanks includes (2) 610mm x 450mm risers & lids, interconnecting pipework and junctions, pumps, effluent filters, floats, and control panels. Price includes supply of materials, delivery and installation (all 26 concurrently), excluding gravity drains into each tank and mains power from building to control panels.	LS	26	\$13,797.27	\$358,729.02
A1.3	1 x 12 m³ Collection Tank (STEP Tanks): Tanks includes (2) 610mm x 450mm risers & lids, interconnecting pipework and junctions, pumps, effluent filters, floats, and control panels. Price includes supply of materials, delivery and installation, excluding gravity drains into each tank and mains power from building to control panels.	LS	1	\$25,698.98	\$25,698.98
	1 x 12 m³ Collection Tank (STEP Tanks): Tanks includes (2) 610mm x 450mm risers & lids, interconnecting pipework and junctions, pumps, effluent filters, floats, and control panels. Price includes supply of materials, delivery and installation, excluding gravity drains into each tank and mains power from building to control panels.	LS	1	\$25,698.98	\$25,698.98
A1.4	1 x 25 m³ Collection Tank (STEP Tanks): Tanks includes (2) 610mm x 450mm risers & lids, interconnecting pipework and junctions, pumps, effluent filters, floats, and control panels. Price includes supply of materials, delivery and installation, excluding gravity drains into each tank and mains power from building to control panels.	LS	1	\$27,715.42	\$27,715.42
A1.5	1 x 25 m³ Collection Tank (STEP Tanks): Tanks includes (2) 610mm x 450mm risers & lids, interconnecting pipework and junctions, pumps, effluent filters, floats, and control panels. Price includes supply of materials, delivery and installation, excluding gravity drains into each tank and mains power from building to control panels.	LS	1	\$27,715.42	\$27,715.42
	1 x 75 m³ Collection Tank (STEP Tanks): Tanks includes (2) 610mm x 450mm risers & lids, interconnecting pipework and junctions, pumps, effluent filters, floats, and control panels. Price includes supply of materials, delivery and installation, excluding gravity drains into each tank and mains power from building to control panels.	LS	1	\$55,314.13	\$55,314.13
A1.6	1 x 100 m³ Collection Tank (STEP Tanks): Tanks includes (2) 610mm x 450mm risers & lids, interconnecting pipework and junctions, pumps, effluent filters, floats, and control panels. Price includes supply of materials, delivery and installation, excluding gravity drains into each tank and mains power from building to control panels.	LS	1	\$67,764.73	\$67,764.73
A1.7	Service Connections and Service Laterals. Supply 32 mm PE from tank to mainline, including a service lateral containing check valve and isolating valve and toby box.	LS	31	\$1,557.60	\$48,285.66
	STAGE 1 WWTP				
A1.8	1 x 110 m³ Pre-Anoxic Tank: includes 2 x PVC access risers & lids, and 1 x PF(50Hz)300512 filtrate return pump and associated fittings. Price includes supply of materials, delivery and installation.	LS	1	\$62,814.46	\$62,814.46

SP 1

Item	Description	Unit	Quantity	Rate	Amount
A1.9	1 x 110 m³ Stage 1 Recirculation Tank: includes 2 x PVC access risers & lids, 1 x flow inducer tower, 2 x PF(50Hz)501012 recirculation pumps and associated fittings, 3-float switch assembly, MM4-FRP splitter valve and all internal plumbing & connection to tanks . Price includes supply of materials, delivery and full installation.	LS	1	\$133,928.90	\$133,928.90
	AdvanTex Packed Bed Reactor: (21 X AX100 Pod). Including all underdrain plumbing connections, activated carbon vent fan. Price includes supply of materials, delivery and full installation.	LS	1	\$796,503.93	\$796,503.93
	STAGE 2 WWTP				
A1.10	New 55 m³ Post-Anoxic Tank: Includes 2 x PVC access risers & lids, 1 x PF500552 mixing pump, 3-float switch assembly and associated fittings. Price includes supply of materials, delivery and installation.	LS	1	\$38,856.51	\$38,856.51
A1.11	New 3 m³ Recirculation Tank: Includes (2) 610mm x 450mm risers & lids. Tank includes Duplex flow inducer tower 4 x PF(50Hz)500712 recirculation pump, MF3P Float switch assembly, MM6-FRP splitter valve and all internal plumbing & connection to tanks . Price includes supply of materials, delivery and full installation.	LS	1	\$60,603.94	\$60,603.94
A1.12	AdvanTex Packed Bed Reactor: (3 X AX100 Pod). Including all underdrain plumbing connections, activated carbon vent fan. Price includes supply of materials, delivery and full installation.	LS	1	\$140,006.13	\$140,006.13
	STAGE 3 WWTP				
A1.13	1 x 55 m³ Dose Tank: Includes 2 x PVC access risers & lids, 2 x PF500552 dosing pumps, 3-float switch assembly and associated fittings. Price includes supply of materials, delivery and installation.	LS	1	\$47,165.70	\$47,165.70
A1.14	New Horizontal Flow Wetland: Complete with polythene liner, media, dosing laterals, and plants (dimensions TBC)	m²	800	\$219.78	\$175,820.50
A1.15	1 x 55 m³ Recirculation Tank: Includes (2) 610mm x 450mm risers & lids. Tank includes Duplex flow inducer tower 4 x PF500752 recirculation pump, MF3P Float switch assembly, MM6-FRP splitter valve and all internal plumbing & connection to tanks . Price includes supply of materials, delivery and full installation.	LS	1	\$60,603.94	\$60,603.94
	AdvanTex Packed Bed Reactor: (3 X AX100 Pod). Including all underdrain plumbing connections, activated carbon vent fan. Price includes supply of materials, delivery and full installation.	LS	1	\$141,978.63	\$141,978.63
	Chemical Dosing Systems				
A1.16	1 x Carbon Dosing System including 1000 L IBC of MicroC2000 product, dosing pump, and all pipework and controls. Price includes supply of materials, delivery and installation.	LS	1	\$7,470.74	\$7,470.74
A1.17	1 x Alkalinity Dosing System including skid mounted dry chemical feed hopper, auger and eductor, controls and all associated pipework and control fittings. Price includes supply of materials, delivery and installation. Price does not include chemicals (i.e. soda ash supply).	LS	1	\$26,150.63	\$26,150.63
	Ultra Violet Disinfection				
A1.18	Ultra Violet Disinfection Unit: for tertiary treatment of effluent. Price includes supply of materials and installation. Installed in WWTP control building.	LS	1	\$23,781.12	\$23,781.12
	Irrigation				
A1.19	1 x 110 m³ Treated Effluent Storage Tank: includes 2 x PVC access risers & lids, 3 x flow inducer and 3 x PF(50Hz)301512 effluent pump, 3 float switch assembly and associated fittings. Price includes supply of materials, delivery and full installation.	LS	1	\$75,553.11	\$75,553.11
A1.20	30,000 m² (3 Hectares) Land Application System: Supply and install 30,000 lineal metres of pressure compensating drip line. Price includes 3 x 1000 m 63 mm OD header pipes, 3 x 6 sector hydraulic sequencing valves totalling 18 sectors. 3 x pulse water metres. Drip lines spaced at 1.0 m centres with emitters at 0.5 m centres.	LM	30000	\$7.05	\$211,476.41
	Controls & Electrical				
A1.21	Remote Telemetry TCOM Control Panel for Wastewater Treatment Plant: panel with various functions including remote monitoring capability, electronic logging of effluent flows, pump run times and alarm logs with audible and visual alarm features. This new panel will connect to the existing panel so two panels will be installed.	LS	1	\$41,000.00	\$41,000.00
A1.22	Electrical hookup of all internal components of wastewater treatment plant including pumps, floats and water meter to the control panel. Includes supply of material, trenching and electrical sign off documentation.	LS	1	\$26,451.67	\$26,451.67

SP 2

Item	Description	Unit	Quantity	Rate	Amount
Control Building and Civil Works					
A1.23	Control Shed: 4 x 5 m control building, fencing, stormwater, access roading, mains power, potable water.	PS	1	\$150,000.00	\$150,000.00
	TOTAL PRICE (excluding GST)				\$2,910,113.66
	<p>This pricing schedule was prepared</p> <p>for: Pattle Delamore Partners Limited</p> <p>by: Innoflow Technologies NZ Limited</p>				

Tags & Exclusion

- 1 Gravity drains into STEP Collection tanks and grease traps is not included.
- 2 Price excludes the small diameter variable grade STEP Effluent Sewer (Reticulation).
- 3 Assumed that sewer invert level (relative to ground level) at first collection tank is no deeper than 650mm. The tanks quoted in this price are suitable for a burial depth of no more than 450mm soil cover.
- 4 Any costs required for stormwater diversion, excavation stabilisation, foundation improvements and groundwater control, such as but not limited to; de-watering, benching, shoring and ground improvements, including any investigation works is not included in our price.
- 5 It is assumed that all tanks shall be founded on natural ground with a minimum bearing capacity of no less than 100 kPa. No cost to achieve this if improvements are required have been allowed in our price.
- 6 No costs have been allowed for drilling, compaction and excavation through unsuitable ground such as rock/boulders, peat/swamp conditions, running sands, or any other material that can not be excavated using standard methods.
- 7 All weather access to the wastewater treatment plant site is required at all times during installation. Price assumes full access to site (position of installation) with a 12 tonne digger and large hiab transporter to excavate holes and place tanks . No allowance has been made for specialist lifting and transport equipment such as cranes if hiab access to place tanks in ground is not available due to safety, collapsing excavation, or any other reason.
- 8 Excavated spoil not used for backfill shall be left onsite next to the wastewater treatment or septic tanks. It is assumed that all soil excavated during tank installations shall be suitable as backfill material. Not costs have been allowed to modify soil or import aggregate for backfill purposes. Furthermore, no costs have been allowed to remove or truckaway excess spoils from the site.
- 9 Reinstatement excludes bark/mulch, topsoiling, turfing/grass seeding and any other landscaping material.
- 10 Price does not include the supply and connection of mains power to the system control panel(s).
- 11 Price assumes an adequate supply of water for filling tanks will be available at no cost to us during installation.
- 12 Price does not include supply and/or installation of a weather proof control shed.
- 13 Demolition/reinstatement of fences or any kind of barrier to access construction site for installation is not included.
- 14 Price assumes permit and council consents will be fully prepared by others prior to works starting.
- 15 Price presented is for budgeting purposes only. Any formal agreement on price will include factors such as fluctuations in USD exchange rates and supplier price increases.
- 16 Price includes surface laying of dripline irrigation. Price does not include supply of mulch, bark or planting. Price does not include any site preparation works such as clearing of the irrigation area, mowing and spraying.
- 17 Price does not include antifloation measures on tanks. These can be provided if needed as an additional cost.
- 18 Price is valid for 4 weeks and there is a 3 month lead time from acceptance of signature of contract.
- 19 20% deposit of contract is due on acceptance of quote. 80% is due upon goods onsite/installation of the system. Late payments shall incur a interest charge.
- 20 Price does not include ongoing maintenance and telemetry management.
- 21 Price does not include compliance and costs associated with operating under a sub-contract agreement with the head civil contractor. Should this be required, Innoflow will need to review the contract and reprice.

SP 3



Te Puna Proposed GRAF Advanced Wastewater Treatment Plant

Date: 30 April March 2019

Prepared by: B Robinson

Version 1.1

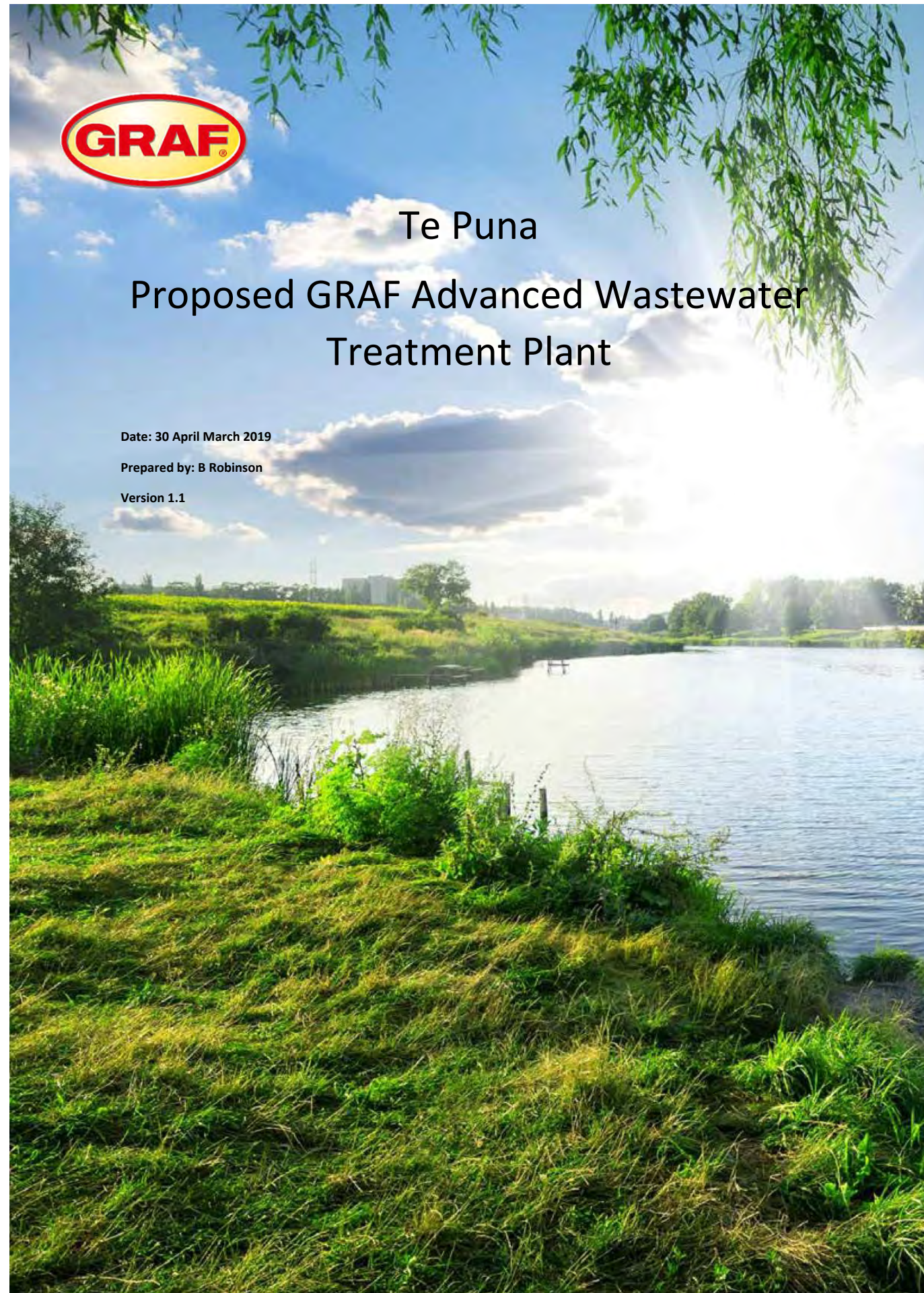


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1.0 Background

PDP approached Graf New Zealand to register their interest in providing a proposal for the supply of a proprietary wastewater treatment plant for the Te Puna Commercial area for Western Bay of Plenty District Council.

The site consists of a broad range of residential and commercial premises including offices, retail, backpackers, food outlets, service station, motels, camp sites, etc. The effluent from these sites will be domestic waste only.

2.0 Treatment Requirements

2.1 Flows and Loading

- Maximum Flow (based on maximum occupancy) 125 m³/day
- Average Flow rate 75 m³/day
- BOD Loading to be calculated at 81kg/d
- Existing Maximum Flow 33 m³/day
- Average Existing Flow 20 m³/day

(note 60% of the maximum flows come from only 5 properties)

2.2 Final Effluent Requirements

- BOD₅ 20 mg/L
- Suspended solids 20 mg/L
- Total Nitrogen (see note 1) 25 mg/L

Note

Most of the near-by land that may be suitable for a disposal field is currently rural residential or horticultural use at the moment. Therefore, as the disposal field will be based on the level of nitrogen treatment, and therefore there is an interest in advanced treatment options that will result in higher levels of nitrogen treatment to limit the field size.

3.0 Graf SBR Technology

3.1 Graf SBR Technology

Graf are offering an Advanced Sequential Batch Rectifier (SBR) system to treat the waste from the Te Puna commercial business area.

SBR technology is proving to be an optimal process for treating wastewater in small sewage treatment plants. The strict separation of the process phases results in a variety of control options for the purification process. This in turn allows for economic construction, operation and powerful purification capacity of the plants.

Graf implement SBR technology for commercial wastewater treatment plants of sizes from varying 2.7m³/day up to 750 m³ per day.

3.2 Process Description

Structure - Two-stage SBR process

1. Stage/chamber:

sludge storage tank and buffer tank

- storage of primary and secondary sludge
- retention of settling solids and floating substances
- storage of inflow water
- balancing of volume and concentration related fluctuations in the waste water inflow.

2. Stage/chamber: activated sludge stage operated in single, closed reactor in sequenced batch mode (= Sequencing batch reactor)

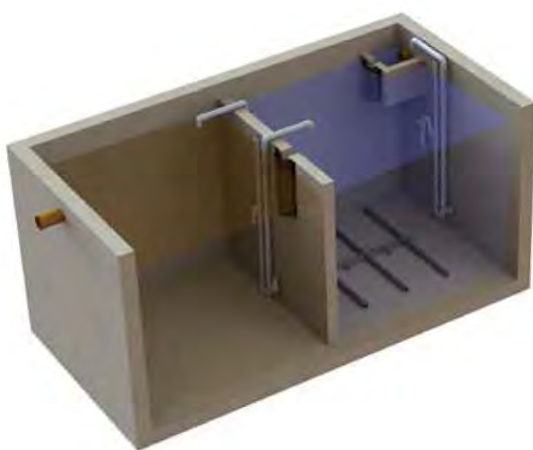
- biological clarification with activated sludge
- nitrification and denitrification
- phosphate precipitation (optional)

Operating mode

- Real-time control via microprocessor with ex-factory process flow settings
- Standard setting: 4 clarification cycles of 6 hours each per day
- Alternatively, fill-level dependent operating mode can be selected; the fill level is then measured by a pressure sensor integrated in the controller
- Process flows can be changed by competent personnel
- Waste water aeration via membrane diffuser in the tank floor
- Use of air lifter for transport of wastewater/clear water/waste sludge

Process flow quality

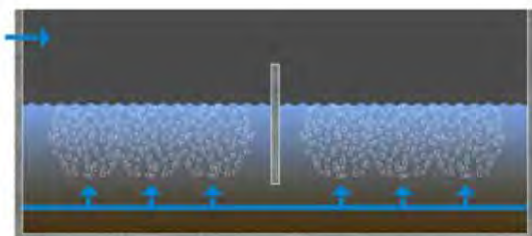
- Comparable with large, municipal clarification plants
- Dimensioning and selection of the clarification stages can be customised to suit your requirements



Advantages

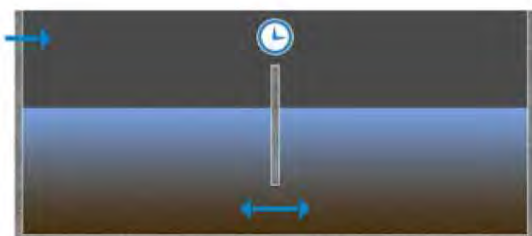
- Very stable process as compared to hydraulic shock loads and underload
- High operational reliability and low maintenance expenditure
- User-friendly due to automatic operating mode
- Low energy consumption due to micro-bubble aeration
- Low disposal costs, since only the sludge tank and not the complete plant must be emptied periodically
- Stable clarification performance even in winter
- Independent of tank material and geometry
- Various options for adjusting the process via the controller
- Safe, sturdy and long-life product due to the KLARO principle (see page 18)
- Sophisticated technology – market launch in 2001

3.3 Graf SBR Cycle

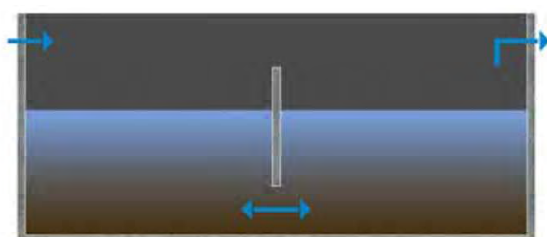
**1. Aeration phase**

The raw wastewater initially reaches the primary zone of the plant and directly undergoes aerobic treatment. Membrane diffusers on the tank floor ensure that there is sufficient aeration of the entire tank volume. The compressed air required for that is produced by an air compressor located in an external control cabinet. Aeration generally takes place intermittently. This aeration has the following effect:

- The microorganisms of the activated sludge are supplied with oxygen, which is necessary for their metabolic activity and thereby for the reduction of pollutants. The bacteria comes in intensive contact with the food source in the wastewater.
- Mineralisation of the sludge

**2. Settle phase**

No aeration takes place during the 120 minute settling phase. The activated sludge is allowed to settle. A sludge blanket forms on the tank floor and in the upper region of a clear water zone. Incoming raw waste water is retained in the primary zone.

**3. Clear water extraction**

An air lifter in the rear area of the plant pumps out a part of the clarified water from the tank. The special design of this air lifter

- prevents any floating surface sludge from being drawn off along with the clarified water
- incorporates an inflow baffle that minimises the undesired penetration of activated sludge into the air lifter during the aeration phase
- ensures that a minimum (desired) water level is maintained in the plant without any need for additional components

4.0 SBR Plant Layout and Description

4.1 Plant Description

The plant has been separated out into two streams to assist with the variable flow requirements for the Te Puna site. The plant has been designed to cater for the maximum flow rate of 125m³.day. The plant consists of the following layout:

- 2 x Primary Chamber (Total Volume 143.8m³)
- 4 x SBR Chambers (Total Volume 287.6m³)

The plant uses air for its operation and comprises of two Rotatory Vane compressors to run the air lift pumps and air diffusers. The compressors operate for approximately 12hrs/day and have a power consumption of 7.5kW/h

The technology used for the Graf plant allows for the settings of the system to be manipulated so that it can achieve the desired quality output specifications. This is achieved by changing setting for the air mixing and settling phases.

Final Effluent Requirements

Based on the influent parameters set out in the document flow rates (Te Puna Commercial Area Preliminary Wastewater Flows) Graf have designed the plant to perform to the following output requirements.

	BOD ₅	COD	SS	NH ₄ N	N _{tot}	P _{tot}	colif. germs
Outlet	< 20 mg/l		< 20 mg/l		< 25 mg/l		

4.2 Footprint

The system comprises of the following dimensions with total footprint area being:

- Total Primary Storage - 7.0 long x 4.0m wide x 2
- Total SBR Treatment Storage - 7.0 long x 4.0m wide x 4

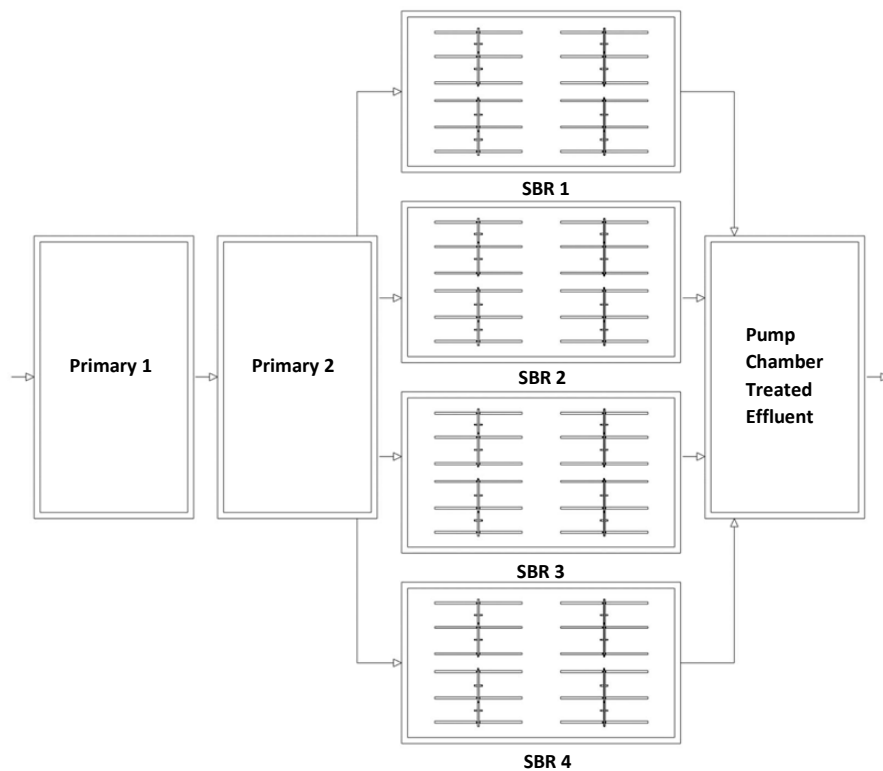
Total Area – External dimensions of tank footprint

- Primary Storage 7.0m x 9.0m – 63.0m²
- SBR Treatment 7.0m x 19.0m = 133.0m²

Table below represents the internal dimensions of the tanks giving the operational area.

Stage	Number	Container, material	Width [m]	Length [m]	Maximum water depth [m]	Maximum volume [kl]
SS + PT + B	2	Rectangular, Concrete	3,70	6,70	2,90	143,8
SBR	4	Rectangular, Concrete	3,70	6,70	2,90	287,6

Proposed Layout Diagram below:



5.0 Costs

5.1 Budget Costs

The retrofit system supplied consists of all of the internal operating equipment and switching controls.

- Graf Equipment Cost -- \$180,000 + GST

Costs for Water Projects to carry out the following:

- Supply Graf SBR Kit
- Wilson Precast Concrete Chambers
- Excavation/Site Prep
- Plant Room
- Transport to site
- Cranage
- Assembly Labour

Total Cost including Graf SBR Kit, installation, tanks and labour -- \$1,089,320.00 + GST

*Does not include the Electrical Connections. Based on a flat site with free and simple access, does not include the disposal of excavation spoil, based on plant being installed without requiring risers. This price is just for the plant and does not include the irrigation field, will price separately.

** This price is based on the bulk of the assembly being done off site and the plant being constructed using precast modules.

6.0 Installation

6.1 Installation by Graf Authorised Installer

The installation of the Graf Wastewater Treatment Plant will be carried out by a fully trained Graf authorised installer which in this instance will be Water Projects. We can seek further costings around the install cost of the system and tanks from this contractor.

6.2 Advanced Treatment

Graf only offer an Advanced SBR treatment system. The SBR will not function if used with a step system as it relies on the raw effluent of solids being transferred directly to the primary chambers for the biological process to work at maximum efficiency.

By using the Graf SBR system, the overall costs can be reduced without the need for additional step tanks.

7.0 Collection System

7.1 Ecoflow Pump Chamber Solutions

Graf in conjunction with Ecoflow can offer a package Simplex or Duplex pump station for the required sites up to sizes of 7.5m³/day.

Note this is for the equipment on private property, the street mains including boundary kits and flushing points will be additional. Ecoflow would normally do a hydraulic design with pipe sizing to enable cost estimate for the street main. A boundary kit will be \$400 for each connection (building), there will be a flushing point at the end of each street and will be \$750 each.

Up to 3.5m³ we have allowed for Simplex system which consists of the following:

- 1 x E/One Extreme Series Grinder pump 0.75kW, single phase
- 1 x E/One Sentry Protect Controller – comes with Over Pressure, Run Dry and Low Voltage protection
- 1 x Simplex Valve Discharge Hose Kit, Hook and Fittings
- 1 x 15m Pump cable including quick disconnect plug for easy removal
- 1 x Graf certified underground storage tank sized to suit emergency storage requirements

Refer Appendices for layout

Up to 7.5m³ we have allowed for Duplex system which consists of the following:

- 2 x E/One Extreme Series Grinder pump 0.75kW, single phase
- 1 x E/One Duplex Protect Controller – comes with Over Pressure, Run Dry and Low Voltage protection
- 1 x Duplex Valve manifold Discharge Hose Kit, Hook and Fittings
- 2 x 15m Pump cable including quick disconnect plug for easy removal
- 1 x Graf certified underground storage tank sized to suit emergency storage requirements

For 25m3 and 30m3 we have allowed for Quadraplex system which consists of the following:

- 4 x E/One Extreme Series Grinder pump 0.75kW, single phase
- 2 x E/One Duplex Protect Controller – comes with Over Pressure, Run Dry and Low Voltage protection
- 2 x Duplex Valve manifold Discharge Hose Kit, Hook and Fittings
- 4 x 15m Pump cable including quick disconnect plug for easy removal
- 1 x Engineered custom polyethylene chamber with sump at one end

Refer Appendices for layout

Budget Proposal

	Budget Proposal for Te Puna Commercial Project			
		No	Rate	Total
1.0	Treatment Plant			
	Treatment Plant (std) LS 1			
	Treatment Plant (advanced) LS 1*	1	\$1,089,320.00	\$1,089,320.00
2.0	Collection Tanks			
2.1	Collection tanks – std (up to 2 m3/day) No 26	26	\$6,200	\$161,200
2.2	Collection tanks/pump – 3.5 m3/day No 1	1	\$7,350	\$7,350
2.3	Collection tanks/pump – 4.5 m3/day No 1	1	\$11,450	\$11,450
2.4	Collection tanks /pump – 7.5 m3/day No 1	1	\$11,950	\$11,950
2.5	Collection tanks /pump – 25 m3/day No 1	1	\$28,000	\$28,000
2.6	Collection tanks /pump – 30 m3/day No 1	1	\$35,000	\$35,000
3.0	Disposal Field			
3.1	Supply and install dripper field ha 3 **		n/a	n/a

Table 1.

7.2 Indicative Operational Costs

To be supplied by end of May 2019.

8.0 Web Monitor

The KLARO WebMonitorR comes in useful whenever highest level of operational reliability and stress-relief of the operator are desired at the same time, the plant can be monitored by a maintenance firm via a remote diagnostic system. In the event of a fault, intervention is possible immediately from home via internet.

The KLARO WebMonitor® offers many advantages for the operator and for our partners!

- Higher customer benefit due to monitoring service
- Cost-effective remote diagnosis in the event of a fault
- Higher effectiveness and higher

WebMonitor



Appendices

Design Calculations



Technical data sheet for EPro wastewater treatment plant

Graf Plastics Australia PTY Limited

23 Success Way

Henderson WA 6166

Tel. +61 1300 131 971

Email: info@grafaustalia.com.au

Plant size

1350 EP

Maximum flow

Qd 125,55 kl/d

Maximum organic load

Bd 81,00 kg/d

Design according to ATV-A122

Effluent values:

	BOD ₅ 20 mg/l	COD 20 mg/l	SS 20 mg/l	NH ₄ N 25 mg/l	N _{tot} 25 mg/l	P _{tot}	colif. germs
Total tank capacity:							431,3 kl

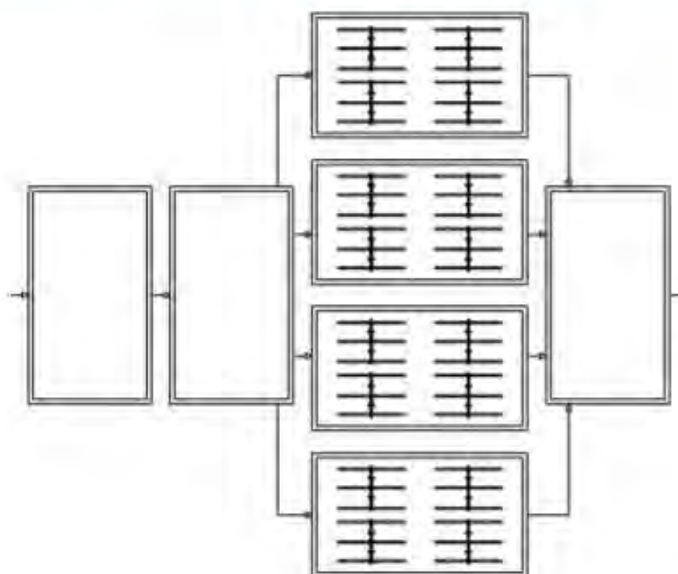
Air compressor	Type: Rotary vane	4 x	KDT 3.100
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Installed motor power	4 x	5,50 kW
-----------------------	-----	---------

Power consumption at 0,3 bar	4 x	3,40 kW
------------------------------	-----	---------

Motor design	1 bar 50 Hz 3~	380 V
--------------	----------------	-------

Calculated maximum daily operating time	4 x	13,0 h/d
---	-----	----------



Symbolic representation

Stage	Number	Container, material	Width [m]	Length [m]	Maximum water depth [m]	Maximum volume [kl]
SS + PT + B	2	Rectangular, Concrete	3,70	6,70	2,90	143,8
SBR	4	Rectangular, Concrete	3,70	6,70	2,90	287,6

Hoses	V1: 8x 25mm	V2: 16x 25mm	V3: 8x 25mm	V4: 8x 25mm
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Graf Plastics Australia PTY Limited • 23 Success Way • Henderson WA 6166 • Tel. +61 1300 131 971 • Fax. +61 8 9437 4048

Calculation for EPro wastewater treatment plant according to ATV-A122

Basic data / project data

Customer	Graf Plastics Australia PTY Limited	Date	29.04.2019
Project	Te Puna	Editor	MJS
Type of waste water:	domestic		
Particularities			

Base of calculation

	BOD ₅	COD	SS	NH ₄ N	N _{tot}	P _{tot}	colif. germs
Influent	400 mg/l		467 mg/l		73 mg/l		
Effluent	< 20 mg/l		< 20 mg/l		< 25 mg/l		

Population equivalent						1350	EP
Wastewater			at Q _{EP}		93 l / (EP × d)	125,6	kl/d
Infiltration water					0 %	0,0	kl/d
Total daily inflow				Q _{in}		125,6	kl/d
Daily peak factor						10	n/d
Hourly volume of wastewater						12,6	kl/h
BOD ₅ load				B _d	60 g/(EP × d)	81,00	kg/d
BOD ₅ load after primary treatment				B _e	40 g/(EP × d)	54,00	kg/d
Treatment cycles per day						16	

1. Stage: sludge storage, pre-treatment and buffer

Type of container		Rectangular
Number of containers / proportion of chambers		200%
Width		3,70 m
Length		6,70 m
Water depth		2,90 m
Total area		49,58 m ²
Sludge storage (SS)		
Specific sludge storage volume		250 l / (EP × a)
Removal interval		3,0 months
Required volume	1350 EP × 250 l / (EP × a) × 3 / 12 months =	84,38 kl
Required water depth		1,70 m
Primary treatment (PT)		
Retention period	(143,76 kl - 84,38 kl - 37,18 kl) / 12,6 kl/h =	1,77 h
Required volume		19,83 kl
Required water depth		0,38 m
Overall (SS + PT)		
Required water depth		2,08 m
Selected water depth		2,15 m
Buffer (B)		
Percentage of daily load		17%
Required volume	17% × 125,55 kl/d =	20,93 kl
Required water depth		0,43 m
Selected water depth		0,75 m
Selected volume	30% Total daily inflow =	37,18 kl
Overall (SS + PT + B)		
Required volume	84,4 kl + 19,8 kl + 20,9 kl =	124,13 kl
Existing total volume		143,76 kl
Required water depth	1,7 m + 0,38 m + 0,43 m =	2,51 m

Calculation for EPro wastewater treatment plant according to ATV-A122

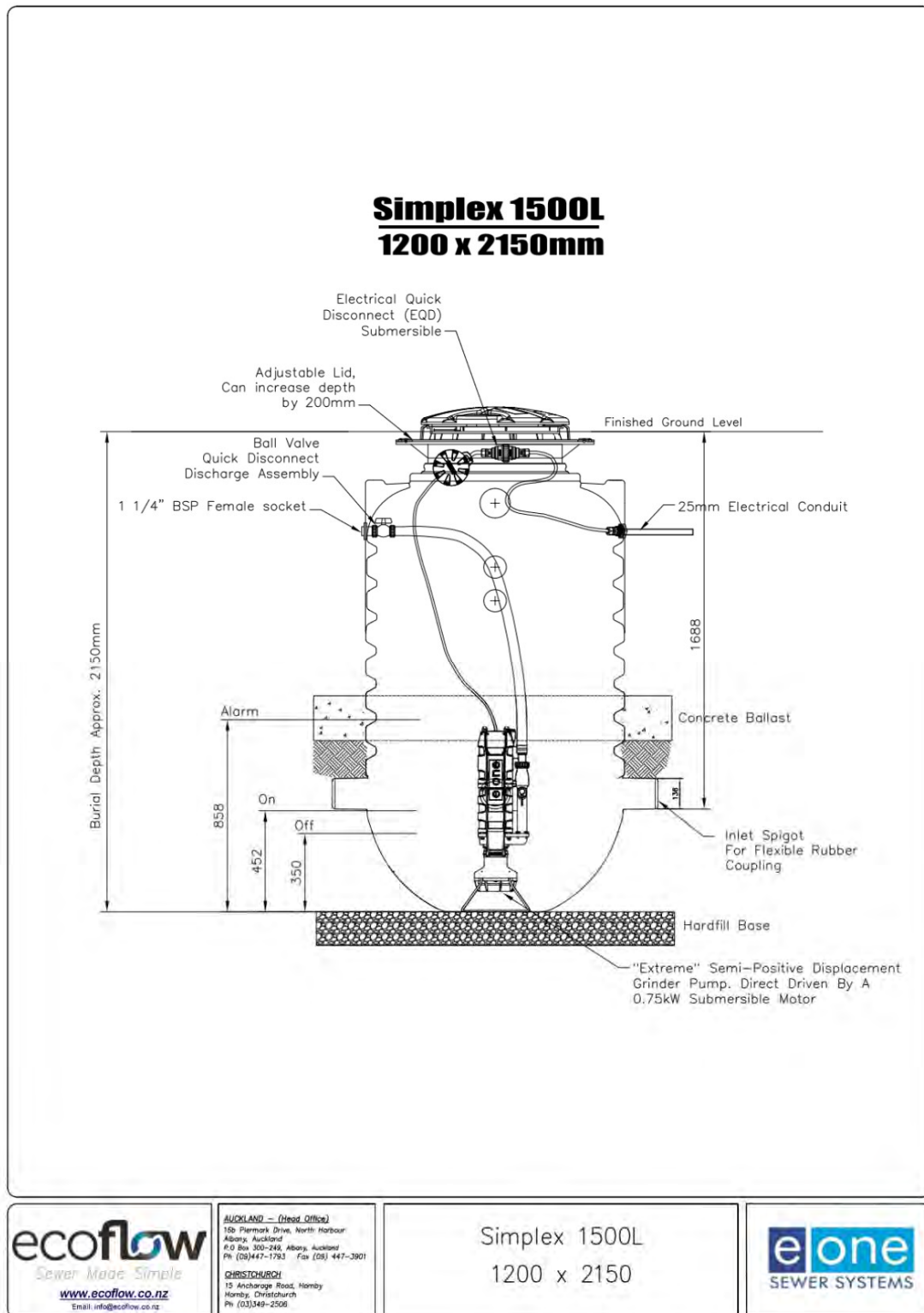
Basic data / project data

Customer	Graf Plastics Australia PTY Limited	Date	23.04.2019
Project	Te Puna	Editor	MUS
Type of waste water:	domestic		
Particularities			

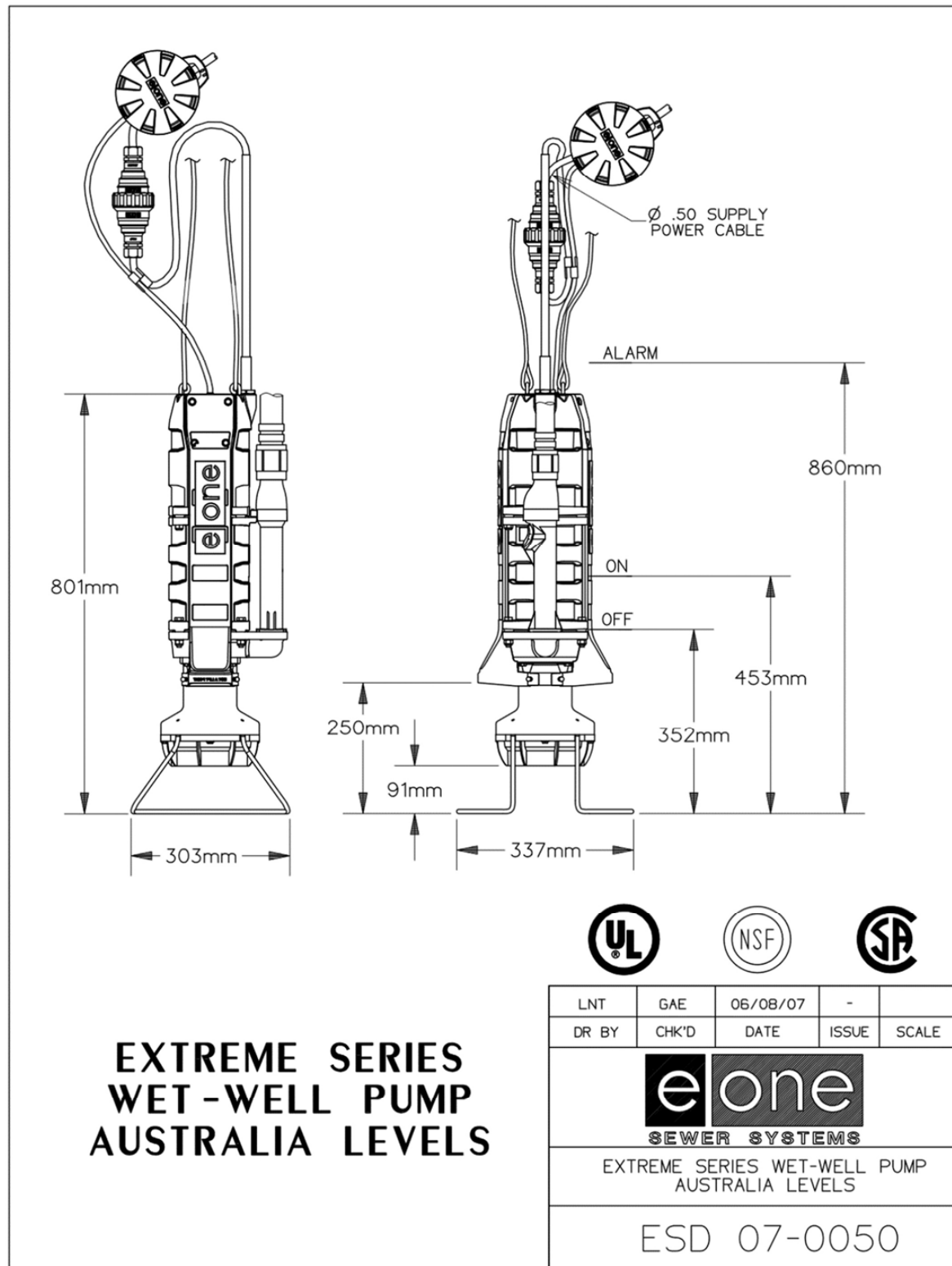
2. Stage: biological treatment (SBR)

Type of container		Rectangular	
Number of containers / proportion of chambers		400%	
Width		3,70	m
Length		6,70	m
Water depth		Wd max =	2,90 m
Total area		99,16	m ²
Required volume		54 kg/d / 0,2 kg/(d*kl) =	270,00 kl
Required water depth			2,72 m
Volume load BOD ₅	B ₅	54 kg/d / 287,56 kl =	0,19 kg / (kl * d)
BOD Sludge loading	B ₅	≤	0,05 kg/(kg * d)
Sludge index	ISV		100,00 ml/g
Total solids	TS _{kl}	≤	4,00 kg/kl
Oxygen concentration	C _{kl}	≥	2,00 mg/l
Selected water depth Before loading phase		Wd max - 33% x 126,56 kl/d =	2,47 m
Water depth After loading phase		Wd min + 25% x 126,56 kl/d =	2,79 m
Existing total volume			287,56 kl

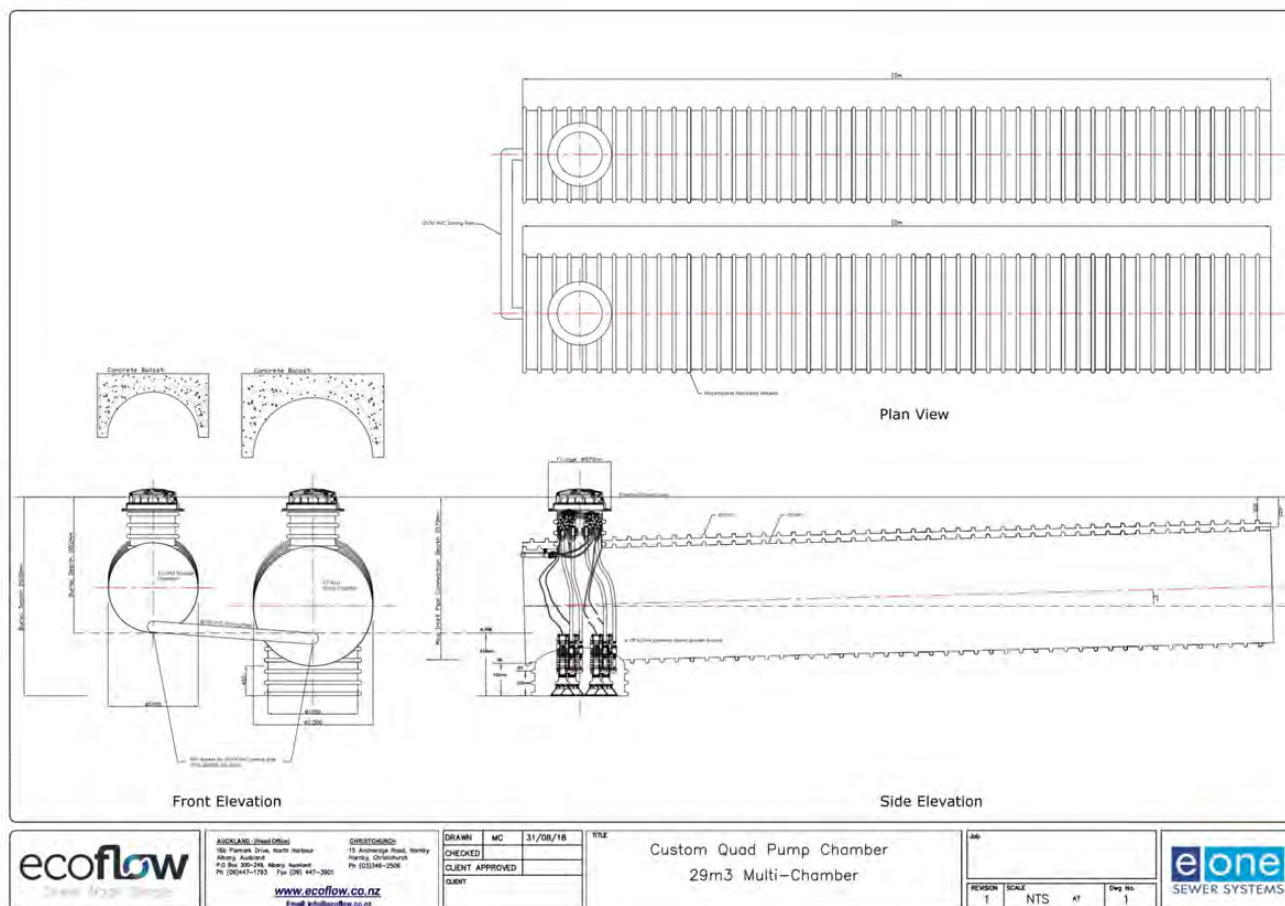
Simplex 1500L



EOne Pump



Custom Quad Pump Chamber





Product: Sewage treatment plant

Type : Oxyfix®
 Model : C-90 WW 200 PE - 30 m³/d
 Process : SAFF (Submerged Aerated Fixed Film)

PERFORMANCE

Assumed Influent Values

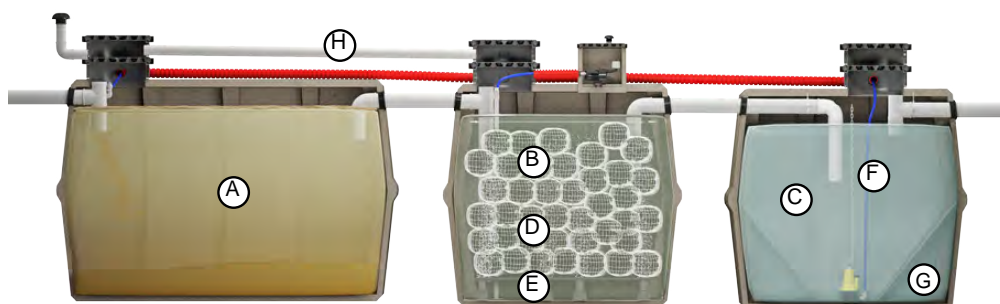
Pollutant load BOD ₅ :	12	kgO ₂ /day
Pollutant load COD :	27	kgO ₂ /day
Pollutant load TSS :	18	kg/day
Hydraulic load :	30	m³/day

Purification performance

BOD ₅ :	20	mg O ₂ /liter
COD* :	90	mg O ₂ /liter
TSS :	30	mg/liter

*if the relation COD/BOD5 is < 2,2

FEATURES



ELECTROMECHANICAL COMPONENTS

Blower

Quantity :	2	pc(s)
Type :	side channel air blower	
Installed power :	3.30	kW
Power consumption :	2.19	kW
SPL (Sound Performance Lab) :	67	dB (A)
On / Off :	46/14	
Voltage :	1x230/3x230/3x400	V

Air Diffusers

Quantity :	36
Type :	fine bubbles

Sludge recirculation

Type :	Submerged pump	
Quantity :	1	pc(s)
Installed power :	0.60	kW
Power consumption :	0.60	kW
On/Off :	21/39	

Control panel

Type :	inside - wall mount
Quantity :	1

Legend

A	Primary settling compartment
B	Biological reactor
C	Secondary settling compartment
D	Bacterial support
E	Diffusers
F	Sludge recirculation
G	Settling cone
H	Ventilation

Eloy Water sa

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info@eloywater.com
 www.eloywater.com

DIMENSIONS | VOLUMES | WEIGHTS

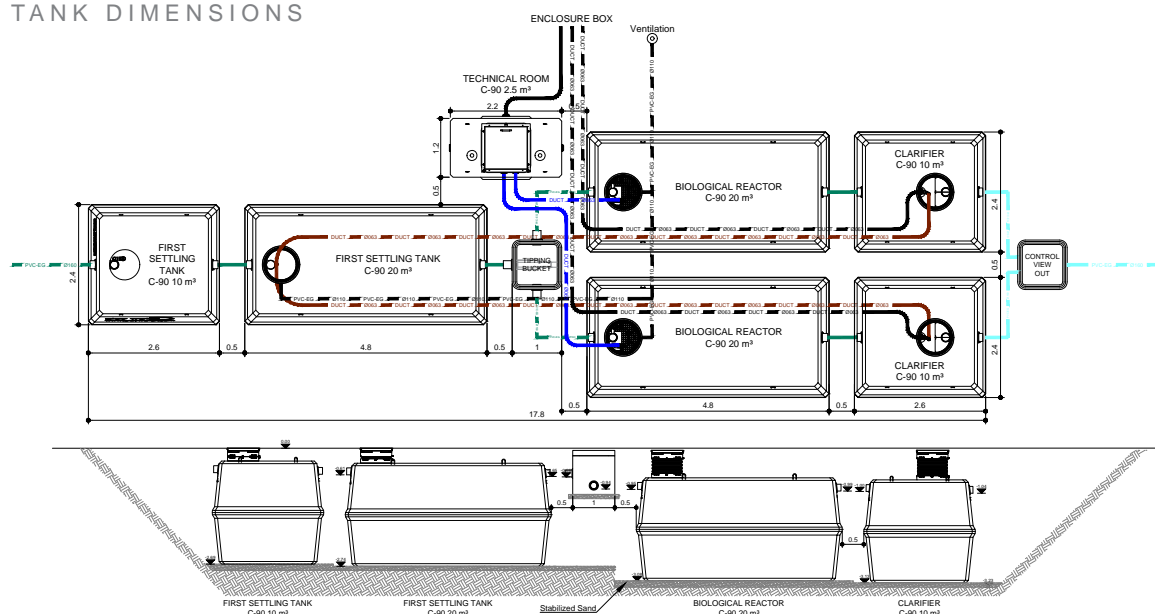
Mesures	Unit	Decanter	Decanter	Control view out	Reactor	Clarifier	Technical room
Quantity :		1	1	1	2	2	1
Total height* :	(cm)	240	240	87	240	240	187
Entry height* :	(cm)	213	213	-	213	213	125
Exit height* :	(cm)	209	209	-	209	209	123
Length :	(cm)	260	480	90	480	260	221
Width :	(cm)	238	238	90	238	238	125
Total volume :	(m³)	10	20	-	20	10	2.5
Useful volume :	(m³)	9.83	18.16	0.24	18.16	9.19	-
Weight :	(T)	5.82	9.5	0.60	10.35	5.82	2.9
Quantity of pumps :	(pce)	-	-	-	-	1	0
Manhole(s) :	(cm)	1xø60	1xø60	80x80	1xø60	1xø60	80x80
Ø In / Out :	(mm)	160/160	160/160	160/2x160	160/160	160/160	110/110

* tolerance de ± 2 cm

Material

Tank(s) : High performance steel reinforced concrete
 Biocarrier : Polypropylene
 Air feed pipes : PVC and air diffuser EPDM

TANK DIMENSIONS



OPERATION

Useful volumes/surfaces

Primary settling compartment :	27	m³
Biological reactor :	18.06	m³
Clarifier :	9.40	m²

Operation

Sampling chamber :	integrated
Fréquence vidange à 70% :	every 7 months
Approximate energy consumption :	1,870 kW (three-phase)
Seasonal energy balance* :	6,814 kW (three-phase)
Maintenance frequency :	annually

Consumables

Blower filter :	annually
Blower membranes :	-
Air diffusers :	every 8 years

OPTIONS

Wall support for blower :	yes
Chambre brisejet avec trappe :	no
PE/concrete tank cover riser :	6 pcs
PE/steel tank cover :	6 pcs
Alarm transmission by SMS :	yes
Outside electrical cabinet :	yes
Sampling chamber :	yes

GUARANTEES

Electromechanical kit :	1 year
Tank(s) :	10 years
Resistance :	B125

*Opening during 6 months, among which 3 months with 50% of load.

Eloy Water reserves the right to modify, or more generally, to update this document at any time without prior notice.

Sheet version : 20170725
Product version :



B

Te Puna Village Commercial Area Community Engagement

Attachment A:

Te Puna Village Commercial Area

Summary of Community Engagement Outcomes

Q1: How do you use or value the Te Puna Village commercial area?

Key themes:

High utilisation by local community, especially Nourish, ITM, BP, Farmlands, Waterforce, Four Square, Te Puna Deli, Bostock Butchery, Te Puna Vets, Te Puna Liquor Centre.

Value this area providing local services to local community, and not having to drive into Bethlehem and Tauranga for these services due to traffic and convenience.

Mostly consider that the area provides for locals but also recognise some services such as Nourish and retail shops have become a destination (for city folk in particular).

Provides a hub for the community, ability to connect, convenience of local services but also recognise Bethlehem is not far away for things like supermarket and more retail, food outlets.

Q2: What characteristics do you think are important to retain and why?

Key themes:

Village feel important and needs to be retained (and incorporated more into the whole area and new developments). Many referenced Matakana Village (north of Auckland) as an example of what could be achieved. Concern that 'big industry' or large scale development would not be a good fit and would lose community, rural, small scale and village feel in the area.

Easy and accessible and free carparking.

New community centre will be great for this area and contribute to community hub and village atmosphere.

Ensure Te Puna Community Plan is a key consideration of options for commercial zoning alterations, in particular reflecting our identity and maximising opportunities from the Tauranga Northern Link.

Retain what we have but improve standard and appearance of buildings and surrounds. Make what we have attractive!

Compact nature of existing commercial area needs to be retained.

Retain green wedge and rural character of the area.

Retain opportunity to be a service hub to surrounding community and meeting place for locals.

Q3: What do you see are the key issues with the site now and in the future?**Key themes:**Look and feel:

The commercial area needs to be tidied up. General look and vibe of village is not very inviting due to random mix of retailers, building design, rubbish everywhere, and lack of landscaping.

The commercial area is too separated and disjointed with ad hoc development undertaken to date. The whole area lacks cohesiveness and needs a better layout.

Te Puna Station Rd needs tidying up and sediment control of all activity needs attention.

Growth:

Limitations to growth as not much commercial land is available to do this and issues with consents and wastewater. Demand is there to expand existing services and provide new services primarily to the local community.

New businesses should be focused on providing services to the local community.

Differing views as to whether the area needs to grow – Most are concerned that if it does grow it will lose its village appeal and impact on rural character. Some feel that there is demand for further commercial activities in this area and that this should occur within and adjacent to the existing zone (with better controls in place to manage how this occurs).

No overall plan in place for the commercial area. Council needs to stop looking over Te Puna and start planning better for our community.

Council needs to be more open about home based businesses and their role in providing for the local community including rural businesses.

Wastewater:

Non performance of existing systems, high cost involved with onsite treatment and removal, limited land area available to deal with wastewater on site so no longer practical, impact on environment, limiting ability to grow and provide further services to the local community. Councils not working together to look at how this issue can be resolved.

Transport:

Cars need to slow down and speed limit needs to be reduced on all roads in this area especially the State Highway, conflict between cars and trucks on the local roads, issues with access and egress points on Minden Road and internal access roads, need bus shelter, better bus services needed, consider park and ride. Significant increase in traffic creating issues on SH2 and local roads.

Tauranga Northern Link will have an impact. Various thoughts on this, some see it as an opportunity to reduce traffic on SH2 and make the area more appealing and easier and safer to get around. Concern about how the lower area of the Minden will be affected.

Needs to be more pedestrian friendly. SH2 is too busy and there is no safe pedestrian connectivity between the four corners, both on the SH and on the local roads.

Impact on surrounding areas:

The local streams of Oturu, Hakao: how will they be affected and what is considered in planning to enhance natural character.

Hard surface areas and run off from the commercial zone to adjacent streams. Design to ensure there are no unnecessary issues in the future as the existing zoned area continues to be developed.

Impact of lighting, signage, parking on surrounding properties and encroachment of commercial activity into the broader community. Avoid potential for reverse sensitivity particularly with horticulture/rural operations.

Q4: What do you see are the key opportunities with the site now and in the future?**Key themes:**Types of activities in the commercial zone:

Retail shops and more cafes to create community hub vibe.

Family friendly restaurant, compliment existing cafes, provide an evening venue.

Fast food options (small scale).

More convenience type providers would add to the area and help create a village atmosphere i.e. General Store, Medical Centre (pharmacy, doctors, dentist, physio), speciality shops.

Te Puna Markets to support local growers and local small businesses.

Horticulture support hub. Packing sheds, transport vehicles, logistic centres, and support for Kiwifruit and Avocado industry.

Community Centre:

A Community Centre that the community is proud of.

Community events and activities at the new hall.

Potential to consider a visitor/information centre as part of this development.

The hall must have good amenity.

Is the new community hall an opportunity to take a look at a more coordinated approach to addressing wastewater issues?

Pedestrian connectivity:

Better pedestrian connectivity between all four corners of the commercial area and then extending up Te Puna Road and Minden Road. Sealed footpaths.

Complete Te Puna Road footpath to the commercial zone.

Design:

More control over the design and layout of developments, including landscaping requirements (see amenity comments below). This area is a gateway to Tauranga and needs to be attractive and inviting. Opportunity to reflect Te Puna's history through design standards.

Further expand and create village theme. Opportunity to become the Matakana of Tauranga.

Identify opportunities to provide cultural, art and history in new development (eg hall, roundabout) and existing places.

Wastewater:

Develop a community sewer treatment facility. That would be better for the environment and enable efficient use of the zoned land.

Public spaces and amenity:

Provision of a playground and public open greenspace. Could use this area for markets and community events and would add vibrancy to the area.

More beautification, planting and gardens to reflect character of Te Puna rural, heritage and culture.

Transport:

Lowering the speed limit.

Develop park and ride facilities. More carparking if more development.

Improved bus services.

Tauranga Northern Link creates an opportunity to become a destination – need attractive and inviting spaces and places, and the right mix of activities that could achieve this. Maximise opportunities from this development for the commercial area.

Bigger picture considerations:

Develop a long term comprehensive and connected plan for the commercial area.

A well planned structure plan is needed.

Incorporate age-in-place affordable housing alongside places for those in need of a transitional home around the commercial zone to give stability, vitality and social dynamics to the area. Develop as a Special Housing Area. Benefit from easy access to community and commercial services. Need this type of lateral thinking.

Need to focus on more than just the commercial zone – time to have a conversation on the relevance of the current rural zones to the community (relevant to Future Development Strategy discussion as well).

Create local employment opportunities.

Greater opportunities for collaboration by Council – work with Pirirakau, the local community and businesses.



C

Te Puna Village Commercial Area Issues and Options

Attachment B:

Te Puna Village Commercial Area

Issues and Options

Scope

The focus is on the commercially zoned land at the intersection of SH2, Te Puna Road and Minden Road. This area is commonly known as Te Puna Village.

The commercial zone is approximately 5.5 hectares in size.

For the majority of the commercial area the adjacent District Plan zone is rural, with the exception of the Post Harvest zone on the corner of Te Puna Road and Armstrong Road.



Issues and Options

Based on the community engagement outcomes, five key issues have been identified:

1. Wastewater
2. Transport
3. Commercial zone
4. Amenity
5. Bigger picture

For each issue, a summary of the community feedback, a brief explanation of the current situation and high-level options for discussion are provided. Further detail on the options will be provided as a next step depending on the direction given, as for some options it is likely that a more comprehensive analysis will be required to inform future decision-making.

Key considerations are outlined after the issues and options section of this attachment.

Issue 1: Wastewater

Community feedback summary

Recognise the non-performance of existing wastewater systems and impact on the environment, high cost of onsite treatment and removal, limited land area available to deal with wastewater on site, and the limitations this all has on the ability to grow business in this area, despite there being demand to do so.

An option identified in the feedback was to develop a community waste water treatment facility. This would be better for the environment and enable efficient use of the zoned land.

Current situation

Te Puna Village commercial zone is not currently serviced by Council's wastewater infrastructure. Council has stated that no reticulation will be provided to this site. It is not currently identified as an urban growth area and is not within a BOPRC maintenance zone. Therefore, landowners need to manage their wastewater in accordance with the BOPRC Onsite Effluent Treatment Plan (OSET).

Within the Te Puna Village a number of wastewater issues have been identified due to failing systems and resultant issue of wastewater not being treated to the required standard and or properties experiencing wastewater overflow. Generally commercial development is not compatible with onsite wastewater disposal, as it needs approximately one third of the site to be set aside for a disposal area, especially with businesses that have high water usage that requires discharge into wastewater systems.

Options for discussion and consideration

Option		Pros	Cons
1A	<p><u>Status quo</u></p> <p>BOPRC to continue with undertaking an on site effluent compliance programme through working with consent holders.</p> <p>Council to ensure all consents in or adjacent to the commercial zone are provided to BOPRC to assess compliance with the OSET Plan and ensure the rules are adhered to.</p>	The wastewater issues are current and need to be resolved in the short term to prevent any potential environmental impact.	Impact on business operations in the area.
1B	<p><u>Investigation into issues/options for a community wastewater scheme for the Te Puna commercial zone</u></p> <p>Work with BOPRC and business/landowners to explore options for a community wastewater scheme including system and land requirements, costing, and funding options.</p>	Potential to provide a long term solution to the wastewater issue.	Likely to require significant investment from the businesses.
1C	<p><u>Investigation into issues/options for connecting the Te Puna commercial zone to the Omokoroa wastewater pipeline</u></p> <p>Analysis and monitoring of Te Puna West and Omokoroa to understand capacity is underway which will provide a basis for a discussion on where any additional capacity could be provided and how.</p>	Potential to provide a long term solution to the wastewater issue, and contribute to costs of pipeline.	<p>Impact on capacity to provide for Omokoroa development.</p> <p>Precedence likely to trigger further requests in Te Puna to connect to reticulated system.</p> <p>Impact on TCC/WBOPDC</p>

Option		Pros	Cons
			contractual arrangements.
1D	<u>Investigate options for strengthening District Plan rules</u> Explore options for how District Plan rules may better manage wastewater in this commercial zone in the future.	Could have more specific requirements for different types of retail activity (if they generate more wastewater).	The wastewater issues are current and need to be resolved in the short term to prevent any potential environmental impact.

Relevant to all options is that if a decision is made through the Future Development Strategy to explore Te Puna urbanisation, then wastewater infrastructure capacity will need to be considered over the next three years. However this is likely to be a long term option (20+ years) and will not solve existing problems.

Issue 2: Transport

Community feedback summary

There are issues with speed limits on SH2, access/egress from the commercial area onto Minden Road, and conflict between vehicles and trucks on Te Puna Road.

Need improved pedestrian connectivity between and within all four corners of the commercial area and then extending up Te Puna Road and Minden Road. This is not safe and does not encourage walking and cycling activity.

Need bus shelters.

Need park and ride facilities.

Tauranga Northern Link should have a positive impact in terms of reducing traffic volumes and providing a safer pedestrian environment. Some concerns about lack of profile and loss of business.

Current situation

A speed limit review of SH2 between Katikati and Bethlehem is intended to be undertaken by NZTA in 2019. This will look at the potential lowering of the speed limit through Te Puna. The Tauranga Northern Link construction timeframes have yet to be confirmed.

The existing gravel walkway from Armstrong Road to the commercial area will be replaced with a concrete path in 2019/20 to connect to the concrete path that extends east of Armstrong Road along Te Puna Road. This is currently being costed by transport staff. There are no current plans by NZTA to improve pedestrian connectivity across SH2 or provide bus shelters or park and ride facilities.

The Omokoroa to Tauranga cycleway will go along Borell Road (from Snodgrass Road), connect into Te Puna Road and then head along Lochhead Road. Along with recreational and

tourism opportunities this cycleway will provide an alternative, safer transport route to SH2. The Te Puna Village could become a popular destination and stop off point for users of the new cycleway.

Options for discussion

Council could choose one or more options.

Option		Pros	Cons
2A	<u>Status Quo</u> No change.		Does not respond to a key issue raised by the Te Puna community.
2B	<u>NZTA/BOPRC discussions regarding pedestrian access within and around the commercial zone.</u> Discuss with NZTA/BOPRC options for improving pedestrian access across SH2, bus routes, and park and ride facilities. Determine viability of improvements how this relates to decisions on the Tauranga Northern Link timing.	Community plan supports improved and safe pedestrian connectivity across SH2 and across local roads (council). District Plan Lifestyle zone - consideration will be given to vehicle, walking and cycling connectivity between the Minden and the Te Puna peninsula to retain the integrated character of the community. Could be part of a package of improvements considered as part of Tauranga Northern Link project.	Tauranga Northern Link timeframes not determined which may result in any potential improvements being delayed.
2C	<u>Council prioritisation of wider walkway development in Te Puna</u> Include consideration of further development of walkways on Te Puna Road and Minden Road to connect people to the commercial area. Te Puna Road is in the prioritisation of the annual work programme for 2019/2020. Minden Road is not in the programme.	Community plan supports improved and safe pedestrian connectivity across SH2 and across local roads (council). Lifestyle zone - consideration will be given to vehicle, walking and cycling connectivity between the Minden and the Te Puna peninsula to retain the integrated character of the community.	Will need to be assessed against other work programme commitments.

Issue 3: Commercial ZoneCommunity feedback summary

High utilisation by local community, especially Nourish, ITM, BP, Farmlands, Waterforce, Four Square, Te Puna Deli, Bostock Butchery, Te Puna Vets, Te Puna Liquor Centre.

Value this area providing local services to local community, and not having to drive into Bethlehem and Tauranga for these services due to traffic and convenience.

Village feel is important and needs to be retained (and incorporated more into the whole area and new developments). Many referenced Matakana Village (north of Auckland) as an example of what could be achieved. Concern that 'big industry' or large scale development would not be a good fit and would lose community, rural, small scale and village feel in the area.

Limitations to growth as not much commercial land is available to do this and issues with consents and wastewater (from a local business). Demand is there to expand existing services and provide new services primarily to the local community. Need to deal with existing issues first.

New businesses should be focused on providing services to the local community.

Differing views as to whether the area needs to grow – Most are concerned that if it does grow it will lose its village appeal and impact on rural character. Some feel that there is demand for further commercial activities in this area and that this should occur within and adjacent to the existing zone (with better controls in place to manage how this occurs). Industrial to go to Te Puna Station Road.

Retail shops and more cafes to create community hub vibe.

Family friendly restaurant, compliment existing cafes, provide an evening venue.

More convenience type providers would add to the area and help create more of a village atmosphere i.e. General Store, Medical Centre (pharmacy, doctors, dentist, physio), speciality shops

Te Puna Markets to support local growers and local small businesses.

Need to ensure sufficient carparking if it does expand.

New community centre will be great for this area and contribute to community hub and village atmosphere.

Ensure Te Puna Community Plan is a key consideration of options for commercial zoning alterations, in particular reflecting our identity and maximising opportunities from the Tauranga Northern Link.

Manage impacts of commercial (and Post Harvest Zone) activities on surrounding areas e.g., light building design, environmental impacts, amenity, traffic etc.

Current situation

Plans to extend commercial zone and provide for light industrial activity on the north eastern side of Te Puna Road. The landowner has indicated they want to work together to look at

how wider objectives could be achieved through this development (but recognise extent of compromise or trade off in this).

Plans to redevelop the ITM site once they vacate the premises (as the lease has expired).

Potential to extend the commercial zone on Minden Road (southern side) to complete the block to the edge of bank. Part of this is currently zoned rural.

Other than that, we are not aware of any other proposals to extend the commercial zone.

Options for discussion

The ability to commence these options is largely dependent on the outcome of Issue 1: Wastewater. Council could choose one or more options.

Option		Pros	Cons
3A	<p><u>Status quo</u></p> <p>No further work done to explore options for the potential extension of the commercial zone at Te Puna Village.</p>	<p>Concentres activity within existing commercial zone.</p>	<p>Landowner/developers wanting to expand their activities.</p>
3B	<p><u>Explore options for the potential extension of commercial zone on the Te Puna Road northern side.</u></p> <p>Look at options for achieving wider objectives for the site (identified by the community through this process). Consider adjacent landowner issues with any potential expansion. Consider the type of activities that might be accommodated in an expansion. Consider outcome of Issue 4. Previous plans have indicated the need for light industrial as well as commercial.</p>	<p>May help achieve wider objectives for the site, including better layout and landscaping.</p> <p>Assists landowner/developer to realise their objectives and investment.</p> <p>Potential to provide local employment opportunities and more local services to the local community.</p>	<p>Impacts on adjacent landowners and rural character.</p>
3C	<p><u>Explore options for the potential extension of commercial zone on the Minden Road southern side (and to follow property boundaries).</u></p> <p>Look at options for achieving wider objectives for the site (identified by the community through this process).</p>	<p>May help achieve wider objectives for the site.</p> <p>Assists landowner/developer to realise their objectives and investment.</p>	<p>Impacts on adjacent landowners and rural character.</p>

Option		Pros	Cons
	Consider adjacent landowner issues with any potential expansion. Consider the type of activities that might be accommodated in an expansion. Consider outcome of Issue 4.	Potential to provide local employment opportunities and more local services to the local community.	

Issue 4: Amenity

Community feedback summary

The commercial area needs to be tidied up. General look and vibe of village is not very inviting due to random mix of retailers, building design, rubbish everywhere, and lack of landscaping.

More control over the design and layout of developments, including landscaping. This area is a gateway to Tauranga and Te Puna and needs to be attractive and inviting. Opportunity to reflect Te Puna's history and rural character through design standards.

Further expand and create village theme. Opportunity to become the Matakana of Tauranga.

Identify opportunities to provide cultural, art and history in the area.

Provision of a playground and public open greenspace. Could use this area for markets and community events and would add vibrancy to the area.

Current situation

Only design and landscaping or amenity controls are through District Plan objectives, policies and rules.

Opportunity for new hall landscaping to add amenity and incorporate identity elements.

The closest playground is at Te Puna School.

Options for discussion

Council could choose one or more options.

Option		Pros	Cons
4A	<u>Status quo</u> No change to current approach. Not a funding or resourcing priority for Council at this time.		Does not respond to a key issue raised by the Te Puna community.
4B	<u>Public open space</u> Location options include to provide as part of hall development or work with landowners to tidy up vacant	Meets local/visitors needs if integrated with retail/café activities	Cost to establish and to maintain

Option		Pros	Cons
	space or consider use of rural land or consider in any expansion/development. Consider playground if safe and appropriate location for this.		
4C	<p><u>Facilitate community project to incorporate/promote village theme and art, heritage, cultural features into commercial zone</u></p> <p>Work with the community and landowners/businesses to come up with a plan for how this can be realised including consideration of design elements and landscaping, and explore options for funding implementation of this.</p>	Aligns with community plan and community feedback through this process.	Costs of process and implementation.
4D	<p><u>Investigate options for strengthening District Plan rules</u></p> <p>Look at how design/landscaping objectives/policies/rules can be strengthened to achieve improved outcomes for commercial zones such as Te Puna.</p>	Aligns with community plan and community feedback through this process.	Only applies to new activities – cannot be retrospective to existing activities

Issue 5: Bigger pictureCommunity feedback summary

Te Puna Community Plan focus on green wedge and protecting rural character. Pirirakau do not want more residential development in Te Puna.

Comprehensive approach through tools such as a structure plan. The commercial area is too separated and disjointed with ad hoc development undertaken to date. The whole area lacks cohesiveness and needs a better layout.

Consider opportunity to provide housing and social services around the commercial zone – think outside the square.

Current situation

District Plan objectives/policies/rules aim to protect productive land and rural amenity.

The Draft Future Development Strategy raises the question as to whether Te Puna should be considered for urban development in the long term (20-30 years). If the conclusion was to consider such action, then detailed studies would be undertaken over the next three years to see if it would be feasible to urbanise the area, and how it might be achieved. Consideration of any further housing activity in Te Puna (including a potential Special Housing Area around the commercial zone) needs to be a part of the Future Development Strategy process.

No structure plan in place for the Te Puna commercial area.

Options for discussion

Council could choose one or more options.

Option		Pros	Cons
5A	<u>Status quo</u> No action taken to specifically respond to these issues.		Does not respond to a key issue raised by the Te Puna community.
5B	<u>Structure Plan</u> Develop a structure plan for the Te Puna commercial zone (and potential adjacent land to consider future development). Consider how all key issues raised in this paper could be responded to through the structure plan process. Community engagement essential part of the process.	Provides a comprehensive approach to future development of the Te Puna commercial zone.	Significant resource required to undertake this process. This is not currently prioritised in Councils work programme. Question how much of the current situation can be changed/improved.

Key Considerations

Te Puna Community Plan

The Te Puna Community Plan was developed in 2017, updating the previous 2007 version. The Plan provides an insight into community aspirations for Te Puna and how these might be achieved. The Plan recognises that our commercial areas are extremely important for our resilience (food, services, and resources) but considers that commercial/retail activity should be limited:

- Te Puna is to be kept an essentially rural area by limiting industrial and commercial areas to current locations and focusing on local services.
- This involves recognising the existing commercial activity at Te Puna Village and Clarke Road and consolidating any future development at these locations to serve the local catchment.

It is recognised that Te Puna residents earn their living in a variety of ways, both within and outside of the area, and that there is room alongside farming and horticulture for commercial, retail and home-based businesses:

- Retain and monitor current District Plan controls on home-based businesses.
- Conduct a survey to accurately measure the scale and type of business enterprises in Te Puna.
- The Plan tests the concept and framework for identifying, maintaining and protecting the areas 'rural character' from a community perspective. Bethlehem is recognised as a larger commercial area (with a supermarket) that also plays an important role to the people and businesses of Te Puna.

The Plan outlines future opportunities for commercial activities in the area:

- Maximising opportunities from the Tauranga Northern Link to achieve the best outcomes for local businesses: support and encourage participation in consultation processes with transport agencies to achieve good outcomes for connections and amenity values.
- Preservation and interpretation of landmarks and places of significance, both ancient and modern, will help people recognise and identify Te Puna.

Relevant Council direction to date

In 2015 the Policy and Strategy Committee declined to proceed with a proposed plan change for Te Puna that would increase the commercial zone and include a light industrial zone on the Rex McIntyre land (behind the BP and Four Square).

In 2015 Zariba Holdings made a submission to the 2015-25 Long Term Plan requesting to work with Council to investigate the opportunity to connect the growing Te Puna commercial area and adjacent post-harvest zone to the wastewater pipeline. Zariba noted that the current situation is unsustainable and is restricting economic development. Council's response was that the Tauranga City Council (TCC) agreement for the pipeline was amended to only allow properties to connect to the scheme that are within the Te Puna residential zone and cannot comply with the BOPRC Onsite Effluent Treatment Plan. The Te Puna commercial zone did not meet these requirements (at the time) and therefore cannot connect.

In 2018 further correspondence with developers discussed issues with effluent soakage and the potential this could have on halting further development. The issues are difficult to resolve

as there is little room to provide a land treatment area. Council response was that Council's position has not changed and opportunity to reticulate and connect to Omokoroa pipeline is not an option in short to medium term due to capacity issues (and capacity to be picked up in Omokoroa as an urban growth area). Council suggested consideration of a community scheme with all commercial property owners contributing.

In 2018 a further proposal to extend the commercial zoning was presented to a Policy Committee workshop on 10 April 2018. The landowner was proposing to do this via a Private Plan Change. Council asked staff to produce a paper that discussed the options for the planning for the future of the village, the land around the SH2/Te Puna Road/Minden Road intersection. The outcome was direction to undertake a community engagement exercise with the Te Puna community to understand their expectations for the future of the commercial zone, and appetite for expansion.

Te Puna growth

The Draft Future Development Strategy raises the question as to whether Te Puna should be considered for urban development in the long term (20-30 years). If the conclusion was to consider such action, then detailed studies would be undertaken over the next three years to see if it would be feasible to urbanise the area, and how it might be achieved.

In 2013, the population of Te Puna (Te Puna and Minden Area Units) was 6,834 and projected to be 7,385 in 2018. This is estimated to increase to 8,093 by 2028 (an additional 708 people over the next ten years) with no further growth projected. This equates to 2,954 dwelling units in 2018 and 3,354 dwelling units by 2028.

The Minden Lifestyle zone (operative in 2012) provides opportunities for lifestyle living close to the City of Tauranga with good views over the Harbour and wider Bay of Plenty. This is envisaged as being a lifestyle location with 1730ha that will be developed over a period of up to 40 years. This growth is factored into the above projections.

Commercial zone

The commercial zone for Te Puna was inserted into the District Plan many years ago in recognition of the activities that existed or were planned at that time. The aim of commercial zones throughout the District is to provide a vibrant commercial environment that encourages social and cultural interaction in our communities. The rules are fairly permissive in that retail is retail so there is no consideration of the implications of different types of commercial activity (e.g. book shop vs a butcher).

For an area like Te Puna, there is no set formula used to determine how much commercial land is needed. It is a given that a community of this size should have access to a commercial centre to service the immediate catchment but how big that is and the types of services it provides is largely driven by land use zones, infrastructure capacity and the market response to community demand.

The current mix of services provided by approximately 30 businesses operating within the commercial zone can be categorised as follows:

Type	Businesses
Cafes and bars	Nourish, Te Puna Tavern and Minden Restaurant, Top Shot Bar
Retail food/liquor outlets	Te Puna Four Square, Te Puna Deli, Naked Meats Butchery, Te Puna Liquor Centre, Minden Munchies Lunch bar
Accommodation	Minden Backpackers, Accommodation Te Puna
Service providers	Farmlands, Waterforce, Te Puna Vets, BP Connnect, Te Puna Motors
Education	Above and Beyond, Te Puna Kindergarten
Building construction companies	Federation Homes, Supermac Group (portable buildings, industrial construction and equipment hire), Skyline Buildings, Canam Construction, Advanced Housing Systems, ITM.
Real estate	Ray White, Professionals.
Retail (clothes and homeware)	Heaven and Home, Dorje Boutique
Design	Quarry Commons (co-working space and design)

Bethlehem Town Centre is approximately 4.5km from Te Puna Village, a 5-minute car journey depending on traffic. Bethlehem provides a larger commercial area and includes a supermarket, retail clothes and homeware, fast food, restaurants, cafes, and Kmart.

Clark Road Village (zoned rural) is 1km away and has a café, accountancy, gallery and homeware, dog day-care and grooming.

Wastewater

Te Puna Village commercial zone is not currently serviced by Council's wastewater infrastructure. Council has indicated that no reticulation will be provided to this site. It is not currently identified as an urban growth area and is not within a BOPRC maintenance zone. Therefore, landowners need to manage their wastewater in accordance with the BOPRC Onsite Effluent Treatment Plan, or store wastewater for frequent collection by a contractor. On-site effluent treatment systems include septic tanks and associated soakage fields and advanced aerobic systems.

Within the Te Puna Village a number of wastewater issues have been identified due to failing systems and resultant issue of wastewater not being treated to the required standard and or properties experiencing wastewater overflow. BOPRC is aware of these issues and is currently undertaking an on-site effluent compliance programme through working with consent holders directly to ensure compliance.

Any future development in the Te Puna Village needs to carefully consider requirements around on-site wastewater. Generally commercial development is not compatible with onsite wastewater disposal, as it needs approximately one third of the site to be set aside for a disposal area, especially with businesses that have high water usage that requires discharge into wastewater systems. Many commercial wastes need special treatment which can be expensive and the treatment systems require regular servicing.

Council has an agreement with TCC to take the wastewater from Omokoroa only and treat it at their wastewater treatment plant on Chapel Street. This agreement has been amended to allow the connection of properties in Te Puna West. However, this amendment only allows properties to connect to the scheme that:

- Are within the Te Puna West residential zone (in the current District Plan); and
- Cannot comply with the BOPRC OSET Plan.

Council has advised commercial landowners that have requested for this connection to occur, that the designed capacity of this pipeline precludes addition of other areas connecting to the pipeline as the focus is on servicing Omokoroa in the first instance as one of Council's four urban growth areas. The design of the wastewater system for Te Puna West, being a sealed system, meant that very little additional pipeline capacity was required to service this residential catchment. If the monitoring undertaken at Te Puna West shows that a similar system could be utilised for Omokoroa and this could result in capacity in the pipeline, the likely option is for Council to seek greater development density in Omokoroa, rather than connect additional developments.

Transportation

NZTA recently completed the Te Puna/Minden Road intersection upgrade with development of the roundabout. The intent of this was to improve safety at a high risk and increasingly busy intersection, and accommodate future traffic demands as the population grows. The project included purchase of Council land and removal of the hall, as well as purchase of part of the McIntyre land for an access road and now for the future location of the hall. A pedestrian access point was provided near where two bus stops are located (in front of the motel). A small park and ride facility (6-8 carparks) has been allowed for but this is not a formalised space for this purpose.

The roundabout was built to deal with a potential expansion of the commercial zone as well as further intensification of the DMS Post Harvest zone. However, this was done at a time when it was assumed that the Tauranga Northern Link would be commencing construction now which isn't the case.

SH2 in Te Puna has an estimated 20,000 – 22,000 vehicles per day travelling through this area, an increase of 3,000 vehicles per day since 2015. NZTA recently announced that they have confirmed the need for the Tauranga Northern Link and that this will be a two-lane route, one in each direction between Te Puna and Tauranga based on current alignment. Options for additional lanes on SH2 could include a range of uses such as public transport. NZTA will work with Councils to discuss the broader network approach in the context of government focus on safety and mode neutrality. These discussions will need to take into account landuse pattern (current and future) and the role and function of Council's local road network. The construction timing and form of this route is dependent on growth and funding priorities across New Zealand so no timeframes are confirmed at this stage.

SH2 safety improvements between Omokoroa and Te Puna include an upgrade of Omokoroa intersection, and working with partners to improve and encourage public transport use including allowing greater space for public transport and high occupancy vehicles.

A speed limit review of SH2 between Katikati and Bethlehem will be undertaken by NZTA in 2019. This will look at the potential lowering of the speed limit through Te Puna.



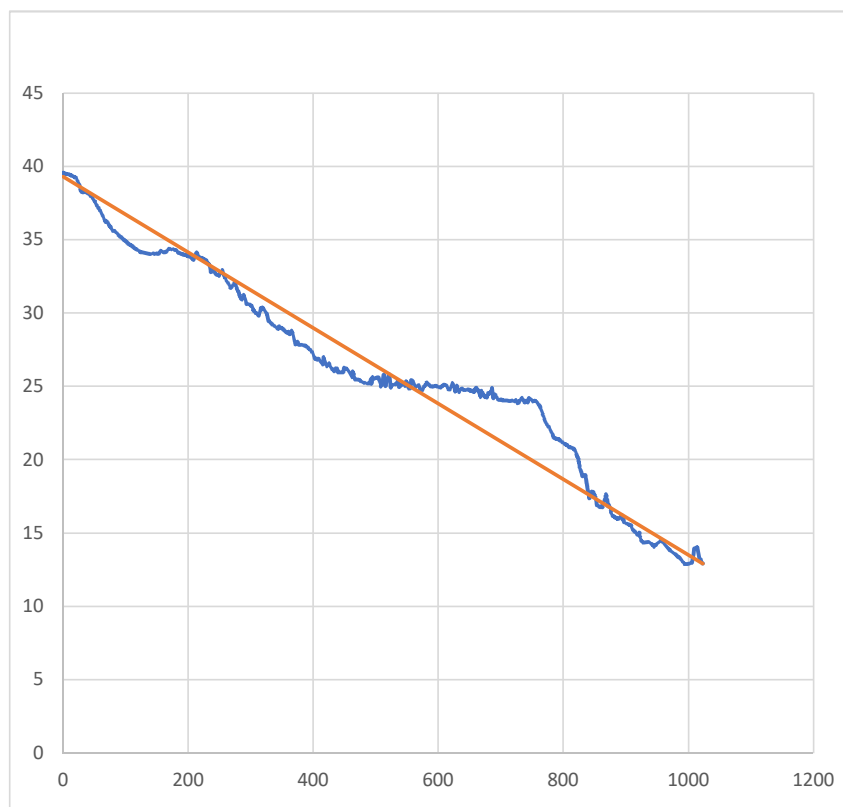
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Stormwater Calculations

TOC calc

Dam Catchment	37.7627 ha	distance between	Distance	Height
			0	76.5
Length (m)	1023	93.7	93.7	63
Initial height	39.3	240	333.7	47
Lower height	12.9	118	451.7	43
		80	531.7	42
Average Slope	0.025806452	30	561.7	32
		51	612.7	30
		13	625.7	27
Tc (Ramser-Kirpich) minutes	16.56240714			
TC (SCS) (hours)	0.275933073			
TC (SCS) (minutes)	16.55598437			
tp	11.03946384			

AEP Event (%)	Storm Duration (minutes)			
	10	17	30	60
20	122.2	104.8	72.5	52.1
10	147.9	126.8	87.6	61.9
2	199.4	170.1	115.8	83.6
1	218.7	187.2	128.6	92.2



TOC calc

Slope based on equal Average

PVI Station PVI Elevation

0.000m 39.300m

1023.346m 12.904m

Existing Ground

PVI Station	PVI Elevation	PVI Station	PVI Elevation	PVI Station	PVI Elevation	PVI Station	PVI Elevation
0.000m	39.579m	20.696m	39.211m	49.477m	37.679m	80.071m	35.598m
0.242m	39.572m	22.226m	39.088m	50.706m	37.618m	81.320m	35.602m
0.447m	39.564m	23.112m	39.010m	50.941m	37.607m	82.859m	35.603m
0.744m	39.554m	23.928m	38.936m	51.236m	37.570m	84.818m	35.481m
1.348m	39.536m	25.430m	38.796m	52.026m	37.495m	85.874m	35.438m
1.546m	39.533m	25.717m	38.771m	53.680m	37.354m	87.931m	35.356m
1.924m	39.525m	26.015m	38.706m	53.912m	37.334m	88.943m	35.314m
2.730m	39.510m	26.577m	38.589m	54.472m	37.284m	90.565m	35.242m
3.072m	39.506m	27.124m	38.477m	55.628m	37.224m	91.809m	35.194m
3.847m	39.502m	27.349m	38.430m	56.497m	37.195m	92.163m	35.180m
4.150m	39.498m	27.604m	38.417m	57.423m	37.131m	92.944m	35.151m
4.370m	39.493m	27.869m	38.384m	57.535m	37.124m	96.630m	35.013m
4.622m	39.486m	27.887m	38.382m	58.433m	37.042m	97.056m	34.997m
4.836m	39.480m	28.066m	38.386m	59.529m	36.943m	97.837m	34.970m
5.331m	39.476m	28.603m	38.352m	61.457m	36.772m	98.252m	34.954m
5.725m	39.474m	29.265m	38.272m	63.186m	36.641m	98.705m	34.937m
6.172m	39.472m	29.382m	38.254m	63.305m	36.629m	98.731m	34.938m
6.562m	39.471m	30.669m	38.215m	64.121m	36.542m	99.196m	34.945m
6.976m	39.471m	30.911m	38.217m	65.210m	36.446m	100.896m	34.878m
7.398m	39.472m	31.497m	38.221m	66.139m	36.364m	101.127m	34.869m
7.717m	39.474m	32.155m	38.224m	66.683m	36.319m	101.456m	34.859m
7.736m	39.473m	32.606m	38.230m	67.292m	36.267m	101.595m	34.855m
7.954m	39.471m	33.463m	38.241m	67.360m	36.261m	101.992m	34.826m
8.415m	39.463m	34.491m	38.254m	67.581m	36.244m	102.654m	34.777m
8.756m	39.456m	34.821m	38.259m	67.587m	36.244m	103.395m	34.727m
9.142m	39.447m	35.545m	38.255m	67.777m	36.232m	103.448m	34.726m
9.306m	39.444m	35.945m	38.254m	68.039m	36.222m	104.275m	34.711m
10.031m	39.447m	36.452m	38.255m	68.252m	36.219m	105.852m	34.682m
10.132m	39.445m	36.889m	38.254m	68.672m	36.219m	106.229m	34.675m
10.596m	39.433m	37.269m	38.248m	69.317m	36.226m	106.748m	34.667m
11.245m	39.418m	37.768m	38.237m	69.945m	36.225m	106.955m	34.665m
12.027m	39.398m	37.923m	38.234m	71.186m	36.169m	108.147m	34.635m
12.481m	39.387m	38.011m	38.230m	71.295m	36.164m	108.343m	34.629m
12.671m	39.382m	38.285m	38.214m	71.810m	36.127m	108.543m	34.624m
13.016m	39.378m	38.306m	38.214m	72.620m	36.069m	108.756m	34.618m
13.774m	39.372m	39.055m	38.186m	73.402m	36.012m	108.956m	34.612m
14.334m	39.369m	40.235m	38.139m	73.618m	35.997m	109.189m	34.607m
14.887m	39.354m	41.915m	38.072m	74.146m	35.960m	109.437m	34.600m
16.258m	39.316m	41.958m	38.070m	74.175m	35.958m	109.692m	34.594m
17.301m	39.287m	43.097m	38.008m	74.812m	35.915m	110.267m	34.574m
17.878m	39.270m	43.501m	38.000m	75.303m	35.888m	110.570m	34.561m
18.042m	39.270m	44.735m	37.973m	76.014m	35.849m	110.837m	34.549m
18.683m	39.266m	44.773m	37.971m	76.177m	35.840m	111.107m	34.538m
19.342m	39.260m	45.022m	37.957m	76.756m	35.800m	111.752m	34.513m
20.095m	39.252m	45.770m	37.917m	78.647m	35.670m	112.023m	34.501m
20.251m	39.250m	46.546m	37.875m	79.420m	35.616m	112.195m	34.494m
20.268m	39.250m	46.566m	37.873m	79.493m	35.613m	112.290m	34.489m
20.278m	39.249m	47.282m	37.826m	79.599m	35.611m	112.613m	34.474m

TOC calc

PVI Station	PVI Elevation	PVI Station	PVI Elevation	PVI Station	PVI Elevation	PVI Station	PVI Elevation
113.974m	34.419m	164.020m	34.152m	195.175m	33.981m	218.799m	33.741m
114.200m	34.415m	164.560m	34.183m	195.385m	33.980m	219.044m	33.723m
115.606m	34.386m	165.904m	34.262m	195.600m	33.976m	219.068m	33.722m
116.336m	34.373m	168.846m	34.410m	195.840m	33.969m	219.261m	33.715m
116.422m	34.371m	170.520m	34.378m	196.948m	33.925m	219.378m	33.713m
116.835m	34.360m	170.822m	34.377m	197.203m	33.916m	219.471m	33.716m
117.454m	34.343m	171.251m	34.370m	197.427m	33.911m	220.110m	33.752m
118.280m	34.320m	173.140m	34.337m	197.637m	33.910m	220.319m	33.759m
119.026m	34.299m	173.338m	34.340m	198.295m	33.916m	220.506m	33.761m
121.208m	34.237m	175.760m	34.380m	198.504m	33.915m	220.960m	33.751m
122.707m	34.194m	177.417m	34.332m	198.724m	33.910m	221.379m	33.753m
123.176m	34.180m	178.404m	34.300m	199.200m	33.895m	221.590m	33.759m
123.652m	34.165m	178.890m	34.305m	199.373m	33.892m	221.821m	33.774m
124.096m	34.150m	180.010m	34.304m	199.420m	33.890m	222.242m	33.783m
124.714m	34.139m	181.051m	34.286m	199.633m	33.886m	222.499m	33.756m
126.944m	34.124m	181.500m	34.272m	199.747m	33.884m	222.712m	33.728m
138.218m	34.045m	182.885m	34.191m	200.261m	33.936m	222.984m	33.702m
138.780m	34.033m	183.014m	34.182m	200.348m	33.944m	223.516m	33.654m
139.211m	34.025m	183.715m	34.124m	200.748m	33.926m	223.756m	33.639m
139.368m	34.023m	183.988m	34.118m	201.855m	33.873m	223.971m	33.633m
139.546m	34.023m	184.936m	34.093m	202.398m	33.847m	224.181m	33.637m
139.586m	34.024m	185.261m	34.088m	202.971m	33.819m	224.849m	33.673m
139.813m	34.029m	185.675m	34.086m	203.003m	33.818m	225.062m	33.680m
140.212m	34.035m	186.469m	34.087m	205.139m	33.750m	225.211m	33.680m
140.399m	34.042m	187.556m	34.056m	206.296m	33.722m	225.261m	33.681m
140.658m	34.044m	187.962m	34.040m	206.614m	33.710m	225.458m	33.680m
143.537m	34.069m	188.195m	34.028m	206.992m	33.694m	226.067m	33.646m
143.812m	34.067m	188.298m	34.028m	207.949m	33.648m	226.271m	33.642m
145.321m	34.053m	188.965m	34.030m	208.288m	33.631m	226.378m	33.642m
146.297m	34.045m	189.259m	34.030m	208.368m	33.628m	227.128m	33.593m
147.141m	34.045m	189.531m	34.029m	208.674m	33.617m	227.341m	33.598m
148.338m	34.046m	189.811m	34.028m	208.838m	33.612m	227.603m	33.624m
150.064m	34.049m	190.114m	34.025m	208.917m	33.632m	228.440m	33.611m
150.286m	34.059m	190.504m	34.022m	209.199m	33.675m	228.726m	33.581m
150.462m	34.064m	190.653m	34.014m	209.561m	33.706m	229.113m	33.557m
151.078m	34.029m	190.988m	33.996m	210.620m	33.756m	229.495m	33.523m
151.300m	34.028m	191.211m	33.987m	211.697m	33.834m	230.245m	33.451m
152.450m	34.035m	191.236m	33.988m	212.122m	33.890m	230.614m	33.427m
152.795m	34.051m	191.437m	33.992m	212.562m	33.971m	231.795m	33.399m
153.708m	34.119m	191.497m	33.990m	213.339m	34.138m	232.108m	33.378m
155.379m	34.240m	191.710m	33.987m	214.388m	34.062m	232.691m	33.327m
155.544m	34.239m	191.921m	33.986m	214.807m	34.028m	232.981m	33.311m
156.181m	34.233m	192.353m	33.989m	215.301m	33.953m	233.963m	33.293m
157.213m	34.215m	192.773m	33.988m	215.833m	33.868m	234.452m	33.263m
158.946m	34.183m	192.986m	33.985m	215.848m	33.866m	234.903m	33.133m
160.581m	34.152m	193.647m	33.970m	217.315m	33.846m	235.574m	32.956m
160.705m	34.152m	193.856m	33.968m	217.745m	33.829m	235.885m	32.867m
162.571m	34.150m	194.740m	33.978m	217.990m	33.811m	236.131m	32.793m

TOC calc

PVI Station	PVI Elevation	PVI Station	PVI Elevation	PVI Station	PVI Elevation	PVI Station	PVI Elevation
236.209m	32.793m	280.044m	31.489m	316.386m	30.335m	357.003m	28.696m
236.327m	32.794m	280.475m	31.427m	316.456m	30.343m	357.575m	28.682m
236.617m	32.796m	281.425m	31.252m	317.064m	30.359m	358.024m	28.649m
236.726m	32.802m	281.827m	31.216m	317.837m	30.355m	358.036m	28.648m
237.251m	32.819m	282.343m	31.218m	318.082m	30.356m	358.520m	28.623m
237.838m	32.824m	282.856m	31.109m	318.303m	30.364m	360.159m	28.725m
239.718m	32.869m	283.458m	31.028m	318.405m	30.372m	361.758m	28.573m
240.895m	32.879m	283.592m	31.013m	318.721m	30.356m	362.224m	28.559m
241.576m	32.884m	284.193m	30.974m	319.146m	30.343m	362.890m	28.578m
242.418m	32.850m	284.353m	30.968m	319.355m	30.333m	363.205m	28.590m
243.093m	32.703m	285.675m	30.926m	320.131m	30.277m	364.491m	28.662m
245.708m	32.591m	286.126m	30.923m	320.435m	30.258m	365.772m	28.804m
246.314m	32.599m	288.588m	31.205m	321.482m	30.217m	365.809m	28.799m
247.618m	32.617m	288.817m	31.232m	322.733m	30.130m	366.855m	28.665m
248.335m	32.601m	291.070m	30.946m	325.023m	29.985m	367.228m	28.618m
248.901m	32.549m	292.787m	30.613m	325.612m	29.980m	367.349m	28.603m
248.994m	32.541m	293.348m	30.610m	325.849m	29.978m	367.537m	28.569m
249.902m	32.730m	296.023m	30.621m	328.709m	29.454m	368.201m	28.451m
250.166m	32.691m	297.926m	30.566m	328.721m	29.452m	369.648m	28.193m
253.213m	32.844m	298.134m	30.571m	328.847m	29.447m	370.528m	28.037m
254.738m	32.937m	299.197m	30.560m	329.745m	29.464m	370.568m	28.035m
256.552m	32.653m	300.581m	30.497m	331.423m	29.363m	371.316m	27.969m
257.971m	32.438m	301.356m	30.473m	333.400m	29.256m	371.880m	27.856m
258.780m	32.401m	301.980m	30.480m	335.205m	29.198m	371.915m	27.849m
259.282m	32.372m	303.004m	30.368m	335.278m	29.196m	372.952m	27.925m
259.543m	32.351m	303.399m	30.307m	335.727m	29.183m	375.264m	28.060m
260.753m	32.239m	304.049m	30.191m	337.182m	29.141m	375.821m	27.882m
263.532m	32.078m	304.325m	30.190m	337.573m	29.138m	377.132m	27.841m
264.008m	32.040m	304.729m	30.175m	337.613m	29.132m	378.228m	27.844m
265.493m	31.888m	305.206m	30.150m	337.626m	29.133m	378.525m	27.843m
266.754m	31.787m	305.399m	30.137m	337.941m	29.117m	379.232m	27.826m
267.494m	31.721m	305.727m	30.124m	341.852m	28.984m	380.855m	27.815m
267.590m	31.714m	306.471m	30.093m	343.764m	28.925m	381.096m	27.815m
267.931m	31.712m	307.632m	30.019m	343.794m	28.923m	381.444m	27.814m
269.907m	31.827m	307.906m	30.022m	343.989m	28.913m	381.569m	27.814m
271.125m	31.893m	309.377m	30.013m	344.562m	28.948m	381.964m	27.813m
271.893m	31.939m	310.091m	29.989m	344.905m	28.960m	382.385m	27.812m
273.844m	32.048m	310.739m	29.944m	345.334m	29.048m	383.515m	27.809m
273.983m	32.056m	311.590m	29.869m	345.556m	29.092m	384.251m	27.807m
274.917m	32.030m	311.786m	29.867m	345.634m	29.087m	384.661m	27.805m
275.376m	32.014m	312.268m	29.850m	348.492m	29.006m	385.102m	27.803m
275.735m	32.001m	312.669m	29.829m	349.877m	28.979m	386.069m	27.797m
276.568m	31.850m	313.309m	29.824m	349.957m	28.974m	386.896m	27.791m
276.939m	31.778m	313.378m	29.815m	350.071m	28.971m	387.127m	27.781m
277.945m	31.578m	313.516m	29.833m	350.155m	28.965m	388.011m	27.738m
277.979m	31.571m	314.752m	30.087m	351.062m	28.906m	388.259m	27.728m
279.241m	31.510m	315.001m	30.124m	352.080m	28.872m	388.712m	27.711m
279.848m	31.509m	315.966m	30.273m	353.925m	28.808m	389.491m	27.714m

TOC calc

PVI Station	PVI Elevation	PVI Station	PVI Elevation	PVI Station	PVI Elevation	PVI Station	PVI Elevation
389.558m	27.714m	430.156m	26.162m	466.984m	25.469m	507.657m	25.047m
390.705m	27.671m	430.211m	26.160m	467.569m	25.478m	507.898m	25.000m
391.808m	27.626m	431.066m	26.165m	467.795m	25.477m	507.998m	24.982m
391.949m	27.620m	431.127m	26.165m	468.343m	25.467m	508.107m	24.978m
392.990m	27.578m	431.401m	26.153m	468.665m	25.465m	508.208m	24.969m
394.430m	27.520m	433.119m	26.070m	470.155m	25.475m	508.309m	24.961m
394.868m	27.502m	433.504m	26.035m	470.394m	25.474m	508.351m	24.978m
395.971m	27.448m	433.589m	26.029m	470.768m	25.478m	510.811m	25.248m
397.337m	27.382m	433.686m	26.030m	471.355m	25.482m	512.336m	25.794m
398.053m	27.347m	434.007m	26.071m	472.576m	25.477m	513.625m	25.821m
398.570m	27.297m	434.177m	26.091m	472.729m	25.479m	514.646m	25.392m
400.625m	27.095m	434.405m	26.114m	472.891m	25.472m	515.432m	25.004m
401.379m	27.020m	435.505m	26.254m	473.244m	25.455m	515.736m	25.021m
402.003m	26.959m	435.571m	26.262m	473.732m	25.427m	516.531m	25.370m
402.506m	26.910m	435.948m	26.259m	474.026m	25.414m	517.321m	25.519m
403.190m	26.908m	437.584m	26.231m	474.274m	25.409m	519.252m	25.538m
403.820m	26.898m	437.590m	26.231m	475.821m	25.343m	521.047m	25.854m
404.004m	26.891m	438.083m	26.232m	476.142m	25.347m	521.789m	25.609m
404.248m	26.880m	438.302m	26.234m	476.196m	25.347m	523.794m	24.949m
404.525m	26.872m	438.983m	26.119m	480.956m	25.253m	524.211m	24.901m
404.667m	26.877m	439.376m	26.044m	482.467m	25.248m	525.024m	25.094m
404.886m	26.877m	439.783m	25.960m	482.504m	25.246m	525.809m	25.070m
405.082m	26.871m	440.083m	25.946m	483.265m	25.221m	530.895m	25.177m
405.998m	26.825m	440.314m	25.934m	486.410m	25.217m	532.096m	25.132m
406.105m	26.824m	440.861m	25.941m	487.597m	25.218m	534.202m	25.354m
406.409m	26.834m	441.782m	25.971m	488.136m	25.211m	535.846m	25.326m
406.834m	26.850m	443.988m	25.957m	489.886m	25.201m	537.064m	25.013m
407.255m	26.867m	444.401m	25.954m	490.685m	25.183m	537.354m	24.940m
407.516m	26.874m	446.967m	25.950m	491.896m	25.493m	538.184m	24.967m
408.138m	26.894m	447.937m	25.942m	492.878m	25.267m	544.389m	25.198m
409.001m	26.845m	449.230m	26.266m	493.007m	25.242m	546.789m	25.024m
411.398m	26.704m	449.373m	26.268m	493.029m	25.221m	548.131m	25.317m
414.540m	26.516m	450.157m	26.281m	493.095m	25.157m	548.208m	25.334m
414.922m	26.505m	452.260m	26.249m	493.363m	25.216m	548.513m	25.339m
415.019m	26.501m	453.498m	26.168m	494.298m	25.492m	548.887m	25.325m
415.372m	26.496m	453.938m	26.161m	494.935m	25.663m	550.081m	25.253m
415.550m	26.562m	458.019m	25.970m	496.521m	25.551m	550.413m	25.257m
416.699m	26.991m	462.161m	25.618m	497.165m	25.488m	550.642m	25.179m
421.785m	26.383m	462.770m	25.635m	499.023m	25.552m	551.334m	24.980m
421.813m	26.383m	462.859m	25.679m	499.513m	25.525m	551.396m	24.971m
421.853m	26.382m	463.529m	26.010m	499.870m	25.573m	551.743m	24.908m
421.952m	26.381m	464.467m	25.861m	500.669m	25.581m	553.015m	24.818m
422.610m	26.423m	465.228m	25.740m	500.903m	25.589m	553.074m	24.821m
425.063m	26.588m	466.449m	25.545m	501.702m	25.623m	553.085m	24.821m
425.483m	26.574m	466.698m	25.506m	504.719m	25.605m	555.068m	24.857m
426.509m	26.450m	466.914m	25.473m	505.368m	25.482m	555.318m	24.858m
428.446m	26.236m	466.931m	25.472m	505.763m	25.406m	556.079m	25.435m
429.549m	26.187m	466.939m	25.471m	506.471m	25.270m	557.514m	25.420m

TOC calc

PVI Station	PVI Elevation	PVI Station	PVI Elevation	PVI Station	PVI Elevation	PVI Station	PVI Elevation
560.060m	25.315m	595.154m	25.028m	636.179m	24.800m	658.190m	24.709m
561.750m	25.138m	596.204m	25.033m	637.319m	24.819m	658.626m	24.746m
563.140m	24.952m	596.703m	25.012m	637.746m	24.856m	658.998m	24.771m
563.732m	24.936m	597.647m	24.970m	637.923m	24.875m	659.275m	24.794m
566.666m	25.054m	597.746m	24.971m	638.333m	24.839m	659.904m	24.852m
566.779m	25.052m	599.115m	24.960m	638.546m	24.818m	660.099m	24.871m
567.471m	25.050m	600.743m	24.944m	638.552m	24.817m	660.549m	24.898m
568.078m	25.061m	600.749m	24.944m	639.934m	24.768m	660.775m	24.909m
568.451m	25.105m	601.044m	24.942m	640.502m	24.750m	661.177m	24.917m
568.655m	25.105m	601.087m	24.942m	640.707m	24.752m	661.421m	24.918m
568.699m	25.095m	602.920m	24.918m	641.808m	24.762m	661.605m	24.896m
570.390m	24.885m	603.132m	24.915m	642.058m	24.764m	662.067m	24.840m
570.598m	24.855m	605.732m	24.996m	642.282m	24.764m	662.285m	24.815m
570.879m	24.779m	606.475m	25.021m	642.385m	24.765m	662.703m	24.771m
571.567m	24.765m	606.984m	25.038m	642.708m	24.758m	663.126m	24.731m
573.728m	24.738m	607.603m	25.059m	643.391m	24.744m	663.338m	24.708m
574.407m	24.738m	608.236m	25.080m	643.547m	24.745m	664.053m	24.620m
574.973m	24.747m	608.548m	25.091m	644.547m	24.750m	664.483m	24.571m
576.406m	24.928m	609.090m	25.109m	646.269m	24.798m	667.395m	24.268m
576.735m	24.963m	609.259m	25.108m	646.461m	24.797m	667.414m	24.268m
577.481m	25.030m	609.779m	25.105m	646.843m	24.781m	667.451m	24.267m
578.234m	25.076m	611.118m	25.103m	647.074m	24.774m	667.503m	24.267m
578.256m	25.077m	612.206m	25.100m	647.289m	24.773m	667.540m	24.266m
579.637m	25.041m	612.300m	25.100m	647.520m	24.775m	668.257m	24.702m
581.120m	25.239m	613.645m	25.025m	648.322m	24.789m	668.298m	24.727m
581.320m	25.268m	614.279m	24.953m	648.743m	24.785m	668.467m	24.716m
581.640m	25.235m	615.318m	24.838m	649.217m	24.763m	669.101m	24.687m
581.885m	25.211m	615.422m	24.833m	649.466m	24.754m	669.520m	24.659m
583.231m	25.181m	616.282m	24.798m	649.700m	24.746m	670.163m	24.608m
583.830m	25.165m	616.539m	24.831m	650.628m	24.722m	671.003m	24.550m
583.901m	25.164m	616.722m	24.813m	651.263m	24.694m	671.224m	24.531m
584.171m	25.155m	616.908m	24.793m	651.326m	24.695m	671.959m	24.456m
584.457m	25.142m	618.436m	24.797m	651.694m	24.700m	672.626m	24.396m
584.833m	25.120m	618.870m	24.799m	652.025m	24.701m	672.837m	24.380m
585.223m	25.094m	622.268m	25.252m	652.303m	24.698m	673.257m	24.358m
587.221m	24.978m	624.441m	25.141m	652.593m	24.690m	673.685m	24.341m
587.746m	25.026m	626.571m	24.698m	652.893m	24.679m	674.524m	24.284m
588.962m	25.002m	627.026m	24.656m	653.728m	24.699m	674.902m	24.270m
589.213m	24.997m	627.145m	24.661m	653.748m	24.699m	675.385m	24.338m
589.667m	24.992m	627.707m	24.685m	654.109m	24.695m	675.594m	24.349m
589.882m	24.990m	629.295m	25.060m	654.542m	24.682m	676.018m	24.345m
590.513m	24.988m	630.696m	24.891m	655.100m	24.661m	676.473m	24.354m
591.238m	24.984m	632.886m	24.602m	655.735m	24.634m	676.858m	24.312m
591.365m	24.980m	633.006m	24.602m	656.887m	24.617m	677.079m	24.271m
591.521m	24.975m	633.049m	24.599m	657.013m	24.616m	677.134m	24.257m
592.256m	25.006m	633.079m	24.598m	657.199m	24.613m	677.587m	24.239m
594.086m	25.029m	633.332m	24.621m	657.273m	24.620m	677.809m	24.258m
594.383m	25.027m	635.107m	24.744m	657.535m	24.646m	678.239m	24.309m

TOC calc

PVI Station	PVI Elevation	PVI Station	PVI Elevation	PVI Station	PVI Elevation	PVI Station	PVI Elevation
678.658m	24.367m	706.648m	24.046m	757.219m	23.966m	788.667m	21.432m
679.301m	24.463m	706.862m	24.044m	757.380m	23.963m	789.155m	21.423m
679.720m	24.520m	707.899m	24.036m	758.427m	23.892m	789.394m	21.420m
679.935m	24.546m	708.977m	24.023m	758.987m	23.854m	789.705m	21.416m
680.072m	24.559m	709.685m	24.037m	760.091m	23.779m	789.931m	21.411m
680.868m	24.516m	710.065m	24.039m	760.301m	23.766m	790.460m	21.401m
681.085m	24.504m	712.966m	24.003m	760.856m	23.734m	790.683m	21.399m
681.506m	24.485m	714.614m	23.983m	762.193m	23.659m	790.896m	21.402m
681.739m	24.474m	714.868m	23.982m	762.971m	23.614m	791.158m	21.409m
683.181m	24.623m	714.948m	23.982m	763.246m	23.602m	791.668m	21.398m
684.033m	24.676m	714.971m	23.982m	763.751m	23.542m	791.972m	21.390m
685.080m	24.779m	718.526m	24.048m	763.884m	23.524m	792.109m	21.385m
686.329m	24.896m	721.813m	23.964m	766.023m	23.231m	792.114m	21.385m
686.371m	24.878m	723.617m	24.082m	766.664m	23.144m	792.809m	21.398m
687.932m	24.189m	726.702m	23.840m	767.230m	23.066m	793.204m	21.380m
688.107m	24.186m	727.636m	23.941m	767.757m	22.992m	794.426m	21.325m
688.608m	24.183m	728.048m	23.986m	768.348m	22.911m	795.346m	21.301m
689.932m	24.469m	729.546m	23.882m	769.247m	22.789m	796.360m	21.273m
690.307m	24.453m	732.143m	24.095m	769.701m	22.746m	797.948m	21.228m
691.442m	24.405m	733.603m	24.215m	770.273m	22.691m	798.840m	21.180m
691.865m	24.375m	733.890m	24.196m	770.889m	22.631m	799.360m	21.154m
693.237m	24.278m	735.363m	24.091m	771.535m	22.569m	799.660m	21.147m
694.175m	24.212m	735.743m	24.060m	772.238m	22.504m	801.867m	21.095m
694.793m	24.168m	736.353m	24.046m	772.361m	22.492m	802.582m	21.065m
695.362m	24.130m	737.526m	23.942m	772.415m	22.488m	803.241m	21.038m
695.499m	24.121m	738.175m	23.883m	773.492m	22.412m	804.233m	21.021m
696.371m	24.076m	739.508m	23.960m	773.977m	22.377m	804.777m	21.017m
696.584m	24.075m	739.744m	23.972m	774.056m	22.372m	804.999m	21.014m
697.150m	24.073m	741.479m	24.020m	775.300m	22.313m	805.064m	21.013m
697.247m	24.074m	741.757m	24.005m	776.769m	22.244m	805.739m	20.998m
698.817m	24.092m	743.474m	23.873m	777.978m	22.187m	805.949m	20.992m
699.895m	24.104m	743.557m	23.892m	778.815m	22.101m	806.343m	20.977m
700.665m	24.112m	745.087m	24.229m	780.453m	21.933m	807.714m	20.923m
700.856m	24.113m	745.311m	24.224m	781.139m	21.869m	807.921m	20.915m
701.128m	24.101m	748.154m	24.104m	782.650m	21.729m	808.683m	20.883m
701.591m	24.081m	751.056m	23.970m	784.160m	21.568m	808.922m	20.875m
701.922m	24.076m	751.084m	23.970m	784.963m	21.520m	809.490m	20.857m
702.364m	24.067m	751.114m	23.971m	785.593m	21.480m	809.663m	20.852m
702.631m	24.061m	751.248m	23.974m	785.678m	21.478m	810.784m	20.841m
703.092m	24.050m	752.019m	23.988m	786.222m	21.462m	811.191m	20.840m
703.157m	24.050m	752.983m	24.006m	786.422m	21.456m	812.251m	20.834m
703.441m	24.050m	754.026m	24.013m	786.497m	21.454m	812.738m	20.822m
703.755m	24.050m	754.284m	24.020m	786.644m	21.451m	813.416m	20.810m
705.213m	24.050m	754.396m	24.023m	787.153m	21.444m	815.218m	20.776m
705.282m	24.050m	754.484m	24.021m	787.693m	21.438m	815.718m	20.766m
705.295m	24.050m	754.680m	24.017m	787.924m	21.436m	815.919m	20.756m
705.304m	24.050m	754.923m	24.010m	788.367m	21.434m	816.230m	20.742m
705.311m	24.050m	755.127m	24.005m	788.560m	21.433m	816.856m	20.726m

TOC calc

PVI Station	PVI Elevation	PVI Station	PVI Elevation	PVI Station	PVI Elevation	PVI Station	PVI Elevation
817.161m	20.718m	842.543m	17.549m	873.929m	16.895m	904.782m	15.600m
817.559m	20.710m	843.133m	17.603m	875.088m	16.662m	904.909m	15.581m
818.669m	20.601m	843.201m	17.611m	875.822m	16.512m	905.099m	15.557m
819.458m	20.515m	844.990m	17.798m	876.431m	16.388m	905.345m	15.554m
820.738m	20.380m	845.376m	17.826m	876.931m	16.319m	907.455m	15.550m
820.996m	20.352m	845.690m	17.833m	877.720m	16.196m	907.891m	15.545m
821.196m	20.328m	846.836m	17.812m	877.798m	16.197m	908.219m	15.534m
821.980m	20.240m	847.751m	17.790m	878.290m	16.198m	908.389m	15.524m
822.179m	20.219m	847.860m	17.772m	878.751m	16.189m	908.563m	15.499m
822.388m	20.200m	848.385m	17.691m	879.231m	16.175m	908.927m	15.447m
822.627m	20.183m	848.881m	17.638m	879.735m	16.157m	910.328m	15.247m
823.143m	20.157m	849.425m	17.606m	880.270m	16.145m	910.373m	15.241m
823.388m	20.151m	850.028m	17.588m	880.731m	16.142m	912.779m	15.145m
823.611m	20.151m	850.955m	17.586m	880.858m	16.133m	913.290m	15.125m
823.818m	20.096m	850.968m	17.586m	881.586m	16.094m	913.996m	15.098m
824.013m	20.042m	851.604m	17.469m	881.897m	16.080m	914.584m	15.075m
824.207m	19.982m	851.872m	17.399m	882.411m	16.069m	915.563m	15.037m
824.617m	19.850m	852.249m	17.273m	883.038m	16.059m	915.579m	15.036m
824.749m	19.808m	852.976m	17.028m	883.475m	16.054m	915.962m	15.007m
825.136m	19.815m	853.276m	16.928m	883.796m	16.054m	917.458m	14.921m
825.377m	19.735m	853.374m	16.914m	883.843m	16.055m	918.376m	14.874m
825.616m	19.653m	853.942m	16.875m	884.210m	16.044m	918.970m	14.864m
825.825m	19.579m	856.045m	16.843m	884.537m	16.040m	919.892m	14.932m
825.894m	19.555m	857.168m	16.819m	884.972m	16.025m	920.310m	14.952m
826.426m	19.466m	857.963m	16.790m	885.844m	15.989m	921.180m	15.010m
826.870m	19.392m	858.837m	16.748m	886.049m	15.981m	921.383m	15.015m
827.366m	19.313m	859.834m	16.812m	886.108m	15.982m	921.580m	15.005m
827.599m	19.275m	860.977m	16.846m	886.366m	15.980m	921.799m	14.974m
827.808m	19.239m	861.822m	16.828m	888.139m	15.980m	922.035m	14.933m
828.202m	19.175m	861.837m	16.827m	889.426m	15.982m	922.271m	14.886m
830.132m	18.870m	862.100m	16.798m	889.649m	15.982m	922.935m	14.743m
832.709m	18.916m	862.458m	16.743m	892.758m	16.150m	923.180m	14.694m
833.493m	18.930m	862.645m	16.739m	893.188m	16.177m	923.811m	14.578m
834.665m	18.971m	862.985m	16.794m	893.391m	16.193m	924.562m	14.503m
835.005m	18.966m	866.468m	17.316m	893.573m	16.211m	924.854m	14.474m
835.361m	18.935m	867.187m	17.429m	893.784m	16.164m	925.236m	14.467m
835.720m	18.873m	867.769m	17.524m	895.156m	15.890m	925.429m	14.460m
836.122m	18.776m	868.368m	17.625m	895.660m	15.925m	925.611m	14.452m
836.702m	18.613m	868.521m	17.651m	896.020m	15.914m	925.800m	14.443m
837.485m	18.381m	868.730m	17.593m	896.854m	15.768m	927.368m	14.360m
838.446m	18.088m	868.970m	17.520m	897.445m	15.735m	927.702m	14.347m
839.724m	17.688m	869.223m	17.443m	898.001m	15.709m	927.832m	14.337m
840.048m	17.634m	869.615m	17.331m	898.536m	15.692m	928.056m	14.333m
840.603m	17.562m	871.582m	16.773m	900.938m	15.652m	928.330m	14.340m
841.159m	17.471m	872.444m	16.836m	901.840m	15.630m	929.243m	14.343m
841.342m	17.405m	873.055m	16.873m	903.721m	15.578m	935.299m	14.392m
841.456m	17.363m	873.428m	16.888m	903.836m	15.576m	936.587m	14.371m
842.145m	17.471m	873.767m	16.895m	904.561m	15.589m	941.749m	14.236m

TOC calc

PVI Station	PVI Elevation	PVI Station	PVI Elevation
942.007m	14.229m	1005.906m	12.954m
942.342m	14.221m	1008.012m	13.562m
942.408m	14.218m	1009.135m	13.927m
942.665m	14.209m	1010.191m	13.985m
943.061m	14.189m	1010.407m	13.989m
943.375m	14.174m	1013.411m	14.065m
943.630m	14.150m	1013.837m	14.012m
944.556m	14.056m	1014.124m	14.015m
945.662m	14.122m	1014.256m	13.981m
945.846m	14.134m	1017.507m	13.354m
946.029m	14.157m	1018.417m	13.187m
946.100m	14.155m	1020.418m	13.194m
946.170m	14.156m	1022.257m	12.920m
946.594m	14.160m	1023.346m	12.904m
947.775m	14.169m		
948.429m	14.210m		
948.684m	14.225m		
954.164m	14.419m		
956.458m	14.499m		
956.486m	14.500m		
959.899m	14.336m		
962.480m	14.211m		
969.649m	13.866m		
970.030m	13.847m		
970.070m	13.843m		
970.235m	13.827m		
970.354m	13.824m		
971.095m	13.779m		
974.237m	13.693m		
978.786m	13.568m		
979.375m	13.553m		
982.567m	13.409m		
983.093m	13.380m		
983.314m	13.386m		
984.179m	13.374m		
984.231m	13.374m		
986.623m	13.299m		
989.751m	13.099m		
989.887m	13.090m		
990.782m	13.043m		
992.770m	12.979m		
993.323m	12.895m		
994.579m	12.892m		
995.748m	12.885m		
995.865m	12.885m		
998.800m	12.895m		
1002.442m	12.930m		
1004.990m	12.954m		

Entire catchment

Rational method

Predevelopment

Subcatchment	Area	runoff coefficient	C x A
A	59187	0.4	23674.8
B	62490	0.35	21871.5
C	85735	0.85	72874.75
D	69625	0.35	24368.75
E	2342	0.45	1053.9
F	19551	0.45	8797.95
G	13102	0.3	3930.6
H	7862	0.45	3537.9
I	6963	0.3	2088.9
J	50567	0.85	42981.95
Sum	377424		205181

weighted c= 0.54

C	0.54
I	187.165
A	37.7424

Q=2.78CIA 10675.95 l/s

Flow difference = 1956.159 l/s

Post Development

Subcatchment	Area	runoff coefficient	C x A
A	59187	0.4	23674.8
B	28721	0.35	10052.35
B developed	63352	0.78	49414.56
C	85735	0.85	72874.75
D	69625	0.35	24368.75
E	2342	0.45	1053.9
F	19551	0.45	8797.95
G	13102	0.3	3930.6
H	7862	0.45	3537.9
I	6963	0.3	2088.9
J	50567	0.85	42981.95
Sum	407007		242776.41

weighted c= 0.60

C	0.60
I	187.165
A	40.7007

Q=2.78CIA 12632.11 l/s

Entire catchment

HEC HMS

Predevelopment

Subcatchment	Area	% impermeable	Area x %imper
A	59187	5%	2959.35
B	62490	10%	6249
C	85735	80%	68588
D	69625	1%	696.25
E	2342	15%	351.3
F	19551	15%	2932.65
G	13102	0%	0
H	7862	15%	1179.3
I	6963	0%	0
J	50567	85%	42981.95
Sum	377424		125937.8

weighted % impermeable= 33%

Excluding site 314934 119688.8

weighted % impermeable= 38%

HEC HMS results

Peak runoff 12.38 m3/s

Post Development

Subcatchment	Area	% impermeable	Area x %imper
A	59187	5%	2959.35
B	28721	1%	287.21
B developed	63352	75%	47514
C	85735	80%	68588
D	69625	1%	696.25
E	2342	15%	351.3
F	19551	15%	2932.65
G	13102	0%	0
H	7862	15%	1179.3
I	6963	0%	0
J	50567	85%	42981.95
Sum	407007		167490.01

weighted % impermeable= 41%

impermeable area change 41552.21

Excluding site 314934 119688.8

weighted % impermeable= 38%

Peak inflow 13.492 m3/s

Peak storage 8.288 m3

Peak discharge 10.526 m3/s

Flow difference 1.112 m3/s

Developed TePuna site only

Rational method

Predevelopment

Subcatchment	Area	runoff coefficient C x A	
B	62490	0.35	21871.5
Sum	62490		21871.5
		weighted c=	0.35
C	0.35		
I	170.1		
A	6.249		
Q=2.78CIA	1034.255		l/s
Flow difference =	1777.804		l/s

Post Development

Subcatchment	Area	runoff coefficient C x A	
B	28721	0.35	10052.35
B developed	63352	0.78	49414.56
Sum	92073		59466.91
		weighted c=	0.65
C	0.65		
I	170.1		
A	9.2073		
Q=2.78CIA	2812.059		l/s

HEC HMS

Predevelopment

Subcatchment	Area	% impermeable Area x %imper	
B	62490	10%	6249
Sum	62490		6249
		weighted % impermeable=	10.0%

Post Development

Subcatchment	Area	% impermeable Area x %imper	
B	28721	1%	287.21
B developed	63352	75%	47514
Sum	92073		47801.21
		weighted % impermeable=	51.9%

Developed TePuna site only

impermeable area change 41552.21

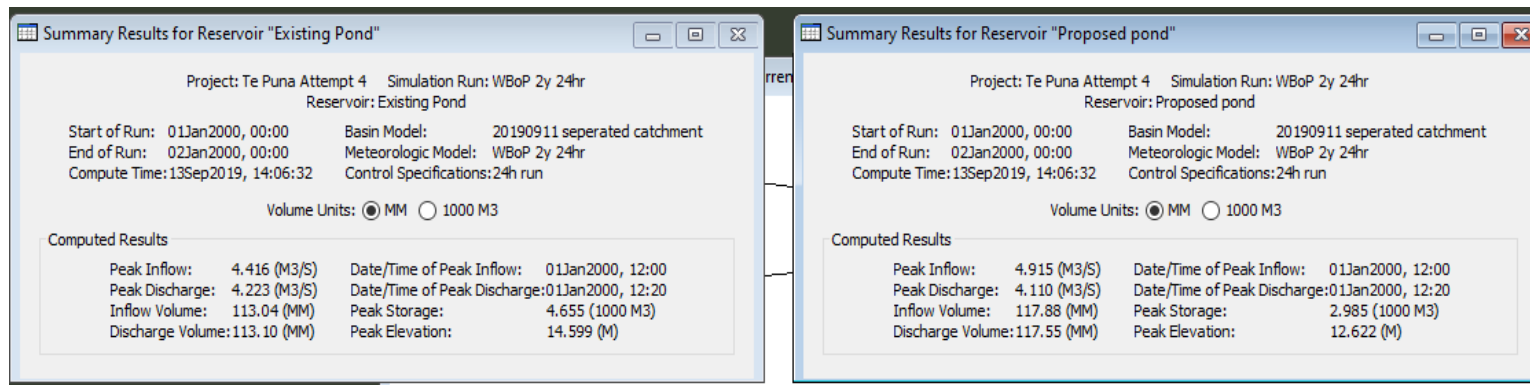
Outlet (orifice) Sizing

Outlet 1 2y event control

diameter	1.05		m3/s
radius	0.525		Predev 4.41
area	0.865901	1.731803	Post dev 4.351
invert level	11.35		
centre elevation	11.875		
number of barrels	2		

Area= 1.153519

Predev flow (Q) 12.205 m3/s
 80% predev 9.764
 h_i 2.375



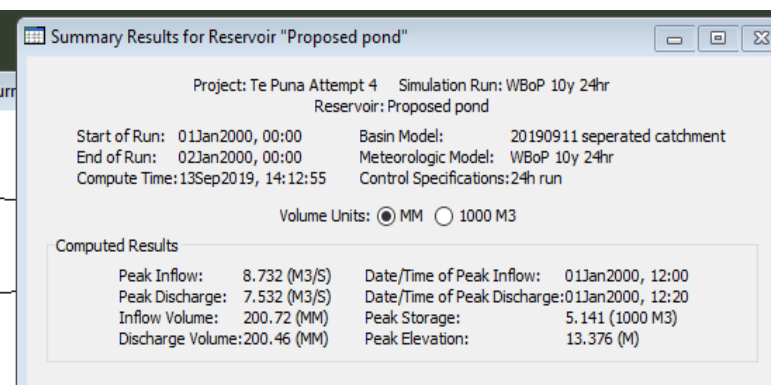
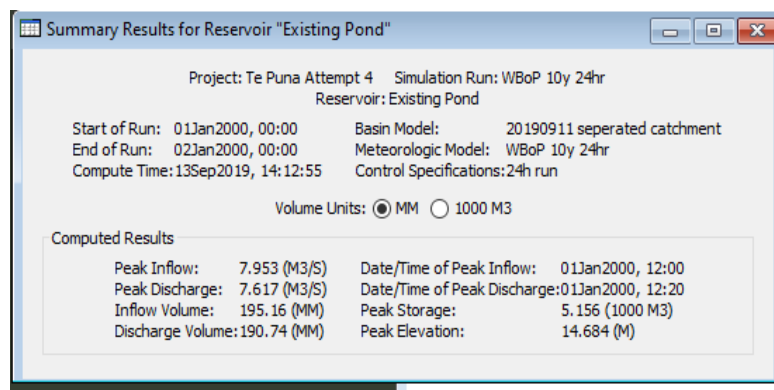
Outlet (orifice) Sizing

Outlet 2 10yr event control

diameter	0.825	
radius	0.4125	
area	0.534562	1.069123
invert level	12.625	
centre elevation	13.0375	
number of barrels	2	

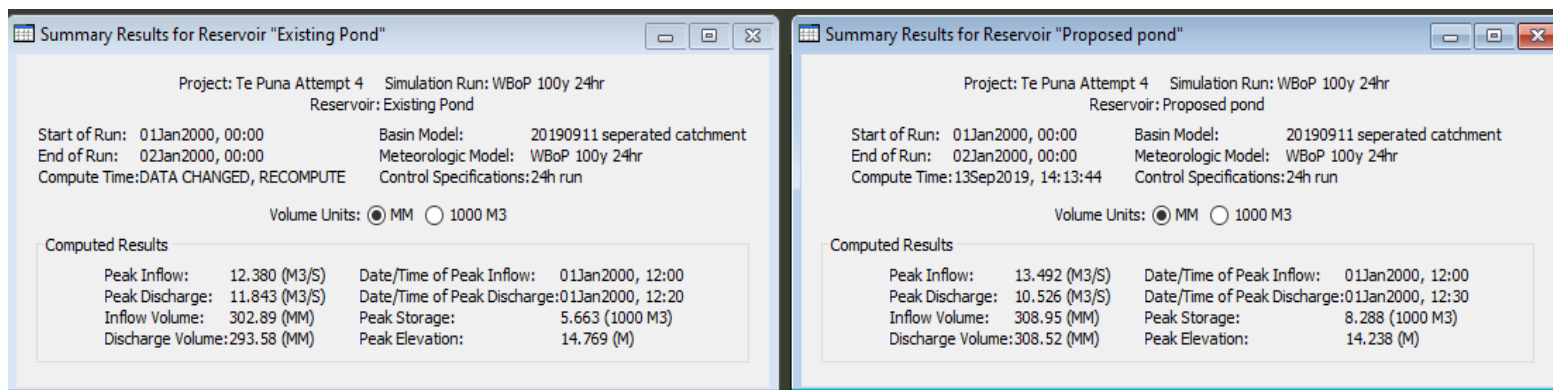
m3/s

Predev	7.953
Post dev	7.35



Outlet (orifice) Sizing

Outlet 3	100yr event control				m ³ /s
diameter	0			Site Predev flow	1.984
radius	0			Peak flow out of pond	11.843
area	0	0		Contribution from rest of catchment	9.859
invert level	0			80% of site predev	1.5872
centre elevation	0				
number of barrels	1			Rest of catchment + 80% of site predev	11.4462



New pond sizing

Attenuation Pond Sizing - volume calcs Including reduction for the EDV ponds being held within the total pond

Full level Area target 4000 m2

RL	Width	Length	Area	Adjusted area (excluding EDV	Volume	RL	Area (1000m ²)
11.25	45.2	45.2	2047.2	1777.2		11.25	1.77716
11.5	46.7	46.7	2185.1	1915.1	461.5384	11.5	1.915147
11.75	48.2	48.2	2327.6	2057.6	496.5975	11.75	2.057633
12	49.7	49.7	2474.6	2204.6	532.7817	12	2.20462
12.25	51.2	51.2	2626.1	2356.1	570.0908	12.25	2.356107
12.5	52.7	52.7	2782.1	2512.1	608.525	12.5	2.512093
12.75	54.2	54.2	2942.6	2672.6	648.0842	12.75	2.67258
13	55.7	55.7	3107.6	2837.6	688.7683	13	2.837567
13.25	57.2	57.2	3277.1	3007.1	730.5775	13.25	3.007053
13.5	58.7	58.7	3451.0	3451.0	807.2617	13.5	3.45104
13.75	60.2	60.2	3629.5	3629.5	885.0708	13.75	3.629527
14	61.7	61.7	3812.5	3812.5	930.255	14	3.812513
14.25	63.2	63.2	4000.0	4000.0	976.5642	14.25	4
					8336.115		

EDV Pond Sizing - volume calcs

Full level Area target 900 m2

RL	Width	Length	Area	Volume	RL	Area (1000m ²)
11.25	18.0	18.0	324.0		11.25	0.324
11.5	19.5	19.5	380.3	88.03125	11.5	0.38025
11.75	21.0	21.0	441.0	102.6563	11.75	0.441
12	22.5	22.5	506.3	118.4063	12	0.50625
12.25	24.0	24.0	576.0	135.2813	12.25	0.576
12.5	25.5	25.5	650.3	153.2813	12.5	0.65025
12.75	27.0	27.0	729.0	172.4063	12.75	0.729
13	28.5	28.5	812.3	192.6563	13	0.81225
13.25	30.0	30.0	900.0	214.0313	13.25	0.9
				1176.75		

New pond sizing

EDV Pond Sizing - volume calcs

Full level Area target 650 m2

RL	Width	Length	Area	Volume	RL	Area (1000m ²)
11.25	13.5	13.5	182.1		11.25	0.182118
11.5	15.0	15.0	224.9	50.87133	11.5	0.224853
11.75	16.5	16.5	272.1	62.11765	11.75	0.272088
12	18.0	18.0	323.8	74.48897	12	0.323824
12.25	19.5	19.5	380.1	87.9853	12.25	0.380059
12.5	21.0	21.0	440.8	102.6066	12.5	0.440794
12.75	22.5	22.5	506.0	118.3529	12.75	0.506029
13	24.0	24.0	575.8	135.2243	13	0.575765
13.25	25.5	25.5	650.0	153.2206	13.25	0.65
				784.8677		

Bund area Pond 1

Width	Length	Area
33.0	33.0	189

Area of the EDV pond + the bund width of 3m

This area remains the same as the depth changes.

Sloping sides on the main pond = sloping sides on the EDV pond

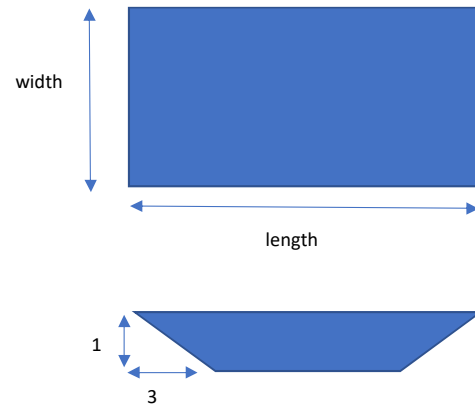
Bund area Pond 2

Width	Length	Area
28.5	28.5	80.98529

Total 269.9853

New pond sizing

Ponds assumed to be a square shape to calc the volume with a 1:3 slope on the sides



Existing Pond details

Existing Pond Details

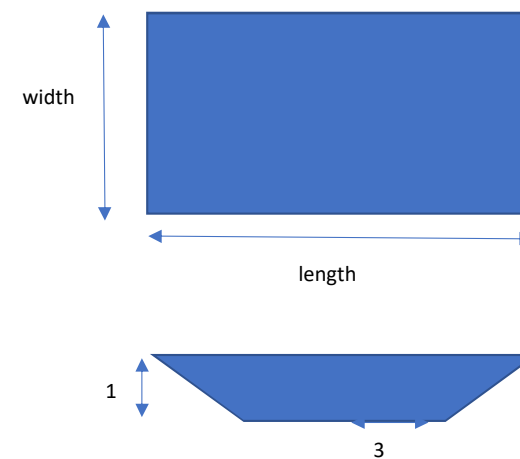
Pond Sizing - volume calcs

Invert of pipe:	11.5
outlets:	2x dia 300mm
diameter	0.3
radius	0.15
area	0.070686
invert level	11.75
centre elevation	11.9
number of barrels	2

Full level Area 3000 m2

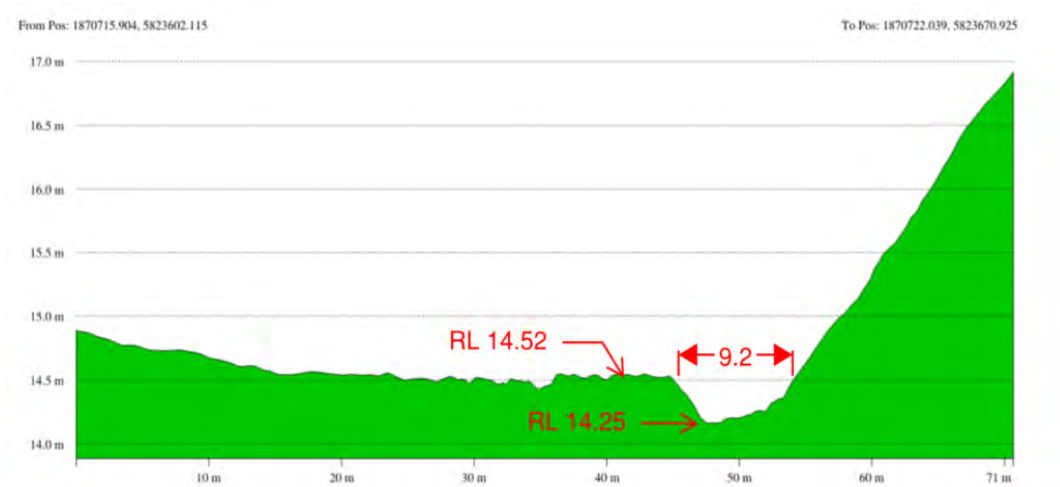
RL	Area		RL	
11.25			11.25	0
11.5	0.0		11.5	0
11.75	0.0	0	11.75	0
12	328.2	41.025	12	0.3282
12.25	443.3	96.4375	12.25	0.4433
12.5	549	124.0375	12.5	0.549
12.75	649	149.75	12.75	0.649
13	941	198.75	13	0.941
13.25	1401	292.75	13.25	1.401
13.5	1687	386	13.5	1.687
13.75	2079	470.75	13.75	2.079
14	2716	599.375	14	2.716
14.25	3434.0	768.75	14.25	3.434
14.5	4067.0	937.625	14.5	4.067
				4065.25

Pond assumed to be a square shape to calc the volume with a 1:3 slope on the sides



Existing Pond details

Outlet shape



<https://cdn.boprc.govt.nz/media/520746/guidelines-2012-01-stormwater-management-guidelines-for-the-bay-of-plenty-region2.pdf>

7.3.4 Calculating water quality volumes

The Rational Formula does not calculate volumes of run-off but rather calculates peak discharges for various storm intensities. Calculate the water quality volume to be treated by using the 90% storm. The City of Christchurch has a simple method of determining the first flush volume in their Waterways, Wetlands and Drainage Guide (2003) where the water quality volume (their first flush volume) and the following approach is based on that method but also accounts for pervious flow contribution.

Calculating the water quality volume is done by the following two calculations.

$$A_{wq} = 0.9 (\text{imp. \%}/100) \times \text{total site area} + 0.15 (\text{pervious \%}/100) \times \text{total site area}$$

Where total site area = m²

The water quality volume $V_{wq} = (90\% \text{ storm}) A_{wq}$

Where 90% storm depth is in metres (m)

Use this method to calculate the water quality volume storage.

	Area 1	Area 2
Site area (m2)	23881	39552
Impervious %	90%	0.75
$A_{wq} =$	19702	28181 m ²
90% storm (m)	0.033	0.033
$V_{wq} =$	650	930 m ³
Total =		1580

Extended detention**7.4.2 Stream erosion control**

The following recommendations are made to address stream channel erosion.

(a) Erosion control criteria

There are three different approaches that can be taken to address stream channel erosion:

- Check the two year stream velocities against Table 7.4 to ensure that velocities are non-erosive. If they are non-erosive in the post-development condition assuming ultimate development of the catchment under the appropriate district plan land use, then no extended detention is required.
- Implement extended detention or volume control according to the following:
 - If the stream is stable under the existing development condition, design detention or retention storage for a 24-hour release of an equivalent volume to the water quality storm.
 - If the stream is not stable, multiply the water quality volume by 1.2 to determine the extended detention volume. That volume is then stored and released over a 24-hour period.
- Conduct a shear stress analysis for a specific site doing the following:
 - Conduct catchment modelling, i.e. continuous simulation, using land use, initial losses and time of concentration for the catchment in the pre-development condition without the proposed project. Another simulation will then have to be done for the catchment with the development in place.
 - Input climate information including evaporation data and long-term rainfall.

EDV = 780 1116 m³

Total = 1896



E

Wastewater Treatment Systems

Oasis Clearwater Aerated Wastewater Treatment Systems

Keep your part of the world green with the most widely used domestic wastewater system.



Oasis Clearwater

ENVIRONMENTAL SYSTEMS

www.oasisclearwater.co.nz

The Oasis Clearwater Aerated Wastewater Treatment System range is the most extensively used and proven on the market today. These systems offer high performance, minimal running costs and are very unobtrusive once installed. Ideal for rural, residential and coastal areas where access to sewer mains are not possible. If you want an environmentally friendly method of keeping your part of the world green then an Oasis Clearwater Aerated Wastewater Treatment System is the perfect choice.



Here's Why:

The Oasis Clearwater Aerated Wastewater Treatment System incorporates five chambers and processes to efficiently and effectively process and treat your home wastewater into a clear and odourless liquid suitable for the irrigation of landscaped areas. The Oasis Clearwater Aerated Wastewater Treatment Systems range in size so as to provide the most optimal solution for your home and property.

First Chamber - Primary Chamber (anaerobic and septic)

Wastewater from the home is piped to this chamber. Here, anaerobic and other oxidising bacteria break down suspended solid material. This chamber also receives activated aerated sludge from the clarifying chamber that stimulates the bacteria and enhances the level of solids digested.

Second Chamber - Secondary Primary Chamber (anaerobic and septic)

Wastewater is able to flow freely from the first primary chamber into this chamber. This allows for mixing of the partially treated wastewater and prepares it for the processes that follow.

Third Chamber - Aerobic Chamber (aeration and oxygenation)

Semi-treated wastewater flows from the secondary primary chamber to the aeration chamber through the proprietary effluent filter. The oxygen for this chamber is supplied via a fine air diffuser powered by an air blower. The aeration chamber contains submerged 'Bio-block' media with a surface area of 80 squares metres. The enhanced aerobic bacterial action results in a high level of aerobic treatment.

Fourth Chamber - Clarifying Chamber (settling)

Treated wastewater passes from the aerobic chamber to the clarifying chamber. Any remaining particles of suspended solids settle to the bottom of the chamber allowing largely clean odourless wastewater to pass to the pumping chamber. The suspended solids that sink to the bottom of the chamber are drawn back, via a venturie, to the first primary chamber for further processing.

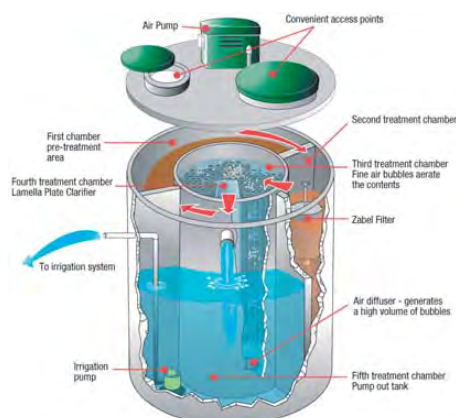
Fifth Chamber - Pumping Chamber

Treated wastewater flows into the pumping chamber where it is pumped out at pre-set rates for dose loading into disposal field often under gardens, landscaping, or other suitable areas.

Disposal Field

Disposal fields vary in type and size depending on a range of factors. Disposal fields can be surface pinned, sub-surface (most common) or raised beds, your local council and environmental conditions will determine the method. The size of the disposal field is determined by the soil type of your property and the size of your home. Your local Oasis Clearwater Distributor will offer you the best advice on this aspect of your Wastewater Treatment System.





Advantages & Features

- High Quality Concrete or Fibreglass Construction
- Independently tested and certified to exceed New Zealand Standards
- Quiet and economical to operate
- Total running cost per day range between \$0.50 and \$0.75 depending on system selection
- Minimal maintenance
- Visually unobtrusive
- Efficiency, Effectiveness and Reliability proven over time and throughout the country
- Nation-wide 24hour backup support and service

System Range

System capacity per day	Treatment	Suitability – With On-Site Tank Supply		Suitability – With Reticulated Or Bore-Water Supply	
Concrete		Dwelling Size	No. Of Persons	Dwelling	
Oasis Clearwater Series 2000	2,000 litres	0-4 Bedrooms	0-10 Persons	0-3 Bedrooms	0-8 Persons
Oasis Clearwater Series 2500	2,500 litres	0-5 Bedrooms	0-12 Persons	0-4 Bedrooms	0-10 Persons
Oasis Clearwater Series 3000	3,000 litres	0-6 Bedrooms	0-14 Persons	0-5 Bedrooms	0-12 Persons
Fibreglass		Dwelling Size	No. Of Persons	Dwelling Size	No. Of Persons
Oasis Clearwater Series 1500	1,500 litres	0-3 Bedrooms	0-8 Persons	0-2 Bedrooms	0-6 Persons
Oasis Clearwater Series 2000	2,000 litres	0-4 Bedrooms	0-10 Persons	0-3 Bedrooms	0-8 Persons
Oasis Clearwater Series 3000	3,000 litres	0-6 Bedrooms	0-14 Persons	0-4 Bedrooms	0-10 Persons
Retrofit*		Dwelling Size	No. Of Persons	Dwelling Size	No. Of Persons
Oasis Clearwater Series 1500	1,500 litres	0-3 Bedrooms	0-8 Persons	0-2 Bedrooms	0-6 Persons

*The RetroFit system works in conjunction with existing septic tanks where appropriate to convert septic systems to treatment systems.

*The above table offer a general guide to system to dwelling suitability. An exact system specification and capacity calculation can be done very quickly by your Oasis Clearwater representative.

Physical Parameters

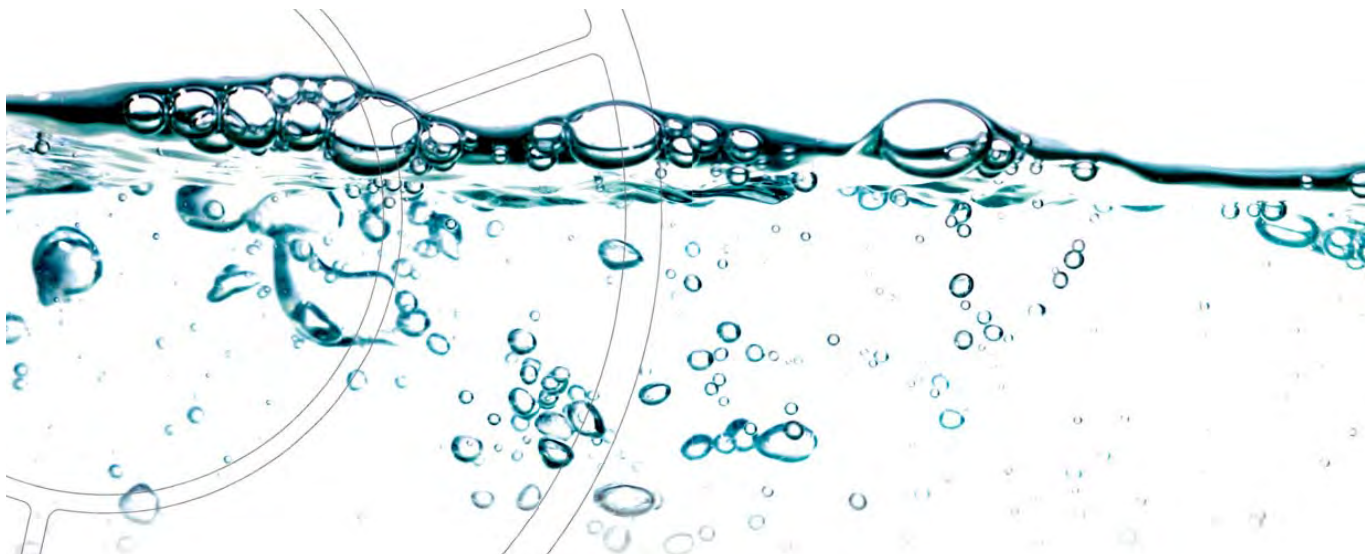
- Height 2500mm
- Diameter 2500mm
- Weight 7.5 tonnes
- Control Panel Audio & Visual Alarm
- Supply Voltage 240 Volts
- Aerator 80 Watts
- Pump 600 Watts

*The Concrete Oasis Clearwater Series 3000 is a two tank system

Installation

Oasis Clearwater Aerated Wastewater Treatment Systems are installed by fully trained and experienced Oasis Clearwater Distributors. An Oasis Clearwater Distributor will work with you from the initial site evaluation through all the compliance aspects before installation and final commissioning. Installation of the system and the disposal field typically takes a day and the system commissioning less than an hour. It is important that the home owner attends the system commissioning with the Oasis Clearwater Distributor.





Oasis Clearwater

ENVIRONMENTAL SYSTEMS

Manufacturer

Oasis Clearwater Environmental Systems
 20 Illinois Drive, Rolleston 7675
 PO Box 16276, Hornby, Christchurch 8441
 Phone 0800 627 472
www.oasisclearwater.co.nz

Warranty

Oasis Clearwater warrants each Aerated Wastewater Treatment System to be free from defects in material and workmanship for a period of two (2) years from the date of sale to the ultimate consumer. Oasis Clearwater warrants each Aerated Wastewater Treatment System concrete pre-cast tank for a period of ten (10) years from the date of sale to the ultimate consumer. The warranty on mechanical and electrical equipment is void if flooding occurs. Reasonable care in locating the system at installation and sensible landscaping reduces the risk of flooding.

The warranty on mechanical and electrical equipment is void if the system is not serviced at least every six (6) months by an Oasis Clearwater authorised Distributor and or Service Agent.

Customer Care

An Oasis Clearwater Aerated Wastewater Treatment System will provide you with many years of reliable performance however as they are a 'living' system they do require care and maintenance. This care includes discipline in use by the homeowner in accordance with the guidelines set out in the Oasis Clearwater Aerated Wastewater Treatment System Owners Manual and servicing on a six monthly basis by an Oasis Clearwater authorised Distributor and or Service Agent.

Certification

NZ TP58 Approval – 3rd Edition
 AUS/NZS 1547:2012 – On Site Waste Water
 AUS/NZS 1546 s 1:1998 – Septic Tank Manufacture

For more information please contact your

Distributor



DECENTRALISED SEWAGE



Low energy, low sludge onsite treatment

Above ground BioGill bioreactors turbo charge nutrient removal for sewage.



WATER. SCIENCE. NATURE

BioGill bioreactors are the perfect technology to supplement under performing systems or as a complete substitute for the biological treatment in decentralised and municipal sewage systems. The technology can easily increase the efficiency and durability of a sewage treatment process, at low cost and low energy.

Ideal for treating sewage from residential and commercial buildings, restaurant centres, resorts and small communities, BioGill technology is based on a key premise of concentrating and maximising microbiology. The result is a biological treatment process for sewage treatment that is highly effective at reducing BOD, COD and nitrogen, at low cost and low energy.

With primary treatment upstream to remove solids, BioGill bioreactors are ideal for the biological secondary stage of the sewage treatment train.

Primary Treatment (solids removal)



Balancing



BioGill Biological Treatment



Filtration



Disinfection

BIOGILL BENEFITS



Effective treatment
of high soluble BOD/
COD



Simultaneous
Nitrification/
De-nitrification



Easy to operate



Low sludge output



Low aerosols/
odour



Low energy



Natural and eco
friendly

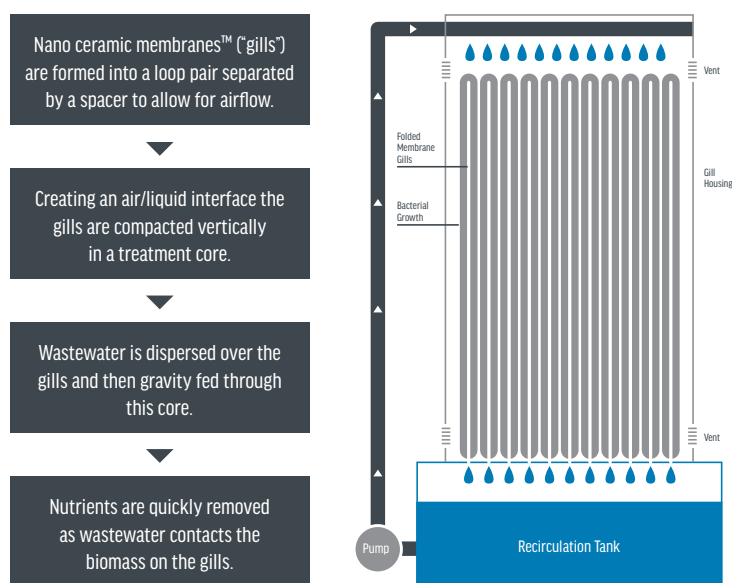
HOW BIOGILL WORKS

At the technology's core is a uniquely designed Nano ceramic membrane, or "gill", that provides the ideal support media to grow a thick and healthy treating biomass. As the biomass on the membrane is suspended, with one side receiving the high nutrient waste stream and the other an abundant air supply, growth and metabolic performance is maximised.

The patented membranes are arranged in multiple, suspended vertical loops with water delivered to the top of each loop. Wastewater flows down the surface of the gills where the metabolic activity of the bacteria generates a convective air flow, moving upward in the air side between each set of loops. No blowers or aerators are used to provide oxygen for the biomass.

Compared with other aerobic wastewater treatment processes, the BioGill bioreactor offers more efficient, above ground aeration of organic material in the waste stream. BioGill membranes can achieve biomass density as high as 50,000 mg/L or better.

This loading of microorganisms, Nature's best recyclers, turbo charges nutrient removal from sewage, leading to optimum nitrogen and soluble BOD/COD reductions.



RESULTS

BioGill bioreactors are ideal for the aerobic biological stage of treating sewage. Expected treatment results include:

- BOD reduction up to 98% in 24 hours
- Energy consumption of 0.3kWh/m³

The technology is successfully treating sewage onsite at number of sites including:

Reduced energy at existing STP PHILIPPINES Reduction in energy demand by 80.25%. Up to 89% BOD reduction	89%
Decentralised sewage + resort commercial kitchen FIJI Up to 96% BOD reduction in 24 hours	96%
Retrofit to existing STP MEXICO Up to 95% BOD reduction in 24 hours	95%
Retrofit to existing STP AUSTRALIA Up to 98% BOD reduction in 12 hours	98%

Note: Typical batch times range between ½ to 1 day.



Suspended biomass vertically supported and surrounded by oxygen – a key feature of the BioGill technology.



BioGill bioreactors were retrofitted to an existing STP in Manila to improve BOD reduction and reduce energy consumption.

For further information please contact:

Apex Environmental Limited

P: 03 929 2675

E: sales@apexenvironmental.co.nz

www.apexenvironmental.co.nz



Case studies and technical reports are available.

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Namibia, New Zealand, Nigeria,
Philippines, Qatar, Rwanda, Singapore, South Africa,
Swaziland, Tanzania, Thailand, Uganda,
United Arab Emirates, Vietnam, Zambia,

F

Pirirakau Correspondence

Appendix F

Pirirakau Correspondence

Company name

Claire Steele

From: Julie Shepherd <julie.shepherd@xtra.co.nz>
Sent: Sunday, 24 January 2021 2:01 PM
To: Aaron Collier
Cc: annaliese@supermac.co.nz
Subject: Re: FW: Te Puna Springs Plan Change

Kia ora Aaron,

It suddenly dawned on me that this was incomplete from my end.

Thank you for the consultation with Pirirakau.

I am confirming support for the future initiative of Rex and the Te Puna Springs Plan Change.

On the provision of;

- Naming
- Puna intent to pip above ground as a feature
- Earthworks require a Pirirakau cultural monitor to observe stripping.

Nga mihi

Julie

Julie Shepherd

Pirirakau Environment Manager

Pirirakau Incorporated Society

0272105522

On 19 November 2020 at 11:01 Aaron Collier <aaron@collierconsultants.co.nz> wrote:

Kia ora Julie – just following up on the below as we are now keen to lodge by the end of the month.

Nga Mihi

Aaron Collier | aaron@collierconsultants.co.nz

Planner | Director

Collier Consultants Ltd | PO Box 14371 Tauranga Mail Centre 3143 | New Zealand

M. 021 744 707

From: Aaron Collier <aaron@collierconsultants.co.nz>
Sent: Wednesday, 4 November 2020 10:57 am
To: 'julie.shepherd@xtra.co.nz' <julie.shepherd@xtra.co.nz>
Cc: finance@supermac.co.nz; Annaliese Michel <annaliese@supermac.co.nz>;
finance@supermac.co.nz; Claire Steele <Claire.Steele@aurecongroup.com>
Subject: Te Puna Springs Plan Change

Kia ora Julie

Thank you for meeting with us yesterday to discuss the Plan change and the updated masterplan. It was good to catch up to discuss the future of the site, the plan change process and where we are heading.

It seems like an eternity since we had the last workshop but there has been a long delay as we have waited for the Council to advance a wastewater solution. As we discussed, there is now a commitment from WBOPDC staff to proceed with a connection so on this basis we are finalising and submitting the plan change process. I'm sure you will agree that Rex has waited long enough!

I think its really important that there is a feeling of "placemaking" created for the site and Rex is committed to ensure good development outcomes, future employment opportunity for locals and the creation of further business land to cater for the local needs of Te Puna.

Rex is happy to work with Pirirakau at the time of development on the branding of the site and to determine an appropriate design response for the spring area for matters such as sign/information boards/cultural markers, road naming etc. We will keep in touch on this and progress as we go. Rex is also happy for the public to obtain water/have access to the spring. We will need to ensure that this can occur in a safe manner as discussed but I am sure there are various options that we can look at once we get into the subdivision and development phase. We will be looking to approach WBOPDC to purchase the site as discussed, and would like Pirirakau's support for this and involvement in how the spring site might be planned and developed. I suspect we will have to make a submission to the annual plan process for funding for this and would appreciate your support/maybe a joint submission to Council.

Attached are links to the draft plan change application and the latest structure plan.

<https://www.dropbox.com/t/oatyQpXwTLl0cKwM>

<https://www.dropbox.com/t/9vwIw9V3DY0bn4wd>

Once you have reviewed these we would appreciate it if you could please send Rex a letter of support that we can include with the application. Please also invoice us for your time for this and the engagement we have had.

We are looking to formally lodge with WBOPDC at the end of the month.

Please give me a call if you need to chat about anything further.

Nga Mihi

Aaron Collier | aaron@collierconsultants.co.nz

Planner | Director

Collier Consultants Ltd | PO Box 14371 Tauranga Mail Centre 3143 | New Zealand

M. 021 744 707

From: julie.shepherd@xtra.co.nz <julie.shepherd@xtra.co.nz>
Sent: Tuesday, 27 October 2020 11:27 pm
To: Aaron Collier <aaron@collierconsultants.co.nz>
Subject: RE: Old New Zealand Limited

Kia ora Aaron

I am available 1 pm Tuesday 3rd November if that suits? Can you bring the Applicant with you too?

Nga mihi

Julie

On 27/10/2020 11:06 AM, Aaron Collier <aaron@collierconsultants.co.nz> wrote:

Kia ora Julie – sorry I’ve let this slip. When would a good time be to catch up at Nourish?

Nga Mihi

Aaron Collier | aaron@collierconsultants.co.nz

Planner | Director

Collier Consultants Ltd | PO Box 14371 Tauranga Mail Centre 3143 | New Zealand

M. 021 744 707

From: Julie Shepherd <julie.shepherd@xtra.co.nz>

Sent: Wednesday, 30 September 2020 9:29 pm

To: Aaron Collier <aaron@collierconsultants.co.nz>

Subject: RE: Old New Zealand Limited

Kia ora Aaron

Hope you are well also.

propose a few days times next week or the following to meet, we can catch up at Nourish.

Nga mihi

Julie

On 23 September 2020 at 06:10 Aaron Collier

<aaron@collierconsultants.co.nz> wrote:

Kia ora Julie. I hope all is well with you. We must catch up at some stage for a coffee to discuss Te Puna and Rex’s site as he wants to get the plan change moving. I assume Aurecon would have sent you a copy of the documents?

Nga Mihi

Aaron Collier | aaron@collierconsultants.co.nz

Planner | Director

Collier Consultants Ltd | PO Box 14371 Tauranga Mail Centre 3143 | New Zealand

M. 021 744 707

Claire Steele

From: Harriet McKee
Sent: Tuesday, 25 June 2019 1:15 PM
To: Claire Steele
Subject: FW: Te Puna Plan Change

Follow Up Flag: Follow up
Flag Status: Flagged

Harriet McKee M.App Sci (Env.Man.), BA (Geog)
Manager, Environment and Planning, Aurecon
T +64 7 5786183 M +64 21743756
Harriet.McKee@aurecongroup.com

DISCLAIMER

From: Luke Balchin
Sent: Thursday, 30 May 2019 12:05 PM
To: Harriet McKee <Harriet.McKee@aurecongroup.com>
Subject: FW: Te Puna Plan Change

Luke Balchin
Consultant, Environment and Planning, Aurecon
T +64 7 577 5163
Luke.Balchin@aurecongroup.com

DISCLAIMER

From: Pirirakau Hapu <pirirakau.hapu@gmail.com>
Sent: Tuesday, 20 March 2018 10:51 AM
To: Luke Balchin <Luke.Balchin@aurecongroup.com>
Cc: Phillip Martelli <phillip.martelli@westernbay.govt.nz>
Subject: Re: Te Puna Plan Change

Kia ora Luke

In consideration of the proposed plan change of extending the commercial zone outlined as the proposed area included within these emails.

We acknowledge the extended commercial zoning provides for activity consistent with the current activities in this location.

In this regard, we do not oppose the zone change but we would require consultation on future commercial activities within the newly created commercial zone.

Pirirakau seek to collaborate with WBOPDC, SmartGrowth strategies and Landowners to ensure the rural character of Te Puna is sustained.

Nga mihi

Julie Shepherd
Pirirakau Incorporated Society

On Wed, Mar 14, 2018 at 7:45 AM, Luke Balchin <Luke.Balchin@aurecongroup.com> wrote:

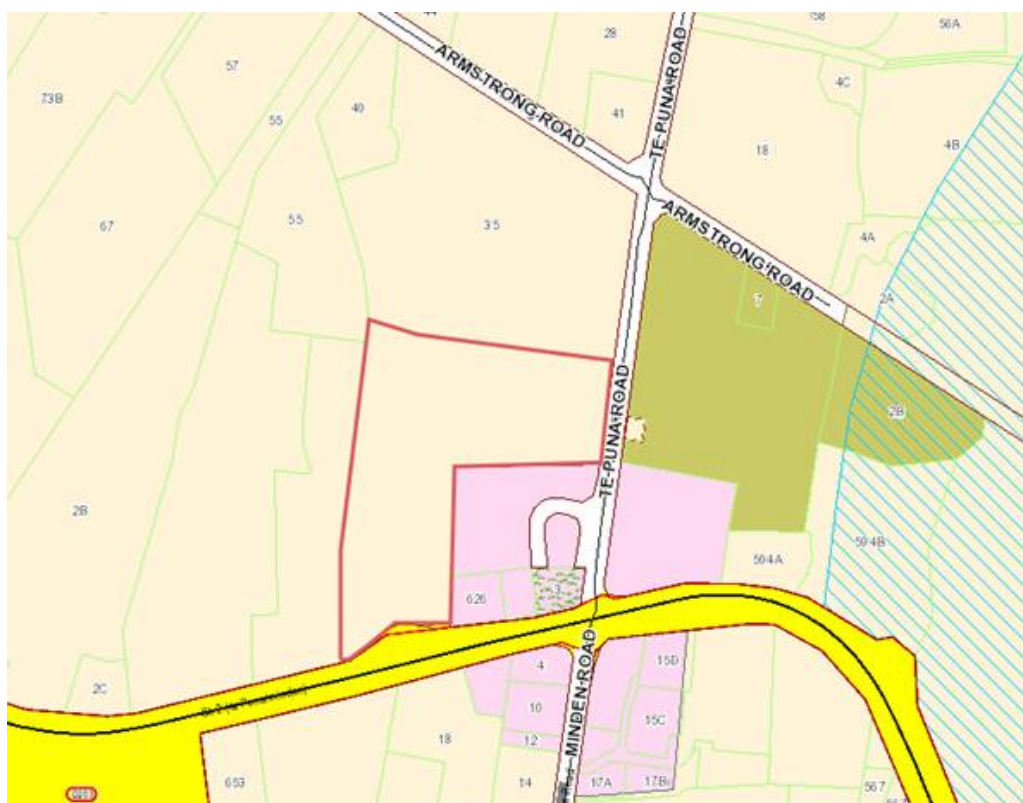
Kia ora Julie,

Sure, I am following up on behalf of Harriet McKee. Harriet may have recently sent you a similar email.

We are working with our client Rex McIntyre on a the proposed Plan Change for his site in Te Puna. The site is located behind the existing BP service station. The site is currently zoned Rural and Commercial and we are proposing an extension to the Commercial zoning over the site.

We would like to meet with you to discuss the proposal. Please let me know if you would like to meet and indicate any dates and times that are convenient for you.

The site which a commercial extension is sought is identified on the following plan with a red outline, the existing commercial land in the area is identified in pink:



Nga mihi,

Luke Balchin
Consultant, Environment and Planning, Aurecon
T [+64 7 577 5163](tel:+6475775163)
Luke.Balchin@aurecongroup.com

DISCLAIMER

From: Pirirakau Hapu [mailto:pirirakau.hapu@gmail.com]
Sent: Tuesday, 13 March 2018 2:41 PM
To: Luke Balchin <Luke.Balchin@aurecongroup.com>
Subject: Te Puna Plan Change

Kia ora Luke

I am at uni today but I have listened to your voicemail. Can you email me info please. Is this in regard to the proposed zone change for a limited area to allow a service station?

Nga mihi

Julie



G

Integrated Transport Assessment

Appendix G

Integrated Transport Assessment

Company name

Te Puna Springs Plan Change

Integrated Transport
Assessment

Te Puna Springs Limited

Reference: 251282

Revision: 0

13 August 2019



Document control record

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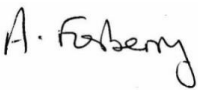
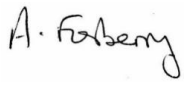
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Report title		Integrated Transport Assessment				
Document ID			Project number		251282	
File path		C:\Users\Ann.Fosberry\AppData\Roaming\OpenText\OTEdit\EC_cs\c183638271\251282-0000-REP-CC-00102 ITA plan change final.docx				
Client		Te Puna Springs Limited				
Client contact			Client reference			
Rev	Date	Revision details/status	Author	Reviewer	Verifier (if required)	Approver
0	13 August 2019	Final for issue	A Fosberry	R Inman		A Fosberry
Current revision		0				

Approval			
Author signature		Approver signature	
			
Name		Name	
Ann Fosberry		Ann Fosberry	
Title		Title	
Technical Director		Technical Director	

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Figure 2 – Plan Change Schematic

Figure 3 – Previously consented plan

Figure 4– Te Puna Improvements

Figure 5 – Proposed Tauranga Cycle Trail connector route shown in light blue within the context of the Omokoroa to Bethlehem route

Figure 6 – Western extent - TNL

Figure 7 – Assumed GFA's

Figure 8 – Plan Change Schematic

Tables

Table 1 – Likely scenario traffic generators

Table 2 - Parking assessment in accordance with District Plan

1 Introduction

Western Bay of Plenty District Council has initiated this request for a Plan Change, which extends the adjacent existing fully utilised Commercial area.

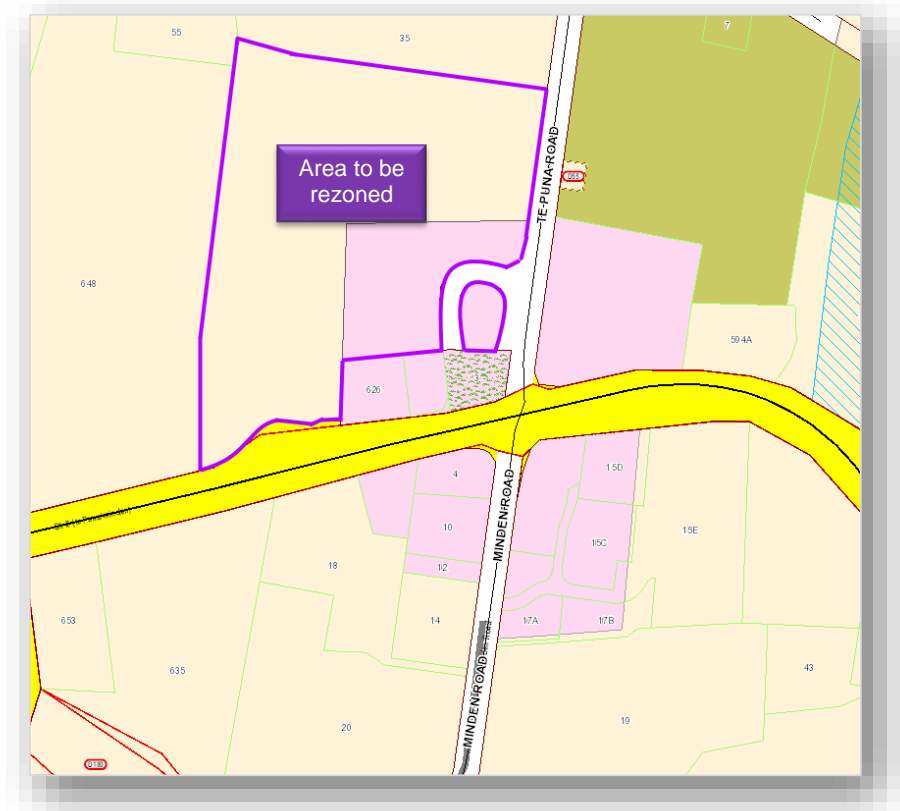
The proposal relates to rezoning approximately 5.91 hectares of Rural and Commercial zoned land at 23 Te Puna Road, Te Puna, to new Commercial Business zone. Additional permitted activities proposed include:

- Rural Contractors Depot;
- Offices (ancillary to activities occurring on site);
- Prefabricated Building Manufacturing;
- Places of Assembly – Te Puna Hall;
- Warehousing and Storage.

The following transport assessment has been undertaken to determine the transport effects of the rezoning. The applicant is the owner and occupier of the land.

The location of the land associated with the rezoning, is shown below in Figure 1 below;

Figure 1 – Locality of site within the local road network



Source: Western Bay of Plenty MAPi

2 Proposal

The site is west of Te Puna Road, between the intersection with SH 2 and the intersection of Armstrong Road and lies north of SH 2.

The Plan Change schematic is provided in Figure 2 below:

Figure 2 – Plan Change Schematic



The development has been divided in to areas to distinguish the development differences. The areas are divided as follows:

- 1, 2, 5, 6, 7 and 8 are commercial. Area 8 is already consented for vehicle machinery sales;
- 3 is the replacement Te Puna Hall;
- 4 is Village Green and Spring;
- 9 is shelter belt;
- 10 is street trees;
- 11 is a 5m landscape buffer strip; and

- 12 is traffic calming on the private road.

The proposed internal road connects with Te Puna Road at the same location as the existing access to the site, approximately opposite the access to DMS (orchard management and post-harvest operator) Te Puna.

At the southern side near SH 2, the proposed internal road is shown to connect to the new slip road that has been constructed as part of the SH 2/Te Puna Road roundabout works. This is the same location as the earlier proposal for the Te Puna Hall, which has now been moved to area 3.

The Te Puna hall was previously located on the corner of Te Puna Road and SH 2, but was removed to accommodate the intersection upgrade.

3 Recent Consents

Resource Consent RC10232 was issued to Te Puna Springs Estate Limited in December 2016.

The consent included a Garage, Workshop and Vehicle Machinery Sales premises (The Boat Place) as shown on Figure 3 below. The transport related data from this earlier consent is included within this report as the consented area is included within the proposed plan change.

Figure 3 – Previously consented plan

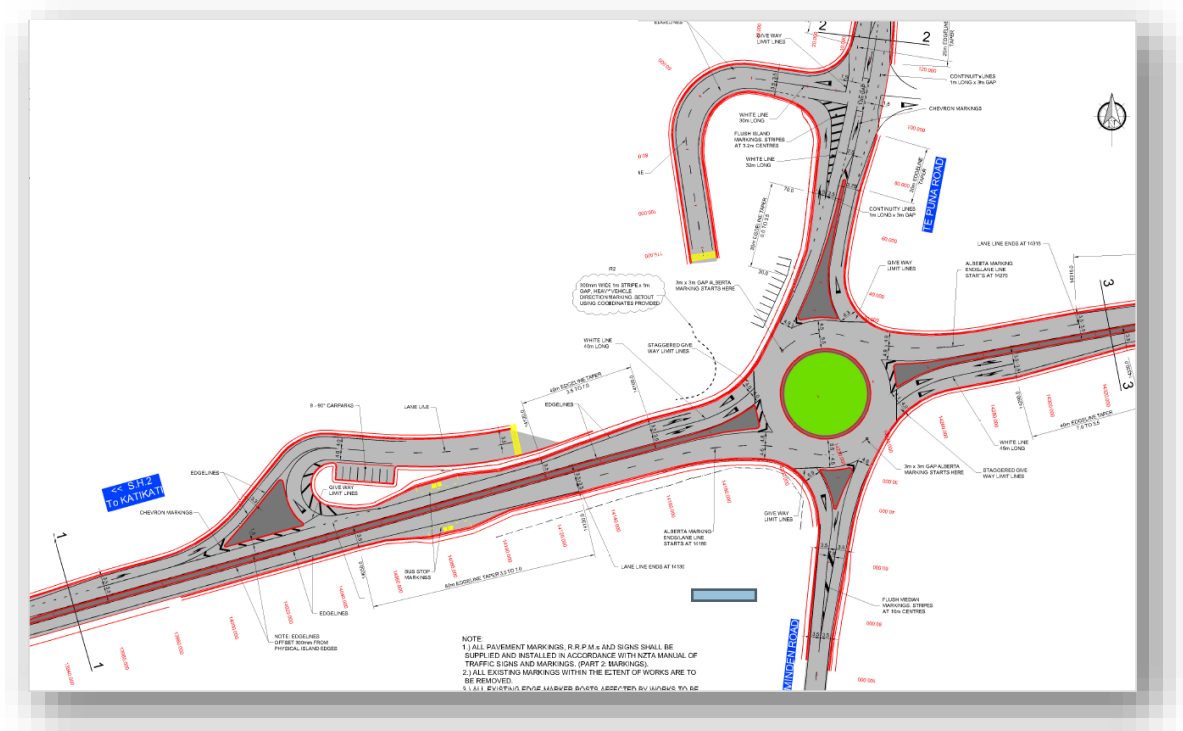


4 Transport Environment

SH 2 and Te Puna Road were upgraded as part of the SH2/Minden Road/Te Puna Road roundabout project.

The Te Puna Road upgrade works extend to the new intersection that provides access to the rear of the current commercial area. The works on SH 2 extend beyond the western boundary of the plan change area and include a left turn in/left turn out intersection for SH 2 traffic to access the commercial area. Right turns in and out of the SH 2 slip road are prohibited. The upgrade layout is shown below in Figure 4. Updated aeriels are not available.

Figure 4– Te Puna Improvements



Source: WSP-OPUS

The new intersection north of the roundabout is a four-way intersection, with right turn bays and a left turn slip lane into the BP service station. This creates a wide intersection where the road marking is worn. Therefore, for long term visibility and a reduced maintenance burden, there is a benefit to Council in applying thermoplastic markings.

4.1 Te Puna Road traffic data

Traffic data collected in May 2018, immediately north of the existing Supermac access provides:

- A 5-day average daily northbound flow of 1714 vpd;
- A 5-day average daily southbound 1876vpd;
- Combined two-way 3590vpd;
- Northbound morning peak 196 vph;
- Southbound morning peak 246 vph;
- Morning peak hour 8.00am to 9.00am;
- Northbound evening peak 181vph – 5.00pm to 6.00pm;

- Southbound evening peak 182vph – 4.00pm to 5.00pm;
- Northbound 85%ile speed 75km/h;
- Southbound 85%ile speed 74km/h;
- HCV's Northbound 12.8%, HCV's southbound 12.1%.

4.2 SH 2 traffic data

The NZ Transport Agency counts traffic at a telemetry site on SH 2 near Snodgrass Road (west of Te Puna). The following data has been supplied by them from this site:

- A 5-day average two-way flow in 2018 of 23133 vpd;
- A 5-day average two-way flow in 2019 of 23166 vpd;
- A 5-day average AM peak in 2018 between 7am and 8am of 1942 vph;
- A 5-day average AM peak in 2019 between 7am and 8am of 1880 vph

4.3 Public Transport

SH 2 Te Puna is one of the pickup and drop off locations for the Baybus commuter service and for the inter-regional Intercity service.

Formal bus bays have been constructed on SH 2 as part of the roading improvement works as shown in Figure 4 above, immediately to the east of the SH 2 left in, left out access.

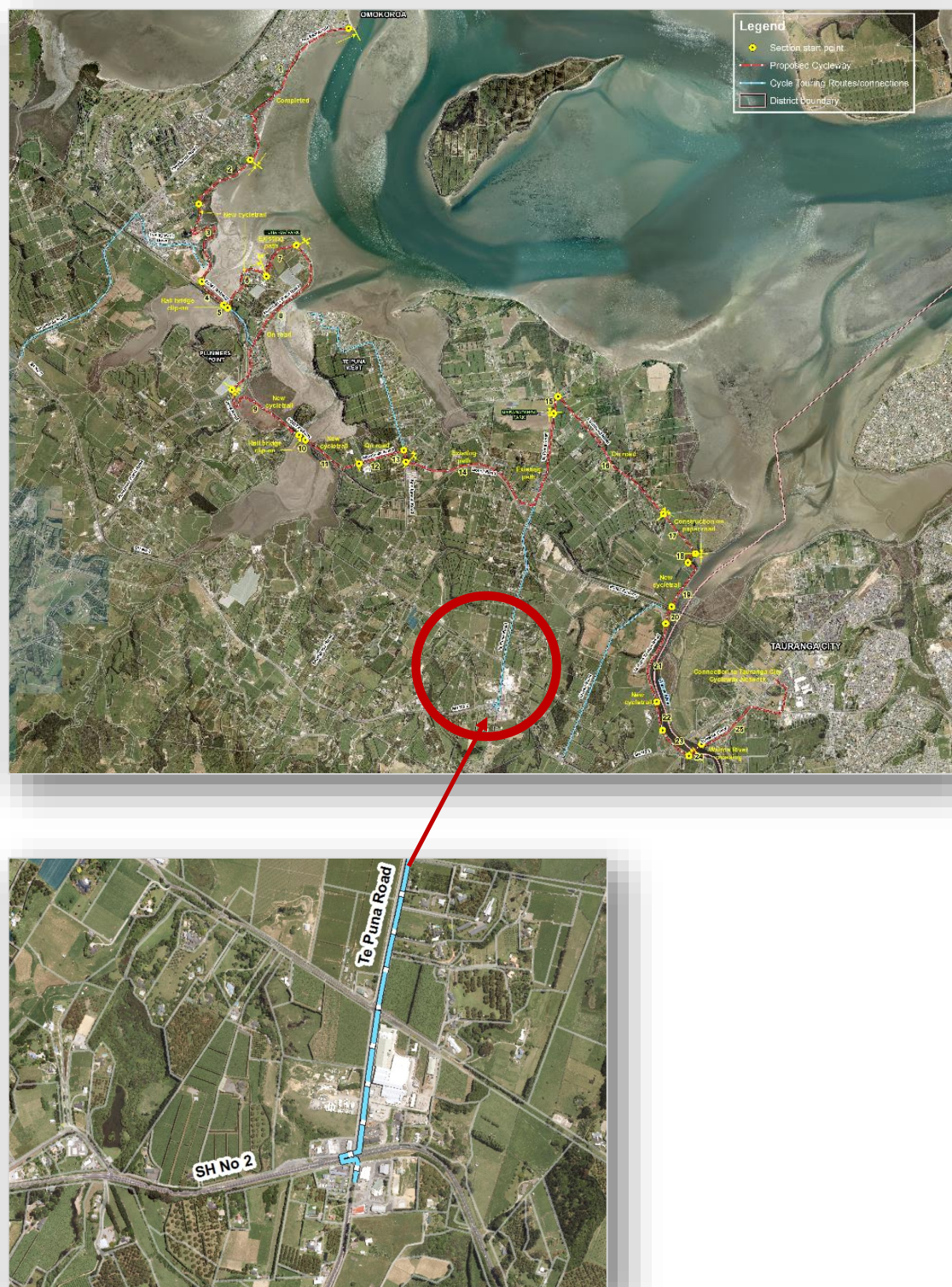
The following commuter and shopper buses stop at this location:

- Route 80 – Katikati – Tauranga Express (6 daily return services)
- Route 81 – Omokoroa – Tauranga Commuter
- Route 85 – Katikati – Omokoroa - Tauranga Shopper (links to Route 80)

4.4 Walking and cycling

There are currently no formal cycle provisions on road or off road in the vicinity of the proposed development. The major planned cycleway in the region is the proposed Omokoroa to Tauranga Cycle Trail, which runs generally parallel to SH2 in an east-west direction, but approximately 2km further north of the site. A future cycle route/connection is proposed to run along Te Puna Road and Minden Road to connect to the trail through the intersection of SH 2/Te Puna Road /Minden Road in a north-south direction as illustrated by Figure 5. Currently the connection is a concrete footpath.

Figure 5 – Proposed Tauranga Cycle Trail connector route shown in light blue within the context of the Omokoroa to Bethlehem route



Source: WBoPDC website

Local pedestrian facilities have been provided to accommodate people who live on the southern side of SH 2 to access the commercial area.

Footpath has been constructed on the SH 2 frontage of the Motel and accommodation (southern side) with a central refuge in the SH 2 median island on the western side of the roundabout, for those people crossing SH 2. The path extends to the bus stop and shelter. On the northern side, the footpath extends from the bus stop, around the commercial site frontage into Te Puna Road and continues north, on the western side of Te Puna Road. On the north western corner of the SH 2, Te Puna Road roundabout, there is a pedestrian access from the footpath to the commercial area (Four Square, BP service station). A pedestrian refuge has also been constructed on Te Puna Road on the northern side of the SH 2 roundabout for pedestrian crossing east west. On the eastern side there is no footpath connection from the pram crossing to the café. In discussion with the NZ Transport Agency they advised that this section of footpath was not part of the SH 2 Te Puna Road upgrade and was to be constructed by others.

4.5 Safety

The new Te Puna roundabout has been constructed to address the safety issues at the intersection. The project has been road safety audited.

The implemented works have reduced the number of access points onto SH 2 and constructed a Safe System intersection design (roundabout) at the intersection of SH 2/Te Puna Road /Minden Road.

Most of the available recorded crash data will be related to the previous configuration and construction period. It has therefore been deemed not relevant and has not been sourced. Roundabouts provide a "Safe System" intersection by reducing speed and altering the angle of impact of crashes that do occur, thus reducing the severity.

4.6 Speed Limits

The legal posted speed limit on Te Puna Road and Minden Road is 80km/h. Actual speed of vehicles on the approach and departure to the SH 2 roundabout are expected to be lower because of the speed at which drivers are negotiating the roundabout.

The NZ Transport Agency is considering permanent speed limit changes on SH 2 as part of the National Speed Management Strategy. SH 2 is currently posted at 60km/h (temporary) as part of the safer speed strategy.

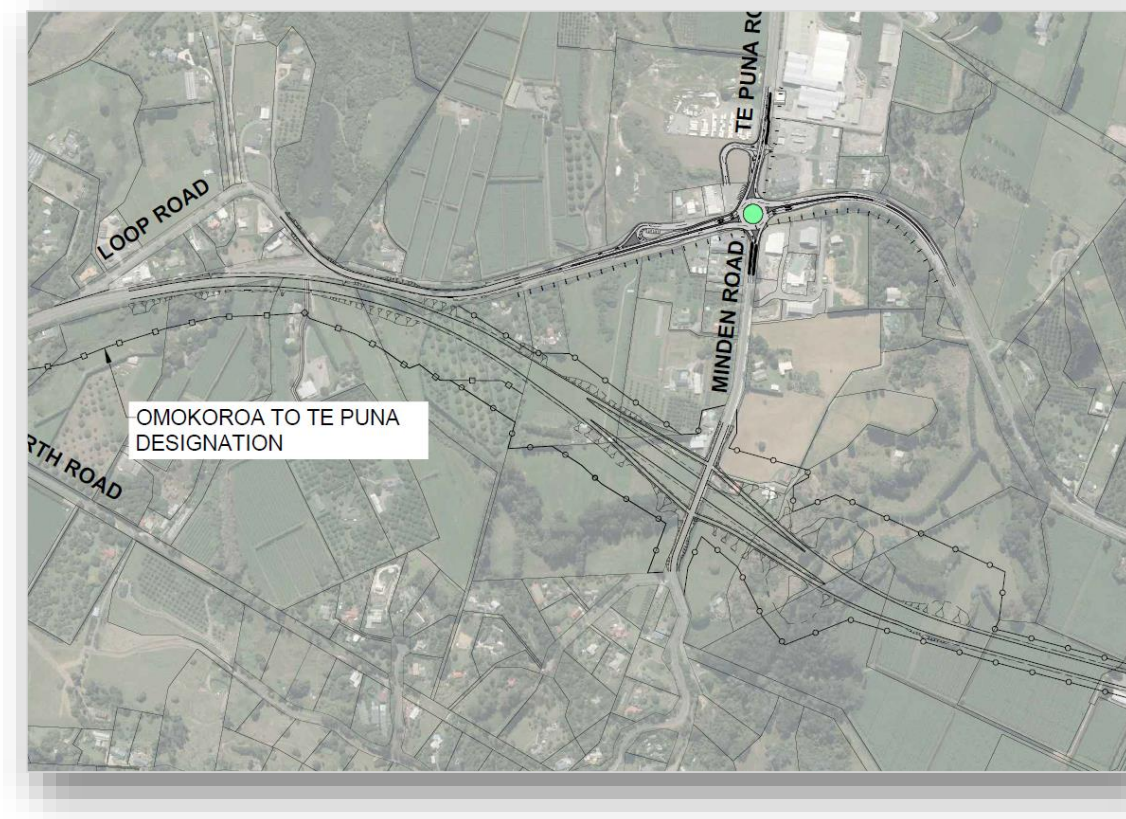
The slip road from SH 2 into the BP service station is posted at 30km/h (temporary) to discourage rat-running to bypass the queues on SH 2.

4.7 Future Road Improvements

Safety improvement works are under way on SH 2 with some projects south of Waihi having been completed.

Tauranga Northern Link (TNL) was to commence construction in late 2018 with completion in 2022. The existing SH 2 alignment from Loop Road east to Tauranga was to become a local road and not connect to the TNL at Loop Road. Those wishing to access the Te Puna area from the west, were to exit the TNL at the Minden Interchange and vice versa. Refer Figure 6 below:

Figure 6 – Western extent - TNL



Source: NZTA website

Construction of the TNL and closure of SH 2 at Loop Road would result in a significant reduction in traffic volumes west of Te Puna Road, reducing the risk to pedestrians crossing SH 2. There is currently no indication of when the TNL will be constructed.

5 Liaison with NZ Transport Agency and WSP-OPUS

Background information has been sought from both the NZ Transport Agency and WSP-OPUS in relation to the road designation, Notice of Requirement, future commercial considerations included in the improvement works and relocation of the community hall.

WSP-OPUS have provided the following data to assist us;

- Te Puna Memorial Hall, Traffic Impact Assessment, 28 June 2016;
- Semi-trailer truck tracking curves and proposed road marking within the existing commercial area, to demonstrate adequate room for large vehicles to manoeuvre within the available area clear of the BP service station.

The NZ Transport Agency have confirmed that expected future traffic volumes from the Te Puna Plan Change and traffic from the Te Puna Business Estate on Te Puna Station Road, were included in the traffic modelling for the SH 2/Minden Road/Te Puna Road roundabout.

In consultation with the NZ Transport Agency, advised that provided the land uses to be included as part of the Plan Change, are similar to those that were considered when the SH 2 roundabout was modelled, then the NZ Transport Agency are comfortable that the roundabout is designed with adequate capacity.

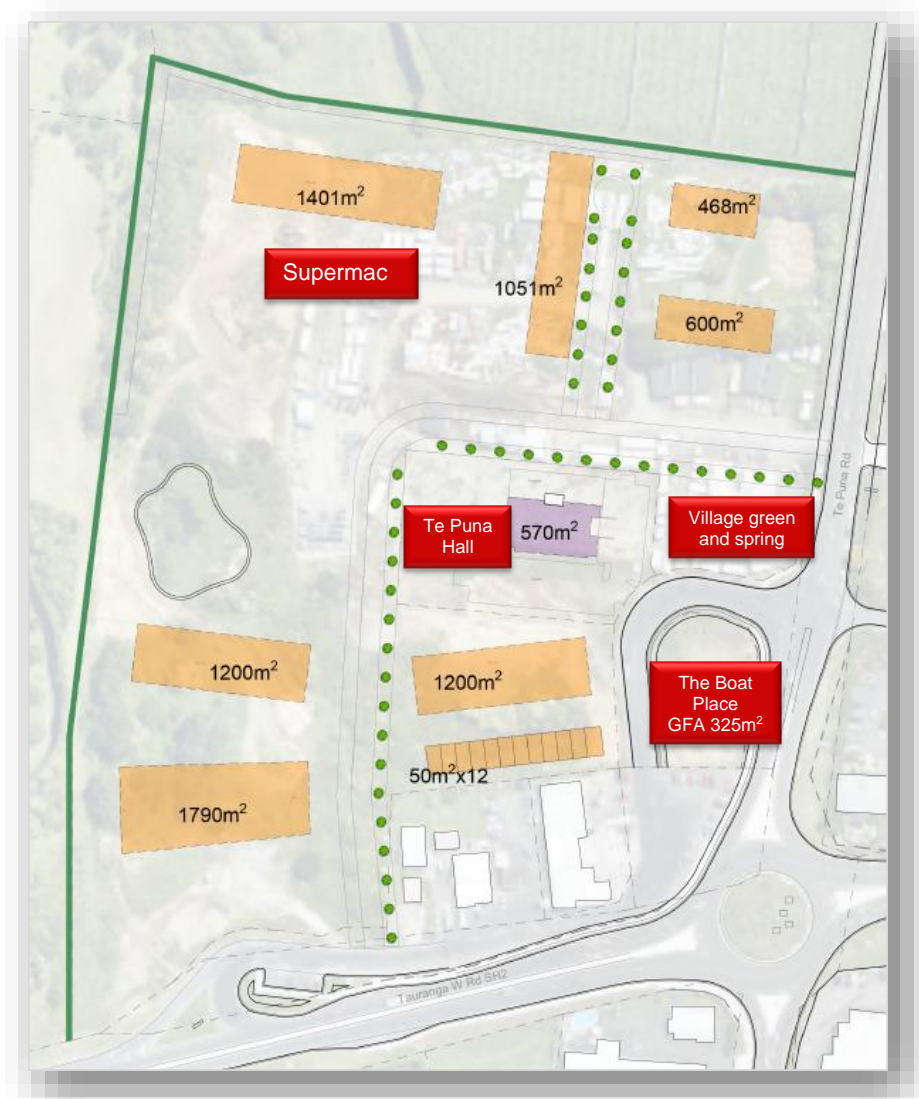
6 Traffic Generation

The activities within the proposed Plan Change are generally commercial and include:

- The Te Puna Hall;
- The previously consented activities in RC 10232 of Garage and Workshop (1234m²) and Vehicle Machinery Sales premises (The Boat Place - 325m²);
- Rural Contractors Depot
- Offices (ancillary to activities occurring on site)
- Prefabricated Building Manufacturing
- Warehousing and Storage

The building Ground Floor Area's (GFA) used in the traffic generation assessment have been provided by Boffa Miskell and are shown in Figure 7 below. Building locations are indicative and will vary depending on access location, internal circulation and carpark layout. The total GFA for the commercial activities excluding the Te Puna Hall and The Boat Place is 8635m².

Figure 7 – Assumed GFA's



6.1 Trip generation rates

Referencing TRR 453 Trips and parking related to land use (November 2011):

- Commercial premises and offices typically generate 26.1 vehicle movements per day per 100m² GFA, and 2.5 vehicle movements per hour per 100m² GFA;
- Manufacturing premises typically generate 30 vehicle movements per day per 100m² GFA, and 2.7 vehicle movements per hour per 100m² GFA;
- Warehousing premises typically generate 2.4 vehicle movements per day per 100m² GFA, and 1 vehicle movement per hour per 100m² GFA.

Referencing the RTA Guide to Traffic Generating Developments (October 2002):

- Business parks peak hour vehicle trips (PVT) = 1.1 vehicles per hour two-way per 100m² of total gross leasable area

The term Business Park refers to developments that permit a range of land-use types in an integrated complex. The developments generally incorporate a number of individual units of similar size. The developments typically include elements of industrial, manufacture, research, warehousing, office space, retail, commercial, refreshment and recreational activity.

6.1.1 Worst Case

Manufacturing has the highest traffic generation rates. A worst-case scenario would therefore be the GFA of 8635m² provides traffic generation of 2590 vehicles per day and 233 vehicles per hour (excluding the Te Puna Hall and The Boat Place).

6.1.2 Likely scenario

A more likely scenario is a combination of the above traffic generators, as indicated in Table 1 below.

Table 1 includes traffic generation for the Te Puna Hall and The Boat Place. We have assumed that a capacity event at the hall generates traffic during peak commuter periods. This is unlikely but demonstrates the worst case.

Te Puna Hall traffic generation data is from the WSP-OPUS ITA that supported the consent application for relocation of the hall. The previous Te Puna Memorial Hall had a number of regular activities scheduled with the participants being between 10 and 50 people. Similar to most community halls, the Te Puna Memorial Hall has been used as a venue for annual events such as Pony Club, rowing club prize giving, family celebrations and occasionally wedding parties.

In addition, there have been music concerts held about four times a year. These irregular events will attract a larger number of participants than the regular weekly activities. The number of events that are expected to reach full capacity of the hall (120 participants) is approximately 25 occasions each year. Assuming a vehicle occupancy of two, it is estimated that the maximum number of vehicles travelling to the site during a large event is 60 vehicles.

Traffic generation for The Boat Place and workshop and garage are consented (RC 10232) and traffic data has been transferred to Table 1.

For the Rural Contractor Depot, traffic generation data has been used from the ITA for PGG Wrightson at 2 Marshall Street Katikati (RC 4806).

The Supermac operation is an existing activity on the site and the traffic generation in Table 1 relating to Supermac is existing and not additional.

Table 1 – Likely scenario traffic generators

Generator	Assumed GFA	Daily rate	Peak hour rate	comments
The Boat Place RC 10232	325m ² plus outdoor display	40 movements per day	10 movements per hour	Previously consented – traffic generation data taken from RC 10232 application
Garage and workshop	1200m ²	60 movements per day	8 movements per hour	Previously consented – traffic generation data taken from RC 10232 application
Warehousing and storage	1800m ²	2.4/100m ² GFA 43 movements per day	1/100m ² GFA 18	
Manufacturing (Supermac) – Existing Activity	2900m ²	30/100m ² GFA 870 movements per day	2.7/100m ² GFA 78	Supermac is an existing operation and the traffic generated is not additional to the network.
Commercial and office	945m ²	26.1/100m ² GFA 247 movements per day	2.5/100 m ² GFA 24 movements per hour	
Rural contractor's depot	1790m ²	Up to 3 trucks per day 140 customer movements per day 16 staff movements per day	25 movements per hour	From the PGG Wrightson Fruited operation at 2 Marshall Street Katikati. RC 4806
Servicing – courier, rubbish/recycle etc	All businesses – GFA N/A.	14 courier movements per day 2 rubbish/recycle per week	4 movements per hour	These services cover the whole area.
Te Puna Hall	570m ²	120 movements per day	60 movements per hour	Previously consented - Assumes worst case of capacity Hall function and that all will arrive in 1 hour and be coincidental with the activities peak.
Total assessed traffic movements including Supermac	9530m ²	1551 movements per day	227 movements per hour	
Total assessed traffic movements excluding Supermac		681 movements per day	149 movements per hour	

6.2 Impact of increased traffic generation

Arrivals and departures will be split.

Those arriving and departing from Minden Road will do so via the SH 2 roundabout and enter the site from Te Puna Road. Departure may be via Te Puna Road or via the left turn onto SH 2, west of the SH 2 roundabout.

Those arriving and departing to the north will enter via Te Puna Road. Departure may be via Te Puna Road or via the left turn onto SH 2, west of the SH 2 roundabout.

Those arriving on SH 2 from the west can enter via the left turn slip lane or make a left turn at the roundabout and enter via Te Puna Road. Their choice will depend on their destination within the commercial area.

Those arriving and departing from Bethlehem will do so via the SH 2 roundabout and Te Puna Road access.

Therefore, not all traffic will be using the SH 2 roundabout.

Traffic volumes on SH 2 are at capacity at certain times of the day. Queuing in the morning peak, Tauranga bound on SH 2 can extend kilometres to the west from the roundabout. A minor hold-up can quickly develop into a major delay.

Supermac (The Group) traffic is existing and not additional to the network.

Only on rare occasions will the peak Te Puna Hall traffic be generated at the same time as the activity peak. Functions at the hall for weddings, celebrations and concerts will generally be evenings and weekends.

The activities and excepted traffic are in line with the assumptions made by NZ Transport Agency for the intersection modelling for the roundabout at SH 2, Minden Road, Te Puna Road.

7 Onsite parking and manoeuvring

7.1 Existing consents

The Te Puna Hall and The Boat Place are already consented on identified sites and have approved parking, loading and manoeuvring.

The garage and workshop activity, which is also consented, will now be at a different location (should it be constructed) as the Te Puna Hall now occupies the propose garage and workshop site. Layout plans, parking, loading and manoeuvring for the garage workshop are consented and can be transferred to another site within the Te Puna Plan Change area.

7.2 District Plan Parking Assessment

The expected activities are divided into:

- Warehousing and storage;
- Manufacturing (Supermac) – Existing Activity;
- Commercial and office;
- Rural contractor's depot.

When reviewing the car parking spaces provided for various activities, it is apparent that for activities similar to those above, the number of car parks required are likely to be as indicated in Table 2 below:

Table 2 - Parking assessment in accordance with District Plan

Activity	Area m ²	Parking rate	Number of car parks required
Warehouses, Depots, Building and Construction Wholesalers	4700	One car parking space to each 100m ² of gross floor area so used	47
Administrative, Commercial and Professional Offices not in a residential building. Commercial Services, Hire Centres, Dry Cleaning Depots, Repair Services, Tradesman's Workshops.	945	One car parking space to each 40m ² of gross floor area.	24
Building and Construction Retailers or Retailers and Wholesalers combined	1790	One car parking space to each 50m ² of gross floor area so used.	36
		Total	107

For manoeuvring, the WBoP Operative District Plan states in Section 4.B.4.6 "All activities shall provide manoeuvring space onsite so that all vehicles can enter and exit without reversing on to or off the road. Such manoeuvring shall be able to be executed in no more than a three-point turn."

The required area per parking space and manoeuvring area is generally accepted as 30.2m². For 107 parking spaces this is 3,231m² (0.32 hectare). The total site is 5.6 hectares. If we conservatively assume that 50% of this area is the Te Puna Hall, The Boat Yard, stormwater pond, roading and the Village Green, the remaining area is 2.8 hectares. The GFA of buildings within the 2.8 hectares is 0.86 hectares, that leaves approximately 1.94 hectares in which to locate 0.32 hectares of parking and manoeuvring. The actual required land area for parking and manoeuvring will be refined when the design of the parking and loading layouts are completed in the future.

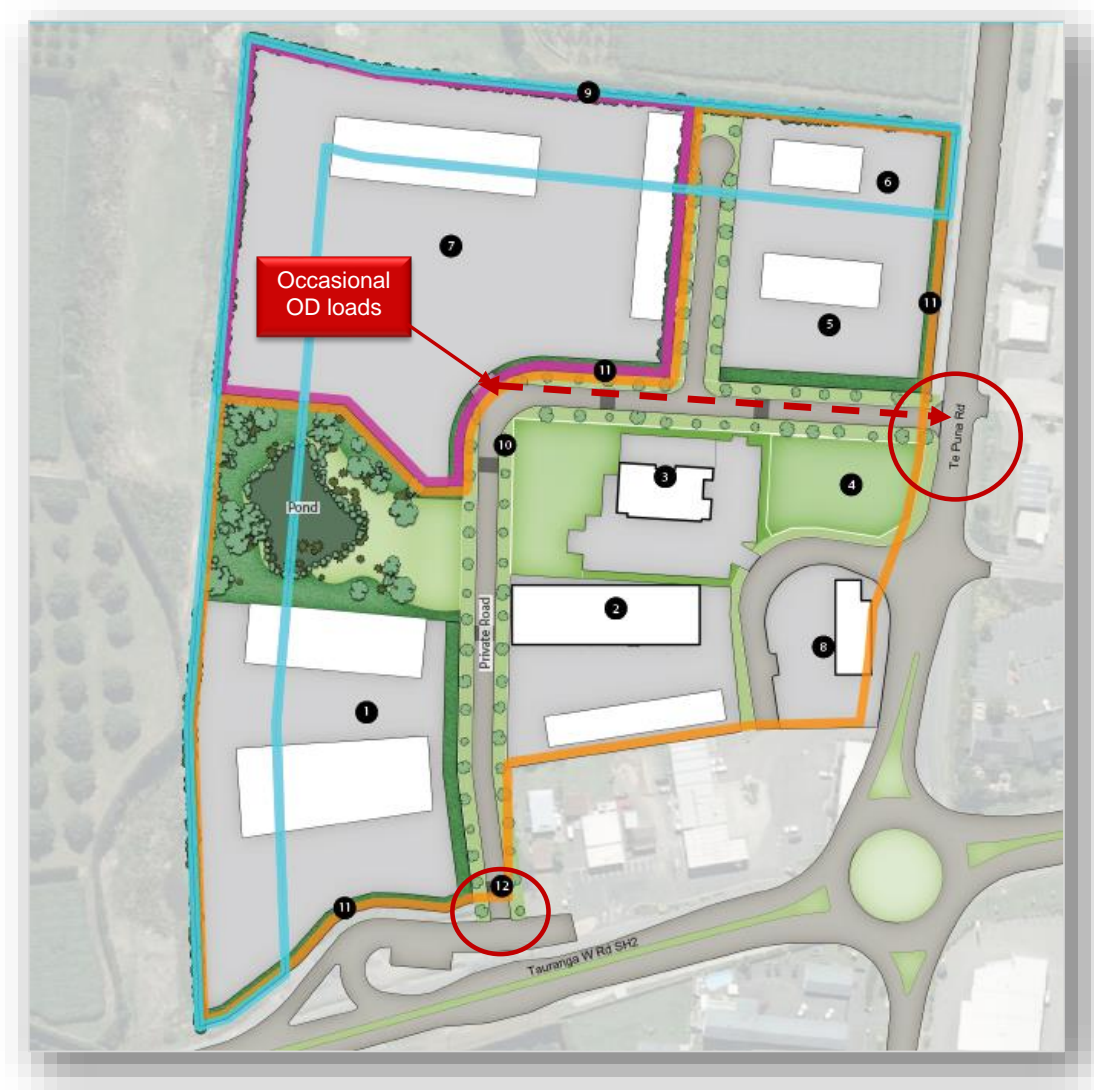
The above parking assessment and area analysis demonstrates that adequate space is available for the expected parking and manoeuvring requirements on site.

8 Site Access

Access to the development is proposed via a new intersection on the left turn slip lane from SH 2 and via Te Puna Road.

The internal road servicing the development is to be private.

Figure 8 – Plan Change Schematic



8.1 Intersection at SH 2 slip lane

The slip lane access at SH 2 provides for left in and left out onto SH 2. The private road access will provide for all movements although left turn exiting and right turn entering the private road are expected to be low volume as drivers will not arrive or depart this way unless needing to use the Four Square or BP Service Station etc.

The intersection will be designed to accommodate the required vehicle swept paths to avoid any potential for turning conflicts. There is currently a 30km/h temporary speed limit in this area which we assume will be

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made permanent in the near future as part of the overall permanent changes to speed limits that will occur. Appropriate sight lines and sight distances are available at this proposed intersection with a minimum of 100m available in each direction. (Referencing Austroads Guide to Road Design Part 4A, Safe Intersection Sight Distance for a 50km/h design speed is 90m.)

8.2 Intersection at Te Puna Road

The proposed intersection onto Te Puna Road is in the same location as the current Supermac access. It is located slightly to the south of an "exit only" from DMS (post-harvest operator). On site observations indicate that some vehicles are entering the DMS site via the exit only. We have been advised that this is contrary to their consent. The DMS site, its accesses and internal site layout provide for a one-way circulating system that supports the exit only, opposite Supermac.

The predominant traffic movement at the new intersection will be to and from SH 2, being the left turn in and right turn out for the plan change area and left turn out for DMS. This minimises the potential for turning conflicts.

Visibility in each direction meets the requirements for the current posted speed limit of 80km/h. It is likely that Western Bay of Plenty District Council will reduce the speed limit in the future to provide a consistent posted speed limit within the Te Puna Commercial area, matching the reduction on SH 2. Consideration of measures to calm traffic and reduce speed should be considered at the time that speed limit reviews are being undertaken.

Prior to construction of the new intersection consultation should occur with DMS to ensure compliance to avoid unnecessary potential turning vehicle conflicts.

8.3 Internal Private Road

The private internal road is indicated to have an 11m carriageway with a 20m road reserve. This provides width to accommodate through traffic and some on street parking, with the necessary width for commercial loads.

Supermac, on occasion, have the need to transport over dimensional (OD) loads. When these occur, they will be moving between Te Puna Road and site 7.

9 Construction Management

During construction, a construction management plan will need to be implemented for the site development and construction activities. This will assist with the management of arriving and departing traffic related to the works and help minimise the impact of these activities on adjacent property and the road network.

Preparation of the Construction Management Plan (CMP) is generally prepared by the contractor undertaking the work and is submitted for approval prior to commencement of construction. It is expected as a condition of consent.

The CMP will include temporary traffic management and will be required when the site is developed.

10 Assessment of Transport Effects

10.1 Traffic generation

It is considered that times of peak movements to and from the community hall are unlikely to coincide with peak vehicle movements on Te Puna Road. Traffic on Te Puna Road is generally peaks with commuter vehicles in the early morning and late afternoon. In contrast, the largest events for the community hall will tend to be:

- Sunday evenings; up to 40 people,
- Weekday mornings; up to 50 people
- Irregular private functions (usually in the evenings); up to 120 people (60 vehicles).

However, there is a possibility that commuter peaks may coincide with some larger events at the hall, and we have considered this scenario as a worst case.

During morning peak flows on SH 2 inbound to Tauranga, when queueing extends back through Te Puna, drivers on SH 2 use Te Puna Road to access Te Puna Station Road to “jump” the SH 2 queue. This results in additional northbound traffic on Te Puna Road during the morning commuter peak.

Assessed worst case traffic generation is 681 movements per day. If we assume that all of these movements are on Te Puna Road the expected daily traffic would increase from 3590 vpd to 4271 vpd, which is well within the capacity of Te Puna Road.

The two-way hourly peak flow is experienced during the morning period between 8am and 9am. Again, assuming that all of the generated traffic occurs on Te Puna Road the hourly peak increases from 442 vph to 591 vph, well within capacity.

SH 2 morning peak flows are experienced between 7am and 8am.

The activities and expected traffic generation is in line with the assumptions made by NZ Transport Agency for the intersection modelling for the roundabout at SH 2, Minden Road, Te Puna Road and the associated upgrades.

10.2 Onsite parking and manoeuvring

The internal parking manoeuvring and loading details will be determined at a later date when the activity for each site is confirmed.

The assessment in Section 7 above demonstrates the availability of more than adequate land area for the required on-site parking manoeuvring and loading.

10.3 Access and intersection design

The southern intersection of the private road and the SH 2 slip lane is a ‘T’ intersection and will be designed in accordance with AUSTROADS to accommodate the expected design vehicles, details of which will be confirmed and submitted to the NZ Transport Agency and WBoPDC for approval prior to construction.

The Te Puna Road access will be designed in accordance with AUSTROADS to accommodate the expected design vehicles, details of which will be confirmed and submitted to WBoPDC for approval prior to construction. It is intended that the design of this intersection will incorporate safe system measures to complement the expected future reduction in speed limit on Te Puna Road.

10.4 Vulnerable road users

A pedestrian facility is provided across SH 2 near the bus stops. The NZ Transport Agency has temporarily reduced the speed limit on SH 2 in Te Puna from 80km/h to 60km/h. New footpath is provided in front of the

Motel on the southern side of the road and around the corner from SH 2 into Te Puna Road where the old Te Puna Hall was located.

A new footpath connection has been constructed to the north on Te Puna Road (west side) to link to the Te Puna Community.

There are currently no crossing facilities for pedestrians to cross either Minden Road or Te Puna Road from west to east. As the Te Puna commercial area develops and expands, these facilities will need to be incorporated.

Construction of cycling facilities (as indicated on the WBoPDC website) to link to the Omokoroa to Bethlehem cycle path will also need to be considered as the area develops.

10.5 Safety

As the commercial area of Te Puna develops and activities establish as part of the plan change, Council will need to consider:

- Safe Speed - a reduction in speed limit to align with the NZ Transport Agency proposal to permanently reduce the speed limit on SH 2 to 60km/h;
- Engineering and Safe System measures to urbanise Te Puna Road and Minden Road in the reduced speed limit zone, which may include threshold treatments at speed limit change locations, channelisation and other speed management.

11 Conclusions

The proposed plan change for the Te Puna Commercial area can be supported from a transport and road safety perspective.

The expected traffic generation has already been accounted for in the design of the Te Puna Road, Minden Road, SH 2 roundabout and associated roading improvements.

More than adequate room is available on the sites to accommodate expected parking loading and manoeuvring.

Internal private roading and intersections with public road designed will be designed in accordance with Austroads and Safe System Principles.

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A large, abstract green graphic that resembles a stylized letter 'H' or a series of overlapping geometric shapes. It is composed of several green polygons of varying shades, creating a sense of depth and movement. The graphic is positioned on the left side of the page, with its right edge extending towards the center.

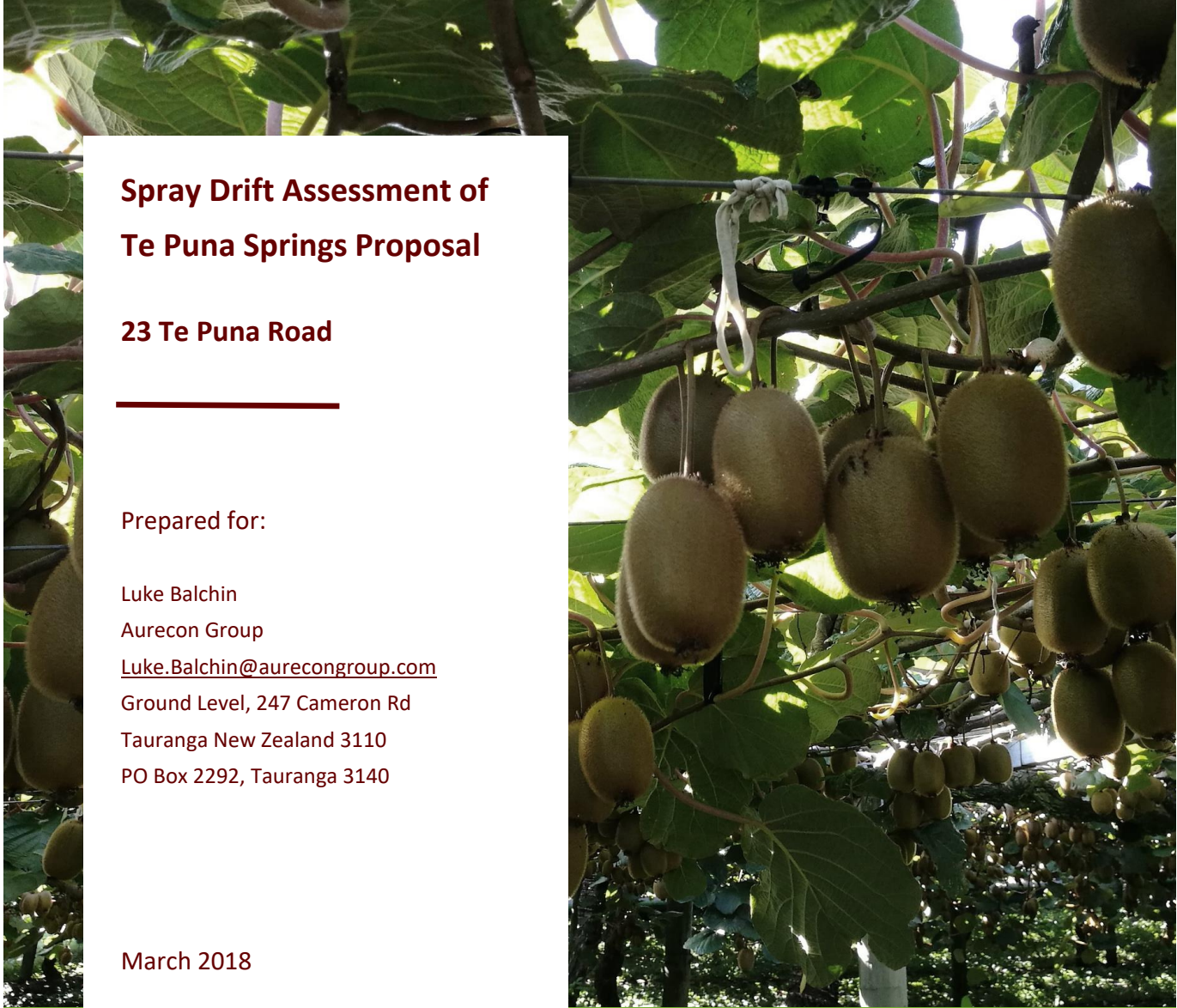
H

Spray Drift Report

Appendix H

Spray Drift Report

Company name

A photograph of a kiwi fruit orchard with many green, fuzzy kiwi fruits hanging from the vines. The leaves are large and green, and the sunlight filters through the canopy.

Spray Drift Assessment of Te Puna Springs Proposal

23 Te Puna Road

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FRUITION
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Purpose

The purpose of this report is to detail the likely effects of spray drift from neighbouring orchards on the proposed Te Puna Springs project. The report will detail spray drift, the neighbouring properties in question, the typical sprays these properties will use and if there are likely to be any issues.

Information for this report has been collected from:

- Maps provided by Aurecon Group.
- An on-site visit conducted Sandy Scarrow and Bryce Morrison on 12 March 2018.
- Various industry resources.

Qualifications

Sandy Scarrow has been working as a horticultural consultant in the Bay of Plenty since 1987. She graduated from Massey University's Bachelor of Horticultural Science in that year. Sandy's work includes day-to-day advice, strategic advice and industry analysis. She has been part of independent horticultural consultants Fruition Horticulture (BOP) Ltd since its inception in 2003, having previously been with Agriculture New Zealand and MAF. She has been engaged at times to act as an expert witness on matters relating to the Resource Management Act.

Bryce Morrison has been employed as an Assistant Horticultural Consultant since his graduation from Lincoln University's Bachelor of Commerce (Agriculture) in 2016. He has specialised in the assessment and reporting of rural subdivision proposals. He has also taken lead roles in major projects from Plant and Food and Zespri.

Te Puna Springs Background

The Te Puna Springs Industrial Development proposal is located 23 Te Puna Road, Te Puna. It is proposing the development of several commercial buildings and car parking areas.

To the north and west of the proposal are two established orchards, relatively close to the property boundary. Between the two, avocados and kiwifruit are grown. There is potential risk of spray drift from both of these sites. For this project to go ahead the risk of spray drift need to be minimal.

Appendix One is sheet two of four of the development maps. Number 9 on the map highlights a proposed shelter belt around the whole development. This will work to add a layer of protection against spray drift, if it were to drift from the neighbouring orchard.

Appendix Two is sheet four of four of the development maps. This map shows a 3D rendering of the development. Here, there appears to be a buffer strip between the development and the northern orchard. This buffer zone in addition to the proposed natural shelter minimises the risk of spray drift.

Spraydrift

“Agrichemicals are chemicals used in agricultural production. Many of them are used as sprays to control insects or other pests, weeds or plant diseases. Sometimes - due to weather conditions, the nature of the landscape (hills, shelterbelts, etc) and the way the operator carries out the spraying - the spray drifts away from the target crop or area. This is known as spraydrift.” - Bay of Plenty Regional Council, 2018¹.

In a horticultural sense, spraydrift can result in residue contamination, damage to non-target crops or plants and/or pollute the land and water. For this project however, the greatest concern is around human health effects; nausea, skin irritations, stress and nervous system break downs.

Minimising Spraydrift

As spraydrift is a well-known issue across the horticultural sector there are many techniques growers can use to minimise the effects. NZKGI (New Zealand Kiwifruit Growers) is an organisation giving kiwifruit growers a voice in the industry. In a document released regarding Hydrogen cyanamide (Hi-cane) application, they listed the following steps for growers when spraying:

- **“Compulsory low-drift technology** – air inclusion (AI) nozzles and use of adjuvants to reduce spray drift
- **Notify neighbours** – notify neighbours within 50m at least 12 hours before spraying
- **Display signs** – “spraying in progress” signs must be displayed at orchard entrance before spraying starts and removed when it’s safe to enter the orchard again. Other orange signs state the agrichemical being used as well as the contact details of the applicator
- **Check wind conditions** – sprays should not be applied if wind conditions are more than a slight breeze towards neighbours
- **Effective shelter** – orchards should have shelter on boundaries, especially road frontages. If there is no shelter or gaps in the shelter, a no-spray buffer of 30 metres should be used
- **Special care with sensitive areas** – applicators must take special care around roads, walkways, schools to avoid affecting school children, rural posties, dog walkers etc” – NZKGI, 2016².

¹ <https://www.boprc.govt.nz/our-region-and-environment/pollution-prevention-and-compliance/air-pollution/agrichemical-spraydrift/>

² <http://nzkgi.org.nz/wp-content/uploads/2016/12/Hi-Cane-Spraying.pdf>

Neighbouring Orchards

Okaro Orchard

The property to the north is a kiwifruit orchard; 35 Armstrong Road. This orchard is on the same elevation as the development and shares over 50% of the property's boundary line. Figure 1 shows this property, and the red line indicated the boundary line.

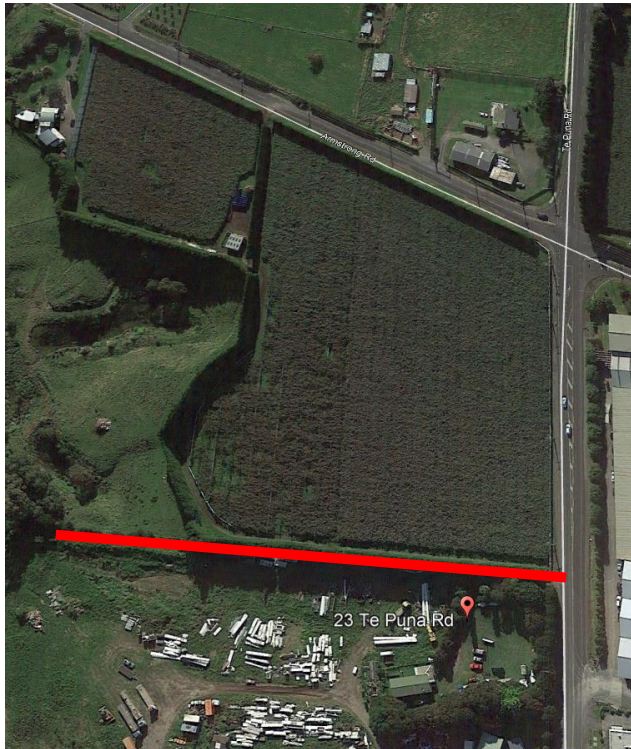


Figure 1: 35 Armstrong Road - Google Earth.

The orchard is currently planted in Gold 3 kiwifruit with extensive internal artificial shelter and natural shelters boarding the property. There was evidence of fire damage to the natural shelter between the properties. Artificial shelter has been added from the orchard side, seen in Figure 2. However, in the prevention of spraydrift natural shelter is proven to be most effective.



Figure 2: Fire damaged shelterbelt on the shared northern boundary.

648 State Highway 2 Orchard

This property is to the west of the development and is a kiwifruit orchard, with a small block of avocados; 648 SH 2. Although not as much of this orchard is directly on the boundary, it is at a higher elevation. This means if spraydrift were to occur, it could travel greater distances. Figure 3 shows this property and an indicative boundary line.



Figure 3: 648 State Highway 2 - Google Earth.

The shelterbelt along this boundary is generally well established. Upon the site inspection there were parts of the shelterbelt that have recently been replanted and therefore are not fully established. There is the potential for greater spray drift through the current gap in the shelter.



Figure 4: Western boundary shelterbelt around avocado trees.



Figure 5: Gap in western boundary, through to a kiwifruit block.

Prevailing Wind

Northern New Zealand prevailing winds are west to southwest.³ Therefore given the elevation and location of the 648 SH 2 orchard, the greatest risk of spray drift comes from this orchard.

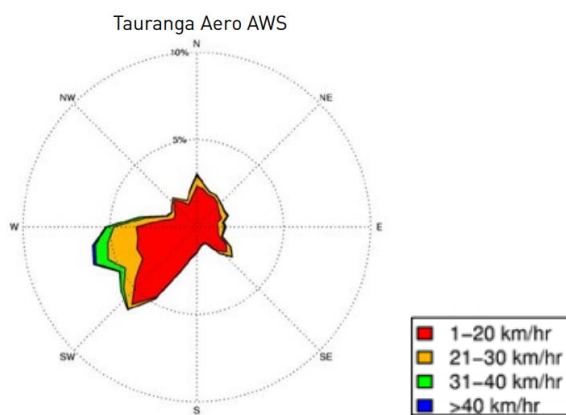


Figure 6: Mean annual wind frequencies (%) of surface wind directions from hourly observations at the Tauranga station. The plots show the directions from which the wind blows. - NIWA

³ The Climate and Weather of Bay of Plenty, 3rd Edition. Chapman, P.R. NIWA.

Spray Programmes

Both the kiwifruit and avocado industries have recommended agrichemicals that can be used at various times of the season. These agrichemicals are listed below along with the reason for their use and their Hazardous Substances and New Organisms (HSNO) classification.

Avocados

Table 1: Common Agrichemicals Used in the Avocado Industry

Product and Active Ingredient	Reason	HSNO
Avid[®] Vantal Verdex[®] 18EC 18 g/litre abamectin	Mite control	3.1D, 6.1D, 6.3B, 6.4A, 6.8B, 6.8C, 6.9B, 9.1A, 9.2C, 9.3B, 9.4A Flammable: flammable liquids. Toxic: acute toxicity, skin and eye irritant, reproductive and development toxicity (x2) and target organ or systemic toxicity. Ecotoxicity: aquatic, soil, vertebrate and invertebrate ecotoxic.
Paramite[®] 110 g/litre etoxazole	Mite control	6.9A, 9.1A Toxic: target organ or systemic toxicity. Ecotoxicity: aquatic ecotoxic.
Mit-E-Mec Milbemectin 9.3 g/L	Mite control	3.1C, 6.1E, 6.3B, 6.4A, 9.1A, 9.2C, 9.3C, 9.4B Flammable: flammable liquids. Toxic: acute toxicity, skin and eye irritant. Ecotoxicity: aquatic, soil, vertebrate and invertebrate ecotoxic.
Chlorpyrifos 500 EC 500 g/litre chlorpyrifos Lorsban[®] 50 EC/ 750 WG 490 g/litre hydrocarbon liquid Pyrinex[®] 480 g/litre chlorpyrifos	Mite, thrip and leafroller control	3.1D, 6.1C, 6.3B, 6.4A, 6.8B, 6.9A, 9.1A, 9.2B, 9.3A, 9.4A Flammable: flammable liquids. Toxic: acute toxicity, skin and eye irritant, reproductive and development toxicity and target organ or systemic toxicity. Ecotoxicity: aquatic, soil, vertebrate and invertebrate ecotoxic.
Alpasso[™] Calypso[®] Topstar[®] 480 g/litre thiacloprid	Thrip control	6.1D, 6.7B, 6.8B, 6.9B, 9.1A, 9.2C, 9.3B, 9.3C, 9.4C Toxic: acute toxicity, carcinogen, reproductive and development toxicity and target organ or systemic toxicity. Ecotoxicity: aquatic, soil, vertebrate (x2) and invertebrate ecotoxic.

Fyfanon[®] 440EW 440 g/litre maldison	Thrip control	6.1D, 6.3B, 6.4A, 6.8B, 6.9A, 9.1A, 9.3B, 9.4A	Toxic: acute toxicity, skin and eye irritant, reproductive and development toxicity and target organ or systemic toxicity. Ecotoxicity: aquatic, vertebrate and invertebrate ecotoxic.
Sparta[™] 120 g/kg spinetoram	Thrip and leafroller control	6.9B, 9.1A, 9.4A	Toxic: target organ or systemic toxicity. Ecotoxicity: aquatic and invertebrate ecotoxic.
Dew[™] 600 600 g/litre diazinon	Thrip and leafroller control	6.1D, 6.8B, 6.9A, 9.1A, 9.2B, 9.3A, 9.4A	Toxic: acute toxicity, reproductive and development toxicity and target organ or systemic toxicity. Ecotoxicity: aquatic, soil, vertebrate and invertebrate ecotoxic.
Altacor[®] 350 g/kg chlorantraniliprole	Leafroller control	9.1A	Ecotoxicity: aquatic ecotoxic.
Comic 700 g/kg tebufenozide	Leafroller control	6.9B, 9.1A, 9.4A	Toxic: target organ or systemic toxicity. Ecotoxicity: aquatic and invertebrate ecotoxic.
Success[®] Naturalyte[®] 20 g/litre spinosad	Leafroller control	6.9B, 9.1A, 9.4A	Toxic: target organ or systemic toxicity. Ecotoxicity: aquatic and invertebrate ecotoxic.
Mavrik[®] Aquaflo 240 g/litre tau-fluvalinate	Leafroller control	6.1D, 6.9B, 9.1A, 9.3C	Toxic: acute toxicity and target organ or systemic toxicity. Ecotoxicity: aquatic and vertebrate ecotoxic.
Attack[®] 475 g/litre pirimiphos-methyl and 25 g/litre permethri	Leafroller control	3.1D, 6.1E, 6.3A, 6.4A, 6.5A, 6.5B, 6.8B, 6.9A, 9.1A, 9.3A, 9.4A	Flammable: flammable liquids. Toxic: acute toxicity, skin and eye irritant, respiratory and contact sensitiser, reproductive and development toxicity and target organ or systemic toxicity. Ecotoxicity: aquatic, vertebrate and invertebrate ecotoxic.
Sunny 50 g/litre uniconazole-P	Increase fruit size, reduce vegetative growth.	6.9B, 9.1C	Toxic: target organ or systemic toxicity. Ecotoxicity: aquatic ecotoxic.

Kiwifruit

Table 2: Common Agrichemicals Used in the Kiwifruit Industry.

Product and Active Ingredient	Reason	HSNO	
Actigard® 500 g/kg acibenzolar-s-methyl	Psa control	6.5B, 6.9B, 9.1B	Toxic: contact sensitiser, and target organ or systemic toxicity. Ecotoxicity: aquatic ecotoxic.
BIOBIT® DF DELFIN® WG DIPEL® DF HORTCARE® BACTUR® WDG at least 32,000 i.u <i>Bacillus thuringiensis</i> subspecies <i>kurstaki</i>	Leafroller	6.3B, 6.4A, 9.1D	Toxic: skin irritant, eye irritant. Ecotoxicity: Aquatic ecotoxic
EXCEL® OIL 832 g/litre mineral oil	Scale	6.1E, 9.1D	Toxic: acute toxicity. Ecotoxicity: aquatic ecotoxic.
FLINT® 500 g/kg trifloxystrobin	Sclerotinia	6.5B, 6.9B, 9.1A	Toxic: contact sensitiser, target organ or systemic toxicity. Ecotoxicity: Aquatic ecotoxic
Hi-Cane® 520 g/litre hydrogen cyanamide	Enhance bud break	6.1C, 6.3A, 6.4A, 6.5B, 6.8B, 6.9A, 9.1D, 9.3B, 9.4C	Toxic: acute toxicity, skin and eye irritant, contact sensitiser, reproductive or developmental toxicity and target organ or systemic toxicity. Ecotoxicity: aquatic, vertebrate and invertebrate ecotoxic.
Kasumin® 20 g/litre kasugamycin as the hydrochloride hydrate salt	Psa control	6.1E, 6.8B, 6.9B	Toxic: acute toxicity, reproductive or developmental toxicity and target organ or systemic toxicity.
KeyStrepto™ 170 g/kg streptomycin as the sulphate salt	Psa control	6.1D, 6.4A, 6.5B, 6.9B, 9.1A, 9.3C	Toxic: acute toxicity, eye irritant, contact sensitiser and target organ or systemic toxicity. Ecotoxicity: aquatic and vertebrate ecotoxicity.
Kocide® Opti	Psa control	6.1D, 6.3B, 6.5B, 6.9B,	Toxic: acute toxicity, skin irritant, contact sensitiser, target organ or systemic toxicity.

300 g/kg copper hydroxide		8.3A, 9.1A, 9.3C	Corrosive: eye corrosive. Ecotoxicity: aquatic and vertebrate ecotoxic.
Luna® Privilege 500 g/litre fluopyram	Sclerotinia control	6.9B, 9.1B	Toxic: target organ or systemic toxicity. Ecotoxicity: aquatic ecotoxic
MESUROL® 200 SC 200 g/litre methiocarb	Bird control	6.1D, 6.9B, 9.1A, 9.2A, 9.3A, 9.4A	Toxic: acute toxicity and target organ or systemic toxicity. Ecotoxicity: aquatic, soil, vertebrate and invertebrate ecotoxic.
MOVENTO® 100SC 100 g/litre spirotetramat	Scale control	6.5B, 6.8B, 9.1C	Toxic: contact sensitiser and reproductive or developmental toxicity. Ecotoxicity: aquatic ecotoxic.
NORDOX™ 75WG 750 g/kg copper as cuprous oxide	Psa control	6.1E, 6.4A, 6.9B, 9.1A.	Toxic: acute toxicity, eye irritant and target organ or systemic toxicity. Ecotoxicity: aquatic ecotoxic.
Proclaim® 50 g/kg emamectin benzoate	Leafroller	6.1D, 6.9A, 9.1A, 9.3C, 9.4A	Toxic: acute toxicity, target organ or systemic toxicity. Ecotoxicity: aquatic, vertebrate and invertebrate ecotoxic.
Prodigy™ 240 g/litre methoxyfenozide	Leafroller control	9.1 B, 9.4A	Ecotoxicity: aquatic and invertebrate ecotoxic.
PYGANIC® 13 g/litre pyrethrins	Passion vine hopper	6.5A, 6.5B, 6.9B, 9.1A, 9.4A	Toxic: respiratory and contact sensitiser and target organ or systemic toxicity. Ecotoxicity: aquatic and invertebrate ecotoxic.
Various products 360 g/litre glyphosate	Wheat Bug (Loading Pads)	6.1D, 6.3A, 6.3B, 6.4A, 9.1B, 9.1C	Toxic: acute toxicity, skin irritant (x2), eye irritant. Ecotoxicity: aquatic ecotoxic (x2)

There are other sprays applied, typically foliar fertilisers that do not typically have a HSNO classification. They do not pose any risk to human health but may create a nuisance due to smell and cause anxiety amongst neighbours simply due to the activity of the sprayer.

Summarised HSNO Risks

Many of the HSNO classifications are not relevant when it comes to issue of spray drift. What is significant is the number of agrichemicals which are toxic to human health, ecotoxic or cause skin and eye irritation.

There are also some risks specific to particular agrichemicals and animal species. For example, dogs have died as a result of drinking from a puddle that has some drift from the agrichemical hydrogen cyanamide. Users of neighbouring sites need to be made aware of these risks in order to avoid harm.

For a full list of the hazard classification available under the Hazardous Substances and New Organisms (HSNO) Act 1996 please refer to Appendix Three.

Bay of Plenty Regional Air Plan

The Regional Air Plan is a document aimed at controlling the discharge of contaminants into the air across the whole Bay of Plenty. It outlays issues, objectives, policies and methods of implementation. The specific agrichemical sections have been appended to this report.

The following table summarises the information from the Regional Air Plan:

Table 3: Summary of agrichemical sections of the BOP Regional Air Plan

Section		Summary
Issues	Issue 5 Pg. 11	The discharge of agrichemicals into air particularly on to non-target areas beyond the boundary of the subject property may adversely affect the environment, crops, human health, amenity values, cultural values, and the mauri of natural and physical resources.
Objectives	Objective 1 Pg. 15	Maintain and protect high air quality in the Bay of Plenty region and in instances or areas where air quality is degraded, to enhance it by specifically addressing discharges into air of gases, particulates, chemicals, agrichemicals, combustion and odour.
	Objective 2 Pg. 15	Avoid, remedy or mitigate the adverse effects of all discharges of contaminants into air on the environment which includes the effects on: ecosystems, human health and safety, crops and livestock, amenity values, cultural values, the mauri of natural and physical resources and the global environment.

		Policies
	Objective 3 Pg. 15	The community achieves a high level of awareness of the adverse effects on the environment of discharges of contaminants into air.
	Objective 4 Pg. 15	Provide for activities that have predictable and minor effects on the environment as permitted activities subject to compliance with conditions designed to ensure that the effects are avoided, remedied or mitigated.
Rules	Rules 10-13 Pg. 34-39	<ul style="list-style-type: none"> • Applicators holding appropriate certification (i.e. GROWSAFE®). • A requirement to spray in accordance with NZS 8409:1999 - Code of Practice for the Management of Agrichemicals. • Notification. • Avoiding harmful concentrations of agrichemicals discharging beyond the boundary of the subject property or into water. <p>The parameters of meeting the conditions of these rules vary depending on the application method; aerial, non-motorised hand-held or other techniques.</p>

There are very few recorded events where off-target spray drift has caused any issues for neighbouring properties. The most significant issue is the anxiety experienced by some people regarding spray drift. In most cases, information is the best antidote to this anxiety. Information boards, informing visitors to the site about the imminent sprays are suggested as a means reducing this anxiety. It is recommended that the site administrator, if such a person exists, be the person who receives notification of spray application. They then ensure that a board, located near the boundary of the proposed development and the orchard, is updated to inform visitors of imminent spray events. Updates could include specific comment about potential harm of allowing dogs to wonder and drink from water sources on the day that hydrogen cyanamide is being sprayed for example.

Summary

There will be minimal risk of spray drift due to the addition natural shelter belts being added with the development, with an additional barrier between that and the boundary line.

It is recommended to get the burnt shelter of Okaro orchard replaced. Natural shelter is the best protection against spray drift leaving the property.

Similarly, the shelter of 648 SH 2 should be fully assessed with gaps planted. Upon the site visit some gaps were noted. Having these planted in will boost protection.

Overall the risks of spray drift occurring upon this development are minimal. Both the kiwifruit and avocado industry strictly enforce safe spraying practices in line with Bay of Plenty Regional Council policies a high priority.

Neighbours should be informed of spray events prior to their occurrence. Annual spray plans should also be provided upon request.

Increased anxiety is possibly the greatest risk visitors to the site. Providing visitors with clear information on well located boards could help reduce this anxiety.

Appendix One – Development Plan

















Appendix Two – 3D Development Plan



Appendix Three – Hazard Classifications

Table of Hazard Classifications available under the HSNO Act.



Class	Subclass	Description	Class	Subclass	Description
1 – Explosives	35 hazard classifications for Class 1 substances – not included on this chart.		6 – Toxic	6.1 A, B, C, D, E	Acute toxicity
2 – Flammable gases & Aerosols 	2.1.1 A, B	Flammable gases	  	6.3 A, B	Skin irritant
	2.1.2 A	Flammable aerosols		6.4 A	Eye Irritant
3 – Flammable liquids 	3.1 A, B, C, D	Flammable liquids		6.5A 6.5B	Respiratory sensitiser Contact sensitiser
	3.2 A, B, C	Liquid desensitised explosives		6.6 A, B	Mutagen
4 – Flammable solids     	4.1.1 A, B	Readily combustible solid	8 – Corrosive 	6.7 A, B	Carcinogen
	4.1.2 A, B, C, D, E, F	Self-reactive solid		6.8 A, B, C	Reproductive or developmental toxicity
	4.1.3 A, B, C	Desensitised explosive		6.9 A, B	Target organ or systemic toxicity
	4.2 A, B, C	Spontaneously combustible		8.1 A	Metal corrosive
	4.3 A, B, C	Dangerous when wet	9 – Ecotoxicity 	8.2 A, B, C	Skin corrosive
				8.3 A	Eye corrosive
5 – Oxidising Substances  	5.1.1 A, B, C	Oxidising liquid / solid		9.1 A, B, C, D	Aquatic ecotoxic
	5.1.2 A	Oxidising gas		9.2 A, B, C, D	Soil ecotoxic
	5.2 A, B, C, D, E, F, G	Organic peroxide		9.3 A, B, C	Vertebrate ecotoxic
www.chemsafety.co.nz				9.4 A, B, C	Invertebrate ecotoxic

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CHEMICAL RISK MANAGEMENT



Appendix Four – Bay of Plenty Regional Air Plan (Agrichemicals)

15 December 2003	Bay of Plenty Regional Air Plan	Issues
	<ul style="list-style-type: none"> • Tanneries; • Food processing and preparation; • Sewage and waste treatment operations; • Bitumen processing; • Resin manufacture; • Synthetic fertiliser manufacture; • Commercial chemical pulping. <p>Objectives: 1, 2, 3, 4</p>	
Issue 5	<p>The discharge of agrichemicals into air particularly on to non-target areas beyond the boundary of the subject property may adversely affect the environment, crops, human health, amenity values, cultural values, and the mauri of natural and physical resources.</p> <p>An agrichemical is any substance, whether inorganic or organic, man-made or naturally occurring, modified or in its original state, that is used in any agriculture, horticulture or related activity, to eradicate, modify or control flora and fauna. For the purposes of this plan, it includes agricultural compounds.</p> <p>Activities that use agrichemicals include:</p> <ul style="list-style-type: none"> • Horticulture; • Agriculture; • Forestry; • Eradication or management of organisms declared unwanted under the Biosecurity Act 1993; • Park, reserve (including road reserves) and garden maintenance. <p>Objectives: 1, 2, 3, 4</p>	
Issue 6	<p>Geothermal emissions into air may adversely affect the environment, human health, amenity values, cultural values and safety.</p> <p>Human-influenced geothermal emissions from geothermal bores consist of steam and carbon dioxide with other trace gases such as hydrogen sulphide and heavy metals such as mercury.</p> <p>Objectives: 1, 2, 3, 4</p>	
Issue 7	<p>The spray irrigation of liquid waste may adversely affect the environment, human health, amenity values, cultural values, and the mauri of natural and physical resources.</p> <p>Spray irrigation disposes of liquid effluents produced from the treatment of human or animal faecal and urinal wastes and liquid industrial waste by spraying the effluent into air and on to land.</p> <p>Activities that use spray irrigation of liquid waste include:</p> <ul style="list-style-type: none"> • Municipal sewage disposal systems; • Dairy sheds; • Dairy factories; • Other agricultural activities. 	

15 December 2003

Bay of Plenty Regional Air Plan

Objectives

3 Objectives

Objective 1 Maintain and protect high air quality in the Bay of Plenty region and in instances or areas where air quality is degraded, to enhance it by specifically addressing discharges into air of gases, particulates, chemicals, agrichemicals, combustion and odour.

Policies: 1-4, 6-11

Methods: 1-4, 10, 14, 16, 17, 22, 23, 32, 34-36, 38-41, 43

Rules: 1 - 20 (all)

Objective 2 Avoid, remedy or mitigate the adverse effects of all discharges of contaminants into air on the environment which includes the effects on: ecosystems, human health and safety, crops and livestock, amenity values, cultural values, the mauri of natural and physical resources and the global environment.

Policies: 1-12

Methods: 1-6, 8-10, 12-15, 17-24, 28-33, 43

Rules: 1-20 (all)

Objective 3 The community achieves a high level of awareness of the adverse effects on the environment of discharges of contaminants into air.

Policies: 2, 7, 10, 11, 12

Methods: 1-10, 17-22, 26, 29, 31, 33-39, 41, 44-46

Rules: 1-20 (all)

Objective 4 Provide for activities that have predictable and minor effects on the environment as permitted activities subject to compliance with conditions designed to ensure that the effects are avoided, remedied or mitigated.

Policies: 1(a), 3, 6, 10, 11

Methods: 1-10, 17-22, 40-42, 46

Rules: 1-17

3.1 Principal Reasons for Adopting the Objectives

The intent of the objectives is to manage the discharge of contaminants into air to protect the region's generally high ambient air quality from adverse effects and enable people and communities to provide for their well-being. In most parts of the region, air is currently of a high quality which is valued by residents and visitors alike. With appropriate management of sources of contaminants, high air quality throughout the region is achievable.

These objectives enable the plan to focus on the issues that the effects of contaminants may have on the environment, e.g. geothermal emissions, liquid waste disposal by irrigation, electromagnetic radiation and any cumulative and/or synergistic effect.

The objectives will enable the community to be informed and understand adverse effects of discharges including those from their own actions.

- (b) The discharge for 2-stroke engines complies with the manufacturers specification.

Rule 8 Permitted Activity – Emergency Disposal of Animal Carcasses

The discharge of contaminants into air from the emergency burning in the open of dead diseased marine mammals and dead diseased livestock is a permitted activity provided the following conditions are complied with:

- (a) Disposal must be carried out under the direction of either the Ministry of Agriculture and Forestry for dead diseased livestock or the Department of Conservation for dead diseased marine mammals.
- (b) Environment Bay of Plenty must be notified a minimum of 1 hour before burning begins.

Rule 9 Permitted Activity – Spray Irrigation of Liquid Waste

The discharge of contaminants into air from the spray irrigation of liquid wastes is a permitted activity provided the following conditions are complied with:

- (a) The discharge must not result in objectionable or offensive odour or particulates, beyond the boundary of the subject property;
- (b) The discharge must not result in harmful concentrations of contaminants beyond the boundary of the subject property or into water;
- (c) spray irrigation of liquid waste must not be carried out within 20 metres of the boundary of the subject property (or properties) or within 20 metres of any surface water body.

Rule 10 Permitted Activity – Use of agrichemicals for the eradication or management of organisms declared unwanted under Sections 143 and 144 of the Biosecurity Act 1993.

The discharge of agrichemical into air for the eradication or management of organisms declared unwanted under Sections 143 and 144 of the Biosecurity Act 1993 is a permitted activity provided the following conditions are complied with:

- (a) Any contractor using or applying any agrichemical by ground based application methods shall hold a minimum of a current GROWSAFE® Registered Chemical Applicators Certificate or equivalent.
- (b) Any person, other than any contractor provided for in (a) above, using or applying an agrichemical identified either on its product label, or in the First or Second Schedule of the Toxic Substances Regulations 1983 as containing a compound rated as either a:
- “DANGEROUS POISON”; or
- “DEADLY POISON”,
- shall hold a minimum of a current GROWSAFE® Introductory Certificate or equivalent.
- (c) Any person, other than any contractor provided for in (a) above, using or applying an agrichemical identified on its product label as containing a compound rated as either a:
- “POISON”; or
 - “CAUTION”,

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Bay of Plenty Regional Air Plan

Methods of Implementation - Rules

or is listed in the Third or Fourth Schedules to the Toxic Substances Regulations 1983 as a:

- "STANDARD POISON"; or
- a "HARMFUL SUBSTANCE",

shall hold a minimum of a current GROWSAFE® Introductory Certificate or equivalent or be under the direct supervision of a person holding a current GROWSAFE® Applied Certificate or equivalent.

- (d) The agrichemical must be used under the direction of the Department whose responsibilities are adversely affected by the unwanted organism or Environment Bay of Plenty where unwanted organisms are managed.
- (e) There must be no harmful concentrations of agrichemical beyond the boundary of the subject property or into water.
- (f) When ground based application methods are used the occupier of any adjoining properties must be notified of the agrichemical use. Notification must be no earlier than 20 days and no later than 12 hours before the agrichemical use unless agreement on an alternative manner of notification can be reached with the adjoining occupier.
- (g) Agrichemical use from aircraft must be publicly notified not earlier than 20 days and no later than 12 hours before the agrichemical use.
- (h) Notwithstanding the requirements of this rule any person applying agrichemicals from an aircraft shall comply with Rule 13 of this plan.

Rule 11 Permitted Activity – Use of Agrichemicals – Non-Motorised Hand-held Application

The discharge of contaminants into air from the non-motorised hand-held application of agrichemical is a permitted activity provided the following conditions are complied with:

- (a) (i) Any contractor using or applying any agrichemical by ground based application methods shall, within twelve months of this plan becoming operative (15 December 2003), hold a current GROWSAFE® Registered Chemical Applicators Certificate or equivalent.
- (ii) Any person using or applying agrichemicals for commercial purposes (other than a contractor provided for in (a)(i) above) when using or applying an agrichemical identified on its product label, or in the First or Second Schedule of the Toxic Substances Regulations 1983 as containing a compound rated as either a:
 - "DANGEROUS POISON"; or
 - "DEADLY POISON",
 shall within twelve months of this plan becoming operative (15 December 2003), hold a minimum of a current GROWSAFE® Introductory Certificate or equivalent or be under the direct supervision of a person holding a current GROWSAFE® Introductory Certificate or equivalent.
- (b) All persons discharging agrichemicals under this rule shall ensure that:
 - (i) The agrichemical is discharged in a manner that does not contravene any requirement specified in the manufacturer's instructions.

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- (ii) The commercial application of agrichemicals, complies with NZS 8409: 1999 Code of Practice For The Management of Agrichemicals.
- (c) The agrichemical use must not result in any harmful concentration of agrichemical beyond the boundary of the subject property or into water.

Note: Extra care should be exercised when applying any phenoxy based herbicide. In particular, 2, 4-D butyl ester herbicide sprays have the potential to travel long distances through the air. Although butyl ester herbicide has not been manufactured since 1997, existing stocks can still legally be applied. Further information on spray drift hazard is included in Appendix Y of NZS 8409: 1999 Code of Practice for the Management of Agrichemicals.
- (d) Where agrichemical is applied on public land, public roads or railways, notification of that agrichemical use must comply with the requirements of Schedule 2.

Rule 12 Permitted Activity – Use of Agrichemicals from Aircraft

The discharge of contaminants into air from the use of agrichemicals from aircraft is a permitted activity provided the following conditions are complied with:

- (a) The discharge must not result in any harmful concentration of agrichemical beyond the boundary of the subject property or into water.
- (b) The applicator must hold a minimum of a:
 - (i) Pilot Chemical Rating (Civil Aviation Authority) (aerial application) and;
 - (ii) GROWSAFE® Pilots Agrichemical Rating Certificate or equivalent.
- (c) The agrichemical must be used in a manner complying with NZS 8409:1999 Code of Practice for the Management of Agrichemicals.
- (d) The owner/occupier or agent must notify the occupier of any adjoining properties within 200m of that agrichemical use. If an agreed form of notification has not been reached, such as an annual spray or application plan and individual notification of certain chemicals to be used, notification must be no earlier than 20 days and no later than 12 hours before the agrichemical use. This condition does not apply to agrichemical use on public land or land used for road or rail purposes. The property owner or agent acting on behalf of the property owner must advise the aerial applicator that notification has occurred before the aerial application of any agrichemical is undertaken. Notification must include the following:
 - (i) the site of proposed application;
 - (ii) the date of proposed application;
 - (iii) name and type of agrichemical to be applied;
 - (iv) name, address, phone number and registration number of applicator.

Note: Extra care should be exercised when applying any phenoxy based herbicide. In particular, 2, 4-D butyl ester herbicide sprays have the potential to travel long distances through the air. Although butyl ester herbicide has not been manufactured since 1997, existing stocks can still legally be applied. Further information on spray drift hazard is included in Appendix Y of NZS 8409: 1999 Code of Practice for the Management of Agrichemicals.

- (e) Where agrichemicals are applied to land adjoining public roads and places, signs must be placed on the road boundary 24 hours before the time of application and removed by the applicator when safe for re-entry. The signs must include the following information:
 - (i) The agrichemical used;
 - (ii) The time of application;
 - (iii) The time for safe re-entry;
 - (iv) The name and contact details of the applicator.
- (f) The applicator must notify Environment Bay of Plenty immediately in the event of any discharge of agrichemical beyond the boundary of the subject property.

Rule 13 Permitted Activity – Use of Agrichemicals – Other Application Techniques (Excluding Non-Motorised Hand-held and Aerial Application)

The discharge of contaminants into air from the use of agrichemicals, excluding non-motorised hand-held or aerial application, is a permitted activity provided the following conditions are complied with:

- (a) The discharge must not result in any harmful concentration of agrichemical beyond the boundary of the subject property or into water.
- (b)
 - (i) Any contractor using or applying any agrichemical by ground based application methods shall, within twelve months of this plan becoming operative (15 December 2003) hold a current GROWSAFE® Registered Chemical Applicators Certificate or equivalent.
 - (ii) Any person using or applying agrichemicals for commercial purposes (other than a contractor provided for in (b)(i) above) when using or applying an agrichemical identified on its product label, or in the First or Second Schedule of the Toxic Substances Regulations 1983 as containing a compound rated as either a:
 - "DANGEROUS POISON" or
 - "DEADLY POISON",
 shall within twelve months of this plan becoming operative (15 December 2003) hold a minimum of a current GROWSAFE® Introductory Certificate or equivalent or, be under the direct supervision of a person holding a current GROWSAFE® Applied Certificate or equivalent.
- (c) All persons discharging agrichemicals under this rule shall ensure that the agrichemical is used in a manner that complies with NZS 8409:1999 Code of Practice for the Management of Agrichemicals.
- (d) The owner/occupier or agent must notify the occupier of any adjoining properties within 50m of that agrichemical use. Except that where agrichemicals are applied using a motorised boom, which meets the following design conditions, notification is only required when the agrichemical application occurs within 10m of an adjoining property. The design conditions are:
 - (i) the liquid pressure through the boom is less than 3 bar;
 - (ii) the height of the discharge point on the boom is less than 1 metre from the ground;

- (iii) the nozzles point down;
- (iv) the nozzles are designed to create coarse droplets of greater than 250 microns in diameter.

If an agreed form of notification has not been reached, such as an annual spray or application plan and individual notification of certain chemicals to be used, notification must be no earlier than 20 days and no later than 12 hours before the agrichemical use. This condition does not apply to agrichemical use on public land, or land used for road or rail purposes (see Rule 13 condition (e)). Notification must include the following:

- (v) the site of proposed application;
- (vi) the date of proposed application;
- (vii) name and type of agrichemical to be applied;
- (viii) name, address and phone number of applicator.

Note: Extra care should be exercised when applying any phenoxy based herbicide. In particular, 2, 4-D butyl ester herbicide sprays have the potential to travel long distances through the air. Although butyl ester herbicide has not been manufactured since 1997, existing stocks can still legally be applied. Further information on spray drift hazard is included in Appendix Y of NZS 8409: 1999 Code of Practice for the Management of Agrichemicals.

- (e) Where agrichemical is applied on public land, public roads, or railways, notification of that agrichemical use must comply with the requirements of Schedule 2.
- (f) Where agrichemicals are applied to land adjoining public roads and places, signs must be placed on the road boundary 24 hours before the time of application and removed by the applicator when the land is safe for re-entry. Where agrichemicals are applied using a boom the signs are only required when the application occurs within 6m of a public road or place, or if the boom does not meet the following design features:
 - (i) the liquid pressure through the boom is less than 3 bar;
 - (ii) the height of the discharge point on the boom is less than 1 metre from the ground;
 - (iii) the nozzles point down;
 - (iv) the nozzles are designed to create coarse droplets of greater than 250 microns in diameter.

The signs must include the following information:

- (v) The agrichemical used;
- (vi) The time of application;
- (vii) The time for safe re-entry;
- (viii) The name and contact details of the applicator.

Note: There are statutes that must be complied with when considering the use of agrichemicals. Compliance with the rules for the use of agrichemicals in the Bay of Plenty Regional Air Plan should not be construed as absolving users from complying with relevant statutes.

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Environment Bay of Plenty strongly recommends that any person using or applying any agrichemical under this Rule, other than either a "dangerous poison" or a "deadly poison", should hold a minimum of a current GROWSAFE® Introductory Certificate or equivalent or be under the direct supervision of a person holding a current GROWSAFE® Introductory Certificate or equivalent. Any person using or applying either a "dangerous poison" or a "deadly poison" must comply with the certification requirements of Rule 13(b).

Rule 14 Permitted Activity – Unsealed Roads

The discharge into air of particulates from unsealed roads is a permitted activity. The definition of an unsealed road excludes road works on sealed roads.

Rule 15 Permitted Activity – Ventilation of Liquid Storage Tanks and Tankers

The discharge of contaminants into the air from the ventilation and displacement of liquids in storage tanks and tankers is a permitted activity provided the following conditions are complied with:

- (a) The discharge must not result in objectionable or offensive odour or particulates beyond the boundary of the subject property or into water;
- (b) There must be no harmful concentrations of contaminants beyond the boundary of the subject property or into water.

Rule 16 Permitted Activity – Venting of Geothermal Gas and Steam

The discharge of geothermal gases and steam into air from any bore or soakage hole subject to a permission to take or discharge geothermal heat or water from a geothermal source with water temperatures of equal to or more than 70 degrees Celsius, is a permitted activity, provided the following conditions are complied with:

- (a) The gas or steam must discharge vertically upwards;
- (b) All vents constructed after the date this regional air plan became operative must have sufficient height to ensure that the plume is unaffected by downdraft, and at a minimum must rise at least 6m above ground level including 3m above the highest ridge line on any roof within 30m;
- (c) The discharge must not result in objectionable or offensive odour or particulates beyond the boundary of the subject property or into water;
- (d) There must be no harmful concentrations of contaminants beyond the boundary of the subject property or into water;
- (e) The take or discharge of geothermal heat or water is less than 1000 tonnes per day.

For the purpose of this rule permission to take or discharge geothermal water or heat or energy means any one of the following:

- (i) A take or use permitted by section 14(3)(c) of the Resource Management Act 1991.
- (ii) A take or discharge of geothermal water expressly described as a permitted activity in a regional plan.
- (iii) A resource consent granted under the Resource Management Act 1991, to take or discharge geothermal water.



Te Puna Village Commercial Area – Wastewater Reticulation Scheme Information Sheet

Appendix I

Te Puna Village Commercial Area – Wastewater Reticulation Scheme Information Sheet

Te Puna Village Commercial Area - Wastewater Reticulation Scheme

Information Sheet

1. Why is this happening?

This scheme is in response to compliance issues with wastewater management in the Te Puna Village commercial area. Landowners and businesses within the Te Puna village currently manage their own wastewater systems onsite, many of which are undersized, do not have adequate space for disposal and in some cases are in breach of their existing discharge consents. Some businesses rely on storing waste in tanks and have it trucked offsite. There are contamination risks to the environment and health and safety issues associated with these wastewater management systems, especially during periods of high use.

After consideration of options to resolve these issues, in September 2020 Council approved the proposed connection of the properties in the Te Puna village commercial area to the Omokoroa wastewater transfer pipeline. Council has subsequently received funding for the extension of the network reticulation. The next step is to engage with affected landowners.

2. Can I use any components of my existing system?

There may be some potential to use reticulation components of your existing systems. We suggest you discuss this with the consultants you engage with to design the new system. We will provide guidelines to assist with this process and are available to provide advice to your engineers if required.

3. How much does the new scheme cost and how is Council funding this?

The cost of the reticulation extension is estimated to be in the order of \$700,000. This includes costs to construct a pipe from the Omokoroa pipeline to each commercial lot property boundary and to connect the Te Puna commercial area pipeline to the existing Omokoroa pipeline.

The capital cost will be fully funded by the Crown Infrastructure Partnership (CIP) wastewater stimulus funding that Council successfully secured from central government as part of the COVID response to assist in stimulating the economy. The \$700,000 excludes any costs associated with work on your property. These costs will be site specific and subject to design. Landowners will be required to pay a capital contribution.

Ongoing operational costs due to the increase in volume of wastewater discharge, are covered through a Uniform Targeted Rate (UTR) to each property.

4. What do I need to do and how much will this cost?

You need to decide whether or not you wish to connect to the pipeline (see question on what happens if I choose not to connect).

Council staff will work with you over the next 3-4 months to provide advice on what you need to do. The starting point is for you to appoint an engineer to work through the best solution for your property in terms of how you can provide on-site storage, a grinder pump (or pumps) and pipe connections to the property boundary (and Council's pipeline connection). We recommend that you engage with the businesses located on your property as part of this process to better understand their activity and wastewater implications of their activity, including any tradewaste flows that will need to be approved by Council.

You will be expected to pay for the onsite works to enable you to connect. Every site will have differing types of On Site Effluent Treatment (OSET) systems. Your engineer will be able to advise if any of the existing tanks can be used/modified and re-purposed to operate as part of a pressure sewer system pump station or emergency storage tank. A building consent will be required to modify your wastewater drainage system.

We will provide design guidelines to assist with this part of the process. We will also liaise with you over the location of the property connection and the location of the pipeline connection that Council is constructing.

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You will also need to pay a one-off capital contribution cost towards the use of the Omokoroa pipeline for these purposes and an annual UTR towards associated operational costs for the increased volume of wastewater discharge.

You will be responsible for the ongoing operation, maintenance and monitoring of your wastewater infrastructure provided on your property, including the pump, storage chamber and pipework up to Council's boundary kit.

5. Why do we need to pay a capital contribution and how is this determined?

This contribution recognises that you are consuming capacity from the Omokoroa pipeline reticulation and connections. All connections to the Omokoroa pipeline are required to pay a contribution for this purpose.

The capital contribution for Te Puna village is estimated as \$3,658 (including GST) per household equivalent. The estimates are based on actual water use that generates your wastewater flows, so any water usage/wastewater generation information records you can make available to Council, will allow Council to calculate the final amount that you need to pay. We will invoice you for this amount once the scheme is built. Upon payment, you will be able to connect to the scheme.

We will send you a letter early next year to provide you with an estimate of your capital contribution.

6. How will my capital contribution be calculated?

Capital contribution = \$3,658 x household equivalent (including GST). One household equivalent = 0.5m³/day.

The capital contribution will be calculated based on your estimated wastewater flows. Where actual wastewater flow is available Council will use this to calculate your contribution. If no wastewater flow information is available an estimate of flows will be calculated based on your activity. The capital contribution will be calculated based on a peak flow, rather than an annual average.

7. Why do we have to pay a Uniform Annual Charge and how is this determined?

This is an annual charge that each property is required to pay across the district. This is required to be paid regardless of whether or not you connect to the Omokoroa pipeline as it contributes to the operational costs of the network of publically provided wastewater infrastructure across the district. Costs include maintenance of Council's Te Puna pipeline infrastructure which includes the Omokoroa transfer pipeline infrastructure and disposal costs to Tauranga City Council. This is a standard rate determined on an annual basis.

8. Why doesn't Council own and operate the grinder pump on my property?

Landowners will be responsible for the long term ownership of the onsite pumps, including all maintenance and renewals. This will enable landowners to optimise the use of their existing systems and work with neighbouring properties where appropriate.

The suitability for re-use of part or all of the existing OSET treatment systems tanks will vary greatly from site to site, and vary in age and quality. The internal wastewater infrastructure (including other possible pump stations) upon the various commercial sites can be complex. Allowing the property owners to re-use their existing equipment, when suitable to do so, will allow owners to determine their own least cost solution and find a practical solution for their particular circumstance that could allow for any future development plans (if any).

9. Are there any consents required?

A building consent is required for your proposed changes to the on-site system. As part of the process of approving the building consent, Council will consider the extent to which the proposed design complies with the normal Council guidelines for private wastewater pump station, onsite drainage and ensure the landowner's proposal meets specific design requirements for the Te Puna Commercial area.

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Territorial Authority Exemption

Council will aim to streamline the building consent process for landowners as much as possible. Building consent processing time will be 10 days and we recommend inspections are booked at least two weeks ahead of schedule. Building consent fees will be \$1,116 (including GST).

10. Are property owner agreements required?

Only if you and Council agree to the public pipe and the public boundary kit connection point being on your private property, then an easement is required. We will work with you on this as the pipeline route also needs to be discussed then finalised. Otherwise public reserve will be used for the location of the pipeline, which is mainly along Te Puna Road/Minden Rd and private lot owners will need to take their pipe work to the road reserve connection points at their expense.

11. What happens if I choose not to connect?

Landowners will be required to pay Council's availability charge. This is a reduced UTR set through Council's Long Term Plan (LTP) and Annual Plan processes.

The availability charge is applicable to all properties within the Western Bay district that are able to connect to the wastewater system but choose not to. If your existing system does not comply with your resource consent or the Bay of Plenty Regional Council's (BOPRC) Onsite Effluent Treatment System (OSET) Regional Plan, BOPRC's compliance team may get involved and enforcement action may be taken. We recommend you get in touch with BOPRC to discuss implications for your property.

12. What is the timing of construction of this scheme?

Construction of the scheme is estimated to commence in 2021. The project is required to be completed by February 2022 (a funding condition from central government). We are working towards the scheme being completed sooner than that but this does depend on a range of factors.

What are the next steps?

We will send you a letter in the New Year with a funding breakdown and further information on the scheme design and guidelines. Wayne Henderson (Western Bay of Plenty District Council's 3 Waters Engineer) is your key contact for this project. Wayne's contact details are:

Mobile 027 226 3390

Email Wayne.Henderson@westernbay.govt.nz

13. Can I connect if I'm not part of the identified area?

Council has only approved connection of properties with existing wastewater issues. The area approved to be connected is outlined below. If your property sits outside this area and you wish to connect you will need to make a formal application to Council. The application should clearly outline why you wish to connect, estimated flows and why you are unable to manage your wastewater onsite. Your request will be put to Council's Committee of elected members who will provide final approval/refusal of your application.



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Section 32 Assessment (Western BOP format)

Appendix J

Section 32 Assessment (Western BOP format)

Western Bay of Plenty District Council

Te Puna Springs Plan Change

Section 32 Report

1.0 Introduction

1.1 General Introduction

This Plan Change involves rezoning the subject site from part-Rural and part-Commercial, to Commercial. The subject site comprises approximately 5.76 hectares of land located on the northern side of State Highway 2 at Te Puna, bound in part by State Highway 2, Te Puna Road and the existing BP Service Station, Four Square and offices located off the slip lane off State Highway 2. The Plan Change involves rezoning the subject site solely to Commercial, in addition to creating a scheduled site within the Commercial Zone, with the inclusion of a proposed Structure Plan and site-specific provisions relating to other aspects including the community hall.

The commencement of the rezoning of the subject site has raised several issues that require addressing through changes to the District Plan.

Western Bay of Plenty District Council ("Council") undertook a process of community engagement during August-November in 2018 which aimed to understand the community's expectations for the future of the wider Te Puna commercial zone. A key output of the process was a Discussion Paper which acknowledged the value and local importance of the Te Puna Village and that the local community recognised a need to build on the provision of a hub for the community. In addition, there was a process undertaken with the Council and the key commercial landowners in early 2019 which looked in detail at traffic, planning, cultural and servicing for Te Puna Village.

2.0 Resource Management Act 1991

2.1 Section 32 – Assessment Methodology

Before a proposed plan change can be publicly notified, the Council is required under section 32 ("s.32") of the Act to carry out an evaluation of alternatives, costs and benefits of the proposed review. With regard to the Council's assessment of the proposed plan change s.32 requires the following:

1) An evaluation report required under this Act must —

(a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and

(b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by —

(i) identifying other reasonably practicable options for achieving the objectives; and

(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and

(iii) summarising the reasons for deciding on the provisions; and

(c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

2) An assessment under subsection (1)(b)(ii) must —

(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for —

(i) economic growth that are anticipated to be provided or reduced; and

(ii) employment that are anticipated to be provided or reduced; and

(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and

(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

3) If the proposal (an amending proposal) will amend a standard, statement, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to —

(a) the provisions and objectives of the amending proposal; and

(b) the objectives of the existing proposal to the extent that those objectives —

(i) are relevant to the objectives of the amending proposal; and

(ii) would remain if the amending proposal were to take effect.

4) If the proposal will impose a greater prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.

2.2 Section 74

In accordance with Section 74(2A) of the Act, Council must take into account any relevant planning document recognised by an iwi authority lodged with Council. There is currently one document lodged with Council. This is the Pirirakau Hapū Management Plan (2017). This document has been taken into account during the review process.

3.0 Consultation

Consultation with the adjacent landowners and stakeholders has been ongoing. Since the consultation undertaken in the second half of 2018, two workshops have been held with key stakeholders in 2019. In addition, consultation on the specific changes to the District Plan and the proposed Structure Plan has been carried out with the adjacent landowners.

4.0 Issue 1 – The need to provide a regulatory framework for the efficient and comprehensive delivery of Te Puna Springs that provides certainty to enable effective and efficient implementation.

The objective of this change to the District Plan is to provide a regulatory framework for the efficient and comprehensive delivery of Te Puna Springs that provides certainty to enable effective and efficient implementation.

The key issue with the current regulatory framework is that the subject site is within two different zones: the Commercial Zone and the Rural Zone. The commercial zone is also tailored to mainstreet commercial areas rather than a village environment

4.1 Option 1 - Status Quo – Retain existing part-Rural and part-Commercial Zone

Benefits	<ul style="list-style-type: none"> • No loss of rurally zoned land • Limited traffic movements • Limited impact on existing infrastructure
Costs	<ul style="list-style-type: none"> • The site will continue to be utilised in an ad hoc manner, and not in keeping with the expectations of the Rural Zone • Does not deliver the village green, spring and other public amenities • Potential reverse sensitivity issues associated with permitted rural productive operations • The land will continue to be used inefficiently • Does not deliver local commercial employment opportunities for the Te Puna community • Access to commercial services centres is reliant on private vehicle use and travel to Bethlehem • Potential amenity effects from ad hoc development
Effectiveness / Efficiency	<ul style="list-style-type: none"> • The comprehensive development of Te Puna Springs would be constrained by the existing rules that would apply to the site from the two zones. • There is potential cost to the Council, applicants and the community associated with the risk of inappropriate provisions. • It creates the potential for the development to be delayed and constrained.
Risks of Acting / Not Acting if there is uncertain or insufficient information about the subject matter	<ul style="list-style-type: none"> • If there is inadequate provision for commercial development within the subject site, there is the possibility that the Applicant and the other existing businesses could be attracted away from Te Puna Village, which could have a significant effect on the potential growth of the local economy. • Continued Reliance on the State highway 2 network for travel to commercial centres in Tauranga

4.2 Option 2 – Development by Resource Consent

Benefits	<ul style="list-style-type: none"> • There are no environmental benefits identified in proceeding with resource consent(s). • A number of existing or new commercial activities can be relocated or established on site leading to greater employment opportunities for the Te Puna and wider areas.
Costs	<ul style="list-style-type: none"> • Ad hoc development with a lack of integrated planning • Loss of rurally zoned land. • Potential for reverse sensitivity effects to not be properly considered on a consent by consent basis. • There is a high risk of consents being declined by Council, and there may be difficulty in obtaining and retaining potential tenants during this period to ensure the economic viability. • There will be higher consent costs due to additional reporting required, and due to the nature of land use consents and conditions, if Council choose to grant the consents, over time the applicant may need to amend those to cater for future different tenants, building designs or uses – all of which incur additional costs. • Indirect environmental costs following from a successful resource consent application for similar land use activities in the Rural Zone. • Potential for resource consents to be non-notified or limited notified and avoid/limit the amount of consultation on the individual proposals.
Effectiveness / Efficiency	<ul style="list-style-type: none"> • A single resource consent application for a comprehensive development, or a series of resource consent applications would be required that would result in an inefficient use of resources. • The comprehensive development of Te Puna Springs would be constrained by the existing rules that would apply to the site from the two zones. • There is potential cost to the Council, applicants and the community associated with the risk of inappropriate provisions. • It creates the potential for the development to be delayed and constrained.

Risks of Acting / Not Acting if there is uncertain or insufficient information about the subject matter	<ul style="list-style-type: none"> If there is inadequate provision for commercial development within the subject site, there is the possibility that the Applicant and the other existing businesses could be attracted away from Te Puna Village, which could have a significant effect on the potential growth of the local economy.
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4.3 Option 3 – Pursue rezoning through a District Plan Review

Benefits	<ul style="list-style-type: none"> Better controls around the use of the land and management of environmental effects through site specific rules (e.g. visual and landscape controls). The development of the site can ensure no reverse sensitivity effects on the existing horticultural sites adjacent. It will provide a location (Hub) for activities which are currently occurring out of zone in rural locations surrounding the village and which can relocate to a commercial zone A number of existing or new commercial activities can be relocated or established on site leading to greater employment opportunities for the Te Puna and wider areas. Reduces reliance of the local community having to travel to commercial areas in Tauranga Allows local residents to 'live, work and play' in accordance with SmartGrowth policies through the extension of the existing commercial zone. Provides local employment opportunities Facilitate the creation of a more active 'hub' for the community, particularly with the community hall and village green and the creation of the spring forming a part of the Structure Plan. Engagement with Pirirakau to take into account their views and relationship with the site. Benefits relating to additions such as providing access to the spring due to earlier consultation.
Costs	<ul style="list-style-type: none"> Loss of rurally zoned land. The next District Plan review is approximately 7 years away. Therefore, this alternative includes additional holding costs and lost opportunity costs of being unable to develop the land for at least 5 years (at the earliest).

	<ul style="list-style-type: none"> The economic costs involved in the loss of rural land are low. The rural land holding is uneconomic for the purposes of traditional rural use given the size of the allotment, the existing activities on site, and potential reverse sensitivity issues in the establishment of further horticulture uses on the site.
Effectiveness / Efficiency	<ul style="list-style-type: none"> It creates the potential for the development to be delayed and constrained.
Risks of Acting / Not Acting if there is uncertain or insufficient information about the subject matter	<ul style="list-style-type: none"> If there is inadequate provision for commercial development within the subject site, there is the possibility that the Applicant and the other existing businesses could be attracted away from Te Puna Village, which could have a significant effect on the potential growth of the local economy.

4.4 Option 4 – Rezone the site to Commercial Zone (with a scheduled site) through a Private Plan Change

Benefits	<ul style="list-style-type: none"> Better controls around the use of the land and management of environmental effects through site specific rules (e.g. visual and landscape controls). The development of the site can ensure no reverse sensitivity effects on the existing horticultural sites adjacent. The proposed plan change will provide economic opportunities to both the Applicant and future occupiers of the site through economic opportunity, and a more efficient use of the land without having to wait until the next District Plan review. The Applicant has the ability to manage the process and there are set timeframes. A number of existing or new commercial activities can be relocated or established on site leading to greater employment opportunities for the Te Puna and wider areas. Allows local residents to 'live, work and play' in accordance with SmartGrowth policies through the extension of the existing commercial zone. Facilitate the creation of a more active 'hub' for the community, particularly with the community hall and village green forming a part of the Structure Plan. Engagement with iwi carried out to take into account iwi views on rezoning.
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	<ul style="list-style-type: none"> • Benefits relating to additions such as naturalised spring due to earlier consultation.
Costs	<ul style="list-style-type: none"> • Loss of rurally zoned land. • The economic costs involved in the loss of rural land are low. The rural land holding is uneconomic for the purposes of traditional rural use given the size of the allotment and potential reverse sensitivity issues in the establishment of further horticulture uses on the site.
Effectiveness / Efficiency	<ul style="list-style-type: none"> • The amendments reduce uncertainty by providing allowance for comprehensive development of the Te Puna Springs site, whilst ensuring that effects are managed appropriately (including reverse sensitivity). • The scheduled site will reduce the need for resource consents and ensure that there is consolidated and coordinated development in Te Puna Springs (with improved layout and landscaping).
Risks of Acting / Not Acting if there is uncertain or insufficient information about the subject matter	<ul style="list-style-type: none"> • If there is inadequate provision for commercial development within the subject site, there is the possibility that the Applicant and the other existing businesses could be attracted away from Te Puna Village, which could have a significant effect on the potential growth of the local economy.

4.5 Preferred Option

The preferred option is:

Option 4 - Rezone the site to Commercial Zone (with a scheduled site) through a Private Plan Change.

4.6 Reasons

The environmental, social and economic benefits of establishing commercial development and other activities such as a community hall on the site outweigh the costs, and from the above evaluation it is considered most appropriate to adopt a scheduled site under the Commercial Zone to control and guide development of the site in accordance with a Structure Plan. In this way, the Plan Change Request seeks to complement and add to the District Plan's existing planning framework to ensure compatibility between land uses.

Rezoning of the land allows for further economic development of the Te Puna centre, further employment opportunities for residents within the area, a more efficient use of land than the zoning currently allows for, and the opportunity to provide landscape and visual controls to provide a high-quality environment.

The other options, being the Resource Consent process or waiting for the next District Plan review would likely deliver the same or similar outcomes, albeit with further risk with the Resource Consent option and the possibility that Council could

decline the application. However, both options are considered to be inferior in terms of efficiency of process, and do not provide the same certainty to landowners and other stakeholders. Furthermore, the Plan Change process provides the ability for the applicant to include specific landscape and visual controls.

It is not considered appropriate that the land remain partially subject to the restrictions of the current partial Rural Zone. Retaining the site's partial Rural zoning would not assist in meeting the Rural Zone's objectives, nor the Commercial Zone's objectives. The site is not and will not be used in accordance with the existing partial Rural zoning in the future due to a number of constraints, including but not limited to, land size which is uneconomic to be utilised for the purposes of traditional rural activities, and the inappropriate use of the site for residential purposes due to the proximity to established horticultural uses adjacent to the site.

In the interests of time and cost effectiveness, and certainty of outcome, relying on the resource consent process is not considered the most efficient way to achieve the purpose of the RMA. It is considered that the Commercial Zone in addition to the scheduled site provisions and associated Structure Plan included in the Plan Change Request are the most appropriate for achieving the objectives in relation to integrated management and form and function of the Te Puna Village area.

5.0 Recommended changes to the District Plan

Add new definitions, as follows:

"Prefabricated Building Manufacturing" means the manufacturing of prefabricated buildings, where the elements of a building are constructed onsite.

"Sensitive Activity(ies)" means activities which are sensitive to noise, dust, spray residue, odour which generate reverse sensitivity effects from nearby activities. This includes residential dwelling, accommodation facility, places of assembly, restaurants and other eating places, educational facilities and medical or scientific facilities.

Amend existing definition, as follows:

"Industry" means and includes manufacturing, processing, packaging or dismantling activities and engineering workshops (including panelbeaters and spray painters). Excluded from this definition is Prefabricated Building Manufacturing.

Add new Activity Performance Standard, as follows:

4C.5.3.2 Screening in Industrial and Commercial Zones

(h) Te Puna Springs

(i) Any subdivision or development of land within the zone shall be designed, approved and developed in general accordance with the Te Puna Springs Structure Plan and Landscape Cross Section in Appendix 7;

(ii) Landscape plans shall be prepared by a qualified landscape designer and approved by Council. The plan for the stormwater pond shall be prepared in consultation with Pirirakau.

Add new permitted activity rule, as follows:

Additional Permitted Activities (Te Puna Springs only)

(a) Rural Contractors Depot

- (b) **Offices (ancillary to activities occurring on site)**
- (c) **Prefabricated Building Manufacturing within Area B**
- (d) **Places of Assembly within Area C**
- (e) **Warehousing and Storage**

Add new non-complying activity rule, as follows:

Additional Non-Complying Activities (Te Puna Springs only)

- (a) **Sensitive activity(ies) located within Area A and B**

Amend / add to 19.4 Activity Performance Standards, as follows:

19.4.1 General

- (a) Building height, setback, alignment and design

(v) Te Puna Springs

The maximum building/structure height in the Te Puna Springs shall be 12.0m.

- (vi) All other areas including spot Commercial Zones**

The maximum height shall be limited to two storeys and 9m and no provision is made for additional non-habitable space above the 9m height limit;

- (vii) Any balustrade servicing a third floor (not in the Omokoroa Stage 2 Structure Plan Area) shall be either set back in accordance with Diagram 1 below or be 80% visually permeable.**

(viii) Continuous retail frontage – Development in the Commercial Zone shall be constructed up to the road boundary except for vehicle access up to 6m wide per site, with the exception of the Te Puna Springs. Each building shall have clear windows on the ground floor that must cover at least 50% of the building's frontage to a main street and at least 25% for all other streets and public areas, such as walkways and public parking areas.

- (ix) No car parking, other than underground parking, shall be located within 10m of any street boundary, with the exception of Te Puna Springs.**

Add to 19.7.4 Discretionary and Non-Complying Activities – Matters of Discretion and Assessment Criteria, as follows:

In considering an application for a Discretionary or Non-Complying Activity Council shall consider:

- (a) The extent of non-compliance with the Permitted Activity performance standards and the actual and potential effects on the environment.
- (b) How well the development integrates with existing commercial development and its orientation to public space.
- (c) How the development meets the design outcomes of adopted town centre plans and the Built Environment Strategy.
- (d) Any national standards for urban design.
- (e) What provision is made for pedestrian and vehicular access.
- (f) The effect on the amenity values of adjoining residential and reserve land.

(g) Consideration of the extent to which rural production activities will be adversely affected by the development, including any reverse sensitivity effects.

Add the Structure Plan to Appendix 7 as '**Section 13: Te Puna Springs**'.

K

Discussion Paper: Te Puna Village Commercial Area

Appendix K

Discussion Paper: Te Puna Village Commercial Area



*Western Bay of Plenty
District Council*

Te Puna Village Commercial Area

Discussion Paper

November 2018

Produced by
Cheryl Steiner, Senior Policy Analyst (Consultant)



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1. Purpose

Council has received approaches from businesses and landowners exploring development options for land within (and adjacent to) the Te Puna Village commercial zone. These proposals often test the existing planning framework in terms of District Plan zones and infrastructure capacity.

The most recent discussion was a request to undertake a Private Plan Change to extend the commercial zone and rezone rural zoned land to light industrial on the land behind BP and Four Square (McIntyre land). Earlier this year Council also received correspondence from Zariba who own the block of commercially zoned land on the corner of SH2 and Te Puna Road, expressing ongoing concern about wastewater requirements and the impact this has on existing use and future development.

Council's response was to carry out a community engagement exercise to understand the Te Puna community aspirations, and issues and opportunities for the commercial zone. The outcome will then help to inform the next steps Council may decide to take to the future planning of this area.

This discussion paper outlines the process used to gather community feedback, the outcome of this feedback and options to address issues raised.

2. Scope

The focus is on the commercially zoned land at the intersection of SH2, Te Puna Road and Minden Road (see pink area on Figure 1). This area is commonly known as Te Puna Village.

The commercial zone is approximately 5.5 hectares in size.

For the majority of the commercial area the adjacent District Plan zone is rural, with the exception of the Post Harvest zone on the corner of Te Puna Road and Armstrong Road.



Figure 1: Te Puna Village – Commercial Zone

Te Puna Village Commercial Area

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3. Community engagement process

Community engagement commenced in August 2018 and included a mix of targeted engagement with key stakeholders and general engagement to capture wider community feedback.

Targeted engagement was with:

- Pirirakau
- Te Puna Heartlands
- New Zealand Transport Agency (NZTA)
- Bay of Plenty Regional Council (BOPRC)
- Te Puna Business Network

General engagement was through two open days held at the Red Shed off Minden Road on Saturday 27 October from 9am – 12pm and Tuesday 30 October from 4pm to 7pm, and the Have Your Say online feedback form. The open days had around 40 people attending each one.

All usual Council communication channels were used to encourage the community to attend including letters to residents and ratepayers. Opportunities for feedback were either through post it notes at the open days, written feedback forms or online feedback forms.

Collateral provided information on why Council was doing this and an overview of the Te Puna commercial zone. We chose to keep it simple as we were keen to keep the focus on the community providing feedback without any potential influence on this feedback or pre-determined outcomes.

Four questions were asked:

1. How do you use or value the Te Puna Village commercial area?
2. What characteristics do you think are important to retain and why?
3. What do you see are the key issues with the site now and in the future?
4. What do you see are the key opportunities with the site now and in the future?

The majority of feedback received on the process was positive in that Council was taking the time to understand the wider community views of the commercial zone in Te Puna and doing this outside of a statutory process.

Opportunities for feedback closed on 9 November 2018. The community will be advised of the outcome of this discussion and any subsequent next steps.

4. Key considerations

Te Puna Community Plan

The Te Puna Community Plan was developed in 2017, updating the previous 2007 version. The Plan provides an insight into community aspirations for Te Puna and how these might be achieved. The Plan recognises that our commercial areas are extremely important for our resilience (food, services, and resources) but considers that commercial/retail activity should be limited:

- Te Puna is to be kept an essentially rural area by limiting industrial and commercial areas to current locations and focusing on local services.
- This involves recognising the existing commercial activity at Te Puna Village and Clarke Road and consolidating any future development at these locations to serve the local catchment.

It is recognised that Te Puna residents earn their living in a variety of ways, both within and outside of the area, and that there is room alongside farming and horticulture for commercial, retail and home-based businesses:

- Retain and monitor current District Plan controls on home-based businesses.
- Conduct a survey to accurately measure the scale and type of business enterprises in Te Puna.
- The Plan tests the concept and framework for identifying, maintaining and protecting the areas 'rural character' from a community perspective. Bethlehem is recognised as a larger commercial area (with a supermarket) that also plays an important role to the people and businesses of Te Puna.

The Plan outlines future opportunities for commercial activities in the area:

- Maximising opportunities from the Tauranga Northern Link to achieve the best outcomes for local businesses: support and encourage participation in consultation processes with transport agencies to achieve good outcomes for connections and amenity values.
- Preservation and interpretation of landmarks and places of significance, both ancient and modern, will help people recognise and identify Te Puna.

Relevant Council direction to date

In 2015 the Policy and Strategy Committee declined to proceed with a proposed plan change for Te Puna that would increase the commercial zone and include a light industrial zone on the Rex McIntyre land (behind the BP and Four Square).

In 2015 Zariba Holdings made a submission to the 2015-25 Long Term Plan requesting to work with Council to investigate the opportunity to connect the growing Te Puna commercial area and adjacent post-harvest zone to the wastewater pipeline. Zariba noted that the current situation is unsustainable and is restricting economic development. Council's response was that the Tauranga City Council (TCC) agreement for the pipeline was amended to only allow properties to connect to the scheme that are within the Te Puna residential zone and cannot comply with the BOPRC Onsite Effluent Treatment Plan. The Te Puna commercial zone did not meet these requirements (at the time) and therefore cannot connect.

In 2018 further correspondence between Zariba and Council discussed issues with effluent soakage and the potential this could have on halting further development. Zariba indicated strong demand for further amenities on the Zariba owned land. BOPRC correspondence with Zariba advised that the commercial area has now reached a point where it is no longer sustainable to treat effluent via ground soakage. The issues are difficult to resolve as there is little room to provide a land treatment area. Council response was that Council's position has not changed and opportunity to reticulate and connect to Omokoroa pipeline not an option in short to medium term due to capacity issues (and capacity to be picked up in Omokoroa as an urban growth area). Council suggested consideration of a community scheme with all commercial property owners contributing.

In 2018 a further proposal by Rex McIntyre to extend the commercial zoning over his land was presented to a Policy Committee workshop on 10 April 2018. The landowner was proposing to do this via a Private Plan Change. Council asked staff to produce a paper that discussed the options for the planning for the future of the village, the land around the SH2/Te Puna Road/Minden Road intersection. The outcome of the issues and options paper presented on 30 April 2018 was direction to undertake a community engagement exercise with the Te Puna community to understand their expectations for the future of the commercial zone, and appetite for expansion.

Known proposals in and adjacent to the commercial zone

Refer to Figure 2 for location of proposals.

	Owner/ Property	Proposal	Considerations	Status
1.	Te Puna Springs Estate (Rex McIntyre)	To develop a range of commercial and light industrial activities. Current land zone is rural and commercial.	Stormwater requirements. Adjacent landowner – horticulture activity and reverse sensitivity. Community hall location. Loss of commercial zoned land (compensated in terms of land value). Keen to explore the ability to achieve wider objectives with this development (eg open space and amenity).	On hold pending outcomes of this paper.

	Owner/ Property	Proposal	Considerations	Status
2.	Zariba (Dwayne Roper)	New commercial building near completion. Will have real estate office, physio and health services. ITM to move and Zariba want to redevelop this site into a mix of retail/medical/hospitality services (potentially). Land zone is commercial.	Regional Council have advised that they have concerns about wastewater disposal because of the intensity of development at the Village. High cost and practicality of providing on site wastewater solution.	Building consent granted for new building (near completion, along from Nourish) subject to Code Compliance Certificate being issued. No consent lodged to date for ITM site.
3.	Paul Williams	Convert existing homestead into 60 seat restaurant plus carparking. Land zone is rural.	Wastewater management. Liquor licence.	Resource consent application received.
4.	Paul Williams	Interested in commercial zone being extended to property boundaries to complete block on Minden Road side (currently rural) Potential development of workshops/storage/garage space in current rural zone.	Wastewater management.	No application lodged.
5.	Advanced Housing Systems (Paul Williams)	New internal fit out for Prime Explosives administration & sales office within the existing Te Puna Country Market Red Shed Building. Land zone is commercial.		Processing
6.	DMS	Proposed RSE workers accommodation complex, comprising of 3 portable buildings, one bedroom building and one relocated	Note DMS have invested approx. \$500k in on-site effluent treatment system utilising adjacent orchard	Processing

	Owner/ Property	Proposal	Considerations	Status
		building with associated decks. Land zone is Post Harvest.	land (near where accommodation is proposed).	
7.	NZTA	Development of community hall (to replace previous hall). Land zone is commercial/rural.	4500m ² property. Of this 680m ² is for sewer soakage field. 60 carparks, mostly in commercial zone but partly in rural zone. Land purchased from Rex McIntyre. Access from internal access road. This land will eventually be transferred into Council ownership.	Resource consent application received. BOPRC have requested that the application be put on hold under section 91 of the RMA until wastewater disposal has been confirmed as compliant with OSET Plan requirements, or a resource consent from BOPRC is obtained for the non-compliance.

Note development of Te Puna Kindergarten is underway next to the Red Shed off Minden Road. They are providing for onsite wastewater disposal and are located in the rural zone.

Through the engagement process, Four Square indicated that there was demand for them to expand their services and they have space to do this, however based on discussions they have had with other businesses, the potential cost involved in dealing with Council and with wastewater issues has put them off proceeding with this.

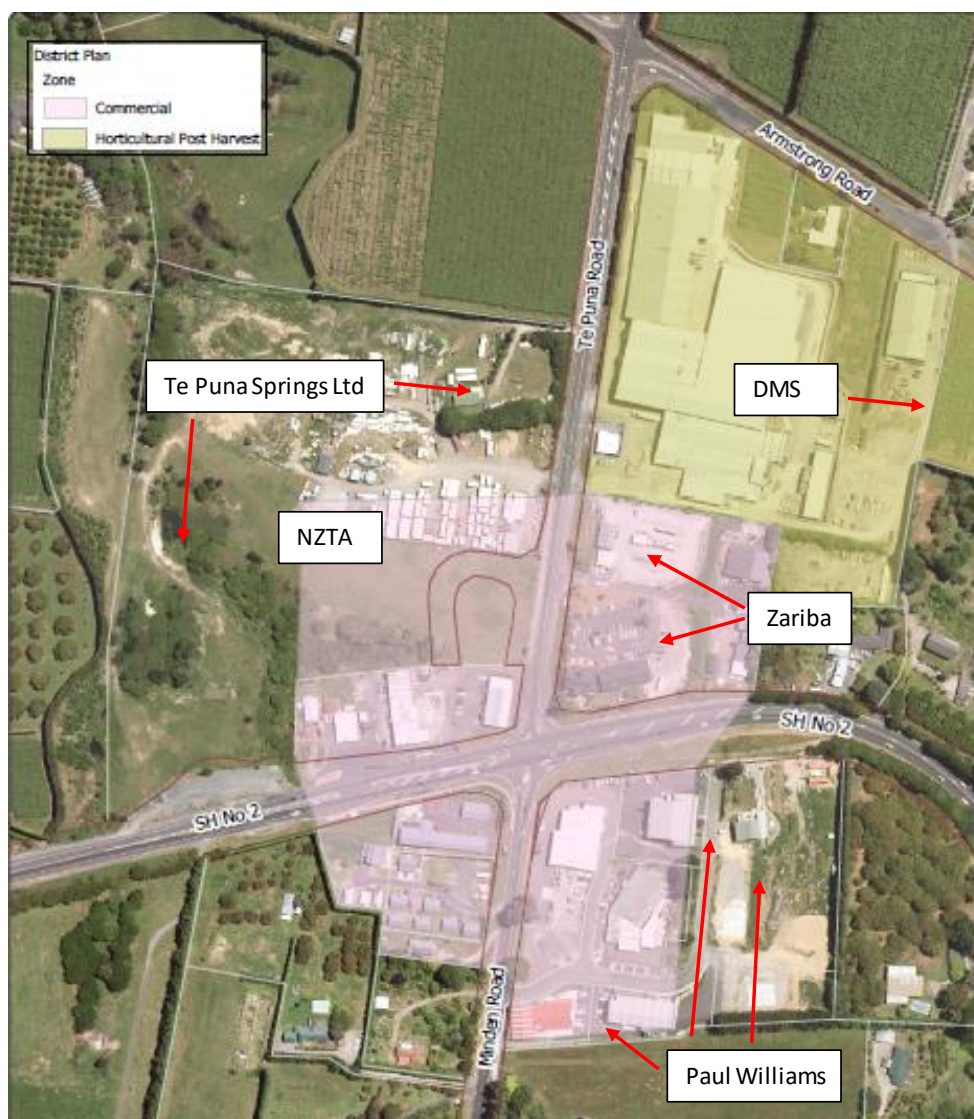


Figure 2: Development proposals and consents within the Te Puna Village

Council staff have recently talked to Newnham Park Innovation Centre (on Newnham Road) to discuss their future development plans and their desire to connect into the wastewater pipeline as this runs directly in front of their property.

Traffic modelling on the Te Puna Station Road/SH2 intersection has been recently undertaken for the industrial zoned land on Te Puna Station Road and has identified that there are no major issues with the SH2/Te Puna Station Road intersection, however minor traffic calming works are required that are being investigated by Council and will be expected to be funded from the developers.

Te Puna growth

The Draft Future Development Strategy raises the question as to whether Te Puna should be considered for urban development in the long term (20-30 years). If the conclusion was to consider such action, then detailed studies would be undertaken over the next three years to see if it would be feasible to urbanise the area, and how it might be achieved.

In 2013, the population of Te Puna (Te Puna and Minden Area Units) was 6,834 and projected to be 7,385 in 2018. This is estimated to increase to 8,093 by 2028 (an additional 708 people over the next ten years) with no further growth projected. This equates to 2,954 dwelling units in 2018 and 3,354 dwelling units by 2028.

The Minden Lifestyle zone (operative in 2012) provides opportunities for lifestyle living close to the City of Tauranga with good views over the Harbour and wider Bay of Plenty. This is envisaged as being a lifestyle location with 1730ha that will be developed over a period of up to 40 years. This growth is factored into the above projections.

Commercial zone

The commercial zone for Te Puna was inserted into the District Plan many years ago in recognition of the activities that existed or were planned at that time. The aim of commercial zones throughout the District is to provide a vibrant commercial environment that encourages social and cultural interaction in our communities. The rules are fairly permissive in that retail is retail so there is no consideration of the implications of different types of commercial activity (e.g. book shop vs a butcher).

For an area like Te Puna, there is no set formula used to determine how much commercial land is needed. It is a given that a community of this size should have access to a commercial centre to service the immediate catchment but how big that is and the types of services it provides is largely driven by land use zones, infrastructure capacity and the market response to community demand.

The current mix of services provided by approximately 30 businesses operating within the commercial zone can be categorised as follows:

Type	Businesses
Cafes and bars	Nourish, Te Puna Tavern and Minden Restaurant, Top Shot Bar
Retail food/liquor outlets	Te Puna Four Square, Te Puna Deli, Naked Meats Butchery, Te Puna Liquor Centre, Minden Munchies Lunch bar
Accommodation	Minden Backpackers, Accommodation Te Puna
Service providers	Farmlands, Waterforce, Te Puna Vets, BP Connect, Te Puna Motors
Education	Above and Beyond, Te Puna Kindergarten
Building construction companies	Federation Homes, Supermac Group (portable buildings, industrial construction and equipment hire), Skyline Buildings, Canam Construction, Advanced Housing Systems, ITM.
Real estate	Ray White, Professionals.

Retail (clothes and homeware)	Heaven and Home, Dorje Boutique
Design	Quarry Commons (co-working space and design)

Bethlehem Town Centre is approximately 4.5km from Te Puna Village, a 5-minute car journey depending on traffic! Bethlehem provides a larger commercial area and includes a supermarket, retail clothes and homeware, fast food, restaurants, cafes, and Kmart.

Clark Road Village (zoned rural) is 1km away and has a café (currently closed), accountancy, gallery and homeware, dog day-care and grooming.

Wastewater

Te Puna Village commercial zone is not currently serviced by Council's wastewater infrastructure. Council has indicated that no reticulation will be provided to this site. It is not currently identified as an urban growth area and is not within a BOPRC maintenance zone. Therefore, landowners need to manage their wastewater in accordance with the BOPRC Onsite Effluent Treatment Plan, or store wastewater for frequent collection by a contractor. On-site effluent treatment systems include septic tanks and associated soakage fields and advanced aerobic systems.

Within the Te Puna Village a number of wastewater issues have been identified due to failing systems and resultant issue of wastewater not being treated to the required standard and or properties experiencing wastewater overflow. BOPRC is aware of these issues and is currently undertaking an on-site effluent compliance programme through working with consent holders directly to ensure compliance. Depending on the outcome of these discussions, the next step will be enforcement through the issuing of abatement notices.

Any future development in the Te Puna Village needs to carefully consider requirements around on-site wastewater. Generally commercial development is not compatible with onsite wastewater disposal, as it needs approximately one third of the site to be set aside for a disposal area, especially with businesses that have high water usage that requires discharge into wastewater systems. Many commercial wastes need special treatment which can be expensive and the treatment systems require regular servicing.

BOPRC have requested that WBOPDC support their position to put on hold any further development proposals until these issues are resolved. Council recognises that the issues need to be resolved but rather than halting development, we refer all consents to BOPRC so they can assess compliance with the OSET rules before a new resource consent or building consent is granted.

BOPRC and Toi Te Ora have advocated to Council and some landowners that the area be reticulated with a further transfer pipeline and pumping station feeding into the existing Omokoroa wastewater rising main. Council has an agreement with TCC to take the wastewater from Omokoroa only and treat it at their wastewater treatment plant on Chapel Street. This agreement has been amended to allow the connection of properties in Te Puna West. However, this amendment only allows properties to connect to the scheme that:

- Are within the Te Puna West residential zone (in the current District Plan); and

- Cannot comply with the BOPRC OSET Plan.

Council has advised commercial landowners that have requested for this connection to occur, that the designed capacity of this pipeline precludes addition of other areas connecting to the pipeline as the focus is on servicing Omokoroa in the first instance as one of Council's four urban growth areas. The design of the wastewater system for Te Puna West, being a sealed system, meant that very little additional pipeline capacity was required to service this residential catchment. If the monitoring undertaken at Te Puna West shows that a similar system could be utilised for Omokoroa and this could result in capacity in the pipeline, the likely option is for Council to seek greater development density in Omokoroa, rather than connect additional developments. Figure 2 identifies the location of the pipeline. Council have advised Zariba that it would make sense for all the Te Puna Village property owners to explore a combined on site wastewater plant. The suggested approach would be to keep the solid material on the holding tank of individual businesses and treat the grey wastewater at the common land location (this is the approach at Ongare Point).

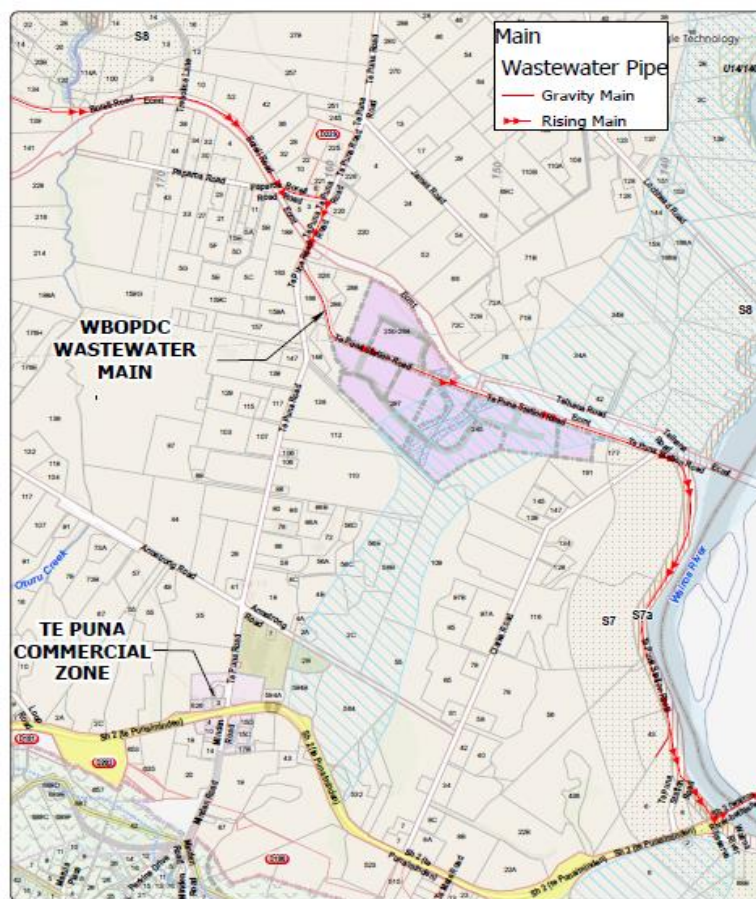


Figure 2: Location of Omokoroa – Tauranga wastewater pipe (red line)

Transportation

NZTA recently completed the Te Puna/Minden Road intersection upgrade with development of the roundabout. The intent of this was to improve safety at a high risk and increasingly busy intersection, and accommodate future traffic demands as the population grows. The project included purchase of Council land and removal of the hall, as well as purchase of part of the McIntyre land for an access road and now for the future location of the hall. A pedestrian access point was provided near where two bus stops are located (in front of the motel). A small park and ride facility (6-8 carparks) has been allowed for but this is not a formalised space for this purpose.

The roundabout was built to deal with a potential expansion of the commercial zone as well as further intensification of the DMS Post Harvest zone. However, this was done at a time when it was assumed that the Tauranga Northern Link would be commencing construction now which isn't the case.

SH2 in Te Puna has an estimated 20,000 – 22,000 vehicles per day travelling through this area, an increase of 3,000 vehicles per day since 2015. NZTA recently announced that they have confirmed the need for the Tauranga Northern Link and that this will be a two-lane route, one in each direction between Te Puna and Tauranga based on current alignment. Options for additional lanes on SH2 could include a range of uses such as public transport. NZTA will work with Councils to discuss the broader network approach in the context of government focus on safety and mode neutrality. These discussions will need to take into account land use pattern (current and future) and the role and function of Council's local road network. The construction timing and form of this route is dependent on growth and funding priorities across the rest of the country so no timeframes are confirmed at this stage. A further update will be provided in December 2018.

SH2 safety improvements between Omokoroa and Te Puna include an upgrade of Omokoroa intersection, and working with partners to improve and encourage public transport use including allowing greater space for public transport and high occupancy vehicles.

A speed limit review of SH2 between Katikati and Bethlehem will be undertaken by NZTA in 2019. This will look at the potential lowering of the speed limit through Te Puna.

Local road traffic volumes are shown in Figure 3 below. This provides a very rough idea of the number of vehicles that utilise the commercial area however to gain a more accurate picture, data would need to be obtained from local businesses (eg DMS and Farmlands should be able to provide vehicle volume increases over time as harvest and stock turnover have increased respectively, and BP would have pump records).

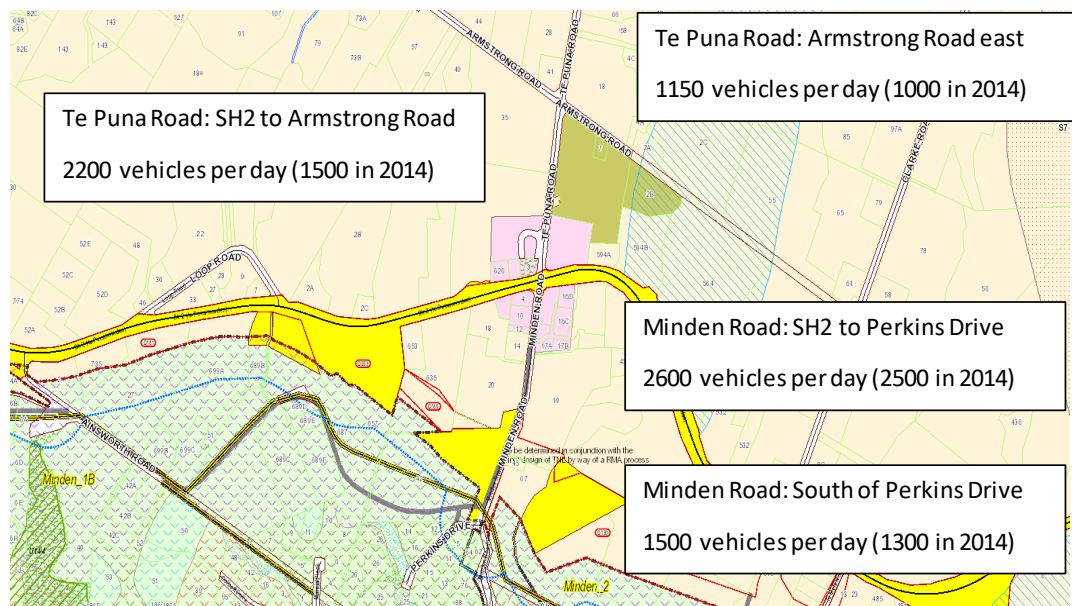


Figure 3: Local road traffic volumes

NZTA assumptions allow for 20% of Te Puna Road traffic using the new local around the BP area and 6% of traffic being heavy vehicles (based on sealing records). Te Puna Road has an 80km/hr speed to 100m south from Borell Road and Minden Road has a 50km/hr speed limit from SH2 to 80m north of Perkins Drive (then 80km/hr).

5. Community Engagement Outcomes

Approximately 80 people attended the two open days and 27 people provided online feedback through the Have Your Say website. Below is a summary of the key themes under each question that was asked. A more detailed list of comments made will also be made available.

How do you use or value the Te Puna Village commercial area?

Key themes:

- High utilisation by local community, especially Nourish, ITM, BP, Farmlands, Waterforce, Four Square, Te Puna Deli, Bostock Butchery, Te Puna Vets, Te Puna Liquor Centre.
- Value this area providing local services to local community, and not having to drive into Bethlehem and Tauranga for these services due to traffic and convenience.
- Mostly consider that the area provides for locals but also recognise some services such as Nourish and retail shops have become a destination (for city folk in particular).
- Provides a hub for the community, ability to connect, convenience of local services but also recognise Bethlehem is not far away for things like supermarket and more retail, food outlets.

What characteristics do you think are important to retain and why?

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Key themes:

- Village feel important and needs to be retained (and incorporated more into the whole area and new developments). Many referenced Matakana Village (north of Auckland) as an example of what could be achieved. Concern that 'big industry' or large scale development would not be a good fit and would lose community, rural, small scale and village feel in the area.
- Easy and accessible and free carparking.
- New community centre will be great for this area and contribute to community hub and village atmosphere.
- Ensure Te Puna Community Plan is a key consideration of options for commercial zoning alterations, in particular reflecting our identity and maximising opportunities from the Tauranga Northern Link.
- Retain what we have but improve standard and appearance of buildings and surrounds – Nourish sets a minimum standard, make what we have attractive!
- Compact nature of existing commercial area needs to be retained.
- Retain green wedge and rural character of the area.
- Retain opportunity to be a service hub to surrounding community and meeting place for locals.

What do you see are the key issues with the site now and in the future?**Key themes:**Look and feel:

- The commercial area needs to be tidied up. General look and vibe of village is not very inviting due to random mix of retailers, building design, rubbish everywhere, and lack of landscaping.
- The commercial area is too separated and disjointed with ad hoc development undertaken to date. The whole area lacks cohesiveness and needs a better layout.
- Te Puna Station Rd needs tidying up and sediment control of all activity needs attention.

Growth:

- Limitations to growth as not much commercial land is available to do this and issues with consents and wastewater (from a local business). Demand is there to expand existing services and provide new services primarily to the local community.
- New businesses should be focused on providing services to the local community.
- Differing views as to whether the area needs to grow – Most are concerned that if it does grow it will lose its village appeal and impact on rural character. Some feel that there is demand for further commercial activities in this area and that this should occur within and adjacent to the existing zone (with better controls in place to manage how this occurs).
- No overall plan in place for the commercial area. Council needs to stop looking over Te Puna and start planning better for our community.

- Council needs to be more open about home based businesses and while some may not be considered a rural business, they can also provide support services to the rural businesses in the area.

Wastewater:

- Non performance of existing systems, high cost involved with onsite treatment and removal, limited land area available to deal with wastewater on site so no longer practical, impact on environment, limiting ability to grow and provide further services to the local community. Councils not working together to look at how this issue can be resolved.

Transport:

- Cars need to slow down and speed limit needs to be reduced on all roads in this area especially the SH, conflict between cars and trucks on the local roads, issues with access and egress points on Minden Road and internal access roads, need bus shelter, better bus services needed, consider park and ride. Significant increase in traffic creating issues on SH2 and local roads.
- Tauranga Northern Link will have an impact – various thoughts on this, some see it as an opportunity to reduce traffic on SH2 and make the area more appealing and easier and safer to get around. Concern about how the foot of the Minden will be affected.
- Needs to be more pedestrian friendly. SH2 is too busy and there is no safe pedestrian connectivity between the four corners, both on the SH and on the local roads.

Impact on surrounding areas:

- The local streams of Oturu, Hakao: how will they be affected and what is considered in planning to enhance natural character.
- Hard surface areas and run off from the commercial zone to adjacent streams. Design to ensure there are no unnecessary issues in the future as the existing zoned area continues to be developed.
- Impact of lighting (e.g. DMS), signage, parking on surrounding properties – encroachment of commercial activity into the broader community. Avoid potential for reverse sensitivity – particularly with horticulture/rural operations.

What do you see are the key opportunities with the site now and in the future?

Key themes:

Types of activities in the commercial zone:

- Retail shops and more cafes to create community hub vibe.
- Family friendly restaurant, compliment existing cafes, provide an evening venue.
- Fast food options (small scale).
- More convenience type providers would add to the area and help create more of a village atmosphere i.e. General Store, Medical Centre (pharmacy, doctors, dentist, physio), speciality shops
- Te Puna Markets to support local growers and local small businesses.

- Horticulture support hub. Packing sheds, transport vehicles, logistic centres, and support for Kiwifruit and Avocado industry.

Community Centre:

- A Community Centre that the community is proud of.
- Community events and activities at the new hall.
- Potential to consider a visitor/information centre as part of this development.
- The hall must have good amenity.
- Is the new community hall an opportunity to take a look at a more coordinated approach to addressing wastewater issues?

Pedestrian connectivity:

- Better pedestrian connectivity between all four corners of the commercial area and then extending up Te Puna Road and Minden Road. Sealed footpaths.
- Complete Te Puna Road footpath to the commercial zone.

Design:

- More control over the design and layout of developments, including landscaping requirements (see amenity comments below). This area is a gateway to Tauranga and needs to be attractive and inviting. Opportunity to reflect Te Puna's history through design standards.
- Further expand and create village theme. Opportunity to become the Matakana of Tauranga.
- Identify opportunities to provide cultural, art and history in new development (eg hall, roundabout) and existing places.

Wastewater:

- Develop a community sewer treatment facility. That would be better for the environment and enable efficient use of the zoned land.

Public spaces and amenity:

- Provision of a playground and public open greenspace. Could use this area for markets and community events and would add vibrancy to the area.
- More beautification - planting and gardens to reflect character of Te Puna – rural, heritage and culture.

Transport:

- Lowering the speed limit.
- Develop park and ride facilities.
- Improved bus services.
- More carparking if more development.
- Tauranga Northern Link creates an opportunity to become a destination – need attractive and inviting spaces and places, and the right mix of activities that could achieve this. Maximise opportunities from this development for the commercial area.

Bigger picture considerations:

- Develop a long term comprehensive and connected plan for the commercial area.
- A well planned structure plan is needed.
- Incorporate age-in-place affordable housing alongside places for those in need of a transitional home, to give stability, vitality and social dynamics to the area. Develop as a Special Housing Area. Benefit from easy access to community and commercial services. Need this type of lateral thinking.
- Need to focus on more than just the commercial zone – time to have a conversation on the relevance of the current rural zones to the community (relevant to Future Development Strategy discussion as well).
- Develop a secondary school close to commercial area.
- Create local employment opportunities.
- Greater opportunities for collaboration by Council – work with Pirirakau, the local community and businesses.

6. Issues and Options

Based on the community engagement outcomes, five key issues have been identified:

1. Wastewater
2. Transport
3. Commercial zone
4. Amenity
5. Bigger picture

For each issue, a summary of the community feedback, a brief explanation of the current situation and high-level options for discussion are provided.

Further detail on the options will be provided once we have an idea of what elected members would like to consider further as it is likely that technical information and a more comprehensive analysis will be required to inform future decision-making.

Issue 1: Wastewater

Community feedback summary

- Recognise the non-performance of existing wastewater systems and impact on the environment, high cost of onsite treatment and removal, limited land area available to deal with wastewater on site, and the limitations this all has on the ability to grow business in this area, despite there being demand to do so.
- An option identified in the feedback was to develop a community waste water treatment facility. This would be better for the environment and enable efficient use of the zoned land.

Current situation

Te Puna Village commercial zone is not currently serviced by Council's wastewater infrastructure. Council has stated that no reticulation will be provided to this site. It is not currently identified as an urban growth area and is not within a BOPRC maintenance zone. Therefore, landowners need to manage their wastewater in accordance with the BOPRC Onsite Effluent Treatment Plan.

Within the Te Puna Village a number of wastewater issues have been identified due to failing systems and resultant issue of wastewater not being treated to the required standard and or properties experiencing wastewater overflow. Generally commercial development is not compatible with onsite wastewater disposal, as it needs approximately one third of the site to be set aside for a disposal area, especially with businesses that have high water usage that requires discharge into wastewater systems.

Options for discussion and consideration

Option		Pros	Cons
1A	<u>Status quo</u> BOPRC to proceed with enforcement action for current wastewater issues. Council to ensure all consents in or adjacent to the commercial zone are provided to BOPRC to assess compliance with the OSET Plan and ensure the rules are adhered to.	The wastewater issues are current and need to be resolved in the short term to prevent any potential environmental impact.	Impact on business operations in the area – may force some to close down and high costs likely to remedy existing situation.
1B	<u>Investigation into issues/options for a community wastewater scheme for the Te Puna commercial zone</u> Work with BOPRC and business/landowners to explore options for a community wastewater scheme including system and land requirements, costing, and funding options.	Potential to provide a long term solution to the wastewater issue. Some landowners have supported this as a potential approach and making a financial contribution to this.	DMS has recently significantly invested in managing their wastewater on site. There will be significant costs to the businesses.
1C	<u>Investigation into issues/options for connecting the Te Puna commercial zone to the Omokoroa wastewater pipeline</u> Reconsider current Council stance to not connect Te Puna commercial zone to	Potential to provide a long term solution to the wastewater issue, and contribute to costs of pipeline.	Impact on capacity to provide for Omokoroa development. Precedence likely to trigger further requests in Te Puna to connect

Option		Pros	Cons
	<p>the Omokoroa – Tauranga wastewater pipeline.</p> <p>Analysis and monitoring of Te Puna West and Omokoroa to understand capacity is underway which will provide a basis for a discussion on where any additional capacity could be provided and how.</p>		<p>to reticulated system.</p> <p>Not desirous to renegotiate contractual arrangements with TCC and recognise TCC need to consider future of Chapel Street.</p>
1D	<p><u>Investigate options for strengthening District Plan rules</u></p> <p>Explore options for how District Plan rules may better manage wastewater in this commercial zone in the future.</p>	<p>Could have more specific requirements for different types of retail activity (if they generate more wastewater).</p>	<p>The wastewater issues are current and need to be resolved in the short term to prevent any potential environmental impact.</p>

Relevant to all options is that if a decision is made through the Future Development Strategy to explore Te Puna urbanisation, then wastewater infrastructure capacity will need to be considered over the next three years. However this is likely to be a long term option (20+ years) and will not solve existing problems.

Issue 2: Transport

Community feedback summary

- There are issues with speed limits on SH2, access/egress from the commercial area onto Minden Road, and conflict between vehicles and trucks on Te Puna Road.
- Need improved pedestrian connectivity between and within all four corners of the commercial area and then extending up Te Puna Road and Minden Road. This is not safe and does not encourage walking and cycling activity.
- Need bus shelters.
- Need park and ride facilities.
- Tauranga Northern Link should have a positive impact in terms of reducing traffic volumes and providing a safer pedestrian environment. Some concerns about lack of profile and loss of business.

Current situation

A speed limit review of SH2 between Katikati and Bethlehem is intended to be undertaken by NZTA in 2019. This will look at the potential lowering of the speed limit through Te Puna. The Tauranga Northern Link construction timeframes have yet to be confirmed.

The existing gravel walkway from Armstrong Road to the commercial area will be replaced with a concrete path in 2019/20 to connect to the concrete path that extends east of Armstrong Road along Te Puna Road. This is currently being costed by transport staff. There are no current plans by NZTA to improve pedestrian connectivity across SH2 or provide bus shelters or park and ride facilities.

The Omokoroa to Tauranga cycleway will go along Borell Road (from Snodgrass Road), connect into Te Puna Road and then head along Lochhead Road. Along with recreational and tourism opportunities this cycleway will provide an alternative, safer transport route to SH2. The Te Puna Village could become a popular destination and stop off point for users of the new cycleway.

Options for discussion

Council could choose one or more options.

Option	Pros	Cons
2A <u>Status Quo</u> No change.		Does not respond to a key issue raised by the Te Puna community.
2B <u>NZTA/BOPRC discussions regarding pedestrian access within and around the commercial zone.</u> Discuss with NZTA/BOPRC options for improving pedestrian access across SH2, bus routes, and park and ride facilities. Determine viability of improvements how this relates to decisions on the Tauranga Northern Link timing.	Community plan supports improved and safe pedestrian connectivity across SH2 and across local roads (council). District Plan Lifestyle zone - consideration will be given to vehicle, walking and cycling connectivity between the Minden and the Te Puna peninsula to retain the integrated character of the community. Could be part of a package of improvements considered as part of Tauranga Northern Link project.	Tauranga Northern Link timeframes not determined which may result in any potential improvements being delayed.
2C <u>Council prioritisation of wider walkway development in Te Puna</u> Include consideration of further development of walkways on Te Puna Road and Minden Road to connect people to the commercial	Community plan supports improved and safe pedestrian connectivity across SH2 and across local roads (council). Lifestyle zone - consideration will be given to vehicle, walking	Will need to be assessed against other work programme commitments.

Option	Pros	Cons
area. Te Puna Road is in the prioritisation of the annual work programme for 2019/2020. Minden Road is not in the programme.	and cycling connectivity between the Minden and the Te Puna peninsula to retain the integrated character of the community.	

Issue 3: Commercial Zone

- Community feedback summary
- High utilisation by local community, especially of Nourish, ITM, BP, Farmlands, Waterforce, Four Square, Te Puna Deli, Bostock Butchery, Te Puna Vets, Te Puna Liquor Centre.
- Value this area providing local services to local community, and not having to drive into Bethlehem and Tauranga for these services due to traffic and convenience.
- Village feel is important and needs to be retained (and incorporated more into the whole area and new developments). Many referenced Matakana Village (north of Auckland) as an example of what could be achieved. Concern that 'big industry' or large scale development would not be a good fit and would lose community, rural, small scale and village feel in the area.
- Limitations to growth as not much commercial land is available to do this and issues with consents and wastewater (from a local business). Demand is there to expand existing services and provide new services primarily to the local community. Need to deal with existing issues first.
- New businesses should be focused on providing services to the local community.
- Differing views as to whether the area needs to grow – Most are concerned that if it does grow it will lose its village appeal and impact on rural character. Some feel that there is demand for further commercial activities in this area and that this should occur within and adjacent to the existing zone (with better controls in place to manage how this occurs). Industrial to go to Te Puna Station Road.
- Retail shops and more cafes to create community hub vibe.
- Family friendly restaurant, compliment existing cafes, provide an evening venue.
- More convenience type providers would add to the area and help create more of a village atmosphere i.e. General Store, Medical Centre (pharmacy, doctors, dentist, physio), speciality shops
- Te Puna Markets to support local growers and local small businesses.
- Need to ensure sufficient carparking if it does expand.
- New community centre will be great for this area and contribute to community hub and village atmosphere.
- Ensure Te Puna Community Plan is a key consideration of options for commercial zoning alterations, in particular reflecting our identity and maximising opportunities from the Tauranga Northern Link.
- Manage impacts of commercial (and Post Harvest Zone) activities on surrounding areas e.g., light building design, environmental impacts, amenity, traffic etc.

Current situation

Supermac plans to extend commercial zone and provide for light industrial activity. The landowner has indicated they want to work together to look at how wider objectives could be achieved through this development (but recognise extent of compromise or trade off in this).

Zariba have plans to redevelop the ITM site once they vacate the premises (as the lease has expired).

Paul Williams is keen to look at extending commercial zone on Minden Road side to complete block (to edge of bank).

Other than that, we are not aware of any other proposals to extend the commercial zone.

Options for discussion

The ability to commence these options is largely dependent on the outcome of Issue 1: Wastewater. Council could choose one or more options.

Option	Pros	Cons
3A <u>Status quo</u> No further work done to explore options for the potential extension of the commercial zone at Te Puna Village.	Concentres activity within existing commercial zone.	Landowner/developers wanting to expand their activities.
3B <u>Explore options for the potential extension of commercial zone on McIntyre property.</u> Look at options for achieving wider objectives for the site (identified by the community through this process). Consider adjacent landowner issues with any potential expansion. Consider the type of activities that might be accommodated in an expansion. Consider outcome of Issue 4. Previous plans have indicated the need for light industrial as well as commercial.	May help achieve wider objectives for the site, including better layout and landscaping. Assists landowner/developer to realise their objectives and investment. Potential to provide local employment opportunities and more local services to the local community.	Impacts on adjacent landowners and rural character.
3C <u>Explore options for the potential extension of commercial zone on Paul Williams's property (and to follow property boundaries).</u>	May help achieve wider objectives for the site.	Impacts on adjacent landowners and rural character.

Option		Pros	Cons
	Look at options for achieving wider objectives for the site (identified by the community through this process). Consider adjacent landowner issues with any potential expansion. Consider the type of activities that might be accommodated in an expansion. Consider outcome of Issue 4.	Assists landowner/developer to realise their objectives and investment. Potential to provide local employment opportunities and more local services to the local community.	

Issue 4: Amenity

Community feedback summary

- The commercial area needs to be tidied up. General look and vibe of village is not very inviting due to random mix of retailers, building design, rubbish everywhere, and lack of landscaping.
- More control over the design and layout of developments, including landscaping. This area is a gateway to Tauranga and Te Puna and needs to be attractive and inviting. Opportunity to reflect Te Puna's history and rural character through design standards.
- Further expand and create village theme. Opportunity to become the Matakana of Tauranga.
- Identify opportunities to provide cultural, art and history in the area.
- Provision of a playground and public open greenspace. Could use this area for markets and community events and would add vibrancy to the area.

Current situation

Only design and landscaping or amenity controls are through District Plan objectives, policies and rules.

Opportunity for new hall landscaping to add amenity and incorporate identity elements.

The closest playground is at Te Puna School.

Options for discussion

Council could choose one or more options.

Option		Pros	Cons
4A	<u>Status quo</u> No change to current approach. Not a funding or resourcing priority for Council at this time.		Does not respond to a key issue raised by the Te Puna community.

Option		Pros	Cons
4B	<u>Public open space</u> Provide as part of hall development or work with landowners to tidy up vacant space or consider use of rural land or consider in any expansion/development. Consider playground if safe and appropriate location for this.	Meets local/visitors needs if integrated with retail/café activities	Cost to establish and to maintain
4C	<u>Facilitate community project to incorporate/promote village theme and art, heritage, cultural features into commercial zone</u> Work with the community and landowners/businesses to come up with a plan for how this can be realised including consideration of design elements and landscaping, and explore options for funding implementation of this.	Aligns with community plan and community feedback through this process.	Costs of process and implementation.
4D	<u>Investigate options for strengthening District Plan rules</u> Look at how design/landscaping objectives/policies/rules can be strengthened to achieve improved outcomes for commercial zones such as Te Puna.	Aligns with community plan and community feedback through this process.	Only applies to new activities – cannot be retrospective to existing activities

Issue 5: Bigger picture

Community feedback summary

- Te Puna Community Plan focus on green wedge and protecting rural character. Pirirakau do not want more residential development in Te Puna.
- Comprehensive approach through tools such as a structure plan. The commercial area is too separated and disjointed with ad hoc development undertaken to date. The whole area lacks cohesiveness and needs a better layout.
- Consider opportunity to provide housing and social services around the commercial zone – think outside the square.

Current situation

District Plan objectives/policies/rules aim to protect productive land and rural amenity.

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The Draft Future Development Strategy raises the question as to whether Te Puna should be considered for urban development in the long term (20-30 years). If the conclusion was to consider such action, then detailed studies would be undertaken over the next three years to see if it would be feasible to urbanise the area, and how it might be achieved. Consideration of any further housing activity in Te Puna (including a potential Special Housing Area around the commercial zone) needs to be a part of the Future Development Strategy process.

No structure plan in place for the Te Puna commercial area.

Options for discussion

Council could choose one or more options.

Option		Pros	Cons
5A	<u>Status quo</u> No action taken to specifically respond to these issues.		Does not respond to a key issue raised by the Te Puna community.
5B	<u>Structure Plan</u> Develop a structure plan for the Te Puna commercial zone (and potential adjacent land to consider future development). Consider how all key issues raised in this paper could be responded to through the structure plan process. Community engagement essential part of the process.	Provides a comprehensive approach to future development of the Te Puna commercial zone.	Significant resource required to undertake this process. This is not currently prioritised in Councils work programme. Question how much of the current situation can be changed/improved.



NZTA Feedback

Appendix L

NZTA Feedback



Level 3, Harrington House
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Tauranga 3141
New Zealand
T 64 7 927 6009
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www.nzta.govt.nz

04 March 2020

Ann Fosberry
Aurecon Ltd
Via email – Ann.Fosberry@aurecongroup.com

Dear Ann

NZTA FEEDBACK – TE PUNA PLAN CHANGE

Thank you for engaging with the Waka Kotahi New Zealand Transport Agency (**Transport Agency**) regarding the proposed 'Te Puna Springs' Plan Change. It is proposed to rezone approximately 5.93 hectares of land in Te Puna from the current rural and commercial zoning to a new structure-planned commercial zone. The proposal has been assessed based on the documents comprising the Te Puna Springs Private Plan Change Application, Reference: 251282, Revision 0, Dated 2019-11-06.

Based on the information provided, the Transport Agency does not have any concerns regarding the proposed plan change.

This is the Transport Agency's current view of the proposal. Please note that if the plan change is put on hold for a substantial period of time, the Transport Agency may need to review its comments in light of any traffic, safety or policy changes. The Transport Agency also reserves the right to make a submission through the plan change process.

Please call me on (07) 928 7918 or email rodney.albertyn@nzta.govt.nz should you wish to discuss any aspect of this letter in more detail.

Yours sincerely

Rodney Albertyn
Senior Planner, NZTA



M

Workshop Meeting Minutes

Appendix M

Workshop Meeting Minutes

Te Puna Commercial Zone: Outline Development Plan workshop**31 May 2019****Attendees**

Pirirakau	WBOPDC	Boffa Miskell	Property Owners	Aurecon Group
Tame Kuka Julie Shepherd	Phillip Martelli Coral-Lee Ertel Cheryl Steiner	Morné Hugo Anna Li	Rex McIntyre (Supermac Group) Annaliese Michel (Supermac Group) Paul Williams Dwayne Roper (Zariba)	Aaron Collier

1. Karakia**2. Introductions****3. Background**

- Developer proposals
- Community engagement undertaken in 2018
- Five key issues identified – wastewater, transport, commercial zone, amenity, bigger picture and agreement to undertake further work
- History of the area in terms of zoning and growth pressures occurring in this area.
- Purpose of outline development plan.

4. Issues for considerationAccessibility

Zariba site access is good.

BP Corner: SH2 egress not ideal. Well used but question as to whether it is needed. Shops benefit from this though as traffic can easily access from SH2. The internal access is narrow near the forecourt of the petrol station. Unlikely to be able to change this however need to consider what options are available for improving the internal access. Te Puna Road access is good.

Minden Rd access not great with access to Motel and Farmlands site. Potential to consider small roundabout to improve this. Trucks creating issues within Farmlands site and onto and from Minden Rd. Consider a run over round about for access to Motel and Farmlands. Service lane at the rear is a good truck exit location but not wide enough.

Proliferation of signage along the frontage – could consider community board signage eg Omokoroa.

Park and ride – seem to be used for this purpose and then people catch the bus, although issues with the bus services operating from this area.

Busses come in to internal road access. Bus shelter taken away on western side and needs to be reinstated. Need bus shelters on both sides. The community require a higher level of service for bus

services than what is currently provided and there is demand for this. Stop on internal road to pick up but note bus stop on main road on eastern side. Local bus services to take people into town. And need to connect into Te Puna and loop around to pick up people.

Action: Cheryl to follow up with BOPRC re bus service provision for Te Puna.

Stormwater and wastewater

Stormwater – spring [under road along from the workshop](#), hall have to deal with stormwater onsite, plans to have stormwater running through to pond. Road to help deal with surface run off.

Wastewater – why is hall providing on site treatment.

Action: Cheryl to check hall consent process and approval.

Open space and amenities

Public toilets needed in this area.

Village green as part of the hall. Hall greenspace connection to stormwater reserve. Planted reserve. Potential to consider fencing.

Potential to consider open space options – in front of hall site and linking to Te Puna Road. Also consider ability to deal with the busses at the same time. Options for open space to connect to hall to connect to stormwater reserve and linkage through. Opportunity to consider use for market days. Look at range of options for the open space and opportunity for smaller business opening up onto the space.

Opportunity for Pirirakau to have a space with information on history and culture.

Streams and greenspace – important in this area. Concern about the springs and protection of them, Te Puna [is means](#) the spring. Potential to considering bring the [spring](#) water up and creating a water feature and drinking fountain, instead of piping [to waste](#). Spring is 3- 4m below ground. Fountain opportunity. Build identity from the spring. That is what Te Puna stands for. Using the name, history and natural resources. Water park for children – interactive.

Action: Coral-Lee to arrange to test water quality of the spring.

Memorial to soldiers and bring this out into the open as part of the park development. Was always [behind in the back of](#) the old hall. Hall committee has this information. History of Te Puna area reflected in development. Entranceways, roundabout and open space to reflect culture and history of the area.

Te Puna has own identity and own community, opportunity to incorporate this through signage and design elements along SH2. Pirirakau would like Po on the roundabout – want to embed this into the community and throughout rather than just on marae. NZTA ok for this to happen but do not have funds for this to occur. Welcome signage for Te Puna village – Pirirakau rohe markers. Remember this community as they drive past or interest to stop and visit.

Need to avoid any sensitive activities along the Muggridge property. Due to horticultural activities and spray drift – reverse sensitivity.

Proliferation of signage along Minden Rd/SH2 corner.

Wide berm along Minden Road – opportunity to do some landscaping. Bring cohesiveness across the four corners.

Motel site – ability to get better connection and close off separate road access – one access point on to [new](#) roundabout? Opportunity for rationalisation?

SH2 verge along fence line is an acoustic fence. Hard edge on ~~ether~~[road](#) side and ability to soften this – entranceway feature. Te Puke entrance as an example. Fence line along motel. Ability to improve the look and feel of this such as murals. Has the potential to use local artists to achieve this. Or landscaping treatments

Minden Rd site – Landscape plan in place for Paul Williams site. Plan to develop as a boutique craft area with old fashioned country style buildings. Not looking at high site coverage with buildings due to stormwater. Opportunity for improving internal amenity. Pedestrian connections included in landscape plan. Area around back of pub needs to be improved. Puriri trees - historical around homesteads.

Action: Paul Williams to provide landscape plan to Morne.

Zariba – old Oregon site, building along the back and carparking along the front, stormwater area. Also looking at area on top next to childcare centre in the future. Unable to undertake ~~development~~ without a new wastewater system. Pumping out wastewater tank at the moment. Opportunity to get connection through from development to a potential open space across Te Puna Road.

Action: Discuss with Ann Fosbury potential for ~~transport-refuge~~[road treatment](#) to slow traffic down and create a slow traffic area on Te Puna Road. [Currently a wide area and fast traffic](#). Local road – look at how this can be incorporated into existing programmes.

Wastewater

Two key options – community wastewater scheme, high level design and cost estimate in place – 5ha of land for a treatment plant disposal field. Potential to scale back to 3ha if DMS were not included. Cost estimates in place of \$5m inclusive of \$1m for land. NZTA land as a potential for this?

Connection into transfer pipeline – depends on outcome of Omokoroa structure plan review – technical workshop at end of June re logistics and then back to council for direction.

Land options – has to be flat land, Ongare point system likely to be used.

24 June internal workshop to look at pros and cons, then Council discussion.

Potential efficiencies to use now and then have a longer-term plan when that capacity is required in Omokoroa? 20 years? Agreement with TCC and limitations of this. Cost re pipe estimate \$700k plus individual pumps \$20k for businesses. Pipeline connection estimated around \$4m but seems high.

All developments on hold until wastewater sorted.

Action: Assess TCC agreement for pipeline to consider opportunity for short/medium/long term options.

Action: Look at how we align WW and plan change discussions as interlinked.

Agreement between WBOPDC and Pirirakau to consider connecting in to the pipeline.

Recognise significant issue of commercial zone and unlikely to be opposed to connecting in to resolve this issue but issue of precedent that this creates.

Steps – cost and funding, construction not a big job but design, tender, 12-24 months to complete. Consultative process. As an interim approach to use capacity available but then have a longer term approach for when capacity is needed in Omokoroa. Potential SG approach to resolving issues – TCC, WBOPDC and BOPRC.

Action: Coral-Lee to send calculations re flows and peer review of PDP report to Aurecon. Test against plans for the type of use that would occur and test against PDP assumptions.

Issue with plan change and regional council issues – run both discussions parallel as plan change becomes a catalyst for sorting wastewater issues.

Demand there for businesses that tend to be low water uses, lots of enquiries for this.

Four Square want to expand.

Employment of local young people is an important consideration for future development along with business opportunities for local community – provision of buildings for them to be based there.

Stormwater issues

Minden road and motel have issues.

Stormwater drains through to Supermac site. Sized to pick up everything from the site and everything that comes to the site at present.

Pedestrian connectivity

Check if pedestrian refuge SH2 is adequate.

Minden Road path to connect to lookout.

Signage re pedestrian connections.

Summary of actions

Action: Cheryl to follow up with BOPRC re bus service provision for Te Puna.

Action: Cheryl to check hall consent process and approval.

Action: Coral-Lee to arrange to test water quality of the spring.

Action: Paul Williams to provide landscape plan to Morne.

Action: Morne to discuss with Ann Fosbury potential for transport refuge to slow traffic down and create a slow traffic area on Te Puna Road. Local road – look at how this can be incorporated into existing programmes.

Action: Coral-Lee to assess TCC agreement for pipeline to consider opportunity for short/medium/long term options.

Action: Phillip and Aaron to look at how we align WW and plan change discussions as interlinked.

Action: Coral-Lee to send calculations re flows and peer review of PDP report to Aurecon. Test against plans for the type of use that would occur and test against PDP assumptions.

Action: Morne - Draft drawings – discuss with Ann Fosbury

Workshop – first draft of ODP. Then start to develop an action plan for implementation.

5. Closing of meeting

Next meeting Monday 17th June: 8am – 10.30am, 23 Te Puna Road.

Te Puna Outline Development Plan**Workshop Two - 17 June 2019**

Attendance:

- Phillip Martelli
- Aaron Collier
- Dwayne Roper
- Rex McIntyre
- Sharon McIntyre
- Cheryl Steiner
- Anna Li
- Morne Hugo
- Ann Fosbury

Workshop Purpose – work through draft outline development plan.

Amenity considerations

- Sense of arrival
- Low planting on berms
- Landscaping in some areas on SH2.
- Amenity landscaping on roundabout
- Po whenua on roundabout
- Some form of tree structure and planting diagram – clear stems and open sightlines, might be 1 or 2 species
- Incorporates landscape plan information from Paul Williams

Open space and pedestrian connections

Piping of spring through to open space area and tell story.

Connection to hall and open space and then connection through to stormwater reserves

Only opportunity for pedestrian connection is on southern end of SH2 – nice to have as cost will be high, should show this as future aspiration and could be negotiation in future as part of the long term plan for the commercial area. Pedestrian bridge could link on both sides – Roper and Williams.

Need to consider impact of highway as could slow down traffic – potential cul de sac in future Loop Rd.

Landscaping needs to go in eastern area to screen corner activities as this is likely to be the subject of plan change – screening belt in addition to amenity planting. Along stormwater reserve as well. Need to include list of species in this information.

Need to speak to NZTA about landscaping etc and this plan. Landscaping - Supports their speed management plan for this and 60km/hr likely to be permanent and continue along here. Also SH2 expectations and slowing of traffic.

Consider how open space and council reserve space in this next to hall will work. Need to check how hall parking will be managed.

Need rule in plan for final detailed landscape plan and how this is integrated.

Carparking

Check consent for hall – 60 on site for hall carparking.

Existing carparking areas well used.

Stormwater

Online pond – all water comes down stream, no other mitigation we are aware of, motel stuff goes straight into stream. Stream and pond are connected. So idea is to create treatment. Size of pond provides for this. More green space may change run off requirements. Outlet goes along Muggridge property. Potential to plant along this area.

Stormwater reserve – some clarification required on shape and contours of this.

Need to determine if stormwater reserve vests in Council ownership? Maintenance of pond covered by DMS. Discussion with Coral-Lee. What status would land have if this was the case? Also recreational benefits of this. Also potential for open space to be in council ownership.

Transport

Over dimension loads need to move through the area, need low plantings for this. One way in road from SH2 and OD loads only from bend and out to Te Puna Rd.

Te Puna Rd and Minden – speed control points identified, create different view and how this is dealt with is to be determined, need bylaw speed limit change to reflect Te Puna and Minden Rd. Need to explore how this could occur on SH2 as well – check in with NZTA.

Ability to make a solid island for Te Puna Rd and current access into BP etc from this road. More traffic coming through for Te Puna Station Rd industrial zone. Speed control zone – and include some examples of what this could look like. Different surface treatment and then could change if required as funding becomes available. Check re DMS access and egress – exit only? If it does allow right turn then need to shift speed slowing area up further. Part of wider aspirations for the site in terms of improving look and feel. Connection between well used Zariba site and public space opportunities.

Future link to Omokoroa to Tauranga cycleway needs to be shown.

Minden Rd – three access points from Farmlands and Motels. Ann to check with Chris Farnsworth (NZTA) re Farmlands consent for their access. Issues with trucks on this site and access to Farmlands and impacting on other traffic movements in the internal area. Issues with how this has been undertaken. Access hard up against buildings. Would like entranceway feature to tidy up entrance on Minden Road side.

Landscaping – looking at including pathways to connect through the area. Increase rimu features around the area. Want to cut as much conflict as possible and need to look at the best solution for this. Aim to get one access closed and calmed speed environment and need to work out what the best solution is to get this outcome. Mirror Te Puna Rd speed calming on Minden Rd.

Get consents for farmlands site and research into current state of access here. Also speak to NZTA.

Paul Williams has talked to landowners on the Minden Rd side who are in support for what we are wanting to achieve and village theme.

Bus shelters needed on both sides.

Potential provision for park and ride? Old hall site already used for this purpose. NZTA land for this purpose? If TNL goes in then park and ride could be pointless. Use of commercial land for car storage not an efficient use of this type of land.

Landowners behind Paul Williams are seeking to get their access through Paul's property instead of out onto SH2.

Wastewater

Staff level – keen to look at interim hook in to pipeline – need to do some more work on how this might occur and funding etc. Omokoroa capacity not anticipated for 20-30 years so could be interim measure. Financial contribution from developers plus annual fee to save towards alternative in the future. Also consider land purchase options – NZTA land? Targeted rate system to cover costs of holding the land? Need to do more work on this but limited capacity at the moment but will include on the list of things to do – need to determine how this is covered in the plan change – might be that options are outlined and then further work on this. Could just Pete takeaways until then as long as no outflow. And include water limiting devices. Need to consider how this occurs to take into account different types of activities that occur and different extent of WW impacts that they have.

Need discussions with BOPRC on this. Need something in writing to deal with this as recognise that options are being explored and likely timeframes for this to provide as much certainty as possible to satisfy BOPRC concerns. Questions as to what components of the interim WW solution get funded by whom.

Signage

Include community signage boards – existing rules for other areas and could look at including this in the plan change to allow for this. To enable this to occur.

Zoning

3 pockets – corner where Rex activities + corridor of land around fringes as need to have no sensitive activities + main focus of rules is around commercial services + onsite carparking.

Plus other potential use – trade related retail eg small Mitre 10.

Ok to have separate rules for Te Puna village – scheduled site rules and closest example is Comvita site at Paengaroa.

How can Paul's objectives be incorporated? Signal on Outline Development Plan future potential for Paul's land. Then can undertake plan change separately and link into this process.

ACTIONS

- Boffa to update plan for Plan change – simplified version + rules around this.
- Wastewater options to be discussed with WBOPDC infrastructure and BOPRC
- Stormwater options to be discussed with WBOPDC infrastructure.
- Open space to be discussed with WBOPDC Parks.
- WBOPDC to provide an update to elected members.
- Engage with Pirirakau/NZTA/Te Puna Heartland and Te Puna Business network on ODP.
- Engage with other commercial zone landowners (and surrounds)/
- Wider community engagement.

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APPLICATION FOR PLAN CHANGE

Washer Road Business Park



For David Marshall

April 2021

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1.0 Document Quality Assurance

Status: Version 1

Use and Reliance

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Reviewed and Approved by:	Tom Watts MNZPI, Planner/Urban Designer, MPAD	
Reviewed and Approved by:	Richard Coles, MNZPI Director, MPAD	

2.0 Applicant and Property Details

The details of the applicant and the site are as follows:

To:	Western Bay of Plenty District Council
Applicant's Name:	David Marshall
Site Address:	66 Washer Road
Legal Description:	Part Lot 1 Deposited Plan 25471
Site Area:	Total Lot Area (20.7718ha). Subject area = 7.012ha
District Plan Zoning:	Rural Zone
Designations / Limitations:	Located within a floodable area; Gas Main and Easement; Drainage Easement

3.0 Introduction

3.1 The Proposal

The applicant, David Marshall, seeks a plan change to rezone approximately 7.012ha of land at 66 Washer Road, Te Puke from Rural to Industrial to establish the Washer Road Business Park (See Figure 1). This comprises the southern portion of David Marshall's farm, a wedge shape piece of pastoral land, which is bordered by Washer Road and the East Pack industrial buildings to the east, and Ohineangaanga Stream along the western boundary. To the north is more pastoral land owned by the applicant. To the south-east is existing residential properties, separated from the site by the Ohineangaanga Stream and a proposed 10m minimum vegetation buffer, which will be implemented for the length of the eastern boundary as part of the plan change.

The site narrows to a point on to Washer Road/Station Rd. The site consists of a relatively gentle contour, falling from a maximum RL 12.0m in the southern corner to RL 8.0 at the northern extent of the proposed rezoning area. Access from Washer Rd is flat, however the site falls steeply into the Ohineangaanga Stream along the eastern boundary.



Figure 1. Map showing the southern portion of Marshall farm subject to plan change.

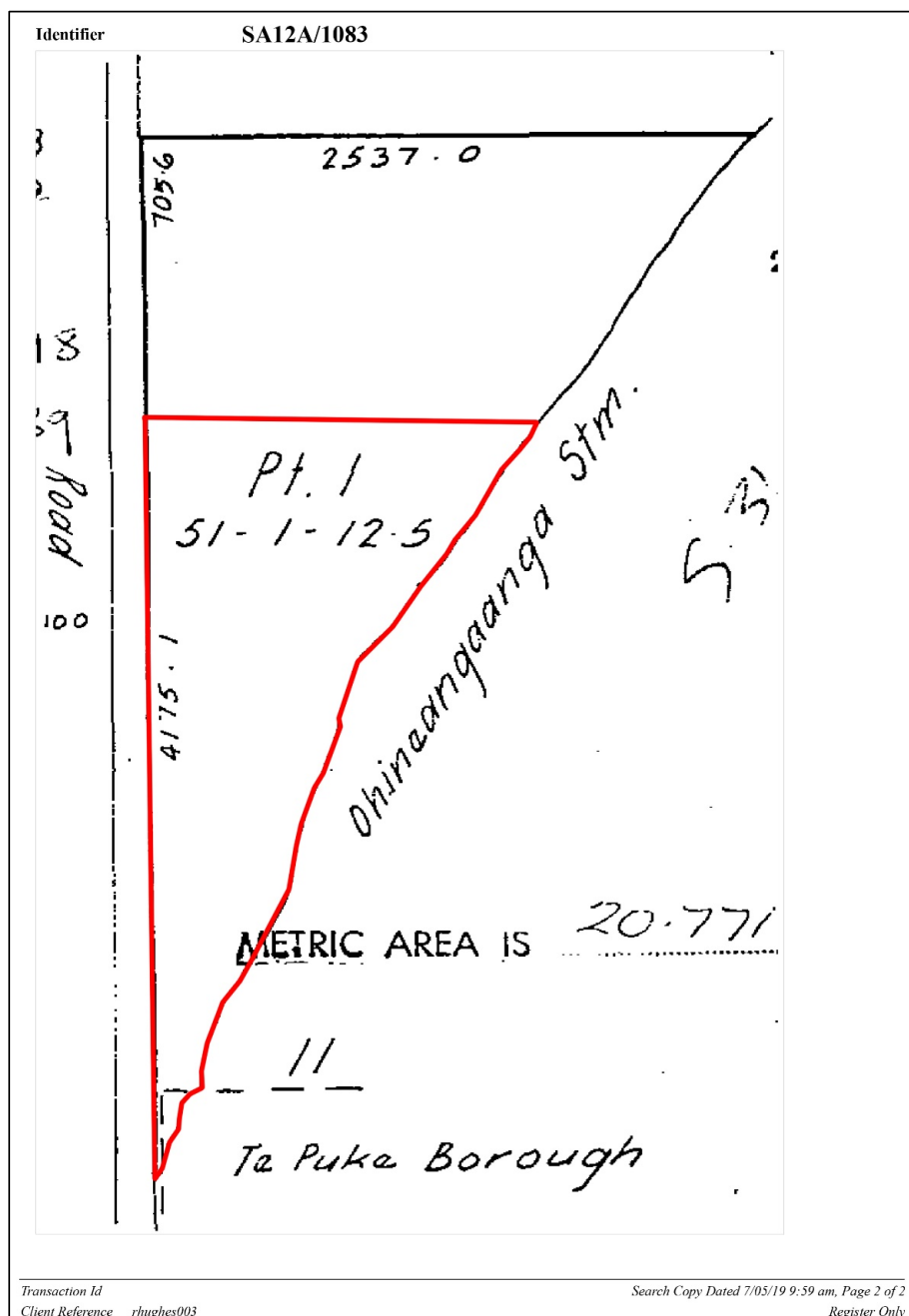


Figure 2. Deposited plan showing area subject of re-zoning.

3.1 Industrial Land Supply

3.1.1 Industrial Land Survey 2012

A survey to assess industrial land supply within the Western Bay of Plenty district was undertaken in 2012 'Industrial Land Survey 2012' by Western BOP District Council.

All industrially zoned land parcels were assessed, with each parcel of industrial land or a percentage thereof categorised as either occupied or vacant. Each industrial zoned parcel was categorized under a relevant category as described below:

- *"Occupied" Industrial Land – Industrially zoned sites that contain structures/ material or there is a business resident on the site where the land is occupied.*
- *"Vacant" Industrial Land – Industrially zoned sites that contain no structures on an area. Land used for livestock grazing or orchards have been classed as vacant or where a site is being advertised as available for occupation.*
- *"Vacant but Not Available" Industrial Land – Industrially zoned sites that contain no structures and are largely clear of plant and material, but are unsuitable or not available for development, due to being on unusable terrain, in need of infrastructure – i.e. roading, or designated for reserves.*

In accordance with the survey, industrial land supply in Te Puke equates to a 166.22 ha. This comprises:

1. 61.30ha 'occupied' industrial land,
2. 79.81ha of 'not available' industrial land, and
3. 25.11ha of 'vacant' industrial land.

Industrial Land supply maps for Te Puke are included within Appendix 8. Te Puke West Map is shown in figure 2 below.

The survey also notes the following in its conclusions:

"Land in Omokoroa is now available for development but Te Puke West, Rangiuru Business Zone and Te Puna Business Zone are all still on hold. Three parcels at Te Puke West have been reclassified as available which were previously classed as not available."

The Te Puke West Industrial area is identified as not available due to one main landowner being unwilling to develop the land, plus the need for key infrastructure to be provided in advance of the industrial land being developed. Due to these obstacles, it is unlikely that this industrial land will be available for development within the next 10 years.

3.2.1 SmartGrowth

Western Bay of Plenty District

The SmartGrowth Development Trends Report 2018 has assessed the availability and the uptake of industrial land.

Section '7.1.2 Availability and Uptake of Industrial Zoned Land' summarises the trends in relation to Western Bay of Plenty.

The town in the Western Bay of Plenty District with the largest amount of Industrial land is Te Puke with 154 ha zoned, refer to Table 19. In Te Puke West an additional 72 ha of Industrial land is zoned to meet future needs in the town and is expected to yield an additional 45 ha. Katikati also contains a significant area of Industrial land with 63.12 ha zoned at present. Omokoroa has been identified as an area that will require Industrial land and 29.60 ha has been identified in Stage 2 of the Omokoroa Structure Plan which is now operative.

In the western end of the District the Te Puna Rural Business Zone contains 30.58 ha while Rangiuru in the eastern end contains 145 ha of Industrial land zoned in preparation for the Rangiuru Business Park.

Table 19 Operative and Future Industrial Zoned Land in the Western Bay of Plenty District

Location	Industrial Land (ha)	
	Operative	Future
Waihi Beach	25.56	
Katikati	63.12	
Te Puna	30.58	
Omokoroa	29.60	
Te Puke	153.95	
Rangiuru	145.0	
Paengaroa	9.57	
Maketu	0.11	
Total	544.04	0.00

Industrial land in Te Puke includes 72 Hectares from Plan Change 70 which is dependent on roading and infrastructure upgrades.

In the Western Bay of Plenty District, vacant areas of available (able to be built on now) industrial land exist in Katikati, Omokoroa, Te Puke, and Paengaroa. Of the 581.32 ha of industrial land in Western Bay of Plenty District, 28.6% (166.27 ha) is vacant and 21.1% is occupied, with the largest uptake in Te Puke of 61.27 ha.

Table 20 Uptake of Industrial Zoned Land in the Western Bay of Plenty District

Industrial Zone - 2018						
Area	Vacant (ha)	Partially Vacant (ha)	Total Vacant (ha)	Not Available (ha)	Total Occupied (ha)	Total Area (ha)
Waihi Beach	0	0	0	25.56	0	25.56
Katikati	20.68	3.73	24.41	14.82	23.89	63.12
Te Puna	0	0	0	30.58	0	30.58
Omokoroa	19.76	6.64	26.40	0	3.20	29.60
Te Puke	23.32	5.80	29.12	63.56	61.27	153.95
Rangioru ¹	81.92	0	81.92	157.87	29.04	268.83
Paengaroa	1.09	3.21	4.3	0	5.27	9.57
Maketu	0.11	0	0.11	0	0	0.11
TOTAL	146.89	19.38	166.27	292.39	122.66	581.32
%	25.27%	3.33%	28.60%	50.30%	21.10%	100.00%

¹ Include AFFCO as part of Total Occupied

The industrial land supply in Te Puke is constrained by the fact that much of the industrial zoned land in Te Puke remains part of an operational farm and depends on roading and infrastructure upgrades before it can be developed. This relates predominantly to the Te Puke West Industrial area.

As Te Puke is an urban growth area as well as an existing town, there is a need for employment land to provide employment opportunities for these future residents.

As described in tables 19 and 20 above the 2012 and 2018 uptake monitoring results confirm there is a large quantity of zoned but 'unavailable' Industrial land. This corresponds to a need for developed industrial land to cater for the many businesses associated with the growth that not only Te Puke is experiencing, but the greater Western Bay of Plenty area. The rezoning of the subject land will help meet a shortfall, provided the land is developed and ready for industrial use.

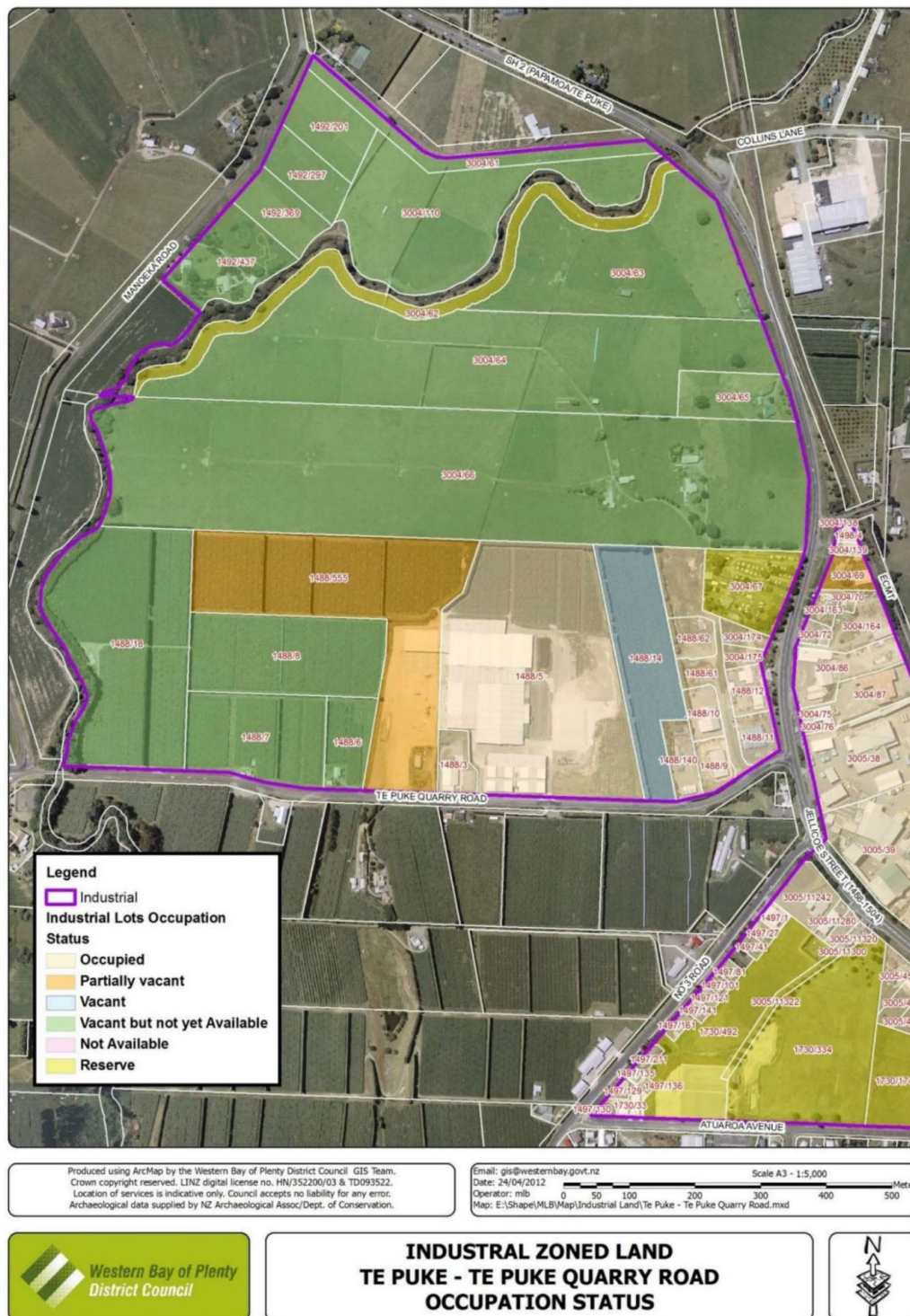


Figure 3. Survey Map from 'Industrial Land Survey 2012' of Te Puke West.

As can be seen in Figure 3 above, the majority of the industrial zone land within Te Puke west is highlighted with a green overlay, which classifies the land as vacant, but not yet available. Since this time, there does not appear to be any newly developed industrial land in this Te Puke West industrial area, as can be seen by the 2019 aerial below – Figure 4.



Figure 4. Aerial image from google earth (12/9/2018) showing the Te Puke West industrial area, unchanged in terms of land uses from the 2012 Industrial Land Survey. With the exception of the 'vacant' lot with blue overlay in survey, which is now occupied.

3.2 Reasons for Plan Change

The following summarises the reasons for the private plan change.

- The large area of zoned but not yet available Industrial land means there is a need for other Industrial land to be developed to meet the needs of the Te Puke community
- The proposal will rationalise the RPS urban limit boundary of the town, by adding to the industrial land at the northern periphery of the town centre, to create a more consolidated industrial land supply in this location.
- The subject rural land is a wedge of pastoral land located adjacent to established industrial activities.
- Te Puke West industrial land remains in rural use and there are no known plans for this to be developed for industrial purposes by current landowners.
- The loss of approximately 7ha of rural land will have minimal effects on rural land supply. The greater farm that the landforms part of is 200ha for context.
- The land can connect to proposed and existing services including roading.
- There is very little industrial land for lease within Te Puke.
- The proposal will provide local businesses with greenfield industrial land.
- The proposal will provide additional industrial land that mirrors the East Pack site.

4.0 The Site and Surrounds

The Marshall farm comprises approximately 200ha over 6 combined titles (see figure 5 below). The farm has been used for predominantly grazing and horticultural uses in the past, including the land subject to this proposal – highlighted in red.

The Marshall farm is shown in Figure 5 below and is accessed from Washer Road and Seddon Street. The farm adjoins the zoned urban area of Te Puke and the proposed zone change area is located on the south western corner of the property bound by Washer Road and west and the Ohineangaanga Stream to the East. A stop bank is established along the true left bank of the Ohineangaanga Stream (See Figure 12). Washer road is a sealed road with approximate sealed width of 5.0m.

The farm is identified in the District Plan as being floodable. Flood modelling has been completed by the Regional Council who have mapped the extent of the 100 year flood plain. Part of the proposed Industrial zoned land will be filled to avoid the flood hazard. The contour of the land proposed for industrial use has a contour range of approximately RL 7.0m Moturiki to the northern and RL 12.5m Moturiki to the south.

The geology of the site has been assessed by CMW Geoscience. The site is underlain by Late Pleistocene to Holocene aged alluvial river deposits, with Upper Matua Subgroup deposits at depth. Some filling to the south of the site to a depth of approximately 1.0m was detected by CMW during their investigations:

“Holocene aged alluvium comprising interbedded sandy silts, clayey silts and organic soils inferred to be very soft to stiff were presence in all CPT tests to depths of up to approximately 10 metres below existing ground. A distinct bed of sandy dominant soils inferred to be pumiceous sands was observed within the alluvium between 5.0 and 8.0m below existing ground, at up to 5m thick.” (CMW Page 4).

Groundwater was present at depths ranging from 2.1m to 5.2m below ground level.

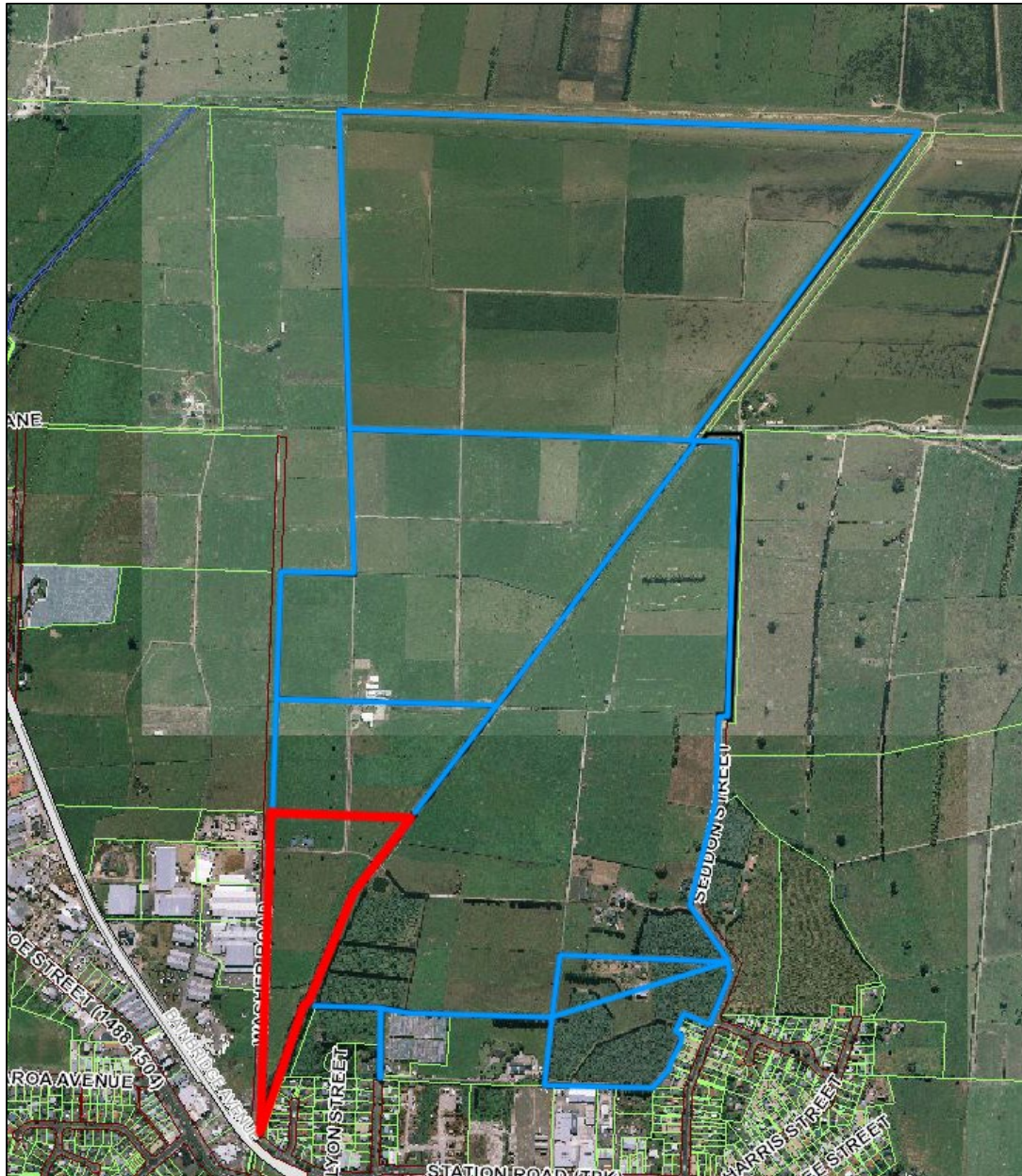


Figure 5. Map showing title comprising David Marshall's Farm (blue). The area subject of this rezoning is highlighted with a red boundary.

4.1 Site History

Historically, the area subject to the proposed plan change has been in pastoral use, as part of the larger farm. There have been isolated non-farming activities at points, including an abattoir, which has been confirmed by the current owner, as well as a small industrial yard, which has been identified by assessing the historic aerial photography. The two identified historic uses are shown below in Figure 6.



Figure 6. Aerial showing isolated uses on the site in 1979. A zoom in of each use is shown below.



Figure 7. Aerial from 1979, showing an industrial or farm yard in the southern portion of land within the plan change area.



Figure 8. Aerial from 1979, showing abattoir adjacent to Ohineangaanga Stream.

Sewage Treatment Plant

There is also an approved resource consent for a sewage treatment plant on the property file. The location of this plant is beside the stream, to treat effluent for Fruitpackers Limited, located on the western side of Washer Road. See map with location of proposed treatment plant in Figure 9 below.

The sewage treatment plant does not show up in historic aerial photographs and the current owner is not aware of its existence. Therefore, we think it is unlikely that it was ever established.

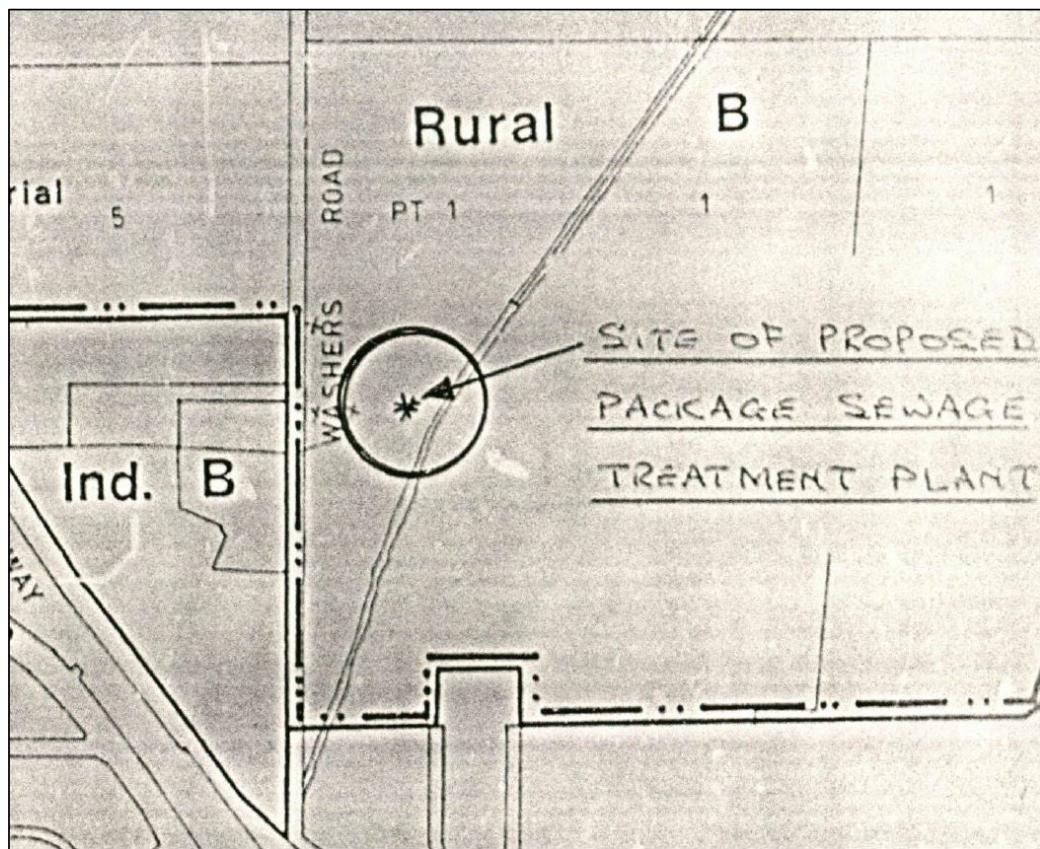


Figure 9. Map from approved resource consent showing location of sewage treatment plant associated with Packhouse. It is not clear if this was ever established.

4.2 The Surrounding Environment

The surrounding environment comprises of rural land to the north and east, Industrial land to the west and residential land to the south east. Refer to zoning map below.

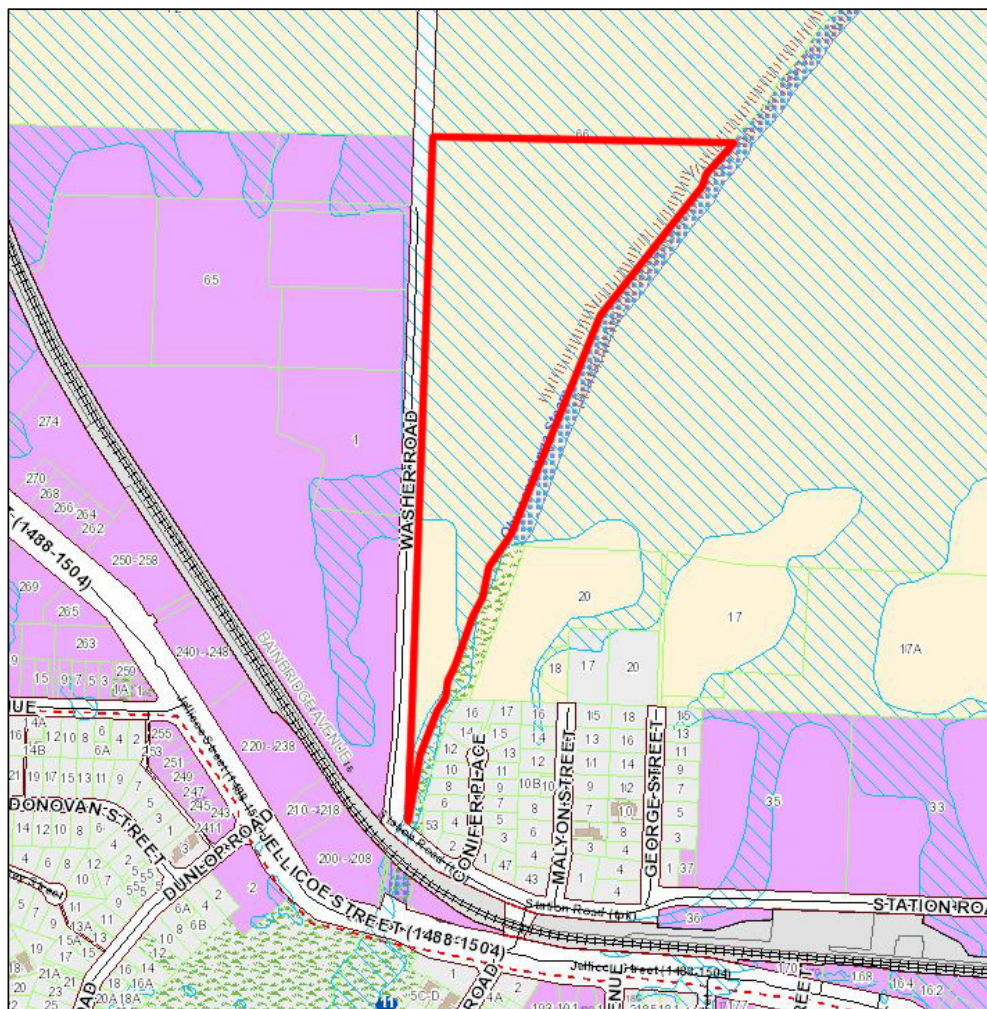


Figure 10. District Plan Map, with subject site outlined in red. Showing the subject land with a floodable area.

4.3 Contaminated Land

There are no records of HAIL list activities on site. This has been confirmed with Regional Council through an assessment of their database (included in Appendix 12).

A search of historical aerial photographs and review of the Western Bay of Plenty District Council property file identify an abattoir and buildings that appear to be used for farm maintenance or light industrial use. No fuel or fertiliser storage is known to have undertaken within the buildings.

4.4 Existing Services

In accordance with the District plan Mapi system, existing services within the Washer Road road reserve include:

- Wastewater rising main
- Water main
- Private Waterpump/Bore along western boundary of the subject site

The Mapi screen shot below (Figure 11) shows the location of the site in relation to existing services. Effects on the services relating to the proposal are discussed in the Lysaght Services Report (Appendix 3), and the services section of the AEE.

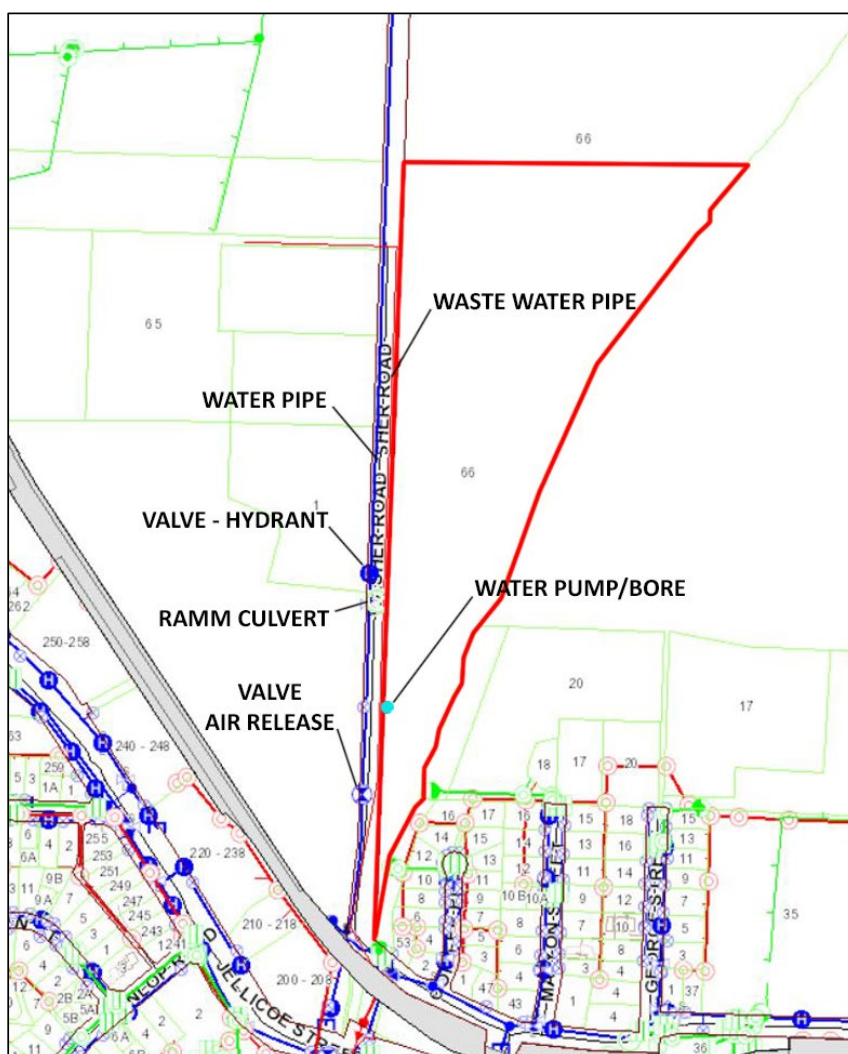


Figure 11. Mapi Screen Shot showing existing services.

5.0 The Proposal

The proposal is to re-zone the site industrial to provide for a mix of industrial activities that will have a range of building sizes. This will likely include larger industrial sheds at the northern end of the site where there is more space and less development constraints. For reference, this could result in a built form similar to the industrial buildings on the western side of Washer Road, including EastPack (approximately 12 to 14m in height).

Smaller industrial units are likely to be located at the southern end of the site, where the land is more constrained by the drainage and gas easements and confined building areas due to the sites shape. These could be occupied by small businesses, or individual owners for industrial storage or private workshops. Ultimately, the types of tenancies will be determined by market demand and compliance with the permitted activity rules of the Industrial Zone in the operative Western Bay of Plenty District Plan.

The primary access to the site will be through a new intersection with Washer Road, approximately 440m north on Washer Road. This has been located so not to conflict with the traffic generated from the EastPack Site main entrance 340m north on Washer Road, and EastPack exit located approximately 640m north.

A stormwater treatment pond will be established at the north eastern corner of the proposed Industrial zone and will discharge to the Ohineangaanga Stream.

A pedestrian bridge is proposed adjacent to the Ohineangaanga stream due to the existing bridge being too confined to support both heavy vehicles and pedestrians/ cyclists.

The main road access to the site is via Jellicoe Street, Cameron Road and Washer Road. The Stantec traffic assessment has identified that the Cameron Road Jellicoe Street intersection does not operate efficiently, and a roundabout is proposed to be established to improve the efficiency of the intersection. This roundabout has been discussed with Council Roding engineers who have confirmed the roundabout concept design is suitable proposal, subject to detailed design.

Earthworks will be necessary to prepare the land suitable for industrial use. Areas not to be filled include the edge of the Ohineangaanga Stream, the drainage easement, and the easement for the natural gas pipeline. Earthworks and buildings that may create a surcharge load will be excluded from these areas to ensure there are no adverse flooding or geotechnical effects on these features. Special design of the road crossing the natural gas easement will be necessary to ensure the gas pipeline is not affected by surcharge loads or subsidence. This is addressed in more detail in the geotechnical report supporting the Plan Change.

Due to the size of the site a development staging plan has not been proposed as part of the structure plan but may arise out of future land use or subdivision consent applications. Road access and services will be established following earthworks to improve the ground conditions suitable for the proposed industrial activities.

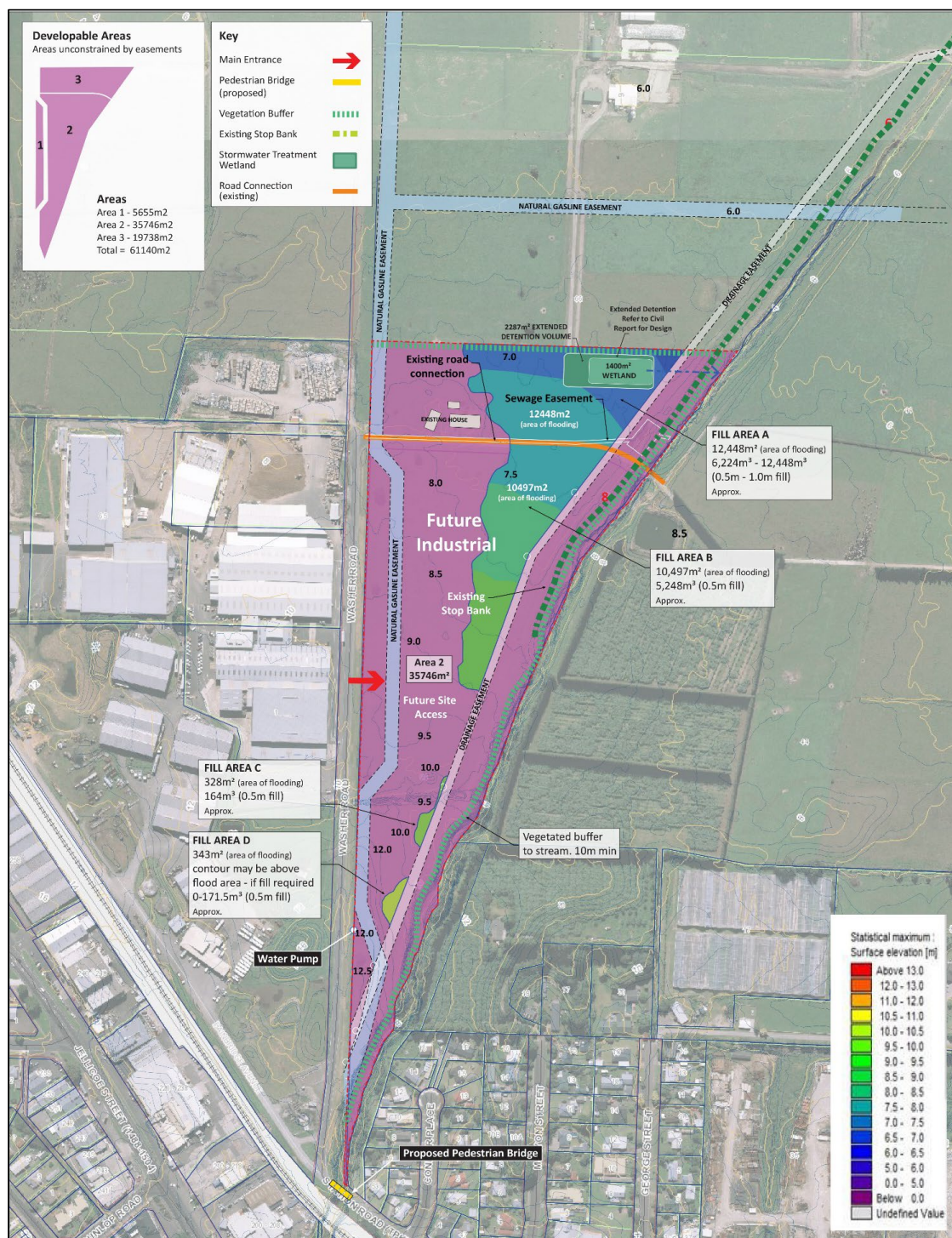


Figure 12 – Site showing existing easements and flooding constraints

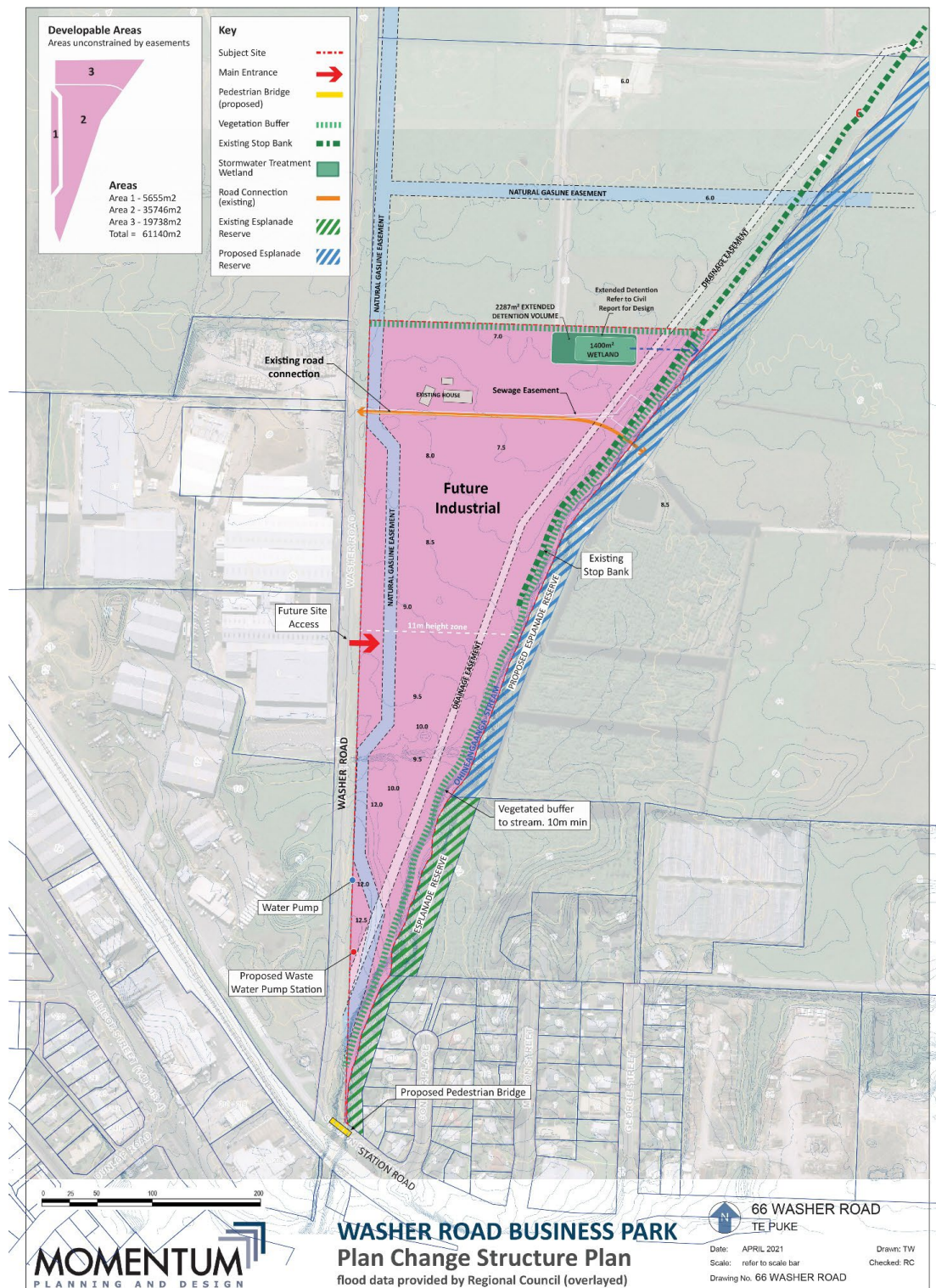


Figure 13 – Site showing existing easements and flooding constraints

5.1 Revised Planning Map

A revised planning map no. U125 has been prepared showing the extent of industrial zoned land proposed within 66 Washer Road.

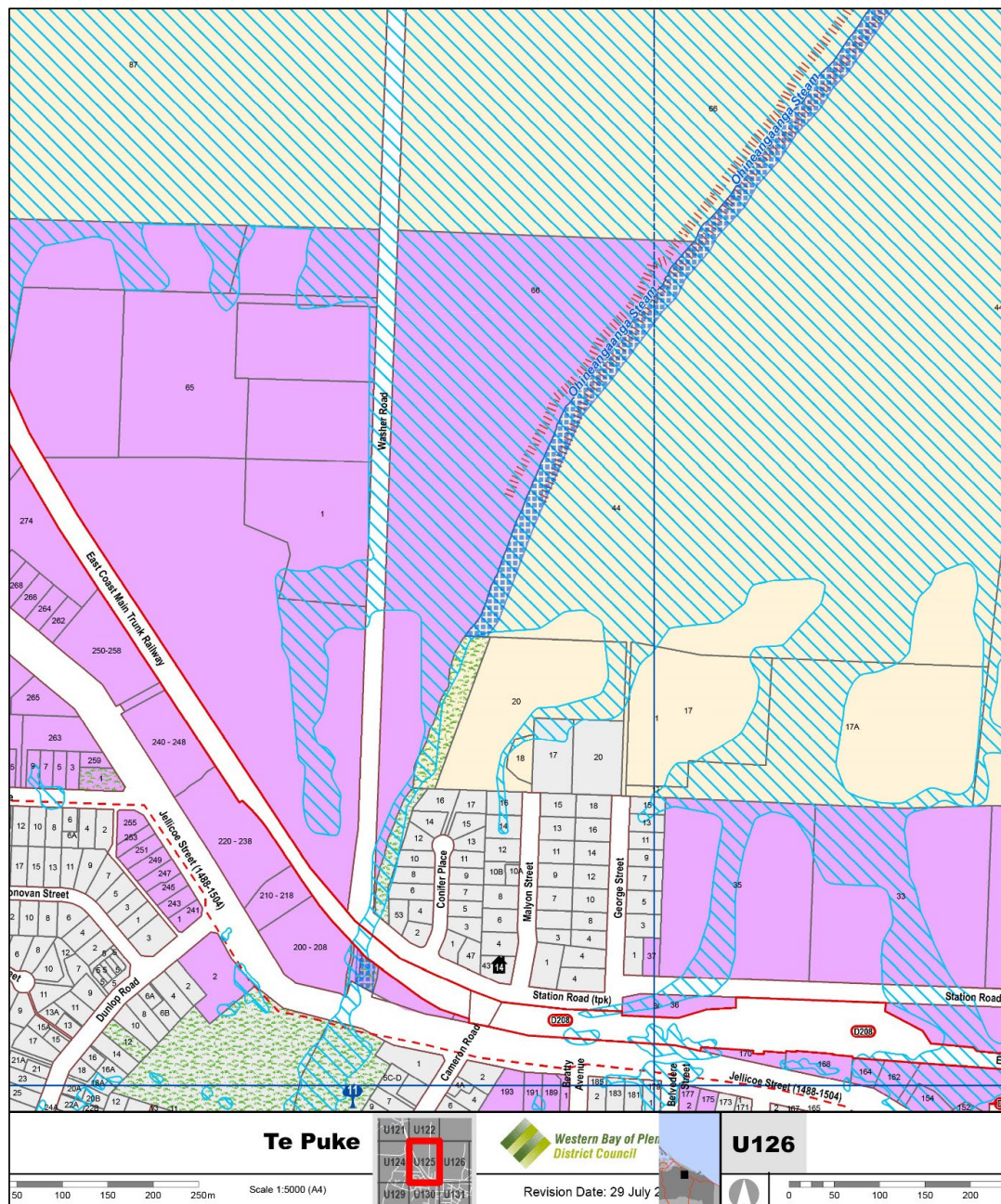


Figure 14. Proposed changes to Planning Map U125 and U126 to include subject land within the Industrial Zone.

5.2 Revisions within Policy Documents

The proposal is not seeking to make any changes or additions to the objectives or policies in the District Plan. Objectives and Policies already exist to cover reverse sensitivity issues between different land uses, transportation, servicing, and avoidance of natural hazards.

5.3 Proposed New or Amended Rules and Performance Standards

Appendix 14 identifies several rules that are proposed to be amended, primarily to reference the Washer Road Business Park Structure Plan.

6.0 Assessment of Environmental Effects

The proposal seeks to change the intended land use of the identified land within 66 Washer Road from rural to industrial use. It is important to assess the potential implications that such a change in land use may have on the transportation network. The relevant effects are addressed in turn below.

6.1 Engineering Servicing/infrastructure Review

The Lysaght Consultants Ltd (LCL) Engineering Services Report (Appendix 3) has been prepared to provide a high-level engineering servicing review supporting the Private Plan Change.

The scope of the review includes

- Flood hazard assessment using Council's flood information
- Stormwater attenuation and discharge
- Wastewater reticulation
- Potable and Fire Fighting Water supply

The review was undertaken in general accordance with the requirements of Western Bay of Plenty District Council's (WBOPDCs) Development Code (DC), NZS 4404:2012, relevant NZ Standards and standard engineering practice.

The relevant sections of the report are summarised below. The full report is included within Appendix 3.

FLOODING

The land is identified on Council's operative planning maps as floodable. Flood levels were obtained from Western Bay of Plenty District Council, which identified flooding over the majority of the site during a 2% AEP Storm event. To obtain a more accurate flood level the applicant has approached the Bay of Plenty Regional Council who have a flood model for the Kaituna Drainage Scheme Catchment Area that includes the application site. A screen shot of this model with the subject boundary overlaid is provided in Figure 15 below, which is for the 1% AEP event.

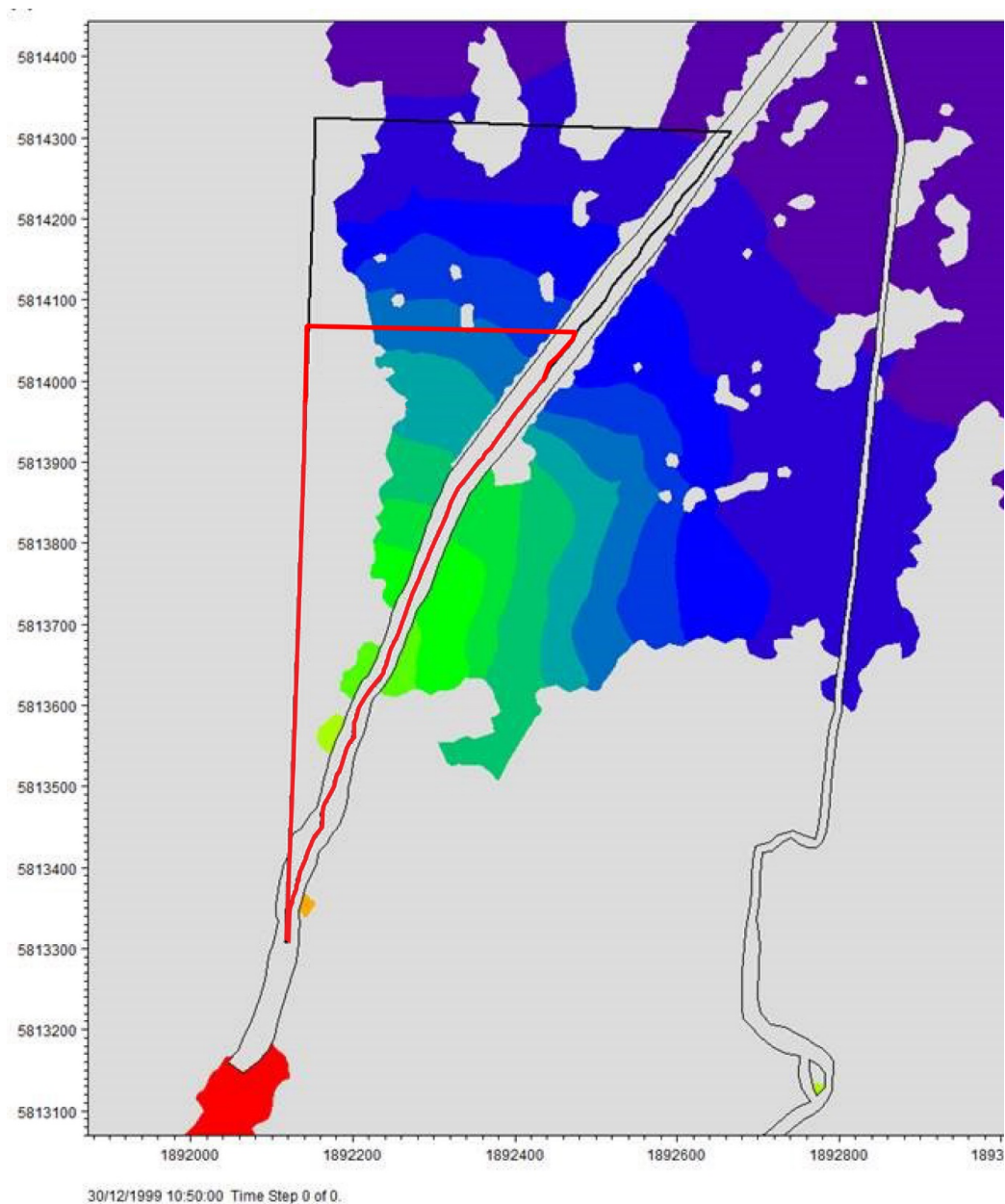


Figure 15: Screen shot of DHI flood model, provided by Philip Wallace (Principal Engineer, DHI Wellington Branch Manager)

As identified on the site plan in Figure 15 above, there are areas of the site that will be flooded in a 1% AEP storm event. The flood model data has been provided by Regional Council's consultant (Philip Wallace of DHI Group) and represents a flood model for the Kaituna Drainage Scheme Catchment Area, which includes the application site.

Lysaght Consultants have been engaged to address flooding effects on the property using available flooding information provided by DHI engineers. They have developed a 3D fill model for the site with a platform level of RL 10.5m to provide a preliminary freeboard allowance across the site.

A summary of their conclusions is outlined below and included within their servicing report in Appendix 3.

LCL was provided updated flood levels for the site from the latest DHI flood modelling (Email 18/07/2019), the levels are provisional, and have not been reviewed/accepted by BOPRC, however they are significantly more detailed than the AECOM results provided to LCL for their initial Rev 0 and Rev 1 reports provided 12/06/2019, where a conservative level of RL 10.5 was adopted across the entire site.

We note that the DHI results did not align with the LIDAR information provided to LCL, and therefore a conservative approach was adopted utilising the DHI flood levels and spreading each flood level RL across the corresponding site contour, which in all cases created a larger flood impact on the site than that shown in the modelling. A 3D volume model was prepared with a site platform level of RL 10.5m to provide a preliminary freeboard allowance. The fill extends from the western side of the drainage easement to Washer Road (Refer to Drawing 194210-100-SCH). We note that agreement will need to be gained from gas service providers before any works over the Natural Gas easement adjacent to Washer Rd (as well as several other small easements across the site). The flood levels provided were increased by 0.5m to provide some conservancy to the calculations given the provisional nature of the DHI model.

It is clear, based on this very conservative flood estimate, that the downstream effects of filling the site will be less than the +15mm allowance generally accepted by Bay of Plenty Regional Council (BOPRC) as the trigger for a "More than Minor" effect. The filling is highly unlikely to increase the risk of flooding of existing downstream buildings. It is noted however that there is potentially a constriction to overbank flow in the Ohineanga Stream at the southern corner of the site between Washer Rd/Station Rd and the residential houses along Conifer Place. Detailed stream/flood analysis will need to be undertaken at the preliminary design phase to determine the width of floodway opening adjacent to the stream required at this corner of the site.

Management of flood hazard is not considered a significant constraint for development of the site given the existing site elevation and location adjacent to very large flood plain.

Management of flood hazard is not considered a significant constraint for development of the site given the existing site elevation and location adjacent to very large flood plain area. The flood hazard can be successfully mitigated as recommended by Lysaght Consultants.

STORMWATER

Lysaght consultants has assessed the site to confirm that stormwater treatment can be achieved through the establishment of a new stormwater wetland before discharging treated stormwater into the Ohineanga Stream. As the site is located in the lower half of the stormwater catchment no detention of large storm events is needed. This pond and associated discharge will require resource consent from the Regional Council.

There is no reticulated stormwater network available to the site. A new discharge point will need to be created into the Ohineangaanga Stream adjacent to the site boundary. This will most likely consist of a culvert with headwall and stabilised discharge channel. The existing site is pastoral, with discharge dispersed relatively evenly across the eastern boundary into the Ohineangaanga Stream. Existing site flows are in the order of 0.4-0.5m³/s, hence any new concentrated discharge point is likely to exceed BOPRC's 125 L/s permitted discharge rate, requiring BOPRC consents for the culvert structure and discharge rate.

The industrial nature of any future development will significantly increase site impervious area, resulting in increased runoff and generating contaminants such as sediment, metals and hydrocarbons. It is proposed to manage runoff treatment by utilising stormwater wetlands, swales, raingardens or other approved treatment devices. Indicative wetland calculations based on the BOPRC sizing requirement of 2% of catchment area (7 ha) equates to a 1400m² wetland.

The discharge to the Ohineangaanga Stream will require provision of extended detention (ED) to ensure frequent flows are attenuated to minimise downstream scour. Preliminary calculations indicate an ED volume of 2287m³ will be required for the site based on a water quality volume of 1906m³ and water quality storm of 33mm (to be confirmed at preliminary design).

New developments generally require the inclusion of onsite stormwater detention to attenuate flows in larger storm events (up to and including the 50-year event), however Section 7.1.3 of BOPRC's Stormwater Management Guidelines for the Bay of Plenty Region 2012/01 states that this is only required in the top half of a catchment where coincidence of hydrograph peaks can occur. The subject site is located within the bottom half of the catchment within the low-lying flood plain. Flooding in the location of the site is likely to be of a long duration, probably measured in days. Therefore, provision of detention storage, measured in hours, is unlikely to provide any significant downstream benefits. Our initial recommendation is that the provision of detention storage, other than ED, is not required for the site.

The site is likely to be reticulated for events up to and including the 10-year Annual Return Interval (ARI) using a standard pipe and pit network directing flows to a wetland/ED pond located at the north eastern corner (to utilise existing site grade), prior to discharge into the Ohineangaanga Stream. Overland flow in events greater than the 10-year ARI is likely to surcharge the pipe network and be directed to the stream in overland flow paths (roads/reserves).

Stormwater management is not considered a significant constraint for development the site area available to construct treatment and storage ponds. All stormwater mains reticulation will be vested with WBOPDC.

WASTEWATER

Lysaght consultants have reviewed the existing wastewater reticulation. They have confirmed that the existing wastewater reticulation is a rising main and therefore that a new wastewater pump station and rising main will be required to service the land. This will ultimately discharge to Council's 450 mm dia wastewater pipe running parallel to Jellicoe Street.

Discussions with Council's Andy Pellew (Infrastructure Engineer) confirmed that some current wastewater capacity issues at Te Puke were being addressed by Council and that Financial Contributions payments made by development of the Industrial land would contribute to its proportionate share.

As summarised under the Lysaght report.

Andrew Pellew's (Infrastructure Engineer) email 04/03/2020 confirms that while Council plans to upgrade the trunk main as soon as possible, in the interim the development can connect to the wastewater network but will be required to store wastewater during the peak trunk main flow periods of 8am – 11am and 6pm – 10pm.

Lysaght's have confirmed that this requirement will be met, refer to Part 5 of the services report in Appendix 3.

WATER SUPPLY

Lysaght consultants has confirmed that the existing water supply on Washer Road has sufficient capacity to service the industrial land including firefighting.

Section 7.4.1 of WBOPDC's Development Code requires a design water allowance of 2 l/s/ha for large industrial/commercial developments, equating to an average demand of 9.6 L/s and peak demand of 48 L/s. WBOPDC's GIS confirms that a 200ø AC water main is located the full length of Washer Road, which is likely to have sufficient flow capacity subject to WBOPDC confirmation of pressure. Capacity calculations indicate a 200ø pipeline has 190 L/s at 30m head.

Fire fighting supply will be designed to comply with SNZ PAS 4509, with hydrants located at 90m maximum spacing (WBOPDC DC for Industrial areas).

Water supply is not considered a significant constraint for development the site area available to construct treatment and storage ponds.

Refer to Lysaght Servicing Plan below Figure 15, included within Appendix 3.

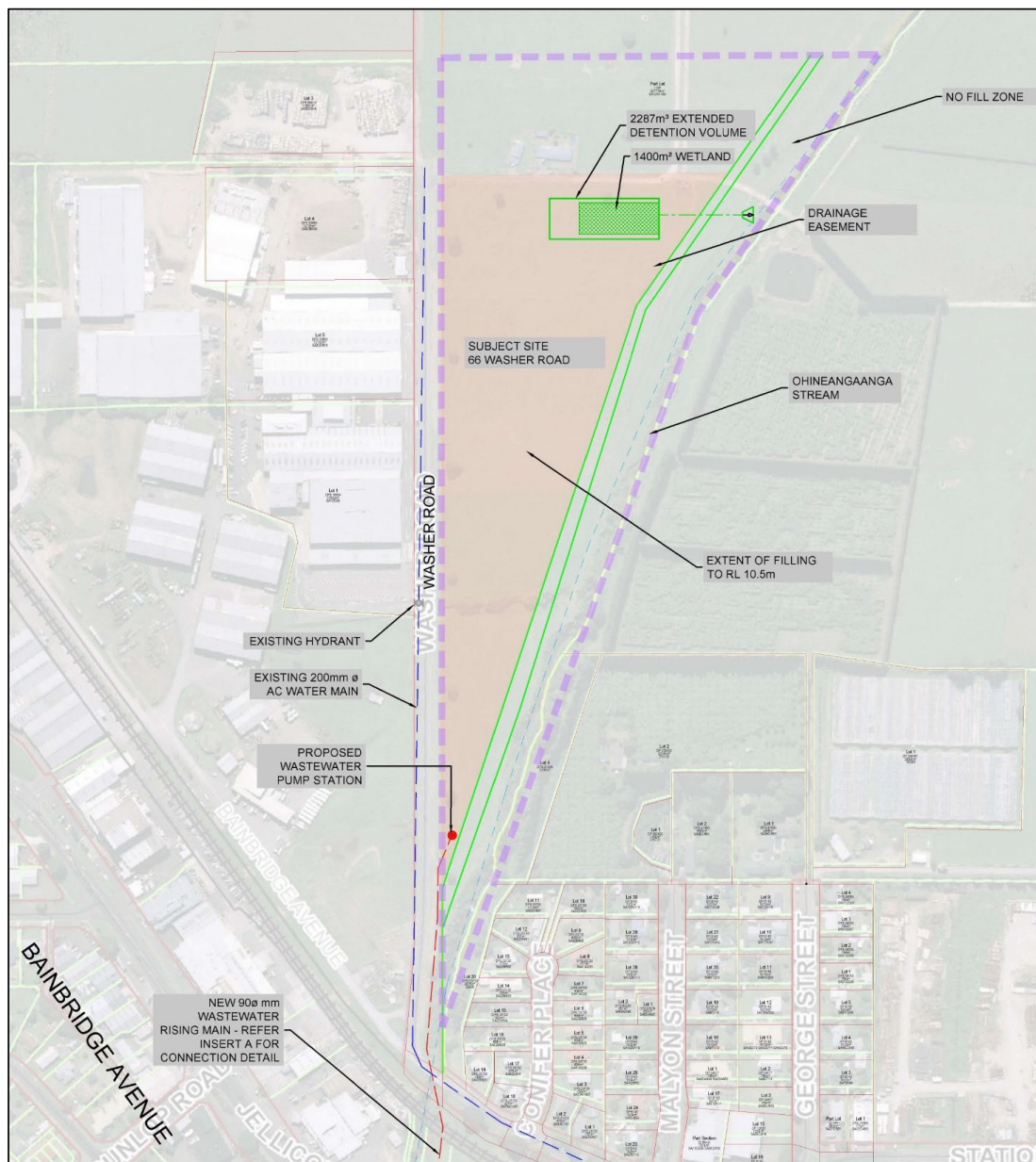


Figure 16: Lysaght Servicing Plan

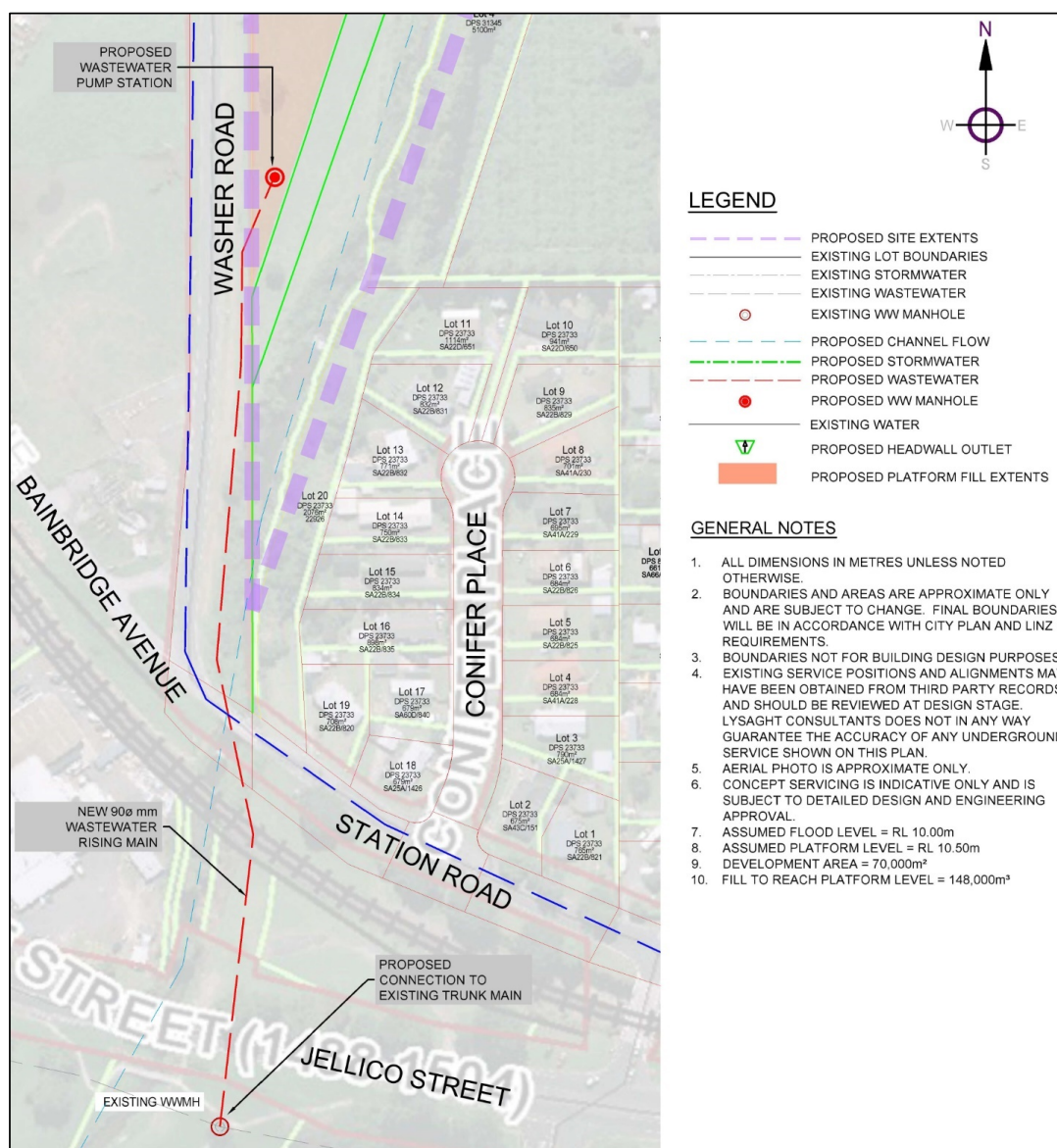


Figure 17: Lysaght Servicing Plan showing wastewater infrastructure

POWER & TELECOMMUNICATIONS Powerco have been contacted and provided with an outline of the proposal to make comment on power supply within Washer Road. They have provided a preliminary response which is outlined below and included within appendix 9:

“The existing feeder that supplies this part of Washer Rd is close to its capacity and will not be able to support a large load increase such as this development.

This feeder is supplied from Te Puke substation, load growth can be accommodated by the substation itself. In order to support a large-scale industrial development at the site, the Te Puke Bus Security upgrade project would need to be brought forward. You can refer to 2019 Asset Management Plan for details of the project.

www.powerco.co.nz/media/2081/powerco-2019-amp-summary_31may.pdf

Once the Te Puke Bus Security project is completed, 11kV feeder strengthening is required to enable supply to the first stage of the industrial development. It is also likely that when the proposed Washer Rd site exceeds capacity requirements switching the supply source from Te Puke substation to Atuaroa substation will be required. Dependant on loading requirements the development may require its own dedicated feeder from Atuaroa substation.” [Response from PowerCo Customer Service Team]

Follow up questions have been asked. These include what the procedure is to bring the works programme forward to increase capacity of Washer Road and whether there is capacity in the interim to provide for small industrial storage units/sheds along Washer Road. The following response was received.

“In order to bring the project forward Powerco would need the Developers to keep us involved in the process of change of re-zoning and likelihood of the development proceeding. Being advised early in order to pull the project forward is key.

Currently the Washer Road Feeder could not support additional Industrial/Commercial load in any great capacity. Specific loadings would need to be known for the site before we could confirm available capacity from the current network. “

[Customer Works Team POWERCO – emails received 8th and 10th July 2021 (included within Appendix 9)]

As noted by the Powerco Customer Works Team, there is a procedure to bring upgrades forward to facilitate the development, which will be pursued as we move forward with this plan change process through Council. This will include assessing the likely load on the existing network.

6.3 Geotechnical Site Suitability

A geotechnical report has been prepared by CMW Geosciences and is included within Appendix 5.

The scope of this report encompasses the geotechnical suitability and stability of the land having regard for the nature of a future industrial subdivision and associated building development proposal.

Its principal objectives were to assess:

- The nature, bearing qualities and relative uniformity of the subsoils to the depths likely to be affected by the proposed land development works and future building loads.
- Soil strength, classification, consolidation and effective stress parameters as considered relevant to the design issues of this development.
- Engineering works required to remediate areas having poor bearing capacity, high settlement potential or groundwater problems.
- Methodology with respect to areas of geotechnical constraints including drainage easement and gas pipeline.

As summarised in the Geotech Report, the site is suitable for the proposed industrial land use, provided the recommendations under Section 8 are followed. These include recommendations on:

- Liquefaction mitigation
- Static settlement design
- Easement setbacks
- Gully setbacks
- Foundation bearing capacity
- Earthworks (existing fill suitability, compaction and quality control and cut and fill batters)
- Civil works (subgrade CBR and services)

Section 9 of the CMW report outlines further work that is required to support any future resource consents/building consents for future development. This includes:

- *Further CPT and laboratory investigations to define the magnitude of liquefaction induced settlements across individual building platforms*
- *Design of preloading and/or ground improvement works specific to the development areas and loads proposed*
- *Design of ground improvements for pavements where required for roads, parking areas and storage zones*
- *Develop an earthworks specification to be used for the bulk earthworks and ground improvement construction across the site*
- *Confirmation of bearing capacities and foundation requirements for buildings once development areas are known.*

Overall, CMW confirm that the land is suitable for the establishment of an Industrial Park including large industrial buildings.

6.4 Traffic Effects

Stantec have prepared a traffic impact assessment to support the Plan Change. This involved assessing the existing road network, its capacity and the likely additional traffic that may result from future industrial activities.

This assessment has highlighted several issues with the existing road network, one notable issue being queues which the future industrial activities may add to. Given that some of these relate to existing traffic congestion during the peak am and pm traffic, there may be opportunities to minimise or avoid these effects through either road improvements or passive measures such as activities having travel management plans.

Stantec summarise the key issues in the paragraphs below which are extracts from their report.

“A plan change by David Marshall proposes to rezone approximately 7 ha of land on the east side of Washer Road, Te Puke, from rural to industrial zoning. The establishment of additional Industrial land on Washer road will complement the existing industrial activities opposite. There are benefits in co-siting service activities adjacent to larger processing activities as it provides opportunity for trips “internal” to the wider catchment of Washer Road in general potentially reducing what would otherwise be travel to other areas in Te Puke. It is likely the industrial area will take several years to develop and as a result the traffic effects can be managed with mitigation implemented as and when it is required. A network management approach will be necessary to ensure traffic is managed appropriately, taking on board the recommendations of this report and other network improvements of the wider network.

A review of the current transportation environment in the vicinity of the site has identified a number of existing issues relating to intersection capacity and road safety for which some mitigation would be appropriate irrespective of the implementation of the proposed plan change. The identified areas for which some form of improvement is desirable, even for the existing environment, include:

- the width of Washer Road between the proposed access and the single lane bridge*
- congestion and safety concerns at the intersection of Cameron Road (north) with Jellicoe Street; and*
- the lack of existing pedestrian and cycle linkages.*

It is noted that the identified existing network deficiencies should ideally be addressed regardless of the proposed plan change for the benefit of the wider community as well as the potential future activity within the plan change area.

While there are several options available to address identified issues around current network deficiencies, a specific detailed study and options report will be required to identify the most appropriate measure for the benefit of the whole community. It is recommended the development contribute to the solutions to address these existing deficiencies in the same way that development contributions are collected from all development in the district (using a traffic equivalency calculation).

If a shared responsibility (and affordable) approach is not able to be agreed, then an alternative may be to implement activity management controls which enables the plan

change to proceed in advance of any future improvements by Council. Such management controls could be set and included as a Travel Plan that is required as part of a zone rule which would require management of movements of pedestrians and cyclists at all times and restrictions on timing and routes for all vehicle movements.

The proposed re-zoned area will be subject to the District Plan rules for transportation including on-site parking, loading and manoeuvring and no additional rules are considered necessary in this respect.

In summary, on the basis of this assessment, together with the appropriate zone management controls to address recommended mitigation measures, it is concluded that the proposal to zone change of land from rural to industrial is able to be managed in an appropriate way to ensure any effects on the adjacent road network are acceptable."

As concluded in the traffic report, the effects resulting from the plan change have the potential to exacerbate existing issues, however, can be managed to an acceptable level provided the issues identified are taken into consideration and addressed as part of future infrastructure improvements.

These include:

- Potential widening of Washer Road between single land bridge and site access
- Studies to inform solutions for the congestion and safety concerns at the intersection of Cameron Road and Jellicoe Street; and
- Consideration of pedestrian and cycle linkages as part of the above actions.

Initial correspondence on the Stantec traffic report has been received from Council engineers. They have confirmed what was identified in terms of the existing issues and the potential for the proposal to exacerbate these. A summary of the email correspondence is included within Appendix 13.

A follow-up meeting with Council Traffic Engineer (Stuart Harvey) was undertaken on July 10th 2019 (12.30pm). The meeting was attended by MPAD and Stantec, where the traffic implications of the project were discussed in detail. Key takeaways from the meeting, included the potential for a staged approach to traffic upgrades, i.e., the first stage of industrial development will trigger minor works, such as the pedestrian bridge.

Stage two will trigger larger scale traffic upgrades, specifically upgrades related to the intersection with Cameron Road and Jellicoe Street.

Council advised that it was up to the applicant team to put forward a staged proposal for consideration. This has been developed and included in the plan change (See appendix 14).

Stantec have proposed mitigation measures to address concerns raised by council, including provision of a pedestrian bridge and extension of the existing path, plus the construction of a new traversable roundabout at the Cameron/Jellicoe intersection. This is shown in Figure 18 below and included within the Stantec report.

Stuart Harvey (Roading Engineer East) has reviewed the preliminary roundabout design and has acknowledged via email that it is an acceptable solution in principle, subject to further analysis of the traffic threshold at this intersection against Austroads standards. Correspondence is included within Appendix 13.

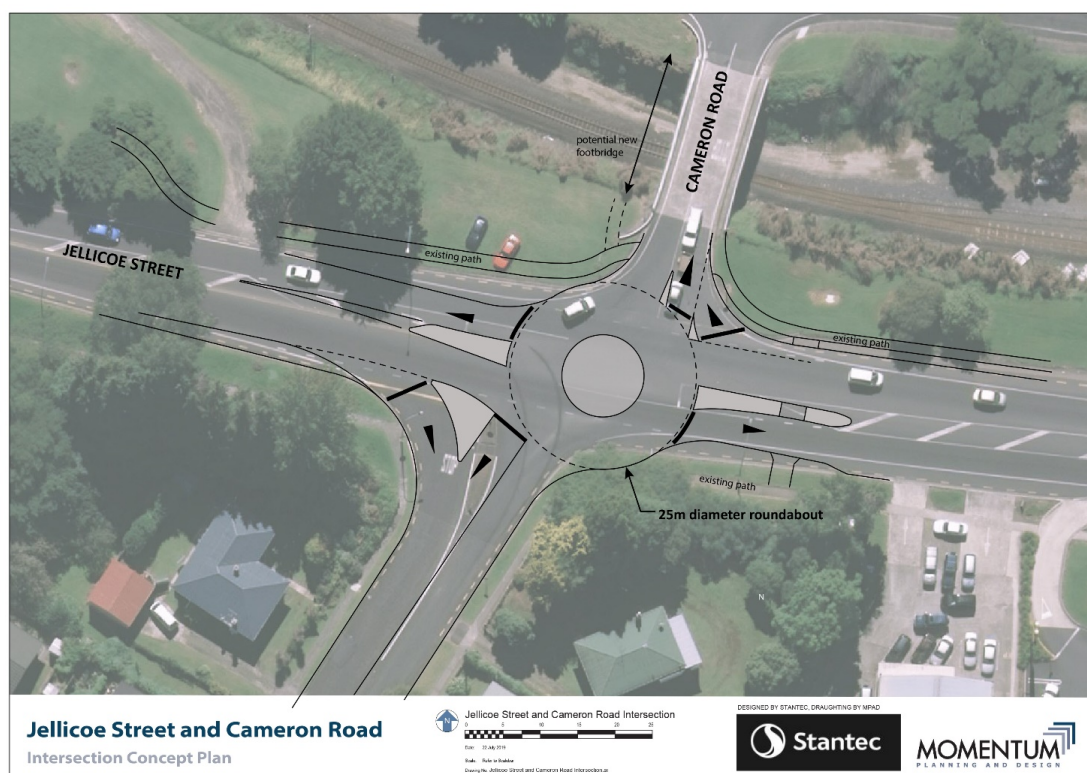


Figure 18: Jellicoe Street and Cameron Road Intersection Design

6.5 Ecological

The Ohineangaanga Stream runs along the eastern boundary of the site and is identified as a *modified watercourse with ecological value* in the Regional Council Water Quality Classification – Map U14 of the Natural Resources Regional Plan. Section 7 of Schedule 9 of the Natural Resources Regional Plan identifies water quality standards and criteria for modified watercourses with ecological value.

Explanation/Intent of Classification

Modified Watercourses with Ecological Values water quality classification is to maintain water quality in specific watercourses (refer to the Water Quality Classification Map) in order to maintain the aquatic habitats and migratory pathways of indigenous fish species that are present in the watercourse. This classification has only been applied to modified watercourses that are part of land drainage systems (referred to as Land Drainage Canals) that provide aquatic habitats or migratory pathways for indigenous fish species. The conditions reflect the need to minimise any further degradation of water quality in modified watercourses used for land drainage, and the somewhat limited opportunity to improve water quality in these watercourses. The standards and criteria are based on section 70 of the Act, and relevant national standards. This classification links to Schedule 3. Condition (a) means that there shall not be more than a 3 degree Celsius change in water temperature as a result of the discharge while the ambient water temperature remains below 18 degrees

Celsius. Once the ambient water temperature exceeds 18 degrees Celsius there shall be no measurable increase in water temperature as a result of the discharge after reasonable mixing.

The Ohineangaanga Stream is also located within the Kaituna River Catchment Scheme and is co-governed by the statutory body Te Maru o Kaitune (The Kaituna River Authority). Maintaining water quality and ecological values is an objective of the scheme.

An existing stop bank is established along the true left bank of the stream. A buffer area is proposed between the Industrial zoned land and the Ohineangaanga Stream to create separation and provide space for the area to be landscaped. No earthworks will be undertaken along the stream margin. These measures will assist in maintaining and enhancing the water quality of the stream and improving the ecological values by creating shade, which will contribute to maintaining a lower water temperature.

A stormwater treatment pond will assist in treating the stormwater runoff from the Industrial zone, which will be designed taking into account likely contaminants within the stormwater. Discharge water quality will be managed pursuant to a resource consent and ongoing monitoring.

6.6 Landscape and Visual Effects

The site is located between the Ohineangaanga Stream and Washer Road, which already has an industrial zoned land on the western side of the road.

The proposed industrial zoning will change the landscape character of the site including:

1. The landscape and visual effects arising from large scale earthworks to prepare the land for Industrial use.
2. The establishment of future industrial buildings, establishment of roads, driveways, and yard areas.
3. Proposed buffer landscaping along the boundary of the Ohineangaanga Stream and separating the farm land to the north.



Figure 19 - Landscape Mitigation and Streetscene

The amenity values of the area predominantly relate to the open pasture and rural farmland. The zone change and subsequent development works will result in a change to the landscape due to the urbanisation of the land for Industrial use.

Future buildings are anticipated to be larger storage buildings mixed with other smaller industrial uses as currently permitted by the District Plan. A height limit of between 9 and 11m is sought to enable these larger buildings to be established in accordance with the Structure Plan. These buildings will be set back from the stream, which will have a buffer zone incorporating the existing stop banks.

On the eastern side of Ohineangaanga Stream is more farmland owned by the applicant, currently planted in kiwifruit and also some residential zoned land. A large shelter belt exists separating the site from this residential area, which is estimated to be 8 to 10m in height. This blocks any direct line of sight to the industrial area from the residential properties on Conifer Place.

There is also a reserve on the true right bank of Ohineangaanga Stream and another proposed on the left bank as part of the Plan Change, which will create an overall separation of approximately 30m to the Industrial zone. A cross section of the Industrial and Ohineangaanga Stream boundary shows this relationship 9 (Figure 12). As the southern end of the industrial zone is narrow this area is more likely to be used for an Industrial yard area with smaller buildings, if any. Therefore, the visual effects following the buffer planting are considered to be minor.

The farmland to the north is owned by the applicant. A buffer planting area will be established along this boundary to soften the visual impact of the Industrial area to the rural area farmland. The Eastpack site opposite the application site has limited buffer planting.

The yard setback for buildings will ensure the built form adjacent to Washer Road provides a visual amenity consistent with that of the established Eastpack development opposite the site.

Given the above the landscape and visual effects of the proposed Plan Change are considered to be acceptable.

The Landscape and Visual Assessment is included within Appendix 15.

6.6 Cultural Effects

Iwi Consultation

The District Council Map Information system does not show any records of archaeological sites on the property. However, consultation has been undertaken with Waitaha and Tapuika.

Waitaha Iwi

Consultation with Waitaha Iwi (General Manager – Vivienne Robinson) has been undertaken. They have been provided with an information pack which provides an overview of what is proposed regarding the re zoning, and what types of buildings and end uses will end up on site. Their response is summarised in the following statement.

“Waitaha has no issues with the consent application, however we would be available to do any cultural monitoring re earthworks, if required, including blessing the site prior to earthworks if you so wish.” Email correspondence from Vivienne Robinson – included in Appendix 6.

Waitaha Iwi Management Plan 2014

The Waitaha Iwi Management Plan has been reviewed. Two key points related to the proposal are discussed below.

Employment is a key matter discussed in the Waitaha Iwi Management Plan. The expanded industrial area has the potential to provide additional employment opportunities associated with new businesses.

Environmental matters are key to the Management Plan. Particularly relevant to this proposal is the protection of water ways from pollution associated with urban and rural activities.

Relevant to this proposal is the adjoining *Ohineangaanga Stream*, which has been identified as significant through Iwi consultation. As described in the services report, run off and stormwater discharge associated with the industrial use will be treated and discharged into the stream as clean water, to avoid any adverse effects on the stream.

Tapuika Iwi

Consultation with Tapuika Iwi Authority Resource Management Unit (Hohepa Maxwell).

Enclosed within Appendix 6 is the Tapuika Cultural Impact Assessment that supports the plan change. Tapuika had some concerns around stormwater discharge. Tapuika have been advised that a discharge consent will be required under Regional Council Policy as part of the future development of the site, and that this would ensure discharge levels will not result in any adverse effects on the adjoining *Ohineangaanga Stream*.

Furthermore, the Lysaght flood modelling/earthworks assessment takes this into account and provides solutions in the form of stormwater treatment and discharge. This is as per the servicing report included in Appendix 3.

Tapuika Iwi Authority Strategic Plan

The strategic plan of the Tapuika Iwi Authority for the period 2018 to 2023 sets out the vision framework and strategic focus for the Iwi Authority. This strategic plan has emerged from a review of the Kia Paneke Tukutahi 2013 – 2018 the initial strategic plan undertaken by trustees in the preceding years.

Comments

Similar to the Waitaha Management Plan, the Tapuika Strategic plan has economic development for Iwi and Environmental protection as key priorities.

As discussed, the expanded industrial area has the potential to provide additional employment opportunities associated with new businesses.

Regarding environmental protection, a buffer area will be provided along the stream boundary to avoid adverse effects of pollution. Run off and stormwater associated with the industrial use will be treated before being discharged into the stream. This will avoid adverse environmental effects on the stream water quality and ecological values.

Conclusion

Based on the above, the proposal and associated environmental mitigation align with the key principles from both the Waitaha Management Plan and Tapuika Strategic Plan. This is acknowledged with documented support from both iwi groups.

7.0 Policy Framework

7.1 Relevant National Policy Documents

7.1.1 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOILS TO PROTECT HUMAN HEALTH (NESCS)

The NESCS provides a framework with trigger levels for investigations and consent requirements for certain activities on land that is, or is likely to be, contaminated. The NESCS regulations apply where a subdivision is occurring or where a change in land use is proposed and that land is or has been subject to an activity or industry described in the HAIL list.

A contamination search with Bay of Plenty Regional Council was completed. Regional Council have advised that they have no records of contamination on file for the subject site. However, they noted that this does not exclude the possibility of contamination.

As shown in the 'Site History' section of this report, an assessment of the subject land through aerial photography has been undertaken. Aerial photography as far back as 1943 has been looked at. The analysis shows that the subject land has remained in rural apart from two isolated activities, one of which appears to be an industrial or farm yard, with trucks parked on site. The other is recognised as an abattoir, which has been confirmed by the current owner. Both activities ceased to exist from the early 1990's. These activities are not registered on the HAIL list.

It is anticipated that prior to bulk earthworks a Detailed Site Investigation will be completed to confirm no contamination exists. If contamination is present site remediation will be consented through the Regional Council and works completed before bulk earthworks commence.

7.1.2 NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020

The National Policy Statement on Urban Development 2020 (NPS-UD) sets out the objectives and policies for providing development capacity under the Resource Management Act 1991.

The western Bay of Plenty District is a tier 1 growth area under the NPS-UD. Section 3.3 states

- (1) Every tier 1, 2 and 3 authority must provide at least sufficient development capacity in its region or district to meet the expected demand for business land:*
 - (a) From different business sectors; and*
 - (b) In the short term, medium term and long term.*
- (2) In order to be sufficient to meet expected demand for business land, the development capacity provided must be: plan-enabled (see clause 3.4(1)); and infrastructure-ready (see clause 3.4(3)); and suitable (as described in clause 3.29(2)) to meet the demands of different business sectors (as described in clause 3.28(3)); and for tier 1 and 2 local authorities only, meet the expected demand plus the appropriate competitiveness margin (see clause 3.22).*

Development is *plan-enabled* if the land is zoned in the district plan. In relation to the medium term the land that is zoned in a proposed district plan.

Western Bay of Plenty have completed industrial land supply studies that have identified that while there may be sufficient land available for industrial use it is in the ownership of few people who are continuing to farm the business land rather than developing it. This is creating shortage of available business land, particularly at Te Puke.

The NPD-UD at 3.7 states that if there is insufficient capacity a consent authority shall change its planning documents as soon as practicable to provide the necessary business land. It also enables Council to consider 'other options' to consider enabling development.

Section 3.22 Competitiveness Margin states:

A competitiveness margin is a margin of development capacity, over and above the expected demand that tier 1 and tier 2 local authorities are required to provide, that is required in order to support choice and competitiveness in housing and business land markets.

The competitiveness margins for both housing and business land are:

- (a) for the short term, 20%*
- (b) for the medium term, 20%*
- (c) for the long term, 15%.*

Short term - within the next three years.

Medium term – between three and ten years

Long term – between ten and thirty years.

Comment

The rezoning of the Washer Road land aligns with the objectives and Policies of the NPS-UD. The Western Bay of Plenty is recognised as a 'Tier 1' growth area therefore Local Government needs to ensure that there are appropriate levels of land supply for residential and industrial commercial purposes support this growth.

Although Te Puke has a large amount of Industrial zoned land, the majority is in rural use and is dependent on owner buy in and large infrastructure/road upgrades in order to develop. Providing developed industrial land on Washer Road will contribute to the NPS-UDS land supply targets for this high growth area, while integrating with the existing infrastructure along Washer Road.

7.1.3 NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT 2020

The NPS-FM came into effect on the 3 September 2020 and introduces new rules to prohibit the damage or destruction of natural wetlands. The subject site, while located adjacent to Ohineanga Stream, is in pasture and has been grazed and maintained for decades. Their pasture areas are in green grass sown for stock grazing. There are no wetlands of district or regional significance identified on the application site.

The proposal includes planting the buffer area adjacent to the Ohineanaga Stream which will have positive effects on the ecology of the stream. Future earthworks will be managed to meet the requirements for large scale earthworks and will avoid sediment laden stormwater entering the

stream by designing and implementing appropriate erosion and sediment controls. The proposal will be consistent with the NPS-FM.

7.2 Relevant Regional Policy Documents

7.2.1 BAY OF PLENTY REGIONAL POLICY STATEMENT

The Bay of Plenty Regional Policy Statement (RPS) promotes the sustainable management of the natural and physical resources of the Bay of Plenty Region. The RPS highlights the importance of managing urban growth within the region in a sustainable manner.

Objective 23 promotes a compact, well designed and sustainable urban form that effectively and efficiently accommodates the regions urban growth.

URBAN RURAL GROWTH MANAGEMENT

Policy UG 5A establishes urban limits within the Western Bay of Plenty District and aims to limit urban growth to within these urban limits. Method 14 identifies a strict but comprehensive methodology for changing these limits.

Policy UG 7A provides for the expansion of business land outside the urban limits – Western Bay of Plenty sub-region

- (a) For the expansion of existing zoned business land, not be able to be accommodated within existing business zoned land in the western Bay of Plenty sub-region*
- (b) Be contiguous with the site of an existing business activity or existing zoned business land*
- (c) Not require new connections to urban water supply distribution, stormwater or wastewater infrastructure located within the urban limits*
- (d) Avoid, remedy or mitigate effects on rural production activities*
- (e) Not compromise access to identified regionally significant aggregate and other mineral resources; and*
- (f) Not adversely affect existing, consented, designated or programmed regionally significant network utilities and infrastructure.*

The land at 66 Washer Road is currently located outside the urban limits as set by the Regional Policy Statement, refer to Figure 20 below.

While Te Puke has large areas of zoned business land, the current owners have chosen to continue farming the land resulting in the available supply of greenfield business land to be very limited. This has resulted in a shortage of available land.

The proposed plan change land area is immediately adjacent to and contiguous with other business land on Washer Road.

Wastewater and water services are located adjacent to the site. A new pump station is proposed to connect to Council's existing wastewater infrastructure. Stormwater is proposed to be managed on site.

The creation of buffer areas along the stream boundary assists in separating future industrial activities from the kiwifruit orchards on the opposite side of the Ohineanganga Stream. This avoids reverse sensitivity effects between rural and future business activities.

The proposed plan change will not compromise access to identified regionally significant aggregate and other mineral resources.

There is an existing underground gas main running through the site. We have consulted with First Gas which confirmed relocation was uneconomic. It has therefore been decided to leave the gas easement in its current location and establish building sites outside the gas easement alignment.

The proposed plan change is therefore consistent with policy UG 7A.

Policy UG 9B seeks to co-ordinate new urban development with Infrastructure and **Policy UG 11B** seeks to manage the effects of subdivision and development on infrastructure. The proposed plan change is consistent with this policy as consideration of servicing has been assessed and confirmed to be feasible. An intersection upgrade of Jellicoe Street and Cameron Road will be necessary in the form of a roundabout as proposed by Stantec.

Policy 13B seeks to promote the integration of land use and transport planning. This is addressed above with regards to Policies UG 9B & 11B.

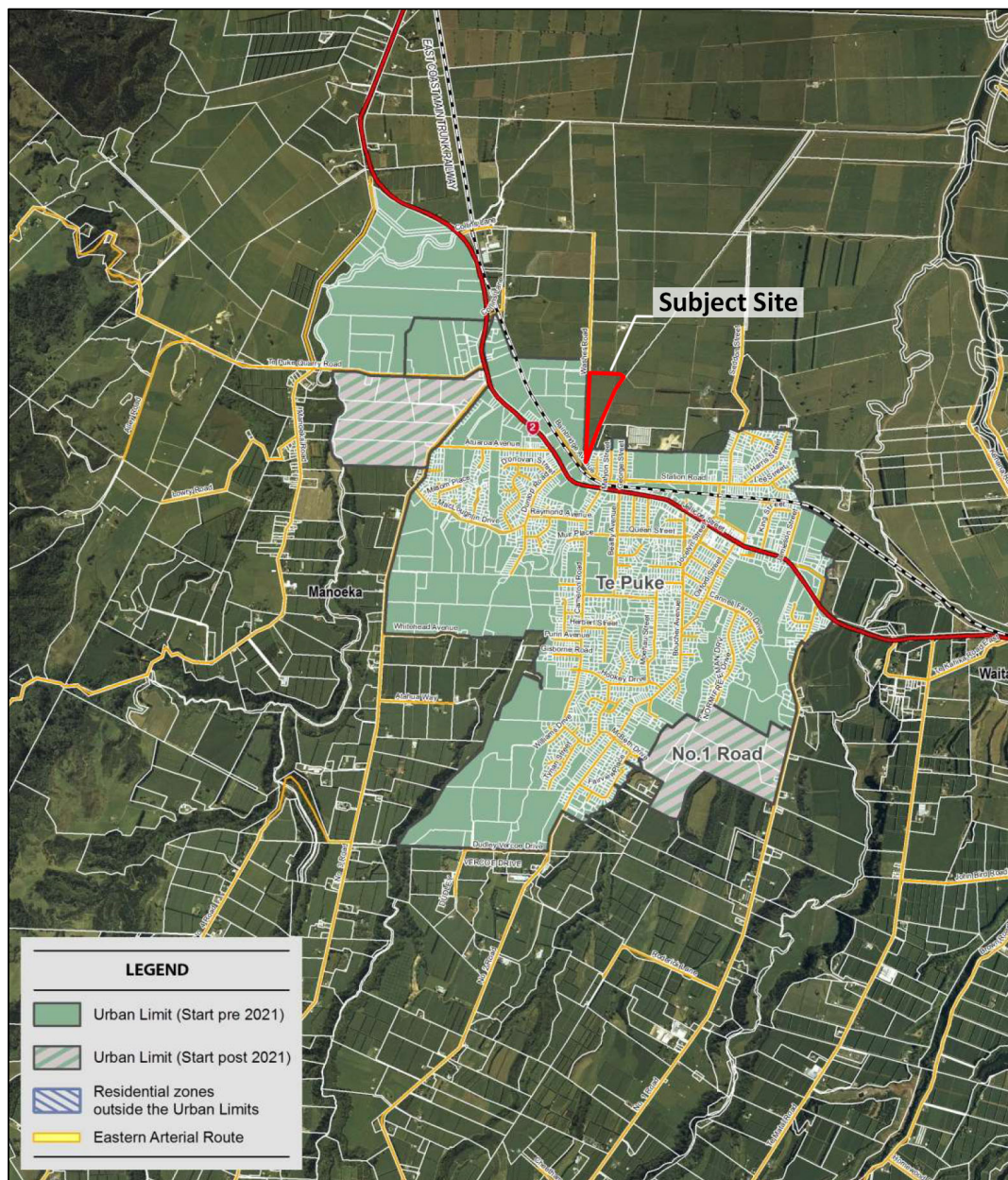


Figure 20: Bay of Plenty Regional Policy Statement – Map 14, showing subject land outside of the urban limits.

The industrial land supply in Te Puke is constrained by the fact that much of the industrial zoned land in Te Puke remains in rural use and depends on roading and infrastructure upgrades before it can be developed. This relates predominantly to the Te Puke West Industrial area.

Te Puke is an established town within the Western Bay of Plenty and greenfield residential and industrial sites provide for the planned growth of the township to meet housing and employment needs of the community.

The 2012 (WBOPDC) and 2018 (Smart growth) Industrial land supply surveys identified a large quantity of 'unavailable' but zoned Industrial land. This relates to owners of zoned land not wishing to develop their land in the near future. The availability of greenfield industrial sites that are zoned and developed for use are scarce. The rezoning of the subject land will help meet the immediate demand for greenfield industrial sites.

The following is a summary of reasons to support the zone change proposal.

- The proposal will rationalise the RPS urban limit boundary of the town, by adding to the industrial land at the northern periphery of the town centre, to create a more consolidated industrial land supply in this location.
- The subject rural land is a wedge of relatively unproductive pastoral land. The proposal will have limited impact on the productivity of the greater farm that it forms part of.
- Te Puke West industrial land remains in rural use. There are no known plans for this to be developed for industrial purposes by current landowners.
- The conversion of approximately 6ha to industrial land will have minimal effects on rural land supply. The greater farm that the land is within is 200ha for context.
- Existing infrastructure is in place to service the land.
- Limited vacant industrial lots for rent within Te Puke.
- The proposal will provide local businesses with greenfield industrial land.
- The proposal will formalise Washer Road, to reflect the existing industrial uses on the other side of Washer Road. EastPack are at capacity and may want to take another industrial building.

For these reasons the proposal is considered consistent with the purpose of the Bay of Plenty Regional Policy Statement.

7.2.2 OTHER RPS OBJECTIVES AND POLICIES

The following provides a brief discussion of the relevant objectives and policies in the RPS -

INTEGRATED RESOURCE MANAGEMENT

Objective 10 – Cumulative effects of existing and new activities are appropriately managed.

Policy IR 1B: Applying a precautionary approach to managing natural and physical resources.

Comment

The proposed re-zoning is consistent with the existing industrial uses along Washer Road and can be serviced by existing infrastructure. As demonstrated in the services report, stormwater can be attenuated on site and discharged at an appropriate rate to not cause any adverse effects off site.

IWI RESOURCE MANAGEMENT

Objective 21 – Recognition of and provision for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga

Policy IW 2B: Recognising matters of significance to Maori

Policy IW 5B: Adverse effects on matters of significance to Maori

Policy MN 8B: Managing effects of subdivision, use and development

Comment

The subject site has no known culturally significant sites. This has been confirmed with local Iwi (Tapuika and Waitaha) and Bay of Plenty Regional Council Records. However, the stream has been identified as significant in its own right and requires protection against pollution, with appropriate stormwater discharge to control downstream flooding effects. This has been taken into consideration and addressed in the servicing report. No adverse effects on the stream will result from the proposal.

WATER QUALITY AND LAND USE

Objective 29 – Land use activities are:

1. within the capability of the land to support the activity
2. integrated with the wider environmental values of their surroundings; and
3. within the capacity of receiving waters to assimilate any discharge

Policy WL 7B: Minimising the effects of land and soil disturbance

Comment

The proposed land-use activity would be within the capability of the land following geotechnical improvements recommended by CMW Geoscience.

As demonstrated in the services report and through consultation with the relevant authorities, services on site including water, wastewater, power and stormwater can be achieved with the necessary upgrades.

Stormwater will be dealt with through on-site treatment via a stormwater wetland or similar and will discharge to the Ohineangaanga Stream following treatment.

NATURAL HAZARDS

Objective 31: Avoidance or mitigation of natural hazards by managing risk for people's safety and the protection of property and lifeline utilities.

Policy NH 4B: Managing natural hazard risk on land subject to urban development

Policy NH 9B: Assessment of natural hazard risk at the time of subdivision or change or intensification of land use before Policies NH 7A and NH 8A have been given effect to.

Comment

An assessment of natural hazards has been undertaken. As identified by the District Plan Mapi system there is a 1 in 100-year flood layer over the site. The Lysaght flood modelling and earthworks assessment takes this hazard into account and provides solutions in the form of raising the ground and providing extended detention of storm water and treatment prior to discharge, which will mitigate any adverse off-site effects. Refer to Lysaght Engineering Servicing Report.

7.3 Non-Statutory District Policy Documents

Te Puke Town Centre Plan

The Te Puke Town Centre Plan 16 March 2006 was prepared by Council to guide community aspirations for improvements to the town centre area. Key objectives of the plan include improving connectivity for pedestrians, promoting economic growth and protecting cultural and environmental values.

Comments

The plan outlines the strategic vision for the Te Puke town centre, although over a decade old now many of the principles still apply regarding increased walkability through new pedestrian links, economic growth through local business, and protection of cultural and environmental values.

The proposal has addressed all these matters, including walkability, with the provision of a new pedestrian link along Washer Road and the one lane bridge is discussed as a possible future option. Cultural discussion with Iwi has been undertaken and will be ongoing as the plan change process continues into development.

Environmental values are protected through appropriate stormwater management, particularly in relation to the adjacent stream which is recognised as an environmentally and culturally significant water body.

Te Puke Built Environment Strategy

This is a high-level strategy, approved by Western Bay of Plenty District Council in 2007. The purpose of guiding development in line with the local identity for each of the growth areas in the District – Te Puke being one of these. The key outtakes from the strategy which involve industrial land are outline below.

Existing Character of Industrial Areas

The industrial area reflects the change of the core economy of the Te Puke hinterland over the past hundred years. Most of the buildings are not attractive and buildings such as the old dairy factory offer challenges to adapt it for alternative uses.

The industrial area is mainly located at the town entrance from Tauranga along State Highway 2 and the railway line.

Over the years some of the larger sections and even buildings along Jellicoe Street were subdivided. As a result, the entrances to these sections are close to each other, which complicates landscaping and screening of unattractive buildings.

Where we want to go

Industrial areas can be attractive and a pleasant working environment. As the existing and future industrial areas will be at the western town entrance, Council needs to ensure that future development is and will remain attractive and undertake actions to make the existing industrial area more attractive.

In future rail transport might again become the preferred transportation mode for industrial goods and industrial development should not turn its back on the existing and future railway opportunities.

Access to and from Jellicoe Street should be limited to allow for landscaping and the planting of trees and as a result future subdivision should have combined access to sections.

Retain a buffer zone of at least 20 metres between a waterway (for example river, stream or stormwater drain) and an industrial section. To integrate these waterways as part of the town's open space network with the industrial development, an industrial section should preferably not back onto the buffer zone.

Comments

This Built Environmental Strategy has a strong emphasis on quality urban design outcomes, including within industrial areas. This has been neglected historically, which is why as a township Te Puke is focused on improving the quality of the public realm and building stock, to promote an attractive and user-friendly environment for residents, visitors and workers.

The proposed industrial zone will provide a buffer area along the margins of the Ohineangaanga Stream, improved pedestrian connectivity and appropriate stormwater treatment. These design matters will be at the forefront of this development, as it is important to both the landowner and Council to have a quality urban design outcome in this location. Establishing a pedestrian cycle link along this buffer area may help provide alternate travel options for workers.

8.0 Resource Management Act 1991

8.1 Private Plan change request Framework

Part 2 of the First Schedule of the RMA states that

21(2) Any person may request a territorial authority to change a district plan, and the plan may be changed in the manner set out in Schedule 1.'

Clause 22 states.

- '(1) A request made under clause 21 shall be made to the appropriate local authority in writing and shall explain the of, and reasons for, the proposed plan or change to a policy statement or plan and contain an evaluation report prepared in accordance with section 32 for the proposed plan or change'.
- '(2) Where environmental effects are anticipated, the request shall describe those effects, taking into account clauses 6 and 7 of Schedule 4, in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change, policy statement, or plan.'

Accordingly, a private request to undertake a change to a plan must be made in writing and explain the purpose of the proposed change. The report should also include an evaluation report as required by Section 32 of the Act and an assessment of environmental effects in accordance with clauses 6 and 7 of the Fourth Schedule.

8.2 Part II

Part II of the RMA sets out the guiding purpose and principles of the Act. In achieving the purpose of the Act regard must be had to the following matters:

- Section 6 – Matters of National Importance, which includes the preservation of natural character, protection of outstanding natural features and landscapes, protection of significant indigenous vegetation and habitats, public access, relationship of Maori with land, water, sites of waahi tapu and taonga and the protection of historic heritage and customary rights.
- Section 7 – Other Matters, which include Kaitiakitanga, stewardship, efficient use of & finite characteristics of natural and physical resources and end of use of energy, maintain and enhance amenity values, values of ecosystems, enhance the quality of the environment, effects of climate change, renewable energy.
- Section 8 – Te Tiriti o Waitangi (The Treaty of Waitangi) shall be taken into account in achieving the purpose of the Act.

This report has addressed the purpose and principles of the RMA through the evaluation assessment of environmental effects. In summary:

- The re-zoning will facilitate a more efficient use of a relatively unproductive wedge of rural land on the periphery of a growing town centre.
- The proposed activity can be serviced on site provided necessary infrastructure upgrades are implemented.

- Environmental effects will be mitigated through appropriated treatment and discharge of stormwater, road improvements, inclusion of buffer zones, and land improvement works.
- Iwi have provided their support for the proposal. Ongoing consultation with them will be maintained through to the development of the site.

In summary the proposal is generally consistent with the purpose and principles of the RMA.

8.3 Section 32

Before a proposed plan change can be publicly notified Council is required under section 32 (s.32) of the Act to carry out an evaluation of the proposed change. This evaluation must be undertaken pursuant to s.32(1) of the Act and address the following:

- Examine the extent to which the objectives of the proposal are appropriate in achieving the purpose of the RMA
- Identify other reasonably practicable options to achieve the objectives
- Assess the efficiency and effectiveness of the provisions in achieving the objectives.

Section 32(2) requires that this assessment must:

- Identify and assess the benefit and costs of the environmental, economic, social and cultural effects (including economic growth and employment)
- Assess the risk of acting or not acting

In this case an evaluation of the proposed change under s.32 is provided in Section 9 below.

9.0 S32 Evaluation

9.1 Scale and Significance

The scale and significance have been assessed in the table below with a rating applied based on the scale of the impact in a local setting and in the context of the existing District Plan.

The following table and assessment criteria have been taken from the Ministry for the Environment. 'A guide to section 32 of the Resource Management Act 1991'.

Considerations for assessing scale and significance

Criteria	Rating	Comment on Scale and Significance
Reasons for the change	Low	The proposal has been developed to allow the change in land use and facilitate industrial development on the subject land.
Degree of shift from the status quo (status quo defined as the current approach)	Low	The proposal involves a change in zoning to allow a different land use, in a context where industrial land is already established nearby. The extent of rural land lost in the rezoning

		(7.012ha), relative to the farm of approx. 200ha is assessed as minimal. Note the actual area is less than this as a result of buffer areas and land proposed for stormwater management.
Who and how many will be affected?	Low	The land affected by the proposed zoning has relatively few adjoining neighbours, with the exception of the continuation of the farm to the north, which is in the same ownership. Washer Road bounds the subject land to the west, with industrial uses on the other side of this, while the 'Ohineangaanga Stream' corridor runs along the eastern boundary, separating the site from rural sites (also owned by applicant), and a pocket of residential to the south.
Degree of impact on, or interest from iwi/Māori	Low	<p>Iwi have been consulted on the proposal. No archaeological sites of significance are registered within the subject land. This is confirmed by Council and Iwi.</p> <p>Stormwater discharge into streams will be treated so that there is no impact on the Ohineangaanga Stream, which is considered important to Iwi.</p> <p>Discovery protocol condition can be included within any future earthworks consent on site.</p>
Type and duration of effect	Medium	The change will result in ongoing effects into the future as it will result in a permanent industrial development being established on the land
Geographic scale of impacts	Low	The extent of the area affected by the change is limited to 7ha, which is considered minimal in terms of the 200ha farm that it forms part of.
Degree of policy risk, implementation risk, or uncertainty	Low	The subject land is already serviced by a road that accommodates industrial and rural traffic. Considerable work has been undertaken to show that the site can be serviced appropriately, and stormwater can be managed effectively.

Conclusion

Overall, it is considered that the proposed change is of a low scale and level of significance in the context of the District Plan and also the Regional Policy Statement.

9.2 Section 32 Evaluation

The following assessment and table provide an evaluation of the proposed plan change pursuant to Section 32 of the RMA. The table analyses the options available to Council by evaluating the environmental, social, economic and cultural costs and benefits of each of the two options.

The table also discusses the risk of acting or not acting on the change and how effective/efficient the provisions of the proposed change are.

9.2.1 Objectives and Policies

It is considered that the existing objectives and policies within the District Plan provide an appropriate policy framework with which the proposed change can fit within.

An examination of the proposal and how it will give effect to the existing objectives and policies in the District Plan is provided below.

New rules are created to support the Structure Plan and Schedule of Works, these are listed in the following section 9.2.2.

Section 21 – Industrial

Objective 1. The efficient and optimum use and development of industrial resources (including land and buildings /structures) in a manner which provides for the economic well-being of the people living in the District.

Policy 1. Provide industrial areas within the District close to established urban centres that provide for a wide variety of industrial activities to establish.

Comment

The proposed rezoning will provide for industrial land close to the Te Puke township and existing services. It will accommodate a variety of industrial uses for local businesses.

Objective 2. Industrial areas which maintain amenity values from key roads within the zones, from surrounding road networks, and at the interface with other areas.

Policy 2. Industrial activities should establish and operate so as to protect the environment in other zones from noise, odour, visual impact or traffic generation.

Objective 3. Industrial areas in which industrial activities can operate effectively and efficiently, without undue restraint from non-industrial uses which may require higher amenity values.

- Policy 3. Require industry locating in close proximity to Residential and Rural Zones and reserves to incorporate buffering, screening and landscaping to minimise the adverse visual impact of the activity.*

Comment

The subject land of the rezoning will boarder established industrial zoned land to the west, therefore there will be no impact on amenity on this side.

To the east is rural zoned land and a small pocket of residential land adjacent to the south of the site. The 'Ohineangaanga Stream' corridor separates the proposed industrial land from these uses, furthermore there will be setback to this stream corridor which will provide further separation and reduce noise, odour and visual impacts from the proposed industrial area. To the north, there is rural land which is a continuation of the same farm subject to this re-zoning. For this reason, any effects relating to this land have written approval sign off.

- Objective 5. The equitable provision, extension and/or upgrading of infrastructure with sufficient capacity to cater for future development within the Zone and in accordance with applicable structure plans to be funded by all development within the structure plan area.*

- Policy 5. Industries should be located in areas where they can be adequately serviced by existing infrastructure or provide new infrastructure so as to ensure adverse effects can be mitigated, remedied or avoided including through financial contributions.*

Comment

As assessed and concluded within the Lysaght services report, the future industrial zoned site can be accommodated by connection to existing water and wastewater infrastructure. Stormwater can be dealt with on site and discharged at an appropriate rate into the 'Ohineangaanga Stream'.

The Stantec Traffic report concludes that the industrial proposal can be serviced by Washer Road, with potential for some minor widening. The report also notes that there are existing issues in relation to queuing at the intersection of Station Road and Jellicoe Street, which will likely be exacerbated by the proposal. Mitigation measures include road improvements at Jellicoe Street in the form of a roundabout (See Stantec Report).

- Objective 6. The protection of sensitive environments downstream of industrial areas from the adverse effects of infrastructure required to service such areas.*

- Policy 6. Limit the establishment of non-industrial activities in industrial areas to those which have a functional or operational need for such a location.*

Comment

Stormwater will be managed on-site through treatment ponds before discharging treated water back into the Ohineangaanga Stream.

Section 4B – Transportation Access and Parking

Objective 2. To provide for more efficient land use, development and subdivision of existing areas in a way that recognises and integrates with the functions of different road types, transport modes and the defined transportation network.

Policy 2. To avoid, remedy or mitigate the adverse effects of land use, development and subdivision on the safety, efficiency, sustainability and capacity of the

Comment

As per above, the Stantec Traffic report concludes that the industrial proposal can be serviced by Washer Road, with potential for some minor widening. The report also notes that there are existing issues in relation to queuing at the intersection of Station Road and Jellicoe Street, which will likely be exacerbated by the proposal.

Stantec have proposed mitigation measures to address concerns raised by council, including provision of a pedestrian bridge and extension of the existing path, plus the construction of a new traversable roundabout at the Cameron/Jellicoe intersection. The preliminary design for this roundabout is included within the Stantec report.

Stuart Harvey (Council Infrastructure Engineer) has reviewed the preliminary roundabout design and has acknowledged via email that it is an acceptable solution in principle, subject to further analysis of the traffic threshold at this intersection against Austroads standards. Correspondence is included within Appendix 13.

An appropriate level of car parking will be established on site for the end industrial uses.

Noise Standards from District Plan**4C.1.2.2 Policies**

- 1. Ensure activities do not generate noise levels inconsistent with the character and amenity of the zone in which the generated noise is received.*

4C.1.3.2 Noise Limits***(b) Noise limits for activities in Industrial and Commercial Zones***

- (i) All activities located within Industrial and Commercial Zones shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits within the stated timeframes at any point within the notional boundary of any dwelling in a Rural Zone or Rural-Residential Zone, nor at any point within the boundary of any property within a Residential or Future Urban Zone:*

Time Period		Sound Level Not to be Exceeded	
Day	Hours	<i>LAeq</i>	<i>L_{Amax}</i>
Monday to Saturday	6am to 10pm	55dB	N/A
Sunday and Public Holidays	9am to 6pm	55dB	N/A
At all other times		45dB	70dB

(ii) All activities located within Industrial Zones (excluding emergency service sirens) shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits within the stated timeframes at any point within the boundary of any other property within an Industrial Zone:

Time Period	Sound Level Not to be Exceeded	
	<i>LAeq</i>	<i>L_{Amax}</i>
Daytime 7am-10pm	65dB	N/A
Night time 10pm-7am	65dB	85dB

Comment

All future development within the proposed plan change area will comply with the industrial noise standards under section 4C.1.3.2 of the District Plan. The pocket of residential land to the south east, which is the most sensitive nearby land use, is separated by the Ohineangaanga Stream corridor and an additional 10m minimum landscape setback, as shown on the Structure Plan map. This landscape buffer will help mitigate noise from industrial land uses.

Lighting Standards from District Plan

4C.3.2 Objective and Policy

4C.3.2.1 Objective

An environment free from the adverse effects of intrusive lighting and welding.

4C.3.2.2 Policy

Ensure that floodlights, security lights and welding do not detract from the amenity values of other properties, or compromise traffic safety.

4C.3.3 Activity Performance Standards

Activity performance standards for lighting and welding outlined under Section 4C.3.3 of the District Plan will sufficiently address any adverse effects resulting from future industrial activities within the proposed plan change area. These include performance standards related to:

- **Spill light (daytime and night-time standards)**

- Glare (daytime and night-time standards)
- Artificial Lighting
- Street lighting

Comment

Performance standards related to the lighting and glare will be complied with. This also includes reduced illuminance adjacent to rural and residential zones, which will be applicable to the eastern boundary and pocket of residential land to the south-east.

9.2.2 Assessment of proposed Structure Plan against Existing Rule Framework

Assessment of Existing Rule Framework		
Topic	Existing Rule Framework	Proposed Rules
Subdivision and Development	Existing rule framework and performance standards under chapter 12 of the District and Infrastructure Development Code are adequate for the proposed plan change area.	Infrastructure works to be implemented in accordance with Washer Road Industrial Area Staging Plan and schedule of works.
Industrial land use activities and performance standards	Permitted Industrial activities provided for under chapter 21 of the District Plan for the Industrial Zone are adequate for the plan change area.	
Landscape Buffer Area	Chapter 21 identifies the need for landscape buffer areas where industrial activities are located against ecological feature such as a stream and when located adjacent to rural and residential zones. Buffer areas are proposed and referenced on the structure plans.	Landscape buffer area is to be in accordance with the proposed Structure Plan Map and supporting schedule of works. A detailed landscape plan and planting schedule should be provided for approval at time of Development Works Approval.
Earthworks	Earthworks fall within the jurisdiction of the Regional Council. Regional Earthworks consent will be required for raising low lying land above flood levels, as disturbance area will exceed 1ha and 5000m ³ .	

	Refer to flood overlay map and associated earthwork volumes.	
Transportation and Car Parking	The Policy and Rule framework for car parking and transport under Chapter 4 of the District Plan is adequate for the plan change area. Further rules will be added to facilitate mitigation.	Proposed transportation upgrades and mitigation are to be in accordance with the staging and schedule of works outlined under Structure Plan.
Financial Contributions Chapter	In accordance with Chapter 11 of the District Plan, financial contributions payments made by development of the Industrial land will contribute to the proportionate share of infrastructure.	LTP and finco charges to be updated by Council.

Refer to Appendix 14 for Proposed Changes to the operative Western Bay of Plenty District Plan.

9.2.3 Option Evaluation

In this case the specific nature of the proposal is such that there are only two reasonably practicable options, being the proposed industrial zoning of the land or retaining the existing rural zoned land.

A. Changing the Zoning from Rural to Industrial at 66 Washer Road, Te Puke	
Benefits and Costs of Effects (s.32(2)(a))	
Benefits	Costs
<u>Environmental</u> <ul style="list-style-type: none"> Proposal consolidates new industrial uses next to existing industrial activities along Washer Road. Subject land is a wedge shape piece of land, which creates challenges for rural use. Therefore, remains relatively underutilised compared to other parts of the farm. Industrial use would be a more efficient use of the subject land. 	<u>Environmental</u> <ul style="list-style-type: none"> The proposal will cause additional heavy traffic on the local road system. This has the potential to worsen existing queues at the Jellicoe Street, Cameron Road intersection. Removal of approximately 7ha of rural land from the periphery of the Te Puke township. Less than minor raise (1.2mm) in flood plain, in a 50-year event, as per Lysaght servicing report. Based on a conservative assessment.
<u>Economic</u> <ul style="list-style-type: none"> Job creation within the new industrial development. 	<u>Economic</u> <ul style="list-style-type: none"> Te Puke and Western Bay of Plenty has a number of industrial estates already established and allocated for future

<ul style="list-style-type: none"> Economic growth for the Te Puke township through the consolidation of the industrial zone. More productive efficient use of subject land, which has geographical constraints due to wedge proportions for rural uses. 	<p>development. Therefore, economic benefits may take longer to realise.</p> <ul style="list-style-type: none"> Loss of rural land.
<p><u>Social</u></p> <ul style="list-style-type: none"> Attract new businesses to Te Puke. Job creation for locals. 	<p><u>Social</u></p> <ul style="list-style-type: none"> Potential traffic effects impacting people manoeuvring around town at certain intersection (i.e., corner of Jellicoe Street and Cameron Road intersection)
<p><u>Cultural</u></p> <ul style="list-style-type: none"> The subject land is not associated with any significant archaeological sites. Iwi have been consulted and confirmed this. The neighbouring Ohineangaanga Stream will be protected from any form of degradation. 	<p><u>Cultural</u></p> <ul style="list-style-type: none"> Potential contamination of Ohineangaanga Stream if industrial activities are negligent.

10.0 Consultation

Iwi Consultation

As discussed in the Cultural section of this report, the District Council Map Information system does not show any records of archaeological sites on the property. However, it is still necessary to consult relevant Iwi on the plan change. This includes Waitaha and Tapuika. Correspondence is summarised in the sections below.

Waitaha Iwi

Consultation with Waitaha Iwi (General Manager – Vivienne Robinson) has been undertaken. They have been provided with an overview of what is proposed regarding the re zoning, and what types of buildings and end uses will end up on site.

“Waitaha has no issues with the consent application, however we would be available to do any cultural monitoring re earthworks if required including blessing the site prior to earthworks if you so wish.” Email correspondence from Vivienne Robinson – included in Appendix 6.

Tapuika Iwi

Consultation with Tapuika Iwi Authority Resource Management Unit (Hohepa Maxwell).

Enclosed within Appendix 6 is the Tapuika Cultural Impact Assessment that supports the plan change at 66 Washer Road, Te Puke. Tapuika had some concerns around stormwater discharge. Tapuika have been advised that a discharge consent will be required under Regional Council Policy as part of the

future development of the site, and that this would ensure discharge levels will not result in any adverse effects on the adjoining *Ohineangaanga Stream*.

Furthermore, the Lysaght flood modelling/earthworks assessment takes this into account and provides solutions in the form of storm water attenuation/treatment and discharge. As per the servicing report included in Appendix 3.

Nearby Residential Properties

No neighbouring properties have been consulted on the proposal. However, it is noted that the rural land to the north and rural properties to the east are owned by the applicant. The pocket of residential land to the south east, which is the most sensitive land, is separated by the Ohineangaanga Stream corridor and an additional 10m minimum landscape setback, as shown on the Structure Plan map. This, along with the existing stream corridor and existing reserves, is considered to provide a suitable buffer from the future industrial activities. The noise standards applying to the industrial land has standards that apply at sensitive activity boundaries such as the Residential zone (Rule 4C.1.3.2(b)).

It is understood Council will notify all relevant neighbours as part of the private plan change process.

Western Bay of Plenty District Council

Several meetings were held with Council planning team and the assets engineers (Roading, stormwater and wastewater). Key correspondence is included in the attachments to this application and agreed outcomes have been adopted within the Structure Plan (Appendix 14). Key issues relate to the traffic effects, structure integrity of the washer road bridge, and the need for a pedestrian and cycle connection over the Washer Road bridge. Reticulated infrastructure would be developed to connect to Council's reticulation. The development would be self-contained with respect to stormwater management and discharge.

11.0 Conclusion

The proposed Plan Change will provide much needed developed industrial land for Te Puke and the greater Western Bay area. The proposal will consolidate an existing industrial pocket on the periphery of the township and turn a relatively unproductive wedge of rural land into a more economically productive land use, without removing significant rural land from the greater Marshall Farm.

Environmental effects have been considered in the Engineering Servicing Report and shown to be mitigated through on site detention and treatment of stormwater, and slow rate discharge back into the adjacent stream.

Relevant Iwi have been consulted and have shown support for the proposal provided the stream is protected through appropriated rates of discharge, and that a discovery protocol condition is included within any earthworks consent.

Servicing can accommodate the proposal provided necessary upgrades are made regarding waste and power.

Traffic effects are arguably the most contentious matter, due to existing issues that will be exacerbated by the proposal, particularly queues at the intersection of Cameron Road and Jellicoe

Street. This matter will require further studies in collaboration with Council to reach an appropriate solution.

Overall, the proposal is considered a positive change in land use, to facilitate growth of Te Puke, provide for local businesses and provide additional employment.

Appendix 1: Certificate of Title

Appendix 2: Washer Road Business Park Structure Plan

Appendix 2b: Structure Plan with Flood Overlay

[Appendix 3: Lysaght Engineering Servicing Report](#)

Appendix 4: Stantec Transportation Assessment

Appendix 5: CMW Geotech Report

Appendix 6: Waitaha and Tapuika Iwi Consultation

Appendix 7: SmartGrowth Development Trends Report

Appendix 8: Western Bay of Plenty District Industrial Survey 2012

Appendix 9: PowerCo Consultation

Appendix 10: Westlink Bridge Correspondence

Appendix 11: Site Photos

[Appendix 12: Bay of Plenty Regional Council HAIL Correspondence](#)

[Appendix 13: Council's Response to Stantec Traffic Report](#)

Appendix 14 - Proposed Amendments to the Operative District Plan

Appendix 15 – Landscape and Visual Assessment

9.2 DRAFT WASTE MANAGEMENT AND MINIMISATION BYLAW

File Number: A4013220

Author: Tom Rutherford, Policy Analyst

Authoriser: Rachael Davie, Group Manager Policy Planning And Regulatory Services

EXECUTIVE SUMMARY

1. The Committee is asked to consider the adoption of the draft Waste Management and Minimisation Bylaw for public consultation.

RECOMMENDATION

1. That the Policy Analyst's report dated 24 September 2021 titled 'Draft Waste Management and Minimisation Bylaw', be received.
2. That the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.
3. That pursuant to section 155 of the Local Government Act 2002, the draft bylaw is the most appropriate way of addressing the perceived problems, is the most appropriate form of bylaw, and does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
4. That the proposed draft Waste Management and Minimisation Bylaw, and associated draft Statement of Proposal and draft Submission Form is adopted for public consultation in accordance with section 156(1)(b) of the Local Government Act 2002, from 26 October to 26 November 2021.

BACKGROUND

2. In 2020, Council awarded EnviroWaste an eight plus two-year contract to implement and manage the new kerbside collection services, complementing Council's existing community recycling and green waste centres. This service is available to approximately 80 percent of the District and commenced on 1 July 2021.
3. The review of the Waste Management and Minimisation Bylaw is being undertaken to support the Council-led kerbside waste collection services. Council's Waste Management and Minimisation Plan 2017 (WMMP) sets out Council's vision of "Minimising Waste to Landfill." This drives the delivery of the bylaw content.
4. The current Waste Management and Minimisation Bylaw was adopted in 2013. The bylaw's purpose is to promote waste management and minimisation objectives and support the implementation of Council's WMMP, particularly where Council does not have direct control of the waste stream. The purpose of the bylaw is also to promote safe kerbside collection of waste, including recyclables, so that it does not accumulate and become offensive.

5. Bylaws are an important regulatory tool for the District. This bylaw review is the District's opportunity to ensure the bylaw is an effective tool to assist in moving the Western Bay closer to being waste-free. The bylaw allows Council to promote safe kerbside collection of waste and to set out the parameters of waste management in the District (including waste plans for building and demolition projects), the types of waste collected, and how it is collected.

SIGNIFICANCE AND ENGAGEMENT

6. 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.
7. In terms of the Significance and Engagement Policy this decision is considered to be of medium significance because of the nature and scope of the proposed changes, as well as the level of community interest in the Council's kerbside waste collection service and the role of the bylaw in the service.

ENGAGEMENT, CONSULTATION AND COMMUNICATION

8. In determining the consultation requirements for the draft bylaw, Council must consider section 156 of the Local Government Act 2002. Given the nature and scope of the proposed changes to the bylaw, and the assessment of medium significance under the Significance and Engagement Policy, it's recommended that consultation should follow the principles of consultation under section 82 of the Local Government Act 2002.
9. Consultation is proposed for 1 calendar month from Tuesday 26 October to Friday 26 November 2021. This timeframe enables the bylaw consultation period to be completed prior to the end of the year.
10. It is proposed to engage with the community through media releases and feedback via Council's Have Your Say website. It is proposed that Council enables interested submitters to speak to their submission through a hearing-style opportunity in the Council Chambers on 9 December 2021, at the start of the Policy Committee meeting. Submitters will need to register to attend.

ISSUES AND OPTIONS ASSESSMENT

11. There are two options for consideration, the advantages and disadvantages are outlined briefly below.

Option A

That the Committee adopt the draft Waste Management and Minimisation Bylaw, draft Statement of Proposal and draft Submission Form for consultation.

<p>Assessment of advantages and disadvantages including impact on each of the four well-beings</p> <ul style="list-style-type: none"> • Economic • Social • Cultural • Environmental 	<p><u>Advantages:</u></p> <ul style="list-style-type: none"> • The community can provide feedback on the draft bylaw and Council may reconsider its position on any matters raised. • The bylaw as drafted is an important regulatory tool to manage and minimise waste in the District. Environmentally, the diversion of unnecessary waste to landfill will have positive impacts to the District. • The proposed changes to the bylaw enable Council to take a more proactive role in relation to waste at large scale events, and enables further engagement with local industry about construction and demolition waste. <p><u>Disadvantages:</u></p> <ul style="list-style-type: none"> • No significant disadvantages, given the nature of the proposed changes.
<p>Costs (including present and future costs, direct, indirect and contingent costs).</p>	<p>Staff time will be required to deal with queries from the community about the proposed changes to the bylaw and to progress the subsequent stages of the bylaw review. These costs can be managed within existing staffing and budgets.</p>
<p style="text-align: center;">Option B</p> <p style="text-align: center;">That the Committee <u>does not</u> adopt the draft Waste Management and Minimisation Bylaw, draft Statement of Proposal and draft Submission Form for consultation.</p>	
<p>Assessment of advantages and disadvantages including impact on each of the four well-beings</p> <ul style="list-style-type: none"> • Economic • Social • Cultural • Environmental 	<p><u>Advantages:</u></p> <ul style="list-style-type: none"> • Consultation costs will be delayed. <p><u>Disadvantages:</u></p> <ul style="list-style-type: none"> • The bylaw will not be reviewed, consulted on and adopted in a

	<p>timely manner. The Council-led kerbside waste collection service will continue to operate under the 2013 waste bylaw and therefore Council may be compromised in terms of having effective regulatory tools.</p> <ul style="list-style-type: none"> • Council will have to undertake a bylaw review in any event by 2023 as per requirements in the Local Government Act 2002.
Costs (including present and future costs, direct, indirect and contingent costs).	If the bylaw review is delayed the Committee may need to revisit issues it has already considered and more staff time may be required.

STATUTORY COMPLIANCE

12. Waste Management and Minimisation planning legislation is primarily provided by the following three Acts: Local Government Act 2002, Waste Minimisation Act 2008 and Litter Act 1979.
13. The Local Government Act 2002 allows for general bylaw-making power for Territorial Authorities. When making, amending, or revoking bylaws made under the Local Government Act 2002, Council must meet the consultation requirements set out in the Act.
14. The Waste Minimisation Act 2008 encourages a reduction in the amount of waste we generate and dispose of in New Zealand. The aim of the Act is to reduce the environmental harm of waste and provide economic, social and cultural benefits for New Zealand. Section 56 of the Waste Minimisation Act 2008 allows for Territorial Authorities to make bylaws.
15. The Litter Act 1979 allows Councils to prosecute the placing, throwing, or dropping of litter. The same applies to litter that is thrown, dropped or escapes from any vehicle or trailer. The definition of litter includes refuse, rubbish, animal remains or waste matter.
16. Section 155 of the Local Government Act 2002 states that, when reviewing a bylaw, Council must be satisfied that the bylaw:
 - a) Is the most appropriate way of addressing the perceived problem;
 - b) Is the most appropriate form of bylaw;
 - c) Does not give rise to any implications under the New Zealand Bill of Rights Act 1990 (NZBORA), nor is inconsistent with that Act.
17. In relation to (a), the draft bylaw is considered to be appropriate. The matters in this bylaw are of importance to the community in terms of public health and

safety, distress and nuisance to the community, and for environmental protection. The proposed bylaw is considered to be consistent with the approach taken by other councils of a similar size and nature.

18. In relation to (b), the draft bylaw is consistent with Council document standards and has been written in plain English so far as possible. It is therefore considered to be the most appropriate form of bylaw. The bylaw is based on the model bylaw formulated by the Waikato and Bay of Plenty Waste Liaison Group to improve bylaw consistency across these regions.
19. In relation to (c), the proposed amendments to the draft Waste Management and Minimisation Bylaw are not considered to give rise to any implications under the NZBORA.
20. The amendments proposed to the draft bylaw are consistent with Council's other policies, strategies and plans.

FUNDING/BUDGET IMPLICATIONS

21. No adverse funding/budget impacts are expected to arise as a result of the proposed changes to the bylaw. The bylaw review can be completed within existing budgets and resourcing.

ATTACHMENTS

1. **Statement of Proposal - Waste Management and Minimisation Bylaw** [↓](#) 
2. **Draft Waste Management and Minimisation Bylaw** [↓](#) 
3. **Submission Form - Waste Management and Minimisation Bylaw** [↓](#) 



Draft Waste Management and Minimisation Bylaw 2021

Statement of Proposal

Statement of Proposal

Waste Management and Minimisation Bylaw

October 2021

Privacy Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.

Introduction

Western Bay of Plenty District Council is reviewing its Waste Management and Minimisation Bylaw 2013 and is seeking your views on the proposed changes.

This bylaw covers matters relating to Council's waste management and minimisation. Its key purpose is to promote waste management and minimisation objectives and support the implementation of Council's Waste Management and Minimisation Plan, particularly where Council does not have direct control of the waste stream.

In reviewing the Waste Management and Minimisation Bylaw, we've identified some changes that could be made to ensure better alignment between our plans and services. This Statement of Proposal summarises the proposed changes to the bylaw.

Consultation starts on Tuesday 26 October and ends on Friday 26 November 2021.

Reasons for the proposal

The reasons for reviewing the bylaw are:

- Ensure that it is fit for purpose with the change in demographics and growth in the District since the bylaw was last reviewed in 2013;
- Introduce a framework for construction and demolition and event waste;
- Address bylaw implementation issues to enable effective enforcement; and
- Support Council's kerbside waste collection service.

Summary of proposed changes

There are a number of changes proposed in the draft bylaw. The main areas of change proposed in the Waste Management and Minimisation Bylaw are:

- **Support for Council-led kerbside waste collection service:** The draft bylaw has been updated to include greater detail in support of the Council-led kerbside waste collection service.
- **Enforcement:** This section has been amended and updated to better reflect the model bylaw, used as the basis for most Local Government Waste Management and Minimisation Bylaws.
- **Construction and demolition waste:** This covers all construction and demolition waste activities which can generate substantial quantities of waste material. Much of this waste material is recoverable such as concrete, timber, plasterboard, brick and metal.

Statement of Proposal

Waste Management and Minimisation Bylaw

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The current bylaw does not specifically address the management of construction and demolition waste. The draft bylaw provides the framework for Council to require in the future the preparation of a waste management plan for approval prior to the commencement of consented building works. Council may require any person applying for a building consent, whether it is a small build, high value build, or demolition works, to submit a waste management plan to Council for approval prior to the commencement of work.

The introduction of a control to require the preparation of site waste management plans would be a decision of Council in the future, the bylaw only gives the power to do this. There will be further engagement with the local building industry to inform the types of building work that this requirement would apply to.

We are also aware that more work needs to be done sub-regionally to identify appropriate facilities for construction and demolition waste.

The aim is to ensure that the construction and demolition works taking place in the District are actively managing their waste and ensures consideration of waste issues early in the construction and/or demolition process, which is delivering on waste minimisation goals.

- **Event waste:** Requiring significant events (of more than 500 people) to provide for proper disposal of waste. This includes the use of recyclable, compostable and reusable material at these events to decrease the total waste sent to landfill. Any organiser of a significant event must obtain prior approval from Council for an Event Waste Management and Minimisation Plan. On completion of the event, the organiser must provide the Council with a report on the implementation of the Event Waste Management and Minimisation Plan.
- **Multi-unit developments:** The draft bylaw requires the owner and/or manager of a multi-unit development to make adequate provision for the management of all waste and recycling generated within the premises. This includes arrangements for the regular collection of waste to the satisfaction of Council.
- **Editorial changes:** Several changes have been made to aid in clarity.

The draft bylaw is provided alongside this Statement of Proposal.

Statement of Proposal

Waste Management and Minimisation Bylaw

October 2021

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Special considerations under the Local Government Act

There is no legislative requirement to have these bylaws in place, however, the Local Government Act 2002 enables councils to implement and enforce bylaws for the purpose of managing and regulating our waste management and minimisation.

Is a bylaw the appropriate means to deal with the problem?

Council considers that a bylaw is the most appropriate tool to regulate and manage our waste management and minimisation. The matters in this bylaw are of importance to the community in terms of public health and safety, distress and nuisance to the community and for environmental protection. The proposed bylaw is considered to be consistent with the approach taken by other Councils of a similar size and nature.

Is the bylaw in the appropriate form?

The draft bylaw focuses on identified issues and is customised to suit the particular circumstances of the Western Bay of Plenty District. The draft bylaw enables Council to manage and minimise waste. The draft bylaw is consistent with Council document standards and is based on the model bylaw formulated by the Waikato and Bay of Plenty Waste Liaison Group.

Is the bylaw consistent with the New Zealand Bill of Rights?

The Bill of Rights protects the human rights and fundamental freedoms of all people in New Zealand. It is considered that the draft bylaw does not give rise to any implications under the Bill of Rights.

Have your say – we need your feedback by 4pm on Friday 26 November 2021

Please tell us what you think of what's proposed in the draft bylaw.

You can do this by:

- Entering it online at: <https://haveyoursay.westernbay.govt.nz>
- Posting it to: *Waste Management and Minimisation Bylaw Review, Western Bay of Plenty District Council, Private Bag 12803, Tauranga 3143.*
- Emailing it to: haveyoursay@westernbay.govt.nz
- Delivering it to:
 - Western Bay of Plenty Barks Corner Office, 1484 Cameron Road, Greerton
 - Te Puke Library and Service Centre, 130 Jellicoe Street, Te Puke
 - The Centre – Pātuki Manawa, Katikati Library, Service Centre and Community Hub, 21 Main Road, Katikati
 - Waihi Beach Library and Service Centre, 106 Beach Road, Waihi Beach
 - Ōmokoroa Library and Service Centre, 28 Western Avenue, Ōmokoroa

Feedback forms are available online, at our service centres listed above, or through calling the Council (07 571 8008) to request a hard copy.

Giving effective feedback

Online and hard copy submission forms provide the opportunity to express your views on the proposals. These forms include a question on the key changes we are consulting on, and ask for your opinion on it. You may also wish to comment on specific clauses of the draft Bylaw, and state why the clause is supported, not supported, or how it could be amended.

If you would like to speak to your submission in person on Thursday 9 December, please email haveyoursay@westernbay.govt.nz or phone 07 571 8008 by no later than Tuesday 7th December, or make sure you have ticked the box on the submission form.

What happens next?

Council will acknowledge in writing or by email (if provided) the receipt of your feedback and all feedback will be considered through Council's deliberations process. All submitters who provided email or postal details will receive a decision document.

Bylaw review timeframes:

- Period for feedback opens: Tuesday 26 October 2021
- Period for feedback closes: Friday 26 November 2021

Statement of Proposal

Waste Management and Minimisation Bylaw

October 2021

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Draft Waste Management and Minimisation Bylaw 2021

October 2021

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1. Authority

- 1.1 This Bylaw is made pursuant to section 56 of the Waste Minimisation Act 2008, sections 145 and 146 of the Local Government Act 2002, section 64 of the Health Act 1956, and section 12 of the Litter Act 1979.

2. Title

- 2.1 The title of this Bylaw is the [Draft] Western Bay of Plenty District Council Waste Management and Minimisation Bylaw 2021.
- 2.2 This Bylaw applies within the boundaries of the Western Bay of Plenty District.
- 2.3 This Bylaw comes into force on [XXX].

3. Revocation

- 3.1 This Bylaw revokes and replaces the Western Bay of Plenty District Council Waste Management and Minimisation Bylaw 2013.

4. Validation

- 4.1 The Western Bay of Plenty Waste Management and Minimisation Bylaw 2021 was duly made at a meeting of the Western Bay of Plenty District Council on [XXX].

5. Savings

- 5.1 All approvals, permits, and other acts of authority (including any resolutions of the Council) which originated under the Western Bay of Plenty District Council Waste Management and Minimisation Bylaw 2013, and all applications, and other acts of parties and generally all documents, matters, acts, and things which so originated and are continuing at the commencement of this Bylaw, continue for the purposes of this Bylaw to have full force and effect.
- 5.2 The revocation of the Western Bay of Plenty District Council Waste Management and Minimisation Bylaw 2013 does not prevent any legal proceedings, criminal or civil, being taken to enforce that Bylaw and such proceedings continue to be dealt with and completed as if the Bylaw had not been revoked.

6. Interpretation

6.1 In this Bylaw, unless the context requires otherwise, the following definitions apply:

Term:	Definition:
Accessway	Has the same meaning as in section 315 of the Local Government Act 1974.
Act (the Act)	Waste Minimisation Act 2008.
Approved	Authorised in writing by the Council.
Approved container	Any container (including bags) that has been approved by the Council for the collection of any type of waste, with approval based on the following criteria: the prevention of nuisance, the protection of the health and safety of waste collectors and the public, and the achievement of effective waste management and minimisation.
Authorised officer	Any officer of the Council or other person authorised by the Council to administer and enforce its Bylaws, and any person appointed especially or generally by the Council to enforce the provisions of this Bylaw.
Building work	As defined in the Building Act 2004 and includes any work for, or in connection with, the construction, alteration, demolition, or removal of a building. It can include sitework and design work relating to the building work.
Cleanfill material	Waste that: (a) does not undergo any physical, chemical or biological transformation that, when deposited or with the effluxion of time, is likely to have adverse effects on

the environment or human health; and

(b) is not diverted material; and

(c) includes materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of:

(i) combustible, putrescible, degradable or leachable components;

(ii) hazardous waste;

(iii) products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices;

(iv) materials that may present a risk to human health or the environment; and

(v) liquid waste; and

(d) has less than two percent by volume by load of tree or vegetable matter.

Cleanfill site	The facility used for the disposal of cleanfill material.
Commercial Property	Any property used for business, manufacture, process, trade, market or other undertakings.
Commercial waste	Waste that results from a commercial enterprise and includes waste generated by the carrying on of any business, manufacture, process, trade, market, or other undertakings
Construction and demolition waste	Waste generated from any building work (including construction, renovation, repair or demolition); and includes but is not limited to concrete, plasterboard, insulation, nails, wood, steel, brick, paper, roofing materials, wool/textiles, cardboard, metals, plastic or glass, as well as any waste originating from site preparation, such as dredging materials, tree stumps,

asphalt and rubble.

Council or District Council	The Western Bay of Plenty District Council or any person delegated or authorised to act on its behalf.
Council collection points	Places or containers where approved containers may be left for collection or waste may be deposited if collection from a public place is unfeasible or impractical.
Deposit	To cast, place, throw or drop any waste or diverted material.
Dispose or Disposal	As defined in the Waste Minimisation Act 2008
Disposal facility	A facility, including a landfill, at which waste is disposed of and which operates, at least in part, as a business to dispose of waste, but does not include a cleanfill site.
District	The area administered by the Western Bay of Plenty District Council.
Diverted material	As defined in the Waste Minimisation Act 2008.
Domestic waste	Waste consisting of refuse, recyclable material or organic matter (food waste and/or greenwaste) originating from any household or from the cafeteria, lunchroom or canteen of any commercial enterprise.
Donation collection point	Place where approved types of waste may be deposited for the purposes of raising funds from the waste items.
Estimated value	As defined in the Building Act 2004.
Event	Any organised temporary activity of significant scale that is likely to create litter and includes (but is not

limited to) an organised gathering, open-air market, parade, sporting event, protest, festival, film shoot, concert or celebration. An event will be considered significant if it has an expected attendance of 500 or more people across the duration of the event, whether it be a single or multi-day event. Events involve large groups of people either as participants or spectators. For the purpose of this Bylaw 'event' excludes:

- Indoor private functions
- Indoor tasting and sampling activities
- Indoor performances, markets, displays, exhibitions or conferences
- Any regularly occurring recreational activities such as weekly sporting events.
- Open-aired events that are enclosed within a building or structure.

This definition applies only where the activity is not covered by another definition/activity in the District Plan.

Food waste	Waste that is derived from any item of food and is organic in origin and free of contamination and includes fruit and vegetable scraps, meat, fish and bone discards, and any other similar food waste.
Footpath	The same meaning as in section 315 of the Local Government Act 1974.
Green waste	Compostable plant material including lawn clippings, weeds, plants and other soft vegetable matter, which by nature or condition, and being free of any contaminants will degenerate into compost. This does not include flax, bamboo, pampas, flowering gorse, palm trees or cabbage trees.
Handling waste	Removing, collecting, transporting, storing, treating, processing or disposing of waste.

Hazardous waste	Waste that is reasonably likely to be or contain a substance that meets 1 or more of the classification criteria for substances with explosive, flammable, oxidising, toxic, corrosive or ecotoxic properties under the Hazardous Substances (Classification) Notice 2017. Hazardous waste does not include household waste, inorganic material, construction and demolition waste, or commercial or industrial waste.
Home composting	The activity of creating decaying organic matter from domestic green waste and/or food waste into compost.
Household waste	Waste consisting of recyclable material, organic waste or residual waste originating from any residential household but does not include, commercial or industrial waste, prohibited waste, hazardous waste, trade waste, liquid waste, or construction and demolition waste.
Illegal dumping	The disposal of waste in an unauthorised or non-dedicated area.
Inorganic waste	<p>Waste consisting of household equipment, furniture, appliances and material of a similar type that due to its nature or size cannot be collected as domestic waste in an approved container, and that is specified by the Council as suitable for:</p> <ul style="list-style-type: none">(a) collection from a public place by the Council;(b) collection from any premises by the Council; or(c) delivery to a resource recovery facility
Licence	A licence, consent, permit or approval to do something under this Bylaw and includes any conditions to which the licence is subject.
Litter	Includes any refuse, rubbish, animal remains, glass, metal, garbage, debris, dirt, filth, rubble, ballast, stones, earth, or waste matter, or any other thing of a like nature.

Litter container	A container provided for the collection of litter.
Manager	A person who controls or manages any premises, activity, or event, regardless of whether that person has a proprietary interest in those premises or that activity or event. This includes a Body Corporate.
Multi-unit development	A development consisting of two or more separately occupied residential units, whether in the same building or in separate buildings, and held either in common ownership or in separate ownership. This includes a unit title development, a mixed-use premises with business activities, and any development with controlled or restricted access, such as a gated community.
Nuisance	A nuisance in terms of the Health Act 1956.
Occupier	In relation to any property or premises, the inhabitant occupier of that property or premises and, in any case where any building, house, tenement, or premises is unoccupied includes the owner.
Organic matter	Food waste and/or green waste that is specified by the Council under clause 6 of this Bylaw as organic matter
Owner	In relation to any property or premises, the person entitled to receive the rack rent of the property or premises, or who would be so entitled if the property or premises were let to a tenant at a rack rent.
Person	An individual, a corporation sole, a body corporate, and an unincorporated body.
Premises	Any separately occupied land, dwelling, building, or part of the same.

Prohibited waste Waste containing:

- (a) any material capable of causing injury to any person or animal unless the material is sufficiently contained to prevent injury;
- (b) any material capable of causing damage to the approved container or likely to shatter in the course of collection material unless the material is sufficiently contained to prevent damage to the approved container or to prevent injury;
- (c) any material that may endanger any person, animal or vehicle which may come in to contact with it prior to, during or following collection, transportation or disposal;
- (d) any radioactive wastes, but excluding domestic smoke detectors;
- (e) any used oil and lead-acid batteries;
- (f) any hazardous waste;
- (g) medical waste;
- (h) any material identified by the Council under clause 6 of this Bylaw as posing an unacceptable risk of nuisance to the public or to public health and safety, subject to a control made under clause 9 below.
- (a)

Public place

Recovery

As defined in the Waste Minimisation Act 2008

Recyclable material

The types of waste that are able to be recycled and that may be specified by the Council from time to time under this Bylaw.

Recycling

As defined in the Waste Minimisation Act 2008

Reserve

Any open space, playing field, plantation, park, garden or ground set apart for public recreation or enjoyment which is under the management or control of the

	Council and includes any Facility, structure or building within those reserves.
Road	The same meaning as in section 315 of the Local Government Act 1974.
Rural	Any areas zoned and/or defined in the Western Bay of Plenty District Plan as rural.
Site	For the purposes of this Bylaw means an area of land that is the subject of an application for a building consent or an area of land where a specific development or activity is located or is proposed to be located.
Specified intended life	As defined in the Building Act 2004.
Treatment	As defined in the Waste Minimisation Act 2008.
Waste	As defined in the Waste Minimisation Act 2008.
Waste collector	A person or entity who collects or transports waste and includes commercial and non-commercial collectors and transporters of waste (for example, community groups and not-for-profit organisations); but does not include individuals who collect and transport waste for personal reasons (for example, a person taking household garden waste to a waste management facility).
Waste Container	Container utilised for the collection of waste.
Waste management facility	A facility, authorised by Council, which primarily provides waste management and disposal services or waste remediation and materials recovery services, in relation to solid waste. Includes but is not limited to waste transfer stations, resource recovery stations, recycling

centres, composting facilities, landfills or cleanfill sites, or hazardous waste facilities.

Waste management facility operator A person who owns or manages a waste management facility.

Waste management and minimisation plan A waste management and minimisation plan adopted by the Council under section 43 of the Waste Minimisation Act 2008.

Waste operator A person who is a waste operator or operates a waste management facility.

Waste remediation and materials recovery services The remediation and clean up of contaminated buildings and mine sites, mine reclamation activities, removal of hazardous material and abatement of asbestos, lead paint and other toxic material. This also includes recovery, sorting, and/or storage services in relation to waste.

Waste treatment and disposal services The treatment or disposal of waste (including hazardous waste), including the operation of landfills, combustors, incinerators, compost dumps and other treatment facilities (except sewage treatment facilities), and waste transfer stations.

7. Purpose

- 7.1 The purpose of this Bylaw is to support the management and minimisation of waste by:
- (a) The promotion and delivery of effective and efficient waste management and minimisation in the Western Bay of Plenty District as required under the Waste Minimisation Act 2008;
 - (b) Supporting the implementation of Council's Waste Management and Minimisation Plan;

- (c) Upholding the purpose of the Waste Minimisation Act and the goals in the New Zealand Waste Strategy;
- (d) The regulation of waste collection, removal, transport, disposal and processing of waste;
- (e) The protection of the health and safety of waste collectors, waste operators and the public; and
- (f) The management of litter and nuisance relating to waste in public places.

8. Compliance with Bylaw

- 8.1 No person may deposit, collect, transport, sort, store, process or dispose of waste other than in accordance with this Bylaw.
- 8.2 To avoid doubt, compliance with this Bylaw does not remove the need to comply with all other applicable Acts, regulations, Bylaws, and rules of law.

9. Controls

- 9.1 The Council may make, amend or revoke controls for the safe and efficient operation of waste collections services from a public place.
- 9.2 The controls made by Council in clause 9.1 may only relate to the following matters:
 - a) The type, size, capacity/volume, weight, number, colour and construction of approved containers that may be used for the disposal, storage and collection of waste and recyclable material;
 - b) The types of household waste that may be treated for all purposes (including deposit, collection, transportation and disposal) as recyclable, organic waste, or other residual waste;
 - c) The types and categories of waste that may be deposited in approved containers;
 - d) The conditions applicable to any collection service from a public place, including the placement and retrieval of approved containers for collection, collection days and times, and restrictions on the number and weight of approved containers;

- e) Requirements to ensure the correct separation of wastes into approved containers, including content control messaging and symbology on an approved container that specifies the permitted and prohibited content;
- f) Maximum allowable limits of a specified waste type that may be deposited, collected or transported from a public place in an approved container;
- g) Maximum allowable limits of a waste type that may be placed in a container that is approved for another type of waste;
- h) Types of waste that are prohibited;
- i) The locations, access times and conditions of use of approved collection points;
- j) Requirements relating to the safe and secure transportation of waste;
- k) Requirements applicable to waste service users and/or to waste handling and collection if traffic or pedestrian safety have the potential to be adversely impacted by the deposit of material in a public place or by waste servicing operations; and
- l) Any other operational matter required for the safe and efficient operation of a waste collection service from a public place.

9.3 Any control made, amended or revoked under clause 9.1:

- a) Must be made by a resolution of Council that is publicly notified; and
- b) May:
 - i. prohibit, restrict, or control any matter or thing generally, for any specific category or case, or in a particular case;
 - ii. apply to all waste or to any specified category of waste; and
 - iii. apply to the District or to a specified part of the District; and/or
 - iv. apply at all times or at any specified time or period of time.

10. Collection, transportation, processing, and disposal of waste

10.1 General responsibilities

- 10.1.1 The occupier and/or the manager of a premises must ensure that the domestic waste from the premises is separated into waste types as determined by the Council, and deposited for collection in the correct approved container. No person may deposit material in a container that is not approved for that type of container.
- 10.1.2 The occupier and/or the manager of any premises must ensure that:
- (a) reasonable steps are taken to prevent waste or recycling escaping from any container;
 - (b) waste from the premises has no more than a minimal adverse effect on neighbouring occupiers;
 - (c) any waste container is regularly emptied when it is full;
 - (d) the contents of any waste container, excluding containers for green waste and glass recycling, are protected from rain or ingress or egress of flies and animals; and
 - (e) steps are taken to ensure that no waste is deposited in or about any building or its surrounding area (including kerbside) except in accordance with this Bylaw.
- 10.1.3 The occupier and/or the manager of any premises who is in control of an approved container must ensure that:
- (a) the container is kept in a safe location, hygienic, in good repair, and without any modifications or alterations to its appearance;
 - (b) the contents of any approved container do not seep or escape so as to be injurious or dangerous to health, cause an offensive smell or be a source of litter;
 - (c) if required, waste is deposited in the container in a manner that allows the whole of the contents to fall out easily and cleanly when the container is emptied;
 - (d) the container is placed upright either at an approved collection point, in front of the premises from which the waste originated and as close to the kerbside as possible;
 - i. from time to time, the Council and/or the waste operator may advise the occupier and/or manager of a different collection point to the one in front of their premises due to safety of collection or for ease of access.

- (e) reasonable steps are taken to prevent the container disrupting or obstructing pedestrian and vehicular traffic and to preserve access to the premises; and
 - (f) the container is placed for the collection of waste and retrieved in accordance with any applicable control specified by the Council.
- 10.1.4 No person may:
 - (a) put waste into an approved container provided to any other person, without that other person's consent;
 - (b) remove waste from, or interfere with any waste deposited in an approved container, except the Council, a licensed waste collector or the person who deposited the waste;
 - (c) remove or interfere with any mode of identification of any approved container;
 - (d) remove a container provided by the Council from the premises to which it has been allocated, except with the prior written approval of the Council.
- 10.1.5 The occupier and/or the manager of any premises is responsible for any waste generated on the premises until it has been collected.
- 10.1.6 The occupier and/or the manager of any premises is responsible for any waste not collected because of non-compliance with this Bylaw. Any waste or recyclables shall be returned to the occupier's premises by noon on the day following collection day and alternative arrangements for disposal shall be made by the occupier and/or manager as soon as practicable.
- 10.1.7 The occupier and/or the manager is responsible for approved containers. If the occupier and/or manager's waste collection service is withdrawn or suspended then the waste container provided for the purposes of kerbside waste collection will remain the property of the kerbside waste operator. The waste containers must remain with the property unless Council and/or the waste operator advises otherwise. Council reserves the right to charge to replace any containers that are lost, stolen or damaged.

10.2 Licensing waste collection and waste management facility operators

- 10.2.1 The following waste operators must have a waste operator licence issued by the Council and must not collect waste if they do hold such a licence:

- a) Any waste collector who collects and/or transports waste from land in the District:
 - i. in a quantity of at least 30 tonnes of waste in any one twelve month period in, around or out of the Western Bay of Plenty District; and/or
 - ii. waste management facility operator with a facility in the District of Western Bay of Plenty that handles more than 30 tonnes of waste in any one twelve month period;
 - iii. must have a current licence that has been issued by the Council and may not collect waste or operate a waste management facility (as the case may be) without such a licence.
- 10.2.2. An application for a waste operator licence must be made on the application form which is available from the Council, and must be accompanied by any application fee and the information required by the Council to process the application.
- 10.2.3. The holder of an existing licence may apply to the Council for a renewal of that licence. A licence is personal to the holder and is not transferable.
- 10.2.4. A licence may be granted or refused at the discretion of the Council, and if granted may be on such terms and conditions as the Council deems appropriate.
- 10.2.5. When considering a licence application, the Council may take into account matters including but not limited to:
 - (a) The extent to which the licenced activities will promote public health and safety, and support achievement of the Council's waste management and minimisation plan, including goals and initiatives within that plan;
 - (b) The quantity and type of waste to be handled;
 - (c) The methods employed for the handling of the waste;
 - (d) The frequency and location of the waste collection, removal and transportation services;
 - (e) The specifications of the vehicles, equipment, and containers to be used for the handling of waste;

- (f) The applicant's experience, reputation, and track record in the waste and diverted material industry, including any known past operational issues which may affect the applicant's performance, and any breaches of previous licence conditions; and
- (g) The terms and conditions under which any disposal of waste is permitted and the existence of, or need for, any statutory approvals, authorisations, or consents required to be held or complied with in respect of such disposal.

10.2.6. A licenced waste operator must comply with all terms and conditions of the licence. These conditions may include, but are not limited to, the following matters:

- (a) Term – a licence may be granted for a term of up to 5 years;
- (b) Licence fee – the licensee must pay an annual licence fee in an amount determined by the Council's annual fees and charges;
- (c) Bond – the Council may, on a case by case basis, require a licence holder to post a bank-guaranteed bond;
- (d) Compliance with standards – the licence holder must comply with any standards or policies the Council has set for waste handling including but not limited to:
 - i. Provision of waste collection services within reasonable times specified by Council;
 - ii. Provision of appropriate approved containers for waste collection which clearly identify the waste collector's name and contact details;
 - iii. The collection of any litter within a specified distance of an approved container awaiting collection and any litter spillage from the licence holder's vehicle during the collection, transportation or disposal process; and
- (e) Provision of information – the licence holder must provide data relating to waste they have handled to the Council during the term of their licence, in the form and at the times determined by the Council, which may include:
 - i. The quantities of various waste categories that have been handled by the waste operator during a period of time;
 - ii. Weighbridge receipts;
 - iii. Gate records of waste tonnage.

10.2.7. The Council will take all reasonable steps to keep commercially sensitive information confidential, for example by aggregating such information for reporting purposes.

10.2.8. The Council may suspend or revoke a licence if the licence holder fails to comply with this Bylaw, any of the terms or obligations of the licence, any relevant controls made under this Bylaw, or acts in a manner which the Council considers, on reasonable grounds and in light of the purpose of this Bylaw, is not suitable for the holder of a waste operator licence.

10.3 General controls on the collection, transportation, and disposal of waste

10.3.1 Collections from a public place

10.3.1.1. Any person providing or using a waste collection service in or from a public place must comply with this Bylaw.

10.3.1.2. Waste collection with a collection service may not be placed on a public place for collection unless it is:

- (a) domestic waste;
- (b) green waste; or
- (c) any other type of waste determined by the Council as able to be placed on a public place for collection.

10.3.1.3. Prohibited waste, diverted material, construction and demolition waste or commercial waste may not be placed in a public place for collection unless authorised by the Council under this Bylaw.

10.3.1.4. Any waste operator who collects or transports waste from a public place must ensure waste containers provided clearly differentiate the waste operators' containers from the containers of other operators.

10.3.1.5. Any waste operator who collects or transports waste from a public place must:

- (a) make available to the occupier and/or manager of a premises one or more approved containers to enable separate collection of each of the waste types required to be separately collected from the premises;
- (b) not collect any prohibited or domestic waste that is prohibited from being collected. This includes:

- i. Any explosives, hot ashes, flammable material or other dangerous objects;
 - ii. Any liquid, whether in a container or otherwise, or any viscous fluid included used oil;
 - iii. Any radioactive waste, but excluding domestic smoke detectors;
 - iv. Any lead-acid batteries (car/boat/truck batteries);
 - v. Any compressed gas cylinders, excluding aerosol cans;
 - vi. Any hazardous or toxic waste;
 - vii. Any hazardous or Controlled Healthcare Waste as defined in NZS 4304:2002.
 - (c) not collect any waste container that exceeds the maximum allowable weight limits specified by the Council;
 - (d) following collection, ensure that any container is placed so that it does not disrupt or obstruct pedestrian, wheelchair or vehicular traffic, and so that access to the premises is preserved.
- 10.3.1.6. The Council may specify controls for the following matters in relation to the collection or transportation of waste from a public place:
- (a) the area to which the control applies;
 - (b) the type, size, colour, and construction of approved containers that may be used for the storage and collection of waste;
 - (c) the types of waste that may be collected in various types of approved container;
 - (d) the categories of wastes that may be deposited at or collected from a public place;
 - (e) the placement and retrieval of approved containers for collection, collection days and times, and restrictions on the number and weight of approved containers;
 - (f) requirements to ensure the correct separation of categories of wastes into approved containers;
 - (g) the locations, access times and conditions of use of Council waste collection points;
 - (h) any other operational matter required for the safe and efficient operation of a collection service from a public place.
- 10.3.1.7. Any person providing or using a waste collection service in or from a public place must comply with all controls made by the Council relating to that collection.

10.3.2 General Controls

10.3.2.1. The Council may specify controls for the following matters in relation to the collection, transportation or disposal of waste from any property:

- (a) Types of domestic waste that may be treated for all purposes (including deposit, collection, transportation, and disposal) as recyclable material, organic matter, or refuse;
- (b) maximum allowable limits of a specified waste type that may be collected or transported from a public place in an approved container for refuse and that subsequently may be disposed of;
- (c) maximum allowable limits of a waste type that may be placed in an container approved for another waste type;
- (d) types of waste that may be handled at any class 1 – 4 landfill and material that may be used as cover material at any such site;
- (e) materials that may be used as natural or other hardfill material at a clean fill site;
- (f) types of waste that are prohibited.

10.3.3 Council collection points

10.3.3.1. No person may deposit waste at a Council collection point other than in accordance with any applicable Council control.

10.3.3.2. The Council may specify:

- (a) any place, or container in a public place or on a barge in a marine area, as a Council collection point for the collection of domestic waste; and
- (b) controls relating to the deposit of waste at the Council collection point including the use of specified containers.

10.3.4 Multi-unit developments

10.3.4.1. The owner and/or manager of a multi-unit development must make adequate provision for the management of all waste and recycling generated within the premises. This includes arrangements for the regular collection of waste to the satisfaction of Council.

10.3.4.2. For any multi-unit development for which building consent is granted must be accompanied by a development waste management and minimisation plan supplied by the owner and/or manager to the satisfaction of Council, which must include:

- (a) identification of an adequate area on the premises for the storage of containers that is readily accessible to the occupiers of units and to a licensed waste operator to enable separate collection and transportation of refuse, recyclable material and/or organic matter;
- (b) the methods to be used to minimise noise and odour and to keep the area hygienic, free from vermin or other infestations and protected from theft and vandalism;
- (c) identification of the means and route of access and egress to the waste storage area;
- (d) an estimate of the volumes of refuse, recyclable material and organic matter that will be generated; and
- (e) any relevant further steps taken to achieve the objective of waste minimisation.

10.3.4.3. Any person who owns, occupies or manages a multi-unit development must comply with the approved development waste management and minimisation plan for that development.

10.3.4.4. The Council may, on application, grant a written exemption from compliance if:

- (a) in the opinion of the Council, the costs of full compliance would be disproportionate to any resulting waste management and minimisation benefits; or
- (b) the manager or owner demonstrates to the satisfaction of the council that refuse, recyclable material and organic waste are separately and regularly collected.

10.3.4.5. The Council may specify controls for the following matters in relation to the collection or transportation of waste from multi-unit developments:

- (a) the categories of recyclable material, organic matter and refuse that may be deposited at or collected from a multi-unit development;
- (b) the times, locations and conditions applicable to any collection service from a multi-unit development, including the placement and retrieval of containers for collection, collection times and restrictions on the number and weight of approved containers;
- (c) requirements to ensure the correct separation of refuse, organic matter and recyclable materials into containers; and/or

- (d) any other operational matter required for the safe and efficient operation of a collection service from a multi-unit development.

10.3.4.6. Any person who manages a multi-unit development or owns or occupies a unit in a multi-unit development must comply with any controls for the deposit, collection, transportation and management of waste in the multi-unit development made by the Council.

10.3.5 Events

10.3.5.1. Any organiser of an event must obtain prior approval from the Council for an Event Waste Management and Minimisation Plan for the event.

10.3.5.2. The Event Waste Management and Minimisation Plan must set out:

- (a) an estimate of the types and amounts of waste to be generated by the event;
- (b) how waste generated by the event is to be minimised;
- (c) the steps to maximise the collection and use of recyclables and reusable material;
- (d) the equipment to be provided for the storage, collection and transportation of waste and diverted material;
- (e) the person responsible for the collection and disposal of waste and the methods to be used;
- (f) the requirement to provide a waste analysis following the conclusion of the event;
- (g) the timing and frequency of the collection of waste, during or after the event; and
- (h) any other matters relating to event waste management and minimisation that may be specified by the Council.

10.3.5.3. The organiser of an event must comply with the approved event waste management and minimisation plan approved by Council for the event.

10.3.5.4. On completion of the event, the organiser must provide the Council with a report on the implementation of the Event Waste Management and Minimisation Plan, including:

- (a) a waste analysis which sets out the predicted and actual types and amounts of waste generated by the event; and
- (b) which waste management facility was used to recover, recycle, treat or dispose of this waste.

10.3.6 Construction site and demolition waste

10.3.6.1. Council may make a control under this Bylaw to require any person that is applying for a building consent for building work exceeding a set estimated value to submit a site waste management plan to the Council for approval as part of the building consent application process and prior to the commencement of any building work.

10.3.6.2. All site waste management plans must set out:

- (a) The name of the client, principal contractor, and person who prepared the site waste management plan;
- (b) The location of the site;
- (c) The estimated total cost of the building work;
- (d) A description of each type of waste expected to be produced;
- (e) An estimate of the quantity of each type of waste; and
- (f) The proposed method of waste management for each type of waste (e.g. recovery, recycling, disposal).

10.3.6.3. While the building work is being carried out, the principal contractor will:

- (a) Ensure that:
 - i. Reasonable steps are taken to prevent waste escaping from any waste container;
 - ii. Waste does not go onto the property of neighbouring occupiers;
 - iii. Waste from the site has no more than a minimal adverse effect on neighbouring occupiers;
 - iv. Any waste container is regularly emptied when it is full.
- (b) Review the site waste management plan as necessary;
- (c) Record quantities and types of waste produced; and
- (d) Record the types and quantities of waste that have been:
 - i. Reused (on or off site)
 - ii. Recycled (on or off site)
 - iii. Sent to other forms of recovery (on or off site)
 - iv. Sent to landfill
 - v. Otherwise disposed of.

10.3.6.4. Within 90 days of completion of the building work, the principal contractor must add to the site waste management plan:

- (a) Confirmation that the plan has been monitored and updated;
- (a) A comparison of estimated quantities of each type of waste generated against the actual quantities of each waste type;
- (b) An explanation of any deviation from the plan;
- (c) Forward a waste data diversion report to Council.

10.3.6.5. Where a site waste management plan is required, the principal contractor must ensure that a copy of the site waste management plan is kept on site, and that every contractor knows where it can be found. It must be available to any contractor carrying out any work described in the plan.

10.3.7 Inorganic waste

10.3.7.1. The Council may specify controls for the following matters in relation to the collection of inorganic waste from a public place:

- (a) the weight, size and nature of inorganic materials that may be deposited for collection;
- (b) the categories of inorganic waste that may be deposited for collection;
- (c) the times, locations and conditions applicable to the collection of inorganic waste from a public place;
- (d) the methods by which the inorganic waste may be collected; and
- (e) any other operational matters required for the safe and efficient collection of inorganic material from a public place.

10.3.7.2. Any person who deposits inorganic waste for collection on, or collects or transport inorganic waste from, a public place must comply with the controls made by the Council under this Bylaw.

10.3.7.3. No member of the public may place inorganic waste for collection in a public place or kerbside without written prior approval from Council.

10.3.8 Nuisance and litter

10.3.8.1. No person may:

- (a) allow any accumulation of waste or diverted material on any premises they own, occupy or manage to become offensive, a nuisance or likely to be injurious to health;

- (b) use an approved container in a manner that creates a nuisance, is offensive or is likely to be injurious to health.

10.3.8.2. Except as provided for under this Bylaw, no person may:

- (a) burn or allow to be burnt on any property they own, occupy or manage any waste except in accordance with any Bay of Plenty Regional Council Plan or Fire and Emergency New Zealand requirements;
- (b) bury or allow to be buried any waste on any property they own, occupy or manage any waste except:
 - i. organic waste, including dead farm animals in rural areas;
 - ii. dead companion animals and nuisance pests; or
 - iii. for the purposes of home composting.
- (c) dispose of any waste on any premises except at:
 - i. a class 1-4 landfill, or
 - ii. any premises they own, occupy or manage, for the purposes of home composting.

10.3.8.3. No person may:

- (a) deposit any waste arising from that person's household or that person's business activities in any litter container provided by the Council in any public place;
- (b) remove any waste from any litter container provided by the Council in any public place, where this results in any waste being deposited outside the container, unless authorised by the Council to do so;
- (c) deposit or attempt to deposit any litter in any container provided by the Council in any public place if:
 - i. the container is full; or
 - ii. the litter is likely to escape.
- (d) fix or attach any flag, banner, bunting, balloon, sign, poster, leaflet or similar thing to any litter container provided by the Council in any public place; or
- (e) damage any litter container provided by the Council in any public place.

10.3.8.4. The owner, occupier or manager of any premises on which any flag, banner, bunting, balloon, sign, poster, leaflet or similar device is displayed that is likely to become litter, must take all steps to the

satisfaction of the Council to prevent it becoming litter and to clean it up in the event that it does become litter.

10.3.9 Donation collection points

10.3.9.1. Anyone intending to establish a donation collection point in or on a public place must notify the Council in advance and must operate the donation collection point in compliance with any requirements the Council specifies including but not limited to:

- (a) Location;
- (b) vehicle access;
- (c) type of waste which may be deposited; and
- (d) use of approved containers.

10.3.9.2. Anyone intending to establish a donation collection point in or on a public place must notify the Council in advance and must operate the donation collection point in compliance with any requirements the Council specifies including but not limited to:

- (a) removal of deposited waste from the collection point;
- (b) clean up of any litter or illegal dumping; and
- (c) clean up or removal of any graffiti.

10.4 Recycling and green waste facilities

10.4.1 Council may, by resolution, specify the type of materials acceptable for deposit at any Recycling and Green Waste Facilities and no person may deposit any material other than that specified at any Recycling or Green Waste Facility.

10.4.2. No person may use a Recycling or Green Waste Facility or enter upon any portion of it except for the purpose of depositing and leaving waste, recyclable materials or things as specified by the Council in accordance with Clause 6 and such depositing and leaving constitutes "using" for the purpose of this Bylaw.

10.4.3. All waste and recyclable materials or things deposited and left at any Recycling or Green Waste Facility by any person are deemed then and there to have been abandoned by that person who from that time onwards has no rights of ownership but such abandonment does not relieve that person from liability for damage flowing in any way from

such action nor from the penalties provided for Offences against this Bylaw.

- 10.4.4. No person may move or remove any item, material or waste found in the Recycling and Green Waste Facilities without the permission of an Authorised Officer of the Council.
- 10.4.5. Every person using the Recycling and Green Waste Facilities or entering any portion of it must comply in all respects with any direction or instructions given verbally by any Authorised Officer, or appearing in any signs erected at the area for that purpose, and any such direction or instructions may include a requirement for the person depositing material to sort the same into separate classes (for example but not to be taken as exclusive: glass, ferrous metal, non ferrous metal), to facilitate reuse, recycling and recovery of materials.
- 10.4.6. Persons using any Recycling and Green Waste Facilities must pay such amounts as set through Council's annual Schedule of Fees and Charges.
- 10.4.7. Council may from time to time by resolution prescribe the period or periods during which the Recycling and Green Waste Facilities will be open for use by the public and no person may use the Recycling and Green Waste Facilities during any other hours.
- 10.4.8. Every person committing any breach of the provisions of this Bylaw:
 - (a) must on request by an Authorised Officer of the Council immediately leave any Recycling or Green Waste Facility taking with them the material which they brought there and as the Authorised Officer considers to be of a kind which is prohibited under this Bylaw; and
 - (b) is also liable to be prosecuted for that breach; and any person failing with all reasonable speed to comply with such request commits a further Offence.
- 10.4.9. No person may in any Recycling and Green Waste Facilities:
 - (a) Light any fire; or
 - (b) Cause any fire to be lit; or
 - (c) Spread or increase any fire already alight; or
 - (d) Deposit any combustible material within 12 metres of any apparent fire; or

- (e) Deposit any prohibited or hazardous waste; or
- (f) Deposit any Household Hazardous Waste unless authorised to do so by the operator of that facility.

11. General offences and penalties

- 11.1. Any person who fails to comply with this Bylaw and the decisions and controls made under this Bylaw commits an offence under section 239 of the Local Government Act 2002 and is liable to a fine as specified in section 242(4) of the Local Government Act 2002.
- 11.2. A person who commits a breach of this Bylaw that is an offence under the Litter Act 1979, the Waste Minimisation Act 2008 or the Health Act 1956 is liable to a penalty under those Acts, as relevant.

12. Other enforcement powers

- 12.0.1. Where a licence holder does not comply with the terms and conditions of a waste operator licence, the Council may take one or more of the following steps:
 - (a) Issue a written warning to the licence holder, which may be treated as evidence of a prior breach of a licence condition during any subsequent review of the licence;
 - (b) Review the licence, which may result in:
 - i. amendment of the licence; or
 - ii. suspension of the licence; or
 - iii. withdrawal of the licence.
 - (c) Have recourse to any bond where the Council has incurred any cost as a result of the breach of the licence condition, including where the Council has itself performed or arranged for the performance of any licensed activity on the default of the licence holder;
 - (d) Review the amount and nature of the bond, which may result in:
 - i. an increase of the amount of the performance bond or security;
 - ii. a change to the nature of the security that has been provided.
 - (e) Enforce any offence that may have been committed under the Litter Act 1979; and

- (f) Enforce any breach of this Bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.

12.0.2. Where a person does not comply with the requirements of this Bylaw and/or any controls made under the Bylaw in relation to the waste and diverted materials collection service that applies to them, the Council (or licensed waste operator where applicable) may take the following action(s) against the person:

- (a) Reject (i.e. not collect) the contents of any approved container left out by that person for collection from a public place, if the contents or placement of the container is non-compliant;
- (b) Remove the non-compliant contents in a container with the owner/occupier subject to payment of the costs of removal, administrative costs and an additional penalty specified by Council. If payment is not made within the specified period, the service may be withdrawn or suspended as below.
- (c) Withdraw or suspend the collection service provided to that owner/occupier. The suspension can be for a set period of time or indefinite, depending on the severity, at the discretion of Council (or licensed waste operator where applicable). The set targeted rate will continue to apply throughout the withdrawn or suspended collection service period.

12.0.3. Where a person does not comply with a controls made by the Council under the title collections from a public place the Council may:

- (a) Suspend that person's use of any service provided by the Council at any or every waste collection service;
- (b) Enforce any offence that may have been committed under the Litter Act 1979;
- (c) Enforce any breach of this Bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.

12.1 Site waste management plans

12.1.1. Where a person does not comply with any of the requirements under this Bylaw and/or any controls made under the Bylaw, the Council may take one or more of the following steps:

- (a) Enforce any offence that may have been committed under the Litter Act 1979; and

- (b) Enforce breach of this Bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.

12.2 Inorganic material

12.2.1. Where a person does not comply with a control made by the Council, the Council (or a licensed waste operator where applicable) may:

- (a) Reject (i.e. not collect) the inorganic material, if the inorganic material or placement is non-compliant;
- (b) Remove the inorganic material, where the inorganic material or placement is non-compliant, subject to payment of the costs of removal, administrative costs and an additional penalty specified by the Council;
- (c) Enforce any offence that may have been committed under the Litter Act 1979; and/or
- (d) Enforce any breach of this Bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.

13. Exceptions and saving provisions

- 13.1. A person is not in breach of this Bylaw if that person proves that the act or omission was in compliance with the directions of an Authorised Officer.
- 13.2. A product stewardship scheme accredited under the Act may be exempted from the requirements of this Bylaw.

14. Fees and charges

- 14.1. Pursuant to section 150 of the Local Government Act 2002, Council may charge fees in relation to licences or Waste Management Plans, including fees to process an application or carry out inspections as part of any waste collection or facility operator licence; or Waste Management Plan.
- 14.2. The Council may recover costs associated with enforcement of this Bylaw in accordance with the Local Government Act 2002 or other legislation



Feedback Number and Date Received
Office use only

Have your say on the future of your District



Western Bay of Plenty District Council

FEEDBACK FORM

- Draft Waste Management and Minimisation Bylaw

We appreciate you taking the time to let us know what you think about our draft Waste Management and Minimisation Bylaw. Please read the statement of proposal and draft Bylaw available at any of our service centres or at haveyoursay.westernbay.govt.nz and then let us know what you think!

Visit haveyoursay.westernbay.govt.nz to make a submission online.

Otherwise fill out this feedback form and either

- Deliver your submission to the Katikati, Te Puke, Ōmokoroa and Waihi Beach Library and Service Centres or the Main Council Office at Barks Corner
- Email it to haveyoursay@westernbay.govt.nz
- Mail it to: Waste Management and Minimisation Bylaw review
Western Bay of Plenty District Council
Private Bag 12803
Tauranga Mail Centre
Tauranga 3143

Please note: All the information you provide in your feedback form (including personal details) will become public documents.

For photocopying purposes, please write clearly in black or blue pen.

All written feedback must be received by 4pm on Friday 26 November 2021

Name:

First name

Surname

Organisation (only if submitting on behalf):

Postal address:

Home phone:

Mobile:

Email:

Signature:

Date:

I would like to give feedback in person on Thursday 9 December

Yes/No

(If you answered 'yes' to giving feedback in person, staff will be in touch to arrange a time.)

Please use the reverse of this form for your submission

Privacy Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.



FEEDBACK FORM

1. Changes to our Waste Management and Minimisation Bylaw:

Several changes have been proposed for the bylaw with the intent to better promote waste management and minimisation objectives in the Western Bay District. The full set of changes are outlined in the statement of proposal and draft Bylaw.

- ☐ Option 1 **I agree** with the proposed changes
- ☐ Option 2 **I do not** agree with the proposed changes
- ☐ Option 3 Other (please comment below)

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Continued on the following page

Privacy Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.



Western Bay of Plenty District Council

FEEDBACK FORM

2. Construction and demolition waste:

The draft bylaw provides the framework to require in the future the preparation of a waste management plan for approval prior to the commencement of the building works. Council may look to require any person applying for a building consent, whether it is a small build, high value build, or demolition works, to submit a waste management plan to Council for approval prior to the commencement of work. The introduction of a control to require the preparation of site waste management plans would be a decision of Council in the future, the bylaw only gives the power to do this. There will be further engagement with the local building industry to inform the types of building work that this requirement would apply to.

- ☐ Option 1 **I agree** with the proposed changes
☐ Option 2 **I do not** agree with the proposed changes
☐ Option 3 Other (please comment below)

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Privacy Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.

9.3 ADOPTION OF THE DRAFT LOCAL ALCOHOL POLICY FOR PUBLIC CONSULTATION**File Number:** A4329346**Author:** Matthew Leighton, Senior Policy Analyst**Authoriser:** Emily Watton, Policy and Planning Manager**EXECUTIVE SUMMARY**

1. The purpose of this paper is for the Committee to determine if any changes should be made to the Local Alcohol Policy and to adopt a draft Local Alcohol Policy for public consultation.

RECOMMENDATION

1. That the Senior Policy Analyst's report dated 19 October, titled 'Adoption of the Draft Local Alcohol Policy for Public Consultation', be received.
2. That the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.
3. That the Local Alcohol Policy Review Research Report be received.
4. That in considering the options set out in Attachment 5 of the agenda report, the Policy Committee approves the following changes be included in the draft Local Alcohol Policy:
 - a. That the draft Local Alcohol Policy be developed specifically for the Western Bay of Plenty District and not jointly with Tauranga City Council.
 - b. That the draft Local Alcohol Policy introduces a new section to cover club licences to provide further clarity for the community and applicants.
 - c. That the draft Local Alcohol Policy changes the off licence maximum hours to 7.00am - 9.00pm.
 - d. That the draft Local Alcohol Policy introduces a new clause to prevent the establishment of any further bottle stores in the Te Puke - Maketu Ward.
5. That in considering the options set out in Attachment 5 of the agenda report, that alcohol harm be further considered through other processes, outside of the Local Alcohol Policy.
6. That the draft Local Alcohol Policy and accompanying Statement of Proposal and submission form, as per attachments 1,2 and 3, be adopted for public consultation between 5 November 2021 and 6 December 2021.
7. That Attachment 6, being Police Intelligence Reports and Data, be retained in confidential.

BACKGROUND

2. Alcohol is a well-established part of New Zealand life.
3. While largely enjoyed in moderation by New Zealanders, there can be serious negative community impacts from the excessive use and availability of alcohol.
4. The Council has a role in alcohol licensing, through the Local Alcohol Policy (LAP), through administration of the District Licensing Committee (DLC), and through its regulatory and enforcement roles (including the Council's Liquor Licensing Inspector).
5. LAPs aim to minimise alcohol-related harm and to set requirements for licensing that are aligned to community views and address local character and issues. Without a LAP the default statutory provisions would apply.
6. The Council currently has a LAP that came into force in 2015. It is a joint policy, adopted by both Tauranga City Council (TCC) and us (WBOPC).

7. The LAP is due for review in 2021.

RESEARCH REPORT

8. The legislative requirements around the LAP are set through the Sale and Supply of Alcohol Act 2012. Further detail is provided in the Research Report (Attachment 4).
9. The attached Research Report sets out the relevant information base for decision making. Some information has been redacted for confidentiality reasons.
10. The report meets the legal requirements of s78 of the Sale and Supply of Alcohol Act 2012.
11. A summary of some of the key points:
- (a) Limited change in numbers of licences since 2015.
 - (b) High number of licenced premises in Te Puke.
 - (c) Hospitality and alcohol industry make a contribution to the Western Bay economy.
 - (d) Previous appellants have indicated that they are relatively comfortable with the current policy.
 - (e) Concern raised by the Alcohol Licensing Inspector and Police regarding alcohol availability in Te Puke.
 - (f) Police raised concern with the level of alcohol related offences in the Waihi Beach area.
 - (g) Police data shows that alcohol is likely to play a significant role in offending in non-residential locations. With two thirds or more estimated to be alcohol related.
 - (h) There appears to be a high level of alcohol related crime, particularly in the Te Puke area
 - (i) Community Patrols had mixed views on how far alcohol was an issue in their communities.
 - (j) The Medical Officer of Health for the Bay of Plenty District requested strengthening the LAP. Particular concern was raised regarding alcohol outlet density and off-licence trading hours.
 - (k) Research shows increased alcohol outlet density is associated with an increase in alcohol related harm.
 - (l) The Health and Wellbeing Population Survey 2020, undertaken by Toi Te Ora Public Health, indicate the Bay of Plenty community is supportive of tighter regulatory measures.
 - (m) High level of health impacts across the Western Bay of Plenty with the rate of admission to hospital with conditions wholly attributable to alcohol currently higher than the New Zealand average and some areas of the District (Te Puke East) ranked particularly high.
 - (n) Alcohol harm is not just to the drinker but can contribute to domestic violence and accidents.
 - (o) Consultation with Hauora raised the need for a greater Treaty based approach and consideration of the impacts on Māori and improvements in the operation of the LAP. Concern at the availability of alcohol in Te Puke was also raised.
 - (p) The level of alcohol use/abuse in NZ is a significant contributor to financial hardship and violence in our community.
 - (q) The demographics of an area contribute to its risk profile with those living in more 'deprived' areas and Māori more at risk of alcohol harm. The Te Puke/Maketu ward has high risk factors.
 - (r) The high numbers of visitors to Waihi Beach (and other areas) and the high number of seasonal workers in Te Puke should be considered.
 - (s) Community Boards had mixed views on the impact of alcohol on their specific areas. Maketu noted a strong view on off licences; Te Puke noted concern that there is no

restriction on the number of outlets; Katikati felt there were 'too many' off licences (bottle stores); and Ōmokoroa felt the current situation was about right.

- (t) There were 90 alcohol related crashes between 1 July 2017 and 30 June 2020, with a significant cluster around Te Puke and also along SH2 North of Tauranga.
 - (u) There is a high level of alcohol related incidents captured on CCTV and reported. A large proportion of this is in Te Puke – noting that there is also a higher number of cameras in Te Puke than elsewhere in the District.
12. Due to the nature of the information contained in the Police Intelligence Reports (Attachment 6), these are to remain confidential.

PROCESS

13. Options to address the matters raised in the research report are discussed in the section below.
14. The preferred options will be included in a draft policy and formal public consultation undertaken. The specific process is set out in Sale and Supply of Alcohol Act 2012.
15. Should no changes to the current policy be recommended, there still must be community consultation, however if no changes are resolved through deliberations there is no ability for appeals against the policy to be lodged. This does not apply if WBOPDC split from Tauranga City Council as the Local Alcohol Policy essentially becomes two new policies.
16. It is important to note that the development of a Local Alcohol Policy (including amending through a review) can be a costly exercise and involves public consultation and in many instances appeal processes.

SIGNIFICANCE AND ENGAGEMENT

17. 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.

The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.

18. In terms of the Significance and Engagement Policy this decision is considered to be of medium significance because:
- (a) there is a moderate level of community interest,
 - (b) there are a range of stakeholders who are impacted, and
 - (c) consultation is a legislative requirement.

ENGAGEMENT, CONSULTATION AND COMMUNICATION

19. Engagement with key stakeholders and the wider community is an important part of the review and is also legislatively required.
20. Pre-engagement has been undertaken and summaries of the feedback received included in the attached research report.
21. The Special Consultative Process is required to be used in developing the Policy.

Interested/Affected Parties	Completed/Planned Engagement/Consultation/Communication		
Name of interested parties/groups		Plan ned	Com plete
Council Alcohol Licensing Inspector, Police and DHB	Key legislatively identified stakeholders engaged with as part of the research and options development stage. Further input from the Police and DHB will be sought as part of the formal engagement process with targeted communications.		
All licenced premises in the District, Community Boards, Community Patrols, Citizens Advice Bureau, Tauranga Budget Advisory Service, Empowerment NZ, Appellants to the previous LAP.	Identified stakeholders have been engaged with as part of the research and options development stage. Further input will be sought as part of the formal engagement process with targeted communications.		
Tangata Whenua via Hauora	Identified stakeholders have been engaged with as part of the research and options development stage. Further input will be sought as part of the formal engagement process with targeted communications.		
General Public	Information from other engagement processes has been used in the research and options development stage. Public feedback will be sought as part of the formal engagement process and feedback sought across a range of formats.		

ISSUES AND OPTIONS ASSESSMENT

22. There are a number of potential options that address the overall issue and respond to the object of the Sale and Supply of Alcohol Act 2012 and meet the Policy goals.
23. The Policy is only one tool that should be considered if we are to look at the issue holistically.
24. The options relating to the content of the draft Local Alcohol Policy are set out in Attachment 5.
25. The Committee must also resolve to adopt the draft Local Alcohol Policy, Statement of Proposal and submission form for consultation (Attachments 1, 2 and 3). The options regarding this are given below.

Option A That the draft Local Alcohol Policy and accompanying Statement of Proposal and submission form, as per attachments 1, 2 and 3, <u>be adopted</u> for public consultation between 5 November 2021 and 6 December 2021	
Assessment of advantages and disadvantages including impact on each of the four well-beings <ul style="list-style-type: none"> • Economic • Social • Cultural • Environmental 	Advantages: <ul style="list-style-type: none"> • The Policy review process can continue within proposed timeframes. • The draft Policy is representative of direction given by the Committee in workshops. • The community can consider the draft Policy and provide feedback to Council.
Costs (including present and future costs, direct, indirect and contingent costs).	The project costs of the review are met within current operational funding. Specific provision has been made for legal costs arising from any appeal, based on the costs incurred through the 2015 appeals process.
Option B That the draft Local Alcohol Policy and accompanying Statement of Proposal and submission form, as per attachments 1, 2 and 3, <u>is not adopted</u> for public consultation between 5 November 2021 and 6 December 2021	
Assessment of advantages and disadvantages including impact on each of the four well-beings <ul style="list-style-type: none"> • Economic • Social • Cultural • Environmental 	Advantages: <ul style="list-style-type: none"> • Current Policy will remain in place. • The review could be deferred, more information prepared, and items reconsidered. Disadvantages: <ul style="list-style-type: none"> • Policy review timeframes will be compromised, and legislative requirements not met. • Rework may incur increased costs.
Costs (including present and future costs, direct, indirect and contingent costs).	The project costs may not be incurred in the short term but will be required to meet our legislative requirements. Further cost maybe incurred if an extended delay is introduced, and information requires updating.

STATUTORY COMPLIANCE

26. The Sale and Supply of Alcohol Act 2012 empowers territorial authorities to develop LAPs. Sections 75-97 of the Sale and Supply of Alcohol Act 2012 set out the requirements and process regarding LAPs.
27. Under section 97 of the Sale and Supply of Alcohol Act 2012, Council must review the policy, using the special consultative procedure, no later than 6 years after it came into force.
28. The recommendations in this report allow Council to meet these legislative requirements.

FUNDING/BUDGET IMPLICATIONS

29. The project costs of the review are met within current operational funding. Specific provision has been made for legal costs arising from any appeal, based on the costs incurred through the 2015 appeals process.

ATTACHMENTS

1. Draft Local Alcohol Policy [!\[\]\(448bd415caa8b52d2aeb4d58499267b2_img.jpg\) !\[\]\(23be4c52910c50d5908bb101588c4f4e_img.jpg\)](#)
2. Statement of Proposal - Local Alcohol Policy [!\[\]\(5dc449795a3a9c8d29c257423584cf78_img.jpg\) !\[\]\(4b7fb8a3e9c3712ee79f95e386b5ecd4_img.jpg\)](#)
3. Submission Form - Alcohol Control Bylaw and Local Alcohol Policy [!\[\]\(348b5f08c0a9aee916460ca5f8ad2999_img.jpg\) !\[\]\(5b1a514e7f27fbd3f661e6a3500c4f68_img.jpg\)](#)
4. LAP Review - Research Report [!\[\]\(2baf952763ad8c6fd37e6395b59f0aca_img.jpg\) !\[\]\(9359d9eaad7bd12a2f12145434d4cd6e_img.jpg\)](#)
5. Local Alcohol Policy - Options [!\[\]\(dbf8ebbc34dc518a681a645a079dcbfe_img.jpg\) !\[\]\(678da424331ead235932a666064080e5_img.jpg\)](#)
6. Confidential - Police Intelligence and Data Reports - Confidential



~~Adopted Tauranga and~~ Western Bay of Plenty District

Draft Local Alcohol Policy

1. Policy goals

- To minimise alcohol-related harm in the western Bay of Plenty ~~sub-region.~~
- To contribute to the western Bay of Plenty being a safe and healthy ~~sub-region~~ district.
- To reflect local communities' character, amenity, values, preferences and needs.
- To encourage licensed premises to foster positive, responsible drinking behaviour.

2. Policy objectives

To provide guidance to the licensing committee and licensing authority regarding:

- The trading hours of licensed premises.
- The further issuing of licences.
- One-way door restrictions.
- Discretionary conditions.

3. Definitions

The **Act** means the Sale and Supply of Alcohol Act 2012.

Bottle store means an off-licensed premises being a retail premises where (in the opinion of the licensing authority or licensing committee concerned) at least 85% of the annual sales revenue is expected to be earned from the sale of alcohol for consumption somewhere else. (Refer section 32(1)(b) of the Act.)

~~**City Plan** means the Tauranga City Council's operative City Plan.~~

Club means a body that:

- (a) is a body corporate having as its object (or as one of its objects) participating in or promoting a sport or other recreational activity, otherwise than for gain; or

(b) is a body corporate whose object is not (or none of whose objects is) gain; or

(c) holds permanent club charter. (Refer section 5 of the Act.)

District Plan means the Western Bay of Plenty District Council's operative District Plan.

Hotel means premises used or intended to be used in the course of business principally for providing to the public:

(a) lodging; and

(b) alcohol, meals, and refreshments for consumption on the premises. (Refer section 5 of the Act.)

Licensing authority means the Alcohol Regulatory and Licensing Authority continued in existence under section 169(1) of the Act.

Licensing committee means the District Licensing Committee established under section 186 of the Act, ~~either by Tauranga City Council or~~ by Western Bay of Plenty District Council, relevant to the licence or matter under consideration.

Off-licence is a licence for premises where the licensee can sell alcohol for consumption somewhere else.

On-licence is a licence for premises where the licensee can sell alcohol for consumption on the premises or can let people consume alcohol on the premises. For the avoidance of doubt, on-licence does not includes club licences per section 21 of the Act.

One-way door restriction means, in relation to a licence, a requirement that, during the hours stated in the restriction:

(a) no person is to be admitted (or re-admitted) into the premises unless he or she is an exempt person; and

(b) no person who has been admitted (or re-admitted) into the premises while the restriction applies to the licence is to be sold or supplied with alcohol. (Refer section 5 of the Act.)

~~**Sub-region** means the combined area of the Tauranga City Council and Western Bay of Plenty District Council.~~

~~**Tauranga City Centre** means, for the purposes of this policy, the area indicated in Attachment 1 to this policy.~~

Tavern (a) means premises used or intended to be used in the course of business principally for providing alcohol and other refreshments to the public; but (b) does not include an airport bar. (Refer section 5 of the Act.)

4. Background

The Act has the following objects:

(a) that the sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and

- (b) that the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

Under the Act, councils and their communities have the opportunity to develop a local alcohol policy. Section 77 of the Act allows that a local alcohol policy may include policies on the following matters (and no others):

- the location of licensed premises by reference to broad areas
- the proximity of licensed premises to other facilities or licensed premises
- whether further licences should be issued in the district or parts of the district
- maximum trading hours
- the issue of licences subject to discretionary conditions, and
- one-way door restrictions.

In making decisions on licence applications, the licensing committee or licensing authority must have regard to the local alcohol policy. Except for persons with a greater interest in a licence application than the public generally, the local alcohol policy is the principal method by which communities can influence licensing decision-making.

Under the Act, a local alcohol policy must be reviewed no later than six years after adoption.

5. Policy Statement

5.1 Off-licenses

5.1.1 Maximum licensed hours

- ~~Maximum licensed hours for off-licenses shall be 7am to 10pm~~ 9pm.

5.1.2 Whether further licences should be issued in the district or parts of the district

- From the date this LAP comes into force, no further licences for bottle stores should be issued for premises in the Te Puke – Maketu Ward area (as set out in attachment 1).

5.2 On-licences

5.2.1 Maximum licensed hours ~~—western bay of plenty sub-region (excluding the Tauranga city centre)~~

- Maximum licensed hours for all on-licences ~~in the western bay of plenty sub-region (excluding the Tauranga city centre)~~ shall be 9am to 1am the following day.

~~5.2.2 Maximum licensed hours — Tauranga city centre~~

- ~~• Maximum licensed hours for all on-licensed premises in the Tauranga city centre shall be 9am to 3am the following day.~~

5.2.2 One-way door restrictions

- Any on-licensed premises licensed until after 2am shall have a one-way door restriction in place from 2am.

5.2.3 Discretionary conditions

The following discretionary conditions have been identified for consideration by the District Licensing Committee when issuing and renewing on-licences, including on-licences issued to clubs:

- Patron number to security ratio;
- Patron number to bar manager ratio;
- Provision of additional security (staff) after 11pm;
- The installation and operation of CCTV cameras on the exterior of, and within premises;
- Provision of effective exterior lighting;
- Restrictions on the size (e.g. 'doubles') and time of 'last orders';
- Management of patrons queuing to enter the licenced premise;
- Restriction on the use of outdoor areas after 10pm;
- Provision of seating i.e. no vertical drinking zones within the licence-to-occupy area (i.e.: all LTO areas are seated only at all times);
- No serving in glass containers at specified times;
- No shots or particular types of drinks to be served after specified times;
- A restriction on the number of drinks per customer;
- Restrictions on permitted drinking vessels;
- No alcohol service for a specified time before the closing the licensed premises;
- Provision of transport for patrons;
- Acoustic design certificate required if an existing tavern is the subject of complaints;
- Acoustic design certificate required for all new on-licensed and club premises with a residential boundary within 500 metres and an outside area operating after 11pm.
- The above conditions would apply to all types of on-licence premises.

5.3 Club licences

5.3.1 Maximum licensed hours

- Maximum licensed hours for all on-licences shall be 9am to 1am the following day.

5.3.2 One-way door restrictions

- Any on-licensed premises licensed until after 2am shall have a one-way door restriction in place from 2am.

5.3.3 Discretionary conditions

The following discretionary conditions have been identified for consideration by the District Licensing Committee when issuing and renewing on-licences, including on-licences issued to clubs:

- Patron number to security ratio;
- Patron number to bar manager ratio;
- Provision of additional security (staff) after 11pm;
- The installation and operation of CCTV cameras on the exterior of, and within premises;
- Provision of effective exterior lighting;
- Restrictions on the size (e.g. 'doubles') and time of 'last orders';
- Management of patrons queuing to enter the licenced premise;
- Restriction on the use of outdoor areas after 10pm;
- Provision of seating i.e. no vertical drinking zones within the licence-to-occupy area (i.e.: all LTO areas are seated only at all times);
- No serving in glass containers at specified times;
- No shots or particular types of drinks to be served after specified times;
- A restriction on the number of drinks per customer;
- Restrictions on permitted drinking vessels;
- No alcohol service for a specified time before the closing the licensed premises;
- Provision of transport for patrons;
- Acoustic design certificate required if an existing tavern is the subject of complaints;
- Acoustic design certificate required for all new on-licensed and club premises with a residential boundary within 500 metres and an outside area operating after 11pm.
- The above conditions would apply to all types of on-licence premises.

5.35.4 Special Licences

5.4.1 Discretionary conditions

The following discretionary conditions have been identified for consideration by the District Licensing Committee when issuing special licences, including special licences issued to clubs:

- Number of 'responsible persons' or certified Duty Managers to be present;

- Specify locations Managers to be present at. (e.g.: at point of sale, anywhere else on site that their presence would be beneficial);
- Free water to be available;
- Limit on number of drinks to be sold in one transaction;
- Drink containers to be opened at point of sale;
- No high alcohol doubles or shots to be sold;
- Specify security staff number required and their location.(Guard to patron ratio);
- Specify event staff to wear high viz clothing;
- Specify containers alcohol may be sold in;
- Condition to ensure Police reserve rights to require earlier cessation of licence hours by request to the licensee and reduce number of sales and slowing of service;
- Limits on promotion of alcohol;
- Require one way door procedure;
- Limits as to noise from event;
- Lighting requirements;
- Consideration of having specific 'licensed area' within an overall 'event area' – this will help restrict movement of patrons with alcohol inside the event and be easier to monitor for event staff and Police/Licensing Inspectors;
- The above conditions apply to both on-site and off-site special licences.

6. Relevant Delegations

This policy is delegated to the licensing committees and licensing authority to implement as appropriate.

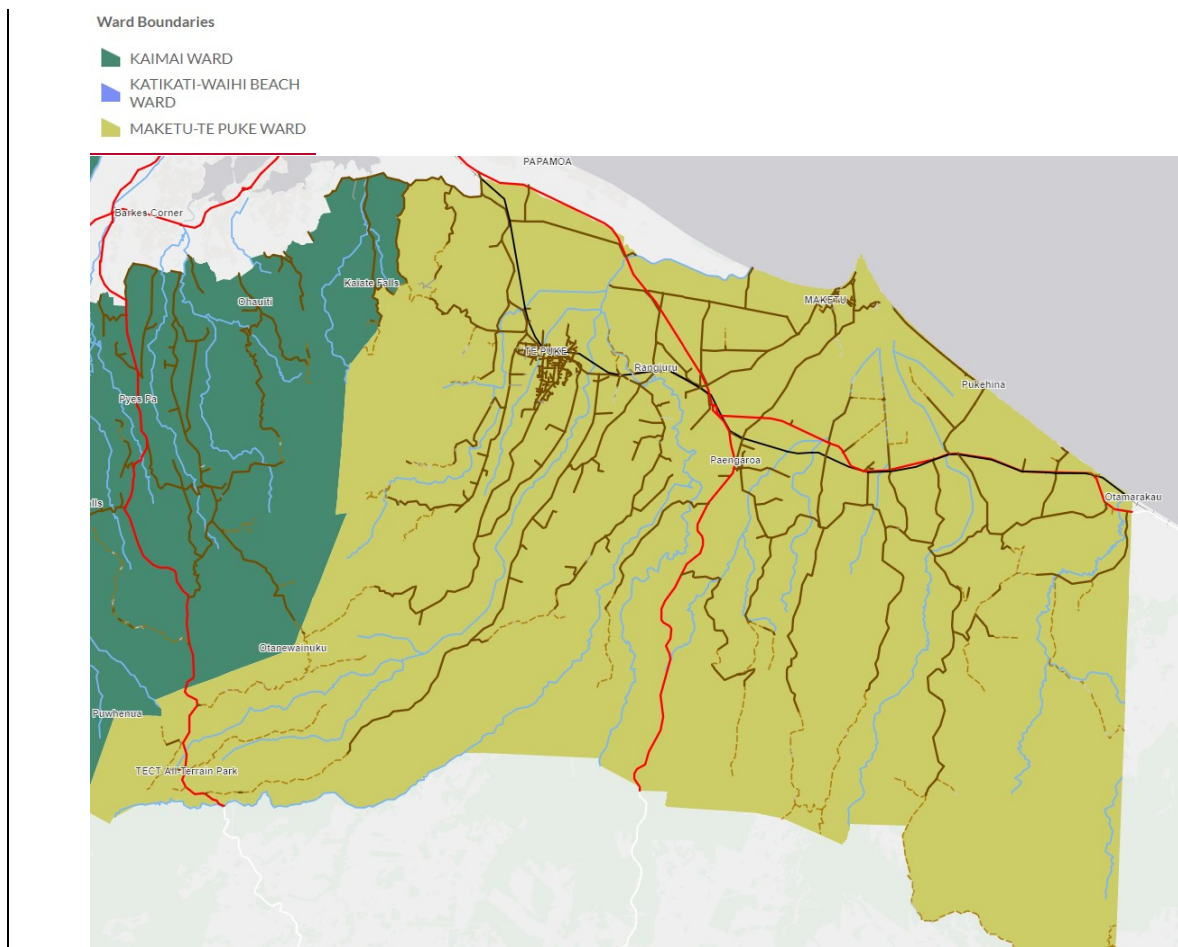
7. References and Relevant Legislation

Sale and Supply of Alcohol Act 2012

Attachment 1

Map of the Te Puke – Maketu Ward Area







Draft

Local Alcohol Policy

Statement of Proposal

Introduction

Western Bay of Plenty District Council is reviewing its Local Alcohol Policy.

The proposed changes seek to limit and reduce alcohol related harm in our communities. We are seeking your views on the proposed changes.

The current Local Alcohol Policy came into effect in 2015 and is now due for review.

Alcohol is a well established part of New Zealand life. While largely enjoyed in moderation by New Zealanders, there can be serious negative community impacts.

The proposed changes to the policy aim to better reflect Police, Medical Officer of Health and community concerns and limit alcohol related harm.

The Council has a role in alcohol licensing, through the Local Alcohol Policy, through administration of the District Licensing Committee, and through its regulatory and enforcement roles (including the Council Alcohol Licensing Inspector).

Summary of proposed changes

Full 'tracked-changed' versions of the Draft Local Alcohol Policy is available as appendix A. For the full agenda report, which includes more detailed consideration of the issues and options, please see the Policy Committee Report from 19 October 2021, titled 'Adoption of the Local Alcohol Policy for Public Consultation'.

The main areas of change proposed are:

- **Off licence hours reduced:** off licence hours to be reduced, with the maximum licensed hours being 7am to 9pm (currently 7am to 10pm).
- **No further bottle stores in the Te Puke – Maketu ward:** no further licences for bottle stores should be issued for premises in the Te Puke – Maketu Ward area.
- **Clarity for club licences:** A new section has been added to provide increased visibility and clarity for club licences. The provisions themselves are not proposed to change.
- **Western Bay of Plenty District focused:** The policy has been developed to stand alone and reflect Western Bay of Plenty District matters and issues. The current Policy is joint with Tauranga City Council.

Reasons for the proposal

The proposed changes to the Local Alcohol Policy aim to limit alcohol related harm.

The information collated and feedback from stakeholders points to concerns at the level of alcohol harm in the District, with particular concern raised regarding the Te Puke – Maketu ward area and with bottle stores.

The current Local Alcohol Policy was consulted on in 2013 and became operational in 2015.

The review meets Council's role under the Sale and Supply of Alcohol Act 2012. It also allows the Council and its communities to set the expectations and have an influence on alcohol licensing decisions in the District.

Research Report

Council has prepared a research report to gather information and initial feedback from stakeholders on alcohol in the community and the review of the Local Alcohol Policy.

The report considers a range of matters, including information on current licences; the alcohol industry in the district; information from the Police, District Licensing Inspector, Community Patrols, Medical Officer of Health, Hauora, and budgeting services; Community and demographic information; alcohol related traffic issues and CCTV monitoring.

Overall there is continued harm from alcohol in the community

The full Research Report, is available online at haveyoursay.westernbay.govt.nz.

Legislative background

The Local Alcohol Policy aims to minimise alcohol-related harm and to set requirements for licencing that are aligned to community views and address local character and issues. Without a Local Alcohol Policy the default provisions would apply.

The Sale and Supply of Alcohol Act 2012 sets out the requirements and process regarding Local Alcohol Policies.

Local Alcohol Policies are able to:

- restrict or extend trading hours of premises;
- limit whether further licences should be issued in the district (or part of it);
- limit the location of licences in relation to premises and facilities, for example schools;
- impose one-way door conditions;
- provide for the issue of licences subject to discretionary conditions.

Local Alcohol Policies are not mandatory, and Council can instead rely on the default hours.

Council must follow the special consultative procedure in reviewing the policies. This Statement of Proposal has been prepared in accordance with the Local Government Act 2002.

Have your say

We need your feedback by 4pm Monday 6 December 2021

Please tell us what you think of the proposals.

You can do this by:

- Entering it online at: <https://haveyoursay.westernbay.govt.nz>
- Posting it to: *Local Alcohol Policy Review, Western Bay of Plenty District Council, Private Bag 12803, Tauranga 3143.*
- Emailing it to: haveyoursay@westernbay.govt.nz
- Delivering it to:
 - Western Bay of Plenty Barks Corner Office, 1484 Cameron Road, Greerton
 - Te Puke Library and Service Centre, 130 Jellicoe Street, Te Puke
 - The Centre – Pātuki Manawa, Katikati Library, Service Centre and Community Hub, 21 Main Road, Katikati
 - Waihi Beach Library and Service Centre, 106 Beach Road, Waihi Beach
 - Ōmokoroa Library and Service Centre, 28 Western Avenue, Ōmokoroa

Feedback forms are available at all service centres, and at our public Have Your Say events.

If you have questions, or if you would like to give feedback in person, you may register for a more formal opportunity to present your views on 14 December. Please email haveyoursay@westernbay.govt.nz or phone 07 571 8008 by Monday

6 December 2021 to secure a timeslot and receive further information. The venue may change based on the location and number of submissions.

Council Chambers (Barkes Corner): Tuesday 14 December – 9.30am start

Giving effective feedback

We will provide feedback forms at all service centres throughout the consultation period. These forms include questions on the key changes and ask for your opinion on each.

You may also wish to comment on specific the clause(s) of the Policy, and state why the clause is supported, not supported, or how it could be amended.

What happens next?

Council will acknowledge in writing or by email (if provided) the receipt of your feedback.

Review Timeframes:

- | | |
|-----------------------------------|---------------------------------|
| ▪ Period for feedback opens: | 5 November 2021 |
| ▪ Period for feedback closes: | 6 December 2021 |
| ▪ Have your say day: | 14 December 2021 |
| ▪ Policy Committee adopts policy: | March 2022 |
| ▪ Policy becomes effective: | April 2022 (subject to appeals) |

Appendices:

- A. Draft Local Alcohol Policy – track-changed



Feedback Number and Date Received
Office use only

Have your say on the future of your District



Western Bay of Plenty District Council

FEEDBACK FORM

- Draft Local Alcohol Policy and Draft Alcohol Control Bylaw

We appreciate you taking the time to let us know what you think about our draft Local Alcohol Policy and draft Alcohol Control Bylaw. Please read the statement of proposals, draft policy and draft bylaw available at any of our service centres or at haveyoursay.westernbay.govt.nz and then let us know what you think!

Visit haveyoursay.westernbay.govt.nz to make a submission online.

Otherwise fill out this feedback form and either

- Deliver your submission to the Katikati, Te Puke, Ōmokoroa and Waihi Beach Library and Service Centres or the Main Council Office at Barks Corner
- Email it to haveyoursay@westernbay.govt.nz
- Mail it to: Local Alcohol Policy Review and Alcohol Control Bylaw
Western Bay of Plenty District Council
Private Bag 12803
Tauranga Mail Centre
Tauranga 3143

Please note: All the information you provide in your feedback form (including personal details) will become public documents.

For photocopying purposes, please write clearly in black or blue pen.

All written feedback must be received by 4pm on Monday 6 December 2021

Name:

First name

Surname

Organisation (only if submitting on behalf):

Postal address:

Home phone:

Mobile:

Email:

Signature:

Date:

I would like to give feedback in person on Tuesday 14 December 2021

Yes/No

(If you answered 'yes' to giving feedback in person, staff will be in touch to arrange a time.)

Please use the reverse of this form for your submission

Privacy Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.



Western Bay of Plenty District Council

FEEDBACK FORM

Please use the space below to comment on any aspects of the policy or bylaw. You can attach extra pages if necessary.

1. Local Alcohol Policy – Off licence hours

Do you agree with the proposed change to the maximum hours for off licences to 7am –9pm (currently 7am–10pm)?

- ☐ Option 1 **I agree** with the proposed change
☐ Option 2 **I do not** agree with the proposed change
☐ Option 3 Other (please comment below)

2. Local Alcohol Policy – Bottle stores in the Te Puke – Maketu ward area

Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu ward?

- ☐ Option 1 **I agree** with the proposed change
☐ Option 2 **I do not** agree with the proposed change
☐ Option 3 Other (please comment below)

3. Local Alcohol Policy – Other actions or comments

Are there any other changes you would like to see in the Local Alcohol Policy or further actions that could be taken to address alcohol related harm? Are there any comments you wish to make on any other changes in the Policy?

Continued on the following page

Privacy Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.



4. Alcohol Control Bylaw – Te Puke Alcohol Control Area

Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?

- ☐ Option 1
- ☐ Option 2
- ☐ Option 3
- I agree** with the proposed change
- I do not** agree with the proposed change
- Other (please comment below)

5. Alcohol Control Bylaw – Other actions

Are there any other changes you would like to see in the Alcohol Control Bylaw or further actions that could be taken?

Privacy Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.



**Western
Bay of Plenty**
District Council

Mā tō tātou takiwā
For our District

Local Alcohol Policy Review
Research Report

October 2021

Local Alcohol Policy Research Report

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Local Alcohol Policy Research Report

1. Executive Summary

This paper sets out background information and trends to inform Council decision making regarding the review of the Local Alcohol Policy (LAP).

A summary of some of the key points:

- Limited change in numbers of licences since 2015
- High number of licenced premises in Te Puke
- Hospitality and alcohol industry make a contribution to the Western Bay economy
- Previous appellants are relatively comfortable with the current policy
- Concern raised by the Alcohol Licensing Inspector and Police regarding alcohol availability in Te Puke
- Police raised concern with the level of alcohol related offences in the Waihi Beach area.
- Police data shows that alcohol is likely to play a significant role in offending in non-residential locations. With two thirds or more estimated to be alcohol related.
- There appears to be a high level of alcohol related crime, particularly in the Te Puke area
- Community Patrols had mixed views on how far alcohol was an issue in their communities.
- The Medical Officer of Health for the Bay of Plenty District requested strengthening the LAP. Particular concern was raised regarding alcohol outlet density and off-licence trading hours.
- Research shows increased alcohol outlet density is associated with an increase in alcohol related harm.
- The Health and Wellbeing Population Survey 2020, undertaken by Toi Te Ora Public Health, indicate the Bay of Plenty community is supportive of tighter regulatory measures.
- High level of health impacts across the Western Bay of Plenty with the rate of admission to hospital with conditions wholly attributable to alcohol currently higher than the New Zealand average and some areas of the District (Te Puke East) ranked particularly high.

Local Alcohol Policy Research Report

- Alcohol harm is not just to the drinker but can contribute to domestic violence and accidents.
- Consultation with Hauora raised the need for a greater Treaty based approach and consideration of the impacts on Māori and improvements in the operation of the LAP. Concern at the availability of alcohol in Te Puke was also raised.
- The level of alcohol use/abuse in NZ is a significant contributor to financial hardship and violence in our community.
- The demographics of an area contribute to its risk profile with those living in more 'deprived' areas and Māori more at risk of alcohol harm. The Te Puke/Maketu ward has high risk factors.
- The high numbers of visitors to Waihi Beach (and other areas) and the high number of seasonal workers in Te Puke should be considered.
- Community Boards had mixed views on the impact of alcohol on their specific areas. Maketu noted a strong view on off licences; Te Puke noted concern that there is no restriction on the number of outlets; Katikati felt there were 'too many' off licences (bottle stores); and Ōmokoroa felt the current situation was about right.
- There were 90 alcohol related crashes between 1 July 2017 and 30 June 2020, with a significant cluster around Te Puke and also along SH2 North of Tauranga.
- There is a high level of alcohol related incidents captured on CCTV and reported. A large proportion of this is in Te Puke – noting that there is also a higher number of cameras in Te Puke than elsewhere in the District.

Overall there is continued harm from alcohol in the community. Council may wish to review approaches in the LAP.

Local Alcohol Policy Research Report

2. Introduction

2.1 Purpose

The purpose of this report is to identify key information and trends in relation to alcohol in the Western Bay of Plenty District to inform the review of the LAP

This is not an exhaustive research report, but aimed at capturing relevant data and local information.

2.2 Scope

This report aligns with the requirements of the Sale and Supply Alcohol Act 2012 s78(2), s95 and s97, and the information complies with the statutory requirements for the review of the Local Alcohol Policy.

The report includes:

- an overview of the demographic profile, as well as information about the people who visit the District as tourists or holiday-makers;
- a review of the objectives and policies of the District Plan;
- analysis of the number, location and licensed hours of licensed premises;
- information about the alcohol control areas;
- overall health indicators of residents;
- analysis of various other indicators including crime, safety and traffic data to contribute to understanding the nature and severity of alcohol related problems;
- monitoring of the effect of the Local Alcohol Policy over the last three years.

2.3 Methodology

An outline of the procedures followed in conducting the research is provided in this section.

The methodology has been dictated to a large extent by section 78 of the Act. Evidence presented includes quantitative and qualitative data.

Data collection involved two key components. First, staff collated and analysed internal Council data. Relevant alcohol literature was also sourced and analysed.

Local Alcohol Policy Research Report

Secondly, staff engaged with a range of organisations and key stakeholders to inform them about the development of a local alcohol policy under the new Act and to gather existing research and data to inform the process. Police and the health agencies are important providers of information.

3. Background

Alcohol is a well established part of New Zealand life.

While largely enjoyed in moderation by New Zealanders, there can be serious negative community impacts from the excessive use and availability of alcohol.

The Council has a role in alcohol licensing, through the Local Alcohol Policy (LAP), through administration of the district licensing committee (DLC), and through its regulatory and enforcement roles (including the Council Alcohol Licensing Inspector).

3.1 Legislative framework

The Sale and Supply of Alcohol Act 2012 (SSAA) empowers territorial authorities to develop LAPs which licensing decision-makers (the DLC) are required to consider.

One of the key drivers behind the SSAA was to increase focus on local decision-making. The development of a LAP enabled the Council to tailor some of the new national provisions, such as maximum trading hours, to local circumstances.

The SSAA has one object (but in two parts):

- (a) the sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and*
- (b) the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.*

It aims, to reduce alcohol harm, through tools such as LAPs and DLCs to give local communities more input into alcohol licensing decisions. How far it has achieved this is open to debate with much criticism levelled at the process.

3.2 Local Alcohol Policies (LAP)

Local Alcohol Policy Research Report

LAPs aim to minimise alcohol-related harm and to set requirements for licencing that are aligned to community views and address local character and issues. Without an LAP the default statutory provisions would apply.

Sections 75–97 of the SSAA set out the requirements and process regarding LAPs.

LAPs are able to:

- restrict or extend trading hours of premises;
- limit the location and density of licences;
- limit the location of licences in relation to premises and facilities, for example schools;
- impose one-way door conditions;
- provide for the issue of licences subject to discretionary conditions.

LAPs are not mandatory, and Council can instead rely on the default hours in the SSAA.

Under section 97 of the SSAA, Council must review the policy, using the special consultative procedure, no later than 6 years after it came into force.

As part of the process, where a new LAP is adopted or changes to the LAP adopted, this becomes a provisional policy that can be appealed. Appeals are heard externally by the Alcohol Regulatory and Licensing Authority (ARLA). This adds an extra step into the usual policy development process, and brings with it the risk of additional costs.

3.3 The current LAP

The Council currently has a LAP that came into force in 2015. It is a joint policy, adopted by both Tauranga City Council (TCC) and Western Bay of Plenty District Council (WBOPDC).

The goals of the LAP are to:

- To minimise alcohol-related harm in the western Bay of Plenty sub-region.
- To contribute to the western Bay of Plenty being a safe and healthy sub-region.
- To reflect local communities' character, amenity, values, preferences and needs.
- To encourage licensed premises to foster positive, responsible

Local Alcohol Policy Research Report

drinking behaviour.

The objectives of the LAP are:

To provide guidance to the licensing committee and licensing authority regarding:

- The trading hours of licensed premises.
- The further issuing of licences.
- One-way door restrictions.
- Discretionary conditions

The LAP currently reduces the statutory default trading hours, to better reflect the district and community's character, amenity, values, preferences and needs.

The LAP provides a largely consistent approach across the sub-region, however allows for a different approach for the Tauranga city centre. The below table sets out the general provisions.

Issue	TCC	WB	Common
Current Policy			
Off-licences maximum hours	7am – 10pm	7am – 10pm	✓
On-licences maximum hours – sub region excluding Tauranga city centre	9am – 1am	9am – 1am	✓
On-licences maximum hours – Tauranga city centre	9am– 3am		
One way door on licenced premises licenced until after 2am	Just applies to Tauranga city centre		
On-licenced discretionary conditions			✓
Special licenced discretionary conditions			✓

Local Alcohol Policy Research Report

The LAP gives direction to the two DLCs – one for WBOP and one for Tauranga. The LAP informs the DLCs' decisions regarding licence applications.

The LAP is primarily about where licenced premises can go, how long they can be open and suggests some conditions that may be considered. It is considered for new licences and also at the time of licence renewal.

It should be noted that while the LAP provides discretionary conditions, this does not prevent the licensing authority or licensing committee concerned issuing any licence subject to any reasonable conditions (section 117 of the SSAA). These are often suggested by the Council Alcohol Licensing Inspector and do not need to be included in the LAP. Including discretionary conditions in the LAP can assist in conversations with applicants and aid transparency.

The LAP development began in 2013 and was not formally adopted until 2015 (following resolution of appeals). Several changes were made as a result of appeals.

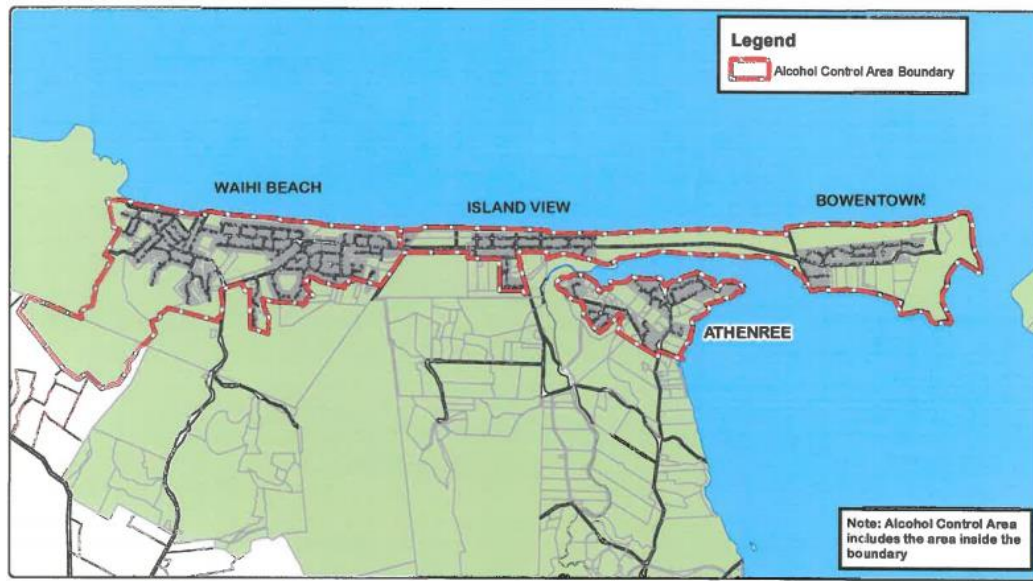
3.4 WBOPDC Alcohol Control Bylaw 2016

Council has adopted alcohol control areas in Waihi Beach/Athenree, Katikati, and the centre of Te Puke. This effectively imposes a 24 hour, seven day a week alcohol ban for public places in these areas. This was supported by the Police and Council.

The objectives of the bylaw are to help minimise the potential for offensive behaviour in public places, to protect the public from nuisance in public places, and to protect, promote and maintain public health and safety in public places.

It provides the Police with an additional tool to address the negative effects associated with the consumption of alcohol in public places.

Local Alcohol Policy Research Report

Map A – Waihi Beach**Map B – Katikati**

Local Alcohol Policy Research Report

Map C – Te Puke



It should be noted that the Alcohol Control Bylaw is anticipated to be reviewed concurrently with the LAP.

3.5 Strategic and policy links

WBOPDC has a number of strategic documents that should inform the review of the LAP.

3.5.1 Vision for the Western Bay of Plenty District

Our community have helped to identify what is important and these are things that we want to retain and grow further so that our District will be a place that people continue to enjoy living in, want to move to and want to visit. The type of District we want to live in is one where:

- We can all enjoy a healthy and safe lifestyle.
- Our communities are vibrant and welcoming.
- Leaders are effective, informed and inclusive.
- Our environment is clean, green and valued.
- Our economy is thriving.

3.5.2 Western Bay of Plenty District Plan

The WBOP District Plan identifies issues considered important in relation to sustainable management of the environment. It has been prepared in conjunction with the local community and to manage the issues outlined in the plan a number of objectives, policies and methods (including rules) have been developed which relate to land use and subdivision.

Local Alcohol Policy Research Report

The District Plan is constantly evolving and undergoing review to meet the changing needs, demands and resources of the region.

The most relevant sections of the operative District Plan are set out below. A common link in these objectives and the subsequent rules is the consideration of the impacts on amenity and that developments occur in suitable locations.

Section	Reference	Relevant Objectives
Amenity (including noise and vibration)	4.c.1.2.1	An environment free of unreasonable noise in accordance with the character and amenity of the zone within which the noise is generated and received.
Residential	13.2.1 (10)	To avoid inappropriate activities from establishing and operating within residentially zoned areas.
Commercial	19.2.1 (1, 4, 5, 6)	Consolidated commercial centres that are vibrant commercial environments that encourage social and cultural interaction. Commercial development of a scale that is appropriate for the location. Public, civic and private space that relate well to each other. Commercial centres that have a high level of amenity.
Commercial Transition	20.2.1 (1, 2)	A compact town centre that is surrounded by an area that provides a gradual transition between the Commercial and Residential Zones.

Local Alcohol Policy Research Report

4. Licence Information

4.1 Number and location of licences

The Western Bay of Plenty District has 107 club, on or off licences issued to 101 premises (note that some premises may have both an on and off licence) – as at March 2021. The number is constantly changing over time.

Number (March 2021)	Number (August 2013)	Licence	Description
35	35	Off licences	Bottle stores (14), grocery stores (6), supermarkets (4), brewery/distillery/cellar door (6), hotel/bar with off licence (3), remote sales only (1)*
47	42	On licences	Bars, cafes, restaurants
25	25	Club licences	RSA, sports clubs
107	102	Total licences	All types of licence

* Many off licences also have remote sales component as well.

There has not been a significant change in licenced premises in the District between the introduction of the LAP and the present. There has been a small level of 'churn' with some businesses closing and others opening.

These premises are across the district, but primarily in more urban areas. Looking at the distribution across the district:

- 22, are in Te Puke;
- 9, in the wider Te Puna commercial area (18 in the Te Puna/Minden area);
- 9, in Ōmokoroa;
- 14, in Katikati (22 in the wider Katikati/Aongatete area);
- 14, in Waihi Beach/Bowentown;
- 4, in Paengaroa;
- 3, in Pukehina;

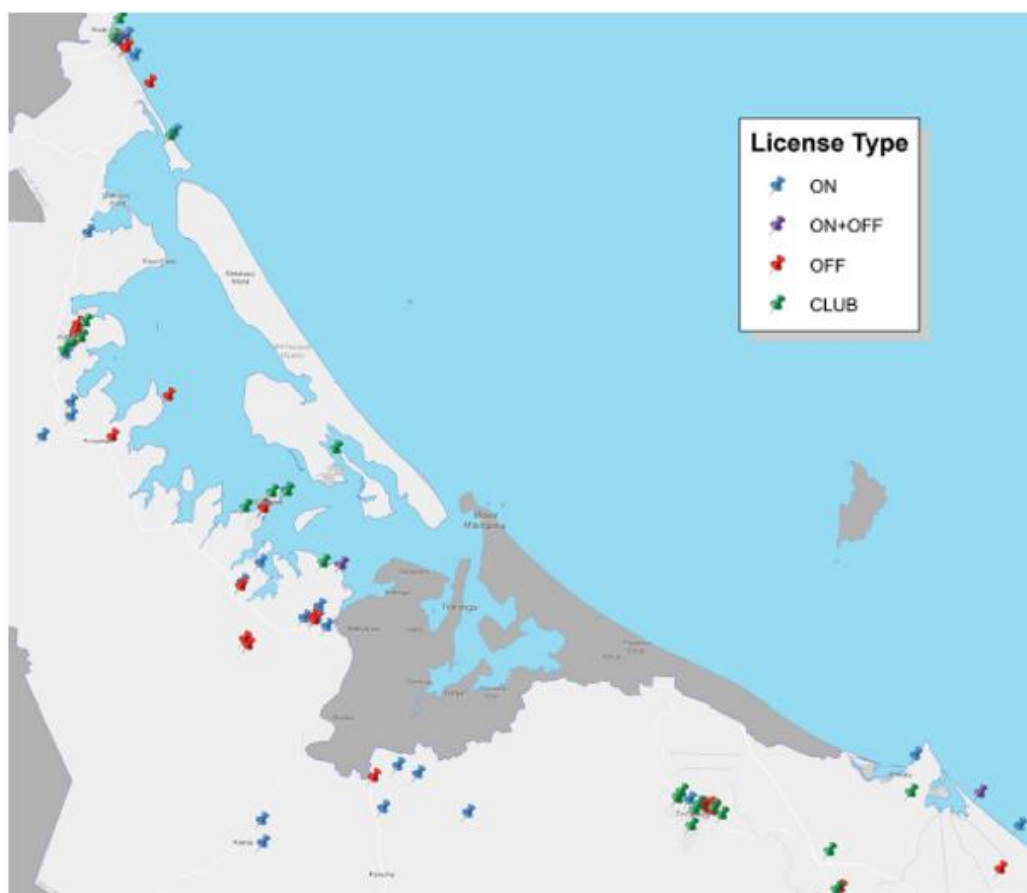
Local Alcohol Policy Research Report

- 2, in Maketū.

The map below sets out the location of licenced premises. More detailed maps are provided in Appendix A.

There are few applications for new licences annually, however there are regular renewal applications.

4.2 Special Licenses



In the last three years (January 2018 – December 2020) there were 316 special licenses issued. 85 special licences were issued in 2020 (despite the impact of COVID).

These special licences covered a wide range of events from 'special occasion' celebrations such as weddings and birthdays to larger events such as A & P Shows, the Avocado Food and Wine Festival, and fundraisers.

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4.3 Licensed hours for on and off-licensed premises

A full list of licensed hours is provided in Appendix B. The licensed hours for on and off-licensed premises do not necessarily reflect the actual opening hours of the premises. The actual opening hours are often less than the maximum allowed for.

For off-licences, often this is opening times later in the day (for example 10am, rather than 9am) or earlier closing (particularly on Monday and Tuesdays). All supermarkets and grocery stores with an off licence, in our District, currently close at 9pm or earlier (according to their own websites or online information). This is earlier than their licenced hours (which often run to 10pm).

5. The alcohol industry**5.1 Western Bay of Plenty District alcohol and hospitality industry**

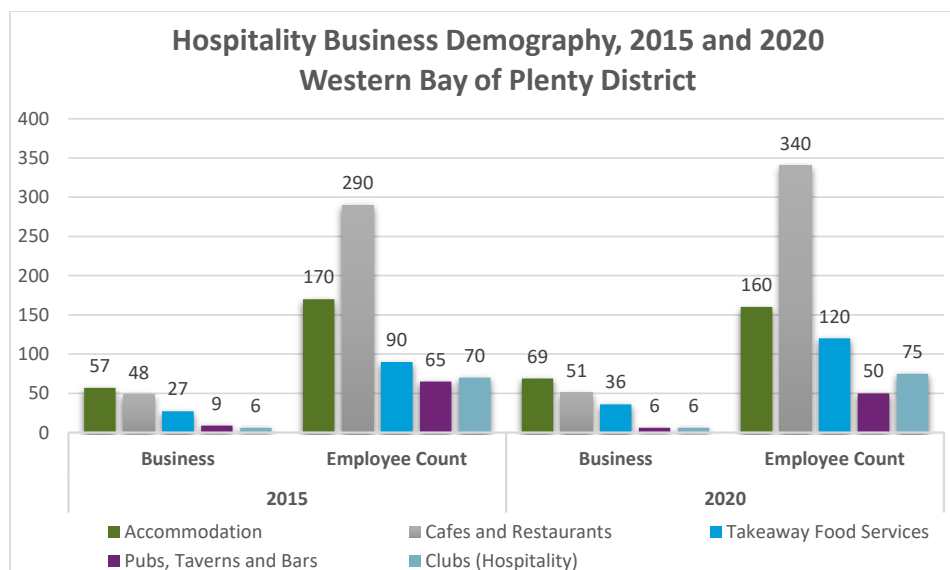
Understanding the economic contribution of the alcohol industry in the district is not simple due to lack of available data. The information below describes the hospitality sector as a whole, as these venues often also sell alcohol. It should be noted that the hospitality sector is more than just alcohol sales and this is a proxy only.

In 2020 the hospitality industry in the District comprised of 168 businesses with a total of 745 employees compared with 147 businesses and 685 employees in 2015¹. The number of employees is a 'head count' of salary and wage earners.

The following graph shows the type of business and the number of employees for both 2015 and 2020. Between 2015 and 2020, in the hospitality sector, there has been an increase in businesses of 14% and employees of 9%.

¹ Stats NZ, Business Demography data - <https://www.stats.govt.nz/information-releases/new-zealand-business-demography-statistics-at-february-2020>

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(Source: Stats NZ, Business Demography data)

Alongside the hospitality sector, the local economic and employment contribution of the alcohol industry also includes beverage manufacture, online remote sales, and off-licence/bottlestores/supermarkets.

5.2 Comments

Input and comments into the review were sought from all licence holders (on, off and club; special licence holders were not approached as part of this pre-engagement). Targeted engagement was undertaken with those parties that previously appealed the provisional LAP in 2014/15 (Foodstuffs, Countdown/Progressives, Liquorland, Super Liquor Holdings). Feedback received is summarised below.

Organisations	Summary of key points
Foodstuffs North Island Limited	<p>Foodstuffs undertakes steps to ensure stores are responsible retailers of alcohol.</p> <p>Extending the maximum trading hours to 7am to 11pm would provide flexibility for future growth, development, socio-economic and other changes in the region.</p> <p>Do not know of any evidence that would support reducing the current LAP maximum trading hours at either the 7am or the 10pm point. We particularly do not know of any evidence or</p>

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	<p>reason that would justify such a reduction in respect of supermarkets and grocery stores.</p> <p>Note that most sales of alcohol from our supermarkets and grocery stores occur when a customer is purchasing alcohol as part of a wider grocery shop.</p> <p>Foodstuffs supports the position taken in the LAP with respect to other conditions for off-licences. Foodstuffs considers that further restrictions are not required.</p> <p>There is no universally consistent evidence that off-licence density (and particularly density of supermarkets and grocery stores) is connected to alcohol-related harm or any particular types of harm.</p> <p>Reasonable conditions can be imposed on an off-licence on a case-by-case basis.</p>
Countdown	<p>No concerns with the current policy and had no issues with it.</p> <p>Raised that it was workable but did think that some would question whether there was a need for a policy.</p> <p>Would like supermarkets to be identified separately from bottle stores.</p> <p>Noted that in the past off-licence caps had been a barrier to upgrades and redevelopment of existing supermarkets elsewhere in the country.</p>
Super Liquor	<p>Comfortable with the current control in the LAP for off licences (being hours – 700am – 10.00pm).</p> <p>The hours should be consistent across all types of off-licences.</p>
LiquorLand	<p>Did not provide feedback at this point.</p>

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6. Monitoring and enforcement agencies

6.1 Monitoring and enforcement

To undertake a comprehensive review of the LAP, reliable and accurate data of alcohol related harm at a local level is needed to make informed decisions. This data can be hard to locate and source as many organisations which hold alcohol related harm data are at a national or regional level.

Data to inform decision making is provided in or attached to this report alongside testimonials and comments from those with direct experience.

6.2 District licensing inspector

6.2.1 Role

The Alcohol Licensing Inspector is appointed by the Council under section 197 of the SSAA, and is required (under section 197) to act independently from the Council when exercising and performing their functions, duties, and powers.

The functions, powers, and duties of inspectors include the following areas:

- Inquiring into all applications (on/off/club licences, managers certificates, temporary authorities, special licences, renewals and variations).
- Filing a report on all applications. Reporting includes assessing:
 - The form of the application;
 - Particular restrictions, conditions and prescribed requirements for different types of licences (required by the Act and Regulations); and
 - Considering the criteria for issuing of applications under the SSAA (for example amenity and good order of locality and factors such as noise, nuisance and vandalism in the locality).
- Appearing at District Licensing Committee (DLC) and Alcohol Regulatory and Licensing Authority (ARLA) hearings.
- Monitoring licensees' compliance with the Act and taking enforcement action.
- Collaborating with the Police and the Medical Officer of Health to establish and maintain arrangements with each other to ensure the ongoing monitoring of licences and the enforcement of the Act;

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as well as working together to develop and implement strategies for the reduction of alcohol-related harm through licensing practices in the licensing environment.

6.2.2 Comments

Appendix C is the Western Bay of Plenty's Alcohol Licensing Inspector's position statement.

A summary of the key conclusions are:

- The current limiting of hours for on-licences and off-licences is beneficial to our communities.
- A cap on the number of bottle stores in Te Puke would help stem the problem of street drinking and at least prevent it from growing.
- That discretionary conditions be applied to all licence types.

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6.3 Police**6.3.1 Role**

The Western Bay of Plenty District is split between two Police Districts. The Bay of Plenty Police District (includes Western Bay of Plenty area) covers the majority of our District. The Waikato Police District (includes Waikato East Area) is responsible for the Waihi Beach and Athenree area.

The Police have a number of roles and responsibilities regarding alcohol. Roles and responsibilities include the following:

- Checking suitability of the applicant
- Vetting of previous history or compliance issues
- Targeting-to-risk to reduce harm
- Assessing amenity and good order impacts (including crime)
- Site-checking new premises
- Providing a report if opposed to an application (Smart Client report)
- Giving evidence by speaking to the report, if required
- Commenting on CPTED (Crime Prevention Through Environmental Design)
- Monitoring and enforcement – undertaking compliance checks
- Undertaking Controlled Purchase Operations.

They are also the key agency in responding to alcohol related crime, road traffic offences and alcohol control area breaches.

6.3.2 Comments

Appendix D is the position statement for the Western Bay of Plenty Police.

A summary of the key points:

- An excess number of licensed premises and trading hours for licensed premises can lead to undue alcohol harm and a reduction in amenity and good order.
- Alcohol is a significant driver of crime and road trauma in New Zealand.
- Significant concern raised regarding Tauranga CBD.
- On-licensed premises throughout Western Bay of Plenty close at 1.00am, unless they already have an earlier closing time (maintain the status quo).
- Western Bay Police do not agree with the locating of licensed premises in areas zoned as industrial.

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- Police believe that an emerging industry of remote sellers (selling remotely from the premise i.e. for delivery) poses significant risk of alcohol related harm.
- Police working in the Te Puke area have become concerned that the number of licensed premises in the Te Puke area is driving offending including antisocial behaviour in the community.
- It is the Police's submission that consideration be given to the number of liquor Licenses, particularly Off-Licenses in the Te Puke area.

Correspondence with the Eastern Waikato Prevention Manager outlined that:

- Waihi Beach features as a problem area based on the data.

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6.3.3 Police intelligence reports

Police have provided intelligence reports and data regarding the different areas of our district.

Appendices E, F, G, and H are intelligence reports for alcohol related offending in the Katikati area, Tauranga area (including Ōmokoroa and much of the Kaimai ward), Te Puke area, and data provided regarding the Waihi Beach area. These are confidential due to the sensitive nature of the information.

The intelligence reports consider the provisional crime data and undertakes analysis to alcohol related and estimated to be alcohol related offences.

The table below summarises the key analysis. Please note that the currently available data for Waihi Beach is only provided for one year.

Station	Number offences (1 August 2018 – 27 July 2020)	Estimated alcohol related (1 August 2018 – 27 July 2020)
Te Puke	1082	488
Tauranga (inc. Ōmokoroa)	3438	1729
Katikati	470	238
Waihi Beach	-	128

Police National Headquarters has identified that within three time bands, a proportion of the above crimes can be related to alcohol:

- i) Between 2100 to 0600 hours an estimated 75 percent are alcohol related,
- ii) Between 1600 to 2100 hours an estimated 50 percent are alcohol related, excluding drunk custody (1K), drunk home (1H), breach of peace (1R), noise control (1N), domestic dispute (1D)
- iii) Between 0600 to 1600 hours an estimated 25 percent are alcohol related, excluding 1K, 1H, 1R, 1N and 1D.

The key conclusions of these reports are:

- alcohol is likely to play a significant role in offending in non-residential locations in Katikati, with an estimated 75 percent being alcohol related.

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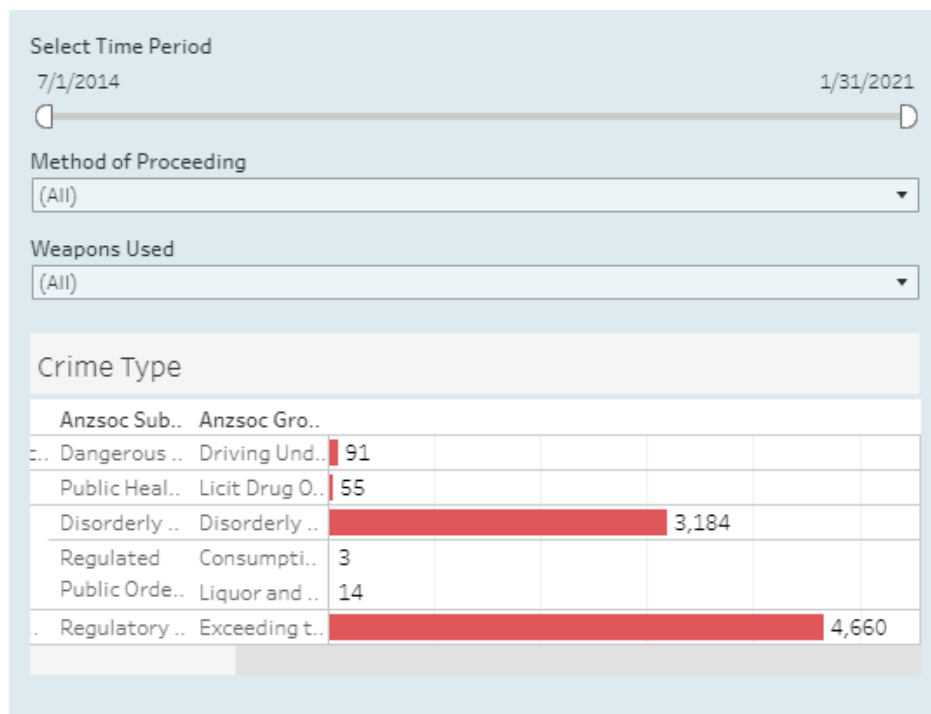
- alcohol is likely to play a significant role in offending in non-residential locations in Tauranga, with an estimated 67 percent being alcohol related.
- there is a significant amount of alcohol related offending that occurs in non-residential locations in Te Puke, with an estimated 66 percent being alcohol related.
- that Waihi Beach features as a problem area for East Waikato Police based on the data.

6.3.4 Police proceedings

The Police make a range of data publicly accessible using their policedata.nz website tool.

Analysis of this data shows that proceedings undertaken by the Police on some alcohol specific matters have not markedly increased or decreased over time across the sub-region.

The data below shows that between 2014 and 2021 the average number of proceedings a month has been around 500. It should be noted that there are seasonal variations and a slight decrease over the time period. Note that disorderly behavior has been included in this category and not all instances will have involved alcohol.



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Police Boundaries

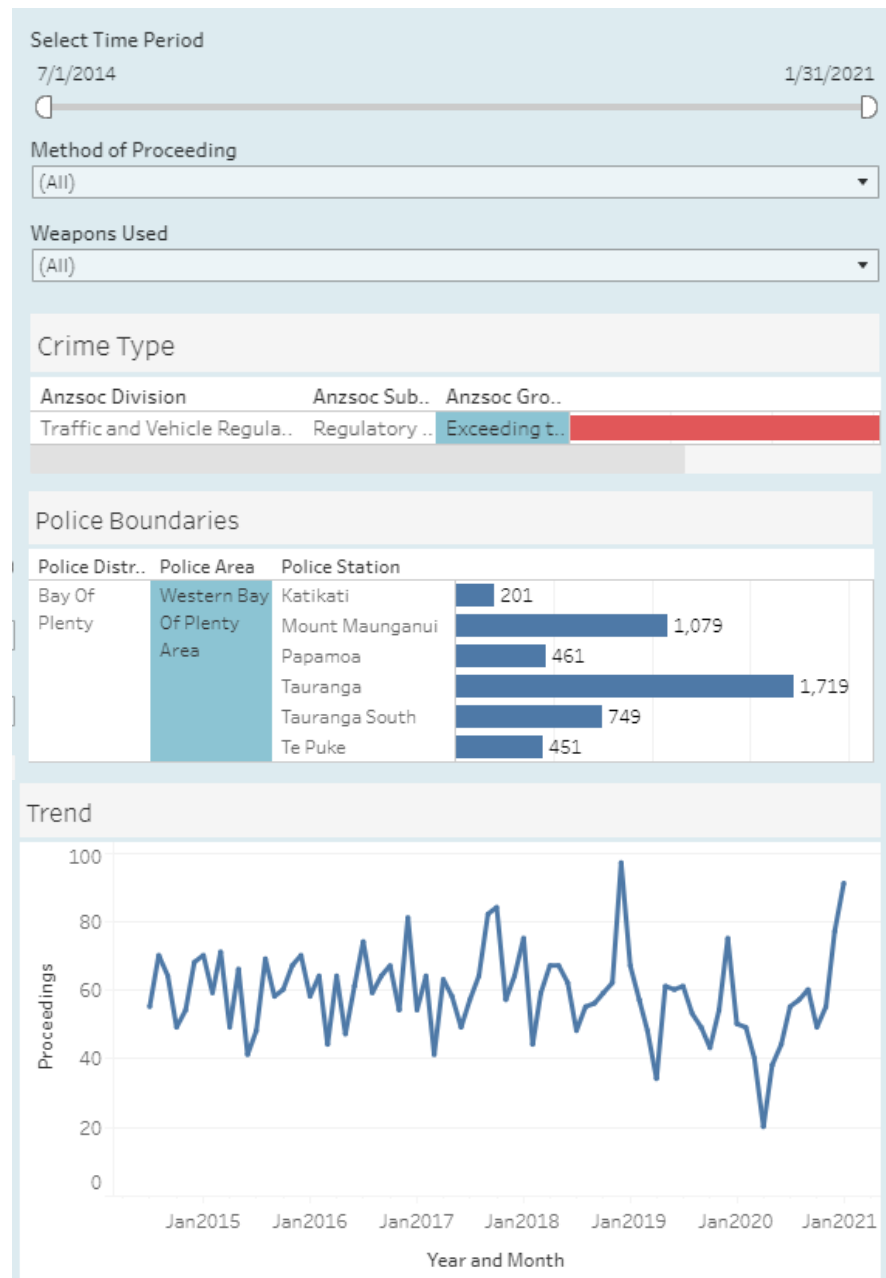
Police Distr..	Police Area	Police Station			
Bay Of Plenty	Western Bay Of Plenty Area	Katikati	1,946		
		Mount Maunganui	7,329		
		Papamoa	4,113		
		Tauranga	15,229		
		Tauranga South	8,250		
		Te Puke	3,787		

Trend



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Specifically looking at traffic related offences and focusing on proceedings for 'Exceeding the Prescribed Content of Alcohol or Other Substance Limit', the average number of proceedings a month is consistently around the 60 mark. There is however notable seasonal variation and it can be assumed variation depending on Police campaigns and resourcing decisions.



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6.4 Community patrols

Due to demand on police resources Community Patrol groups are a common tool to help keep communities safe. Community Patrols are organised and operated by their local communities and raise their annual operating expenses through local grants, sponsorships and donations.

Community Patrol members are volunteers working closely with Police as extra “eyes and ears” through intelligence and observation to assist Police and other agencies to build safer communities. Community Patrols are independent from the Police.

Community Patrols operating in the Western Bay of Plenty District include:

- Waihi Beach Community Patrols
- Katikati Community Patrols
- Tauranga South Community Patrols (also covers Kaimai, Te Puna)
- Ōmokoroa Community Patrols
- Te Puke Community Patrols
- Pukehina Community Patrols.

These groups were approached for input into the review through the use of a survey.

Community Patrols	Summary of response
Ōmokoroa Community Patrols	<p>Concern raised regarding bottle stores and taverns/bars.</p> <p>Felt that the number of licences, for Ōmokoroa, was ‘about right’ for licensed supermarkets, licenced restaurants, licensed clubs. Felt that the number of licences, for Ōmokoroa, was ‘far too many’ for off licences (bottle stores), Hotels, taverns, bars, nightclubs, and other licenced premises.</p> <p>Felt that the number of licences, for the district, was ‘too many’, for off licences (bottle stores), Hotels, taverns, bars, nightclubs, and other licenced premises; was ‘too many’ for licensed supermarkets and licensed restaurants; and ‘about right’ for licenced clubs.</p> <p>They felt that alcohol is a big issue in their area. They are concerned with eliminating (or at least largely suppressing) any anti-social behaviours to ensure that</p>

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	<p>Ōmokoroa is a safe and sociable environment to live in. A stated reason for the opinion was that in the last year or two there was an application to establish a liquor outlet in our community and the proposal was met with numerous objections. We just don't want a proliferation of liquor outlets, full stop.</p> <p>Sought consideration of a range of restrictions.</p> <p>Stated that as part of their interaction with Police through Community Patrols, they hear of many instances where alcohol is the key factor in Police attendance at incidences involving family harm, violence, fights, reckless driving etc. Alcohol is a key impairment to rational human thinking and leads directly to costing the community vast amounts of money, significant threats to life, clogs our Fire/Ambulance/Hospital services and presents real danger to other road users.</p>
Te Puke Community Patrols	<p>Felt that the number of licences, for Te Puke, was 'about right', except that there were 'far too many' off licences (bottle stores).</p> <p>Felt that the number of licences, for the district, was 'too many', and that there were 'far too many' off licences (bottle stores).</p> <p>They did not know if alcohol was an issue in the area as they do not get involved and called Police if concerns arise.</p> <p>Sought consideration of a range of restrictions.</p> <p>Stated that 'In Te Puke we seem to have far too many places where alcohol can be purchased given the population.'</p>
Tauranga South Community Patrols (Kaimai, Te Puna)	<p>Generally felt that the number of licences was 'about right' and that alcohol is not an issue in their area.</p> <p>Our Patrol has only ever reported two alcohol incidents concerning a licenced premises in the last few years. These related to actions of those who were intoxicated. To our knowledge there has only been one new outlet that had a new liquor Licence (Indian Restaurant) in this time.</p>

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7. Health and wellbeing – support services

7.1 Health and wellbeing

Alcohol and drug use cause a lot of harm in New Zealand, including to family and friends, at work, and to finances, as well as causing injuries, disease and death.

It is important that the development of appropriate policy and services to address this harm is underpinned by an understanding of New Zealanders' drinking patterns.

7.2 Medical Officer of Health

7.2.1 Role

A Public Health Regulatory Officer will generally report on behalf of the Medical Officer of Health. Roles and responsibilities include:

- checking suitability of the applicant to prevent alcohol-related harm in relation to host responsibility
- assessing the design and layout of the premises
- checking Host Responsibility Policy and implementation plan are operational
- undertaking Health Impact Assessments
- providing risk profiles – outlining the risk to communities
- supporting and assisting in Controlled Purchase Operations
- providing support to reduce alcohol-related health risks
- providing a report if opposed to an application
- giving evidence by speaking to the report, if required
- linking local/community public health issues to alcohol-related harm and the operation of the licence.

The District Health Board also has responsibilities for responding to alcohol related injuries and health conditions and supporting community health outcomes.

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7.2.2 Comments

The Medical Officer of Health for the Bay of Plenty District has provided a comprehensive statement as set out in Appendix I. The statement includes references to support their statement.

Overall, it strongly recommended the LAP is retained and strengthened. The Medical Officer of Health suggests the following is required to strengthen the existing LAP:

- Define maximum alcohol outlet density in specific areas and zones
- Reduce off-license trading hours
- Implement a one-way door policy in the last hour of opening for all on-licensed premises that are open after 1.00am
- Proximity of alcohol outlets need to be capped at current levels within a specified footpath distance from schools and other education facilities.

The Medical Officer of Health also points out that the 2020 Toi Te Ora Public Health, Health and Wellbeing Population Survey indicate the community is supportive of tighter regulatory measures to manage issues such as alcohol outlet density, sponsorship, trading hours and availability.

Alcohol outlet density was highlighted as an area of concern and research referenced that shows increased alcohol outlet density is associated with an increase in:

- Alcohol consumption
- Levels of serious violent offending
- Alcohol-related traffic crashes
- Harm to quality of life, including effects on work performance, relationships, physical health, and finances
- Under-age youth access and consumption of alcohol.

The statement notes that higher alcohol outlet density results in premises competing on price and longer opening hours, further accelerating accessibility to cheap alcohol, higher levels of alcohol consumption and alcohol related harm.

Off-licence trading hours are another area of concern for the Medical Officer of Health. Increased alcohol outlet trading hours are associated with increased alcohol consumption and related harms. Evidence indicates:

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- High risk drinkers are more likely to take advantage of longer trading hours
- Longer trading hours correspond with an increase in motor vehicle crashes
- Restrictions to trading hours will prevent alcohol-related harm.

The statement points to research which shows that restricting on and off license trading hours has the most significant impact on alcohol harm reduction amongst 15 – 29-year-olds.

7.2.3 Public health intelligence brief

Toi Te Ora Public Health have provided an intelligence report on alcohol related harm – Morbidity in the Western Bay of Plenty (Appendix J).

The key findings of this report were:

- The rate of admission to hospital with conditions wholly attributable to alcohol has consistently been higher in Tauranga than the average rate for New Zealand over the last 10 years.
- In the Western Bay of Plenty the rate has decreased and then increased again. The rate of admission to hospital with conditions wholly attributable to alcohol is currently higher than the New Zealand average.
- Western Bay of Plenty and Tauranga have rates for conditions caused by chronic alcohol use higher than the New Zealand Average.
- The rate for conditions caused by acute alcohol use is similar to the New Zealand average in Tauranga. In the Western Bay of Plenty this rate is lower than the New Zealand average rate which might be due to the geography of the Western Bay of Plenty making it more difficult to access hospital services. People experiencing conditions caused by acute alcohol use in rural towns and rural areas have to travel much further to access hospital services.
- Several domiciles in the Western Bay of Plenty and Tauranga rank within the top 100 (total number of domiciles ranked: 1851) for the number of admissions according to the broad definition²; including Tauranga Central, Mt Maunganui North, Tauranga South, Gate Pa and Te Puke East.

² The main reason (primary) for hospital admission or a secondary diagnosis was wholly attributable to alcohol. The broad measure is all people who are admitted to hospital and are diagnosed with a condition wholly attributable to alcohol regardless of the diagnosis being the main reason for their admission to hospital.

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7.3 Additional specialist health input sought

Comment was sought from Dr Derek Sage, head of Tauranga Hospital's emergency department, responding as a credentialed expert/specialist (rather than representing the BOPDHB). The commentary provided is based on years of experience and observation in the field of emergency medicine.

Appendix K sets out the response in full, however some key points are:

- Medical literature is clear on the long term harm of alcohol abuse whether that is hazardous drinking or addiction (alcoholism).
- Alcohol is a contributory factor to many (not most) accidents/injuries including motor vehicle crashes.
- It is hard at a local level to quantify exactly the part alcohol plays in presentations because the outcome rather than the cause is coded for records and alcohol is only recorded clearly if the presentation is intoxication.
- For overall attendances at the emergency department alcohol is not a big player except at certain times of the year where partying is rife e.g. New Year's.
- The main area that alcohol plays its pathological game is in more at the domestic level with domestic violence some of which we see (tip of iceberg) and children with disrupted or harmful home environments.
- Additionally we have a subgroup of older adults (aged folks) who with a lifetime's accumulated wealth will have more money anyway and now do spend it on drink, get drunk and fall and injure themselves.
- Restricting outlets and restricting times of availability of domestic 'off licence' drink used at home is probably a good way to go as this reduces availability without economic impact of 'poor households'.
- One-way door conditions may be beneficial for on-licences.
- Those who want to drink and need to drink will pay for the drink no matter the cost with no regard to their dependents or the law.
- Most are safe/ sensible consumers of alcohol (if we drink at all) and we should not 'punish' a majority because of a minority with extreme measures.
- Education at an early age by role models is useful.
- Education, enforcement, engineering is the standard approach to prevention of accidents and injuries and it applies here also.

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7.4 Hauora

Hauora is a Māori view of health unique to New Zealand, and covers the physical, mental, social and spiritual needs that everyone has. As Māori Health Service providers, these organisations are able to provide some initial local insight and contribute te ao Māori to the review.

All Hauora operating in the Western Bay of Plenty sub region were contacted to provide input into the review of the LAP.

Organisation	Summary of response
Ngāi Te Rangi (Appendix L)	<p>Significant concern raised regarding alcohol in the sub-region and stated:</p> <p>The alcohol industry is responsible for a high risk of harm. Research shows that a good, healthy, quality of life is lost due to alcohol. Alcohol compromises the health of our whānau through either loss of life (approximately 800 deaths per year in NZ), or it is directly attributed to poor quality of life.</p> <p>Raised seven key points.</p> <ol style="list-style-type: none"> 1. New off licence applications notifications to be sent to the Iwi 2. Geographical Areas of harm witnessed by their team (primarily Tauranga) 3. Cultural impact recognised and requested in the decision making panel and a treaty clause in the policy 4. Special licence concerns, particularly around alcohol branding, public order and alcohol/drug related litter. 5. Amendments to LAP sought with restricted hours for premises directly located in high deprivation index areas and limit the location of licences. 6. Seek amendments to the SSAA 7. Continued engagement with iwi/Māori.

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Poutiri Trust	<p>Felt that the number of licences, for Te Puke (and the wider District) was 'about right', except that there were 'too many' off licences (bottle stores) and licenced supermarkets.</p> <p>Felt that the number of licences, in the wider District, was 'about right', except that there were 'far too many' off licences (bottle stores) and licenced supermarkets.</p> <p>Considered that alcohol is a 'big issue' in the area. Noted that working in the field of mental health and addiction, they see the destruction that is caused by the abuse of alcohol.</p> <p>Did not feel they had any input into alcohol licence decisions as they don't know how to have a say on decisions.</p> <p>Also stated that:</p> <p>It's everywhere. The Te Puke Hotel – regularly used as emergency accommodation is above a bar, across the road from a bottle shop, and across the road from a supermarket which sells alcohol. How's that for convenience?!</p>
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7.5 Addiction Service in the Western Bay of Plenty subregion

Addiction to alcohol is a significant harm. Addiction services are offered in Tauranga, Te Puke and Katikati.

These include services provided through the DHB, through the Salvation Army, Hanmer BOP Charitable Trust, Alcoholics Anonymous, Western Bay of Plenty Primary Health Organisation (WBOPPHO), Vincent House Recovery Trust, Poutiri Trust, Te Runanga O Ngai Te Rangi Iwi Trust, Ngāti Ranginui Iwi, Ngā Kākano Foundation and Maketu Health & Social Services.

7.5 Family budgeting services

Tauranga Budget Advisory Service is the key budgeting service in the sub-region providing clinics in Te Puke, Maketu, Katikati and a range of locations in Tauranga.

Tauranga Budget Advisory Service provided input through a survey response. Their response is summarised below.

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Organisation	Summary of key points
Tauranga Budget Advisory Service	<p>Tauranga Budget Advisory Service stated that the number of licences, in the sub-region, was 'about right', except that there were 'too many' off licences (bottle stores).</p> <p>They thought that alcohol was a big issue in the area. The reasons given for this position were that alcohol is a significant issue for so many of their clients and the greatest proliferation of alcohol outlets seems to be in low income areas. The level of alcohol use/abuse in NZ is a significant contributor to financial hardship and violence in our community.</p> <p>Sought consideration of a range of restrictions. and raised concern that most alcohol outlets and gambling establishments are in low income areas. Concerned that around the clock access encourages people to continue to drink when their supplies are diminished.</p> <p>Tauranga Budget Advisory Service also made the following statement:</p> <p>As with many social issues, the location and availability alone cannot be blamed for the damage caused by alcohol in our society. Individuals are free to choose how and when they drink but I see the council has a role in protecting the safety of others and in harm reduction through:</p> <ul style="list-style-type: none"> • Limiting the number of outlets • Ensuring their locations are not near school and or childcare centres • Ensuring public transport options to available to avoid drink driving <p>Our service works with many people who are living with an addiction to drugs, alcohol and gambling. These clients are extremely vulnerable and a multifaceted approach is needed to support them in their recovery. This includes access.</p>

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8. Community / demographic information

8.1 District demographic profile

Alcohol harm is inequitable and some individuals and communities bear more of the burden than others. It is important to look at the demographics of our communities with this in mind.

There is overwhelming evidence that alcohol-related harm in New Zealand is unacceptably high to both drinkers and others, and plays an undeniable role in the social, economic and health inequities experienced by Māori.

Pacific people and low income populations also experience disproportionately more harm from alcohol, as well as the following persons who are especially vulnerable:

- unborn babies;
- children and young people;
- people living with mental illness;
- homeless and vulnerably housed populations;
- people experiencing, or at risk of, family violence (especially women and children); and
- high risk drinkers and those experiencing alcohol dependence.³

8.1.1 Population size

The District has several townships with a range of sizes.

The below table sets out the population of these townships, however it should be noted that these often also service a wider rural area and often have significant seasonal variations (due to summer visitors and kiwifruit workers). A comparison of the population and the number of licenced premises in the township is provided.

Township	Population (2021)	Licenced premises	Population per licenced premises
Waihi Beach - Bowentown	2,770*	14	197.9
Katikati	5,500	14	392.9

³ Alcohol Healthwatch (2020). Evidence-based alcohol policies: Building a fairer and healthier future for Aotearoa New Zealand

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Ōmokoroa	4,575	9	508.3
Te Puke	9,700	22	440.9
Maketu	1,310	2	655
Pukehina Beach	870*	3	290

* Note: this does not include seasonal visitor numbers.

8.1.2 Population growth

The sub-region has undergone substantial population growth and this is anticipated to continue.

In 2021, the estimated population of the Western Bay of Plenty District is 55,900. This is projected to grow to 66,900 in 2051. The majority of this growth will be experienced in Ōmokoroa where the population will more than double in size over the next 30 years, increasing from 4,504 in 2021 to 10,220 people in 2051. Tauranga City is expected to grow by an additional 60,000 people by 2051.

The majority of this growth will occur prior to 2031, and then we will experience a slowing down of growth which reflects a shift from natural increase to natural decline. The district appeals to a broad range of people, with families, retirees, and new migrants moving here. Most of the population growth experienced to date has come from migration from other areas in New Zealand and also immigration and it is expected that this will continue to be the case.

8.1.3 Age

While the overall age profile of the WBOPDC district is expected to increase, with a projected ageing population and the corresponding decrease in younger, there are marked differences between communities. For example the median age in Te Puke has dropped to 35.5 years, whilst that in Katikati is 53 years. The WBOPDC district median age is 45.

Community	Median age
Waihi Beach	55
Katikati	53
Ōmokoroa	52
Te Puna/Minden	46
Oropi	42
Te Puke	35.5
Maketu	41

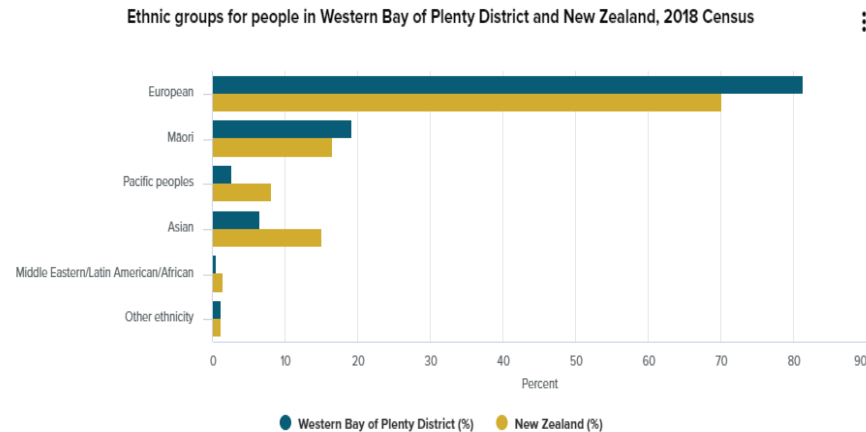
Harm to Māori	<ul style="list-style-type: none"> In 2007, the age-standardised premature death rate for Māori from alcohol was 2.5 times the rate for non-Māori. The years of life lost due to alcohol were 2.6 times greater for Māori than non-Māori.²⁴ Higher proportions of cancer among Māori are due to alcohol, with an average of 12.7 years of life lost from alcohol-attributable cancer for Māori compared to 10.1 years for non-Māori.²⁶ Research estimates that 35% of the relationship between Māori ethnicity and hazardous drinking is explained by experience of discrimination.²⁷ More Māori drinkers report harms to their financial position as a result of their drinking, when compared with European/Others. Māori drinkers have also been found to be 2.0 times more likely to be absent from their work because of their drinking.¹⁰
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8.1.4 Ethnicity

Our District is becoming more diverse. The District will continue to appeal to new migrants from overseas and the ethnic profile will continue to change. This is likely to bring different viewpoints and cultural norms into consideration.

Studies have shown that alcohol harm has a disproportionate impact on Māori. Wāhine Māori are shown to experience disproportionately more harm from the drinking of others than other demographic groups. The information below gives a summary of some of the research that demonstrates the disparity.⁴

The District ethnic profile as at the 2018 census is given below.



Again, there are clear differences amongst our communities.

Community	Ethnic profile
Waihi Beach	In Waihi Beach most of the people are of European ethnicity (90%) which consists of 85.1% New Zealand European followed by 1.7% British/Irish and 1.6% Other European.

⁴ Alcohol Healthwatch (2020). Evidence-based alcohol policies: Building a fairer and healthier future for Aotearoa New Zealand

Local Alcohol Policy Research Report

Katikati	In Katikati most of the people are of European ethnicity (78.7%), followed by 11.5% Māori and 11.4% Asian. 8.5% of the Asian ethnicity are Indian and 1.1% are Chinese.
Ōmokoroa	In Ōmokoroa, most of the people are of European ethnicity (95%) which consist out of 87.9% New Zealand European followed by 3.9% British/ Irish and 2.1% Other European.
Te Puna/Minden	The Māori population in Te Puna/ Minden is slightly higher (22%) than in Western Bay of Plenty District (19%). In the last 5 years the Māori population in Te Puna/ Minden increased with 393 people (or 60%).
Oropi	Over 90% of the population in Oropi are of European ethnicity. In the last 5 years the Māori population increased with 90 people (or 3.6%).
Te Puke	More people living in Te Puke are of Māori (26.5%) and Asian (19.4%) ethnicity compared to Western Bay of Plenty District and New Zealand. Of the 19.4% Asian ethnicity, most of the people indicated that they are of Indian ethnicity (15.3%) followed by the Filipino ethnicity (0.7%).
Maketu	In Maketu, 67% of the population indicated they are of Māori ethnicity in both 2013 and 2018 Census. In Western Bay of Plenty District less than 20% of the population are of Māori ethnicity in 2018 Census.

8.1.5 Deprivation Index

Higher levels of socioeconomic deprivation are associated with worse health. There are also connections between socioeconomic deprivation and environmental risk.

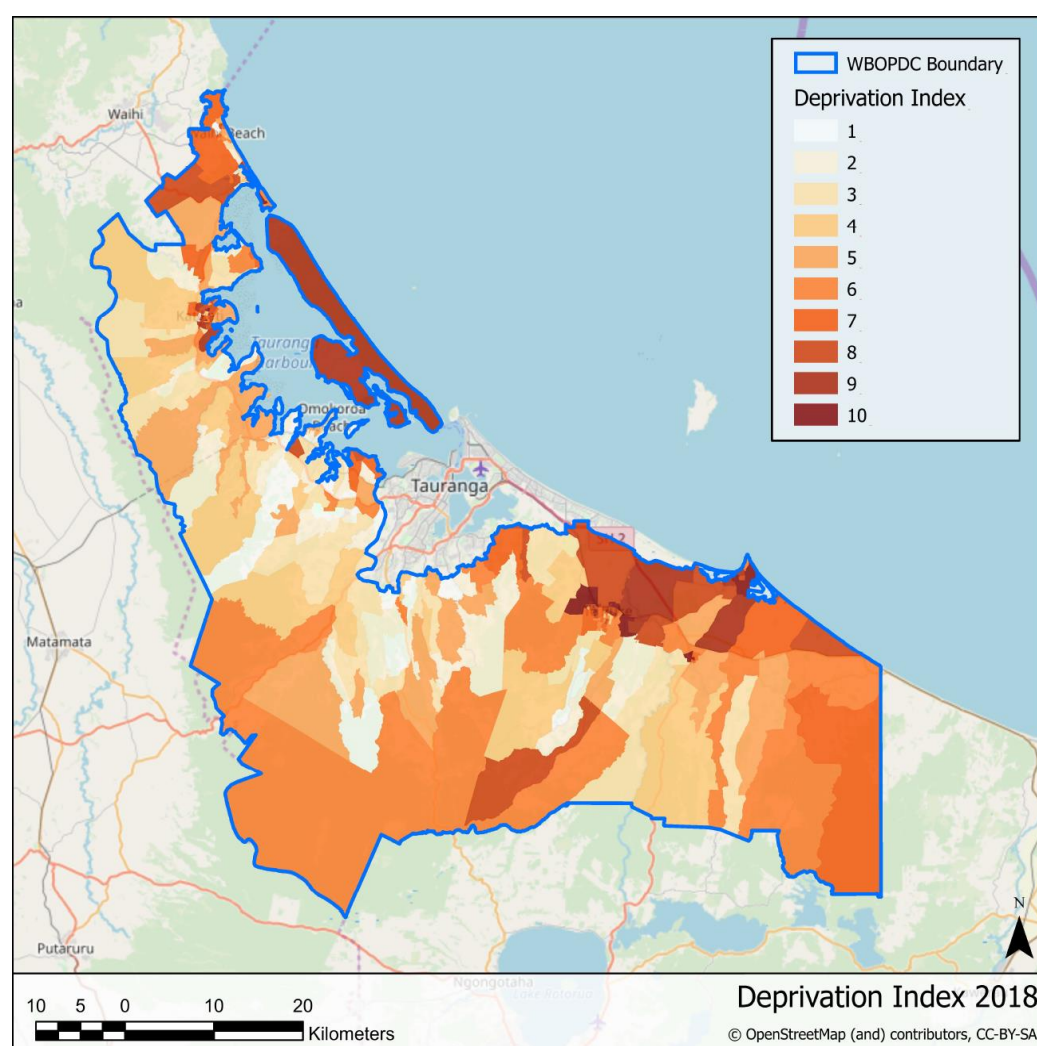
Research shows that deprived communities experience more harm per drink, when compared to the least deprived communities with the same level of drinking. Research in Aotearoa New Zealand has also found there to be disproportionately more harm (i.e. dependence,

Local Alcohol Policy Research Report

alcohol-related disorder) per drink among drinkers unemployed or of low socio-economic status. Studies show that increasing social welfare spending has the greatest impact on reducing alcohol-related mortality.⁵

The NZ Deprivation Index is an area-based measure of socioeconomic deprivation in New Zealand. It measures the level of deprivation for people in each small area. It is based on nine Census variables.

The Deprivation Index map below gives an indication of these patterns in the Western Bay of Plenty District.



⁵ Alcohol Healthwatch (2020). Evidence-based alcohol policies: Building a fairer and healthier future for Aotearoa New Zealand

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8.2 Tourists and holiday makers

The Western Bay of Plenty District has a significant number of bachs that are not permanently occupied. The majority of these are located in Waihi Beach. Pukehina also has a large number of bachs.

This means that the population of these areas increases significantly over the peak holiday season, with Waihi Beach increasing significantly from 3,600 residents to have an extra 4,300 residents and approximately 5,000 day visitors. The additional 9,000 persons makes this significantly different from the rest of the year.

The majority of visitors to our district are domestic (80% historically), and we anticipate a similar profile going forwards.

The kiwifruit industry also draws a significant number of domestic and international workers to the District. It is estimated to employ approximately 6,000 seasonal staff per annum. While some of the seasonal workforce is comprised of people who reside within the District, a large portion of the workers are sourced from other regions of New Zealand or internationally. This includes RSE workers, primarily from the Pacific region and 'back-packer' workers on working holiday visas.

8.3 Community Boards

WBOPDC has five Community Boards. They are elected representatives of their community and have a number of roles. Their roles include:

- To represent, and act as an advocate for, the interests of their communities.
- To provide an effective mechanism for community feedback to Council.

All Community Boards were approached for comment and input on alcohol in their respective areas.

Community Board	Summary of response
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Local Alcohol Policy Research Report

Maketu Community Board	<p>Felt that in the Maketu area the number of off licences (bottle stores) was about right (currently none in the Maketu area), as were Hotels, taverns, bars, night clubs and other premises. Felt that there were too few licenced supermarkets, licensed restaurants and licensed clubs.</p> <p>With regard to the District as a whole, felt that there were too many off licences (bottle stores), about the right number of licensed supermarkets, hotels, taverns, bars, nightclubs and other premises, and too few licensed restaurants and licensed clubs.</p> <p>Felt that Alcohol 'is not an issue' in the Maketu area as Maketu has no hotels, taverns bars, nightclubs.</p> <p>Sought a range of controls to be considered, including noting that there should be no hotels, taverns, bars, nightclubs as Maketu is not big enough to support these.</p> <p>They also stated that:</p> <ul style="list-style-type: none"> • The Maketu community has a very strong view on off licences; this showed recently when an application was filed for one and there was a strong kick back and that application was withdrawn. • There is one off licence at Paengaroa (10 minutes away) and several more at Te Puke and Papamoa (15 minutes away) • Maketu is a destination spot where people come to enjoy the scenery, visit friends & family, enjoy the beach and surroundings. The future will require more on licence premises as more people require places to celebrate, eat or play within. • Maketu has a resident patched gang; this scares some people when outside members come to visit, that's one reason not to have readily accessible alcohol outlets.
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Local Alcohol Policy Research Report

	<ul style="list-style-type: none"> Secondly Maketu is a lower decile community which doesn't need the easy availability to source alcohol.
Te Puke Community Board	<p>Felt that the number of licences, for Te Puke (and the wider District) was 'about right', except that there were 'too many' off licences (bottle stores).</p> <p>Considered that alcohol is a 'medium' problem in the area. Notes that drinking is a social problem, that the liquor ban helps drinking in public but that there are too many alcohol outlets. Noted that alcohol and drug abuse is a problem in the area.</p> <p>Noted concern that there is no restriction on the number of outlets.</p> <p>Sought consideration of a range of restrictions including, limiting the number of off licences, limiting how many premises are in the CBD area and main street of Te Puke, and one way door restrictions.</p>
Katikati Community Board	<p>Felt that the number of licences, for Katikati (and the wider District) was 'about right', except that there were 'too many' off licences (bottle stores) and 'far too few'/'too few' licensed restaurants in Katikati/the District.</p> <p>Considered alcohol to be a minor issue in the area as drug use (other than alcohol) is a major issue and most alcohol public events are well controlled.</p> <p>Considered they had limited say on alcohol licence decisions due to limited public consultation.</p> <p>Suggested restricting the location of licences to CBD and non-residential areas and closing times of 2am.</p>

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<p>Ōmokoroa Community Board</p>	<p>Felt that the number of licences, for Ōmokoroa (and the wider District) was 'about right' across all types.</p> <p>Did not consider alcohol to be a problem in Ōmokoroa.</p> <p>Considered they had a say on alcohol licencing decisions as Ōmokoroa has a community that is invested in the environment and its people. They have been extremely active in voicing what it wants and does not want for its community.</p> <p>Suggested considerations of opening hours and discretionary conditions, depending on where it is located – i.e., near residential areas, schools.</p> <p>They also stated that:</p> <ul style="list-style-type: none"> • As the district expands each area will need to be looked at for its own individual needs. The council will need to be careful that it does not penalise the general population for the minority that may cause trouble. For example, increasing prices to limit the amount purchased to control amount that people buy, will not achieve this. • If people have a problem with alcohol, they will buy the alcohol at the expense of other things, i.e., food, nappies. This then cause other social problems that are harder to control. The alcohol policy should not be used to police people's choices in life.
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9. Nature and severity of alcohol-related problems

The evidence provided by Police, DHB and other agencies above provides evidence on the nature and severity of alcohol-related

Local Alcohol Policy Research Report

problems. The below explores further evidence of alcohol related problems.

9.1 Alcohol-related traffic issues

Road traffic injuries are one of the top five causes of alcohol-attributable deaths in New Zealand. People with a high blood alcohol level are more likely to be injured or die in a crash than those who are sober. In comparison with sober drivers, the risk of a fatal traffic crash increases exponentially as the level of alcohol consumed by the driver increases⁶

Road crashes have a social cost including: loss of life and life quality; loss of output due to temporary incapacitation; medical costs; legal costs and vehicle damage costs. As described in the Ministry of Transport's paper "Social cost of road crashes and injuries 2018 Report" states *"the updated average social cost is estimated at \$5.07 million per fatal crash, \$525,600 per serious injury crash and \$29,900 per minor injury crash. This is adjusted to \$926,000 per reported serious injury crash and \$107,000 per reported minor injury crash, after scaling up the estimates to account for non-reported cases."*

These social costs have been measured and a dollar value assigned, they do not show the devastating impact road crashes have on families, communities and emergency services. Each figure represents a person whose family, friends, neighbours and community are forever changed. Unforgettable (and unmeasurable) trauma is faced by people working or volunteering as first responders. Alcohol and drugs seriously affect drivers' ability by slowing reaction times and affecting senses and judgement.

Alcohol is the second biggest contributing factor to road crashes in New Zealand. The current legal limit for alcohol is 250 micrograms per litre of breath or 50 milligrams per 100 ml of blood for drivers 20 years or over. There is a zero alcohol limit for driving if you are under 20.

The following information has been retrieved from the Waka Kotahi (NZTA) Crash Analysis System (CAS) for the WBOPDC area between 1 July 2017 and 30 June 2020. This shows the number of crashes and locations where an alcohol breath reading of over 250 micrograms was recorded.

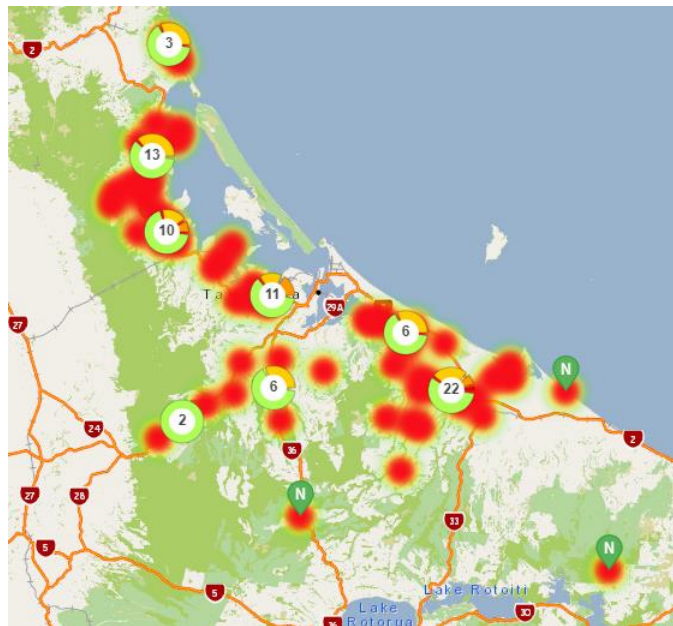
⁶ Ministry of Transport. Alcohol and drugs crash facts. <https://www.transport.govt.nz/statistics-and-insights/safety-annual-statistics/sheet/alcohol-and-drugs>

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During this period 90 alcohol related crashes were recorded. These led to one fatality, four serious injuries and 28 minor injuries. A further 120 people involved in these crashes were not injured. The majority of these crashes were the result were recorded as Bend-Lost control/Head on.

Bend-Lost control /Head on	Straight-Lost control /Head on	Rear end /obstruction	Crossing /Turning	Pedestrian vs Vehicle	Overtaking	TOTAL
56	3	2	2	8	19	90

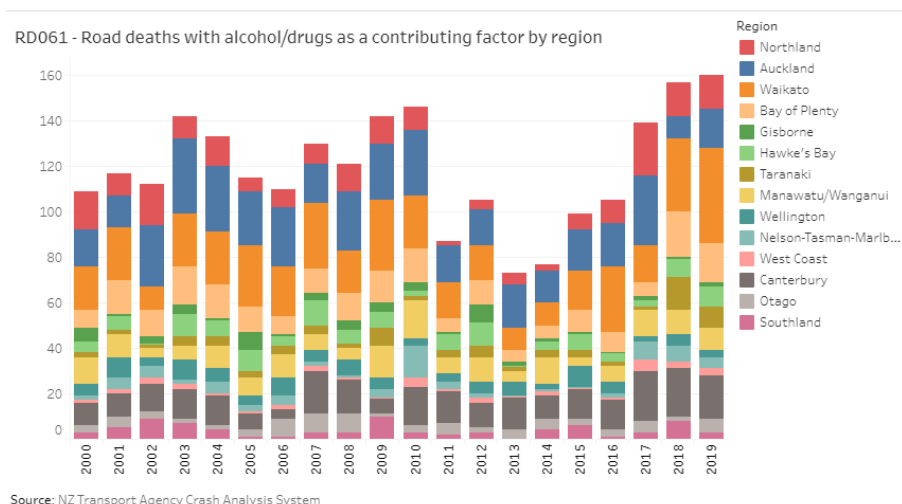
The below heat map displays the locations of alcohol related crashes.



At a regional level, the Bay of Plenty has a serious issue with alcohol related crashes. In terms of fatalities as a result of drugs/alcohol, the BOP is the joint third worst region in 2019, with 17 deaths (the same as Auckland) – only Waikato and Canterbury were worse⁷.

⁷ Ministry of Transport. <https://www.transport.govt.nz/statistics-and-insights/safety-annual-statistics/sheet/alcohol-and-drugs#element-1097>

Local Alcohol Policy Research Report



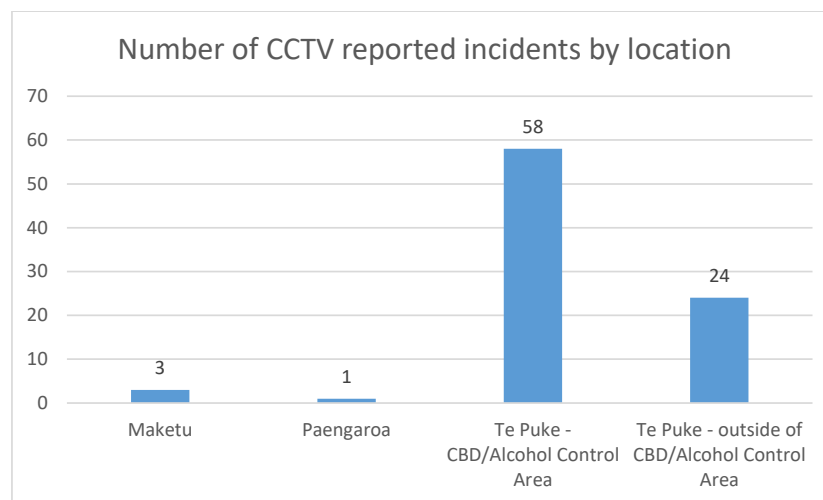
9.2 Alcohol-related crime – CCTV

Analysis of Monthly CCTV findings has been undertaken. 86, alcohol related incidents have been recorded in the monthly findings reports for the period January 2020 – May 2021 (17 month period but only 14 months of data is available). This represents 12% of incidents reported in the monthly findings. These cover a range of incidents including from drinking in alcohol control areas, driving offences, theft, vandalism, etc.

month	# incidents	# alcohol related	% alcohol related
Jan-20	66	8	12
Feb-20	90	15	17
Mar-20	75	10	13
Apr-20	87	10	11
May-20	50	3	6
Jun-20	20	0	0
Jul-20	38	5	13
Aug-20	54	6	11
Sep-20	41	5	12
Oct-20	40	3	8
Nov-20	unavailable	–	–
Dec-20	unavailable	–	–
Jan-21	53	8	15
Feb-21	21	4	19
Mar-21	38	4	11
Apr-21	unavailable	–	–
May-21	56	5	9
TOTAL	729	86	12

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The majority of the incidents recorded in the monthly findings are in the Te Puke CBD area. There is still a large proportion outside of this space in the wider Te Puke township. The below graph outlines the locations.



It should be noted that the majority of general public drinking incidents are not logged, due to the volume and low priority these are given. Only those of a more serious nature or that lead to a more serious incident are captured.

Another limitation to bear in mind is that the majority of the CCTV camera network is Te Puke based, with 49 percent of the camera network in the town. This is obviously reflected in the subsequent reports.

10. Conclusions

Overall there is continued harm from alcohol misuse in the community. Council may wish to review approaches in the LAP.

A summary of some of the key points:

- Limited change in numbers of licences since 2015
- High number of licenced premises in Te Puke
- Hospitality and alcohol industry makes a contribution to the Western Bay economy
- Previous appellants are relatively comfortable with the current policy

Local Alcohol Policy Research Report

- Concern raised by the Alcohol Licensing Inspector and Police regarding alcohol availability in Te Puke
- Police raised concern with the level of alcohol related offences in the Waihi Beach area.
- Police data shows that alcohol is likely to play a significant role in offending in non-residential locations. With two thirds or more estimated to be alcohol related.
- There appears to be a high level of alcohol related crime, particularly in the Te Puke area.
- Community Patrols had mixed views on how far alcohol was an issue in their communities.
- The Medical Officer of Health for the Bay of Plenty District requested strengthening the LAP. Particular concern was raised regarding alcohol outlet density and off-licence trading hours.
- Research shows increased alcohol outlet density is associated with an increase in alcohol related harm.
- The Health and Wellbeing Population Survey 2020, undertaken by Toi Te Ora Public Health, indicate the Bay of Plenty community is supportive of tighter regulatory measures.
- High level of health impacts across the Western Bay of Plenty with the rate of admission to hospital with conditions wholly attributable to alcohol currently higher than the New Zealand average and some areas of the District (Te Puke East) ranked particularly high.
- Alcohol harm is not just to the drinker but can contribute to domestic violence and accidents.
- Consultation with Hauora raised the need for a greater Treaty based approach and consideration of the impacts on Māori and improvements in the operation of the LAP. Concern at the availability of alcohol in Te Puke was also raised.
- The level of alcohol use/abuse in NZ is a significant contributor to financial hardship and violence in our community.
- The demographics of an area contribute to its risk profile with those living in more 'deprive' areas and Māori more at risk of alcohol harm. The Te Puke/Maketu ward has high risk factors.
- The high numbers of visitors to Waihi Beach (and other areas) and the high number of seasonal workers in Te Puke should be considered.
- Community Boards had mixed views on the impact of alcohol on their specific areas. Maketu noted a strong view on off licences; Te Puke noted concern that there is no restriction on the number of outlets; Katikati felt there were 'too many' off licences (bottle stores); and Ōmokoroa felt the current situation was about right.

Local Alcohol Policy Research Report

- There were 90 alcohol related crashes between 1 July 2017 and 30 June 2020, with a significant cluster around Te Puke and also along SH2 North of Tauranga.
- There is a high level of alcohol related incidents captured on CCTV and reported. A large proportion of this is in Te Puke – noting that there is also a higher number of cameras in Te Puke than elsewhere in the District.

11. Appendices

Appendix A – Alcohol Licences Maps

Appendix B – Licensed Hours

Appendix C – Alcohol Licensing Inspector's Position Statement

Appendix D – Bay of Plenty Police Position Statement

Appendix E – Police Report – Tauranga Alcohol Related Offending inc
Ōmokoroa – CONFIDENTIAL

Appendix F – Police Report – Katikati Alcohol Related Offending –
CONFIDENTIAL

Appendix G – Police Report – Te Puke Alcohol Related Offending –
CONFIDENTIAL

Appendix H – Police data Waihi Beach – CONFIDENTIAL

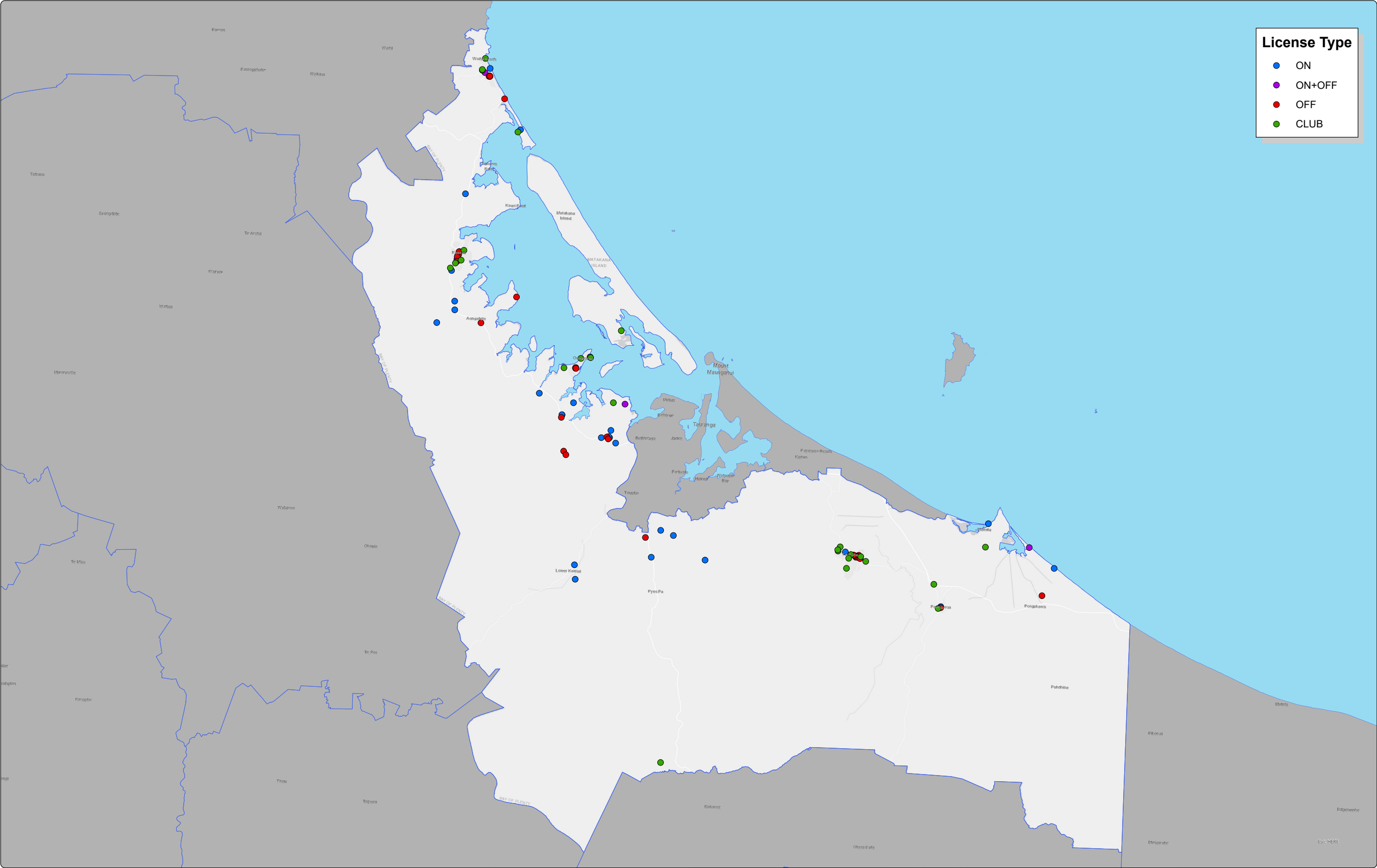
Appendix I – Medical Officer of Health Position Statement

Appendix J – Toi Te Ora – Alcohol Related Harm – Western Bay of
Plenty and Tauranga

Appendix K – Dr Derek Keith Sage statement

Appendix L – Ngāi Te Rangi LAP Feedback

Appendix A



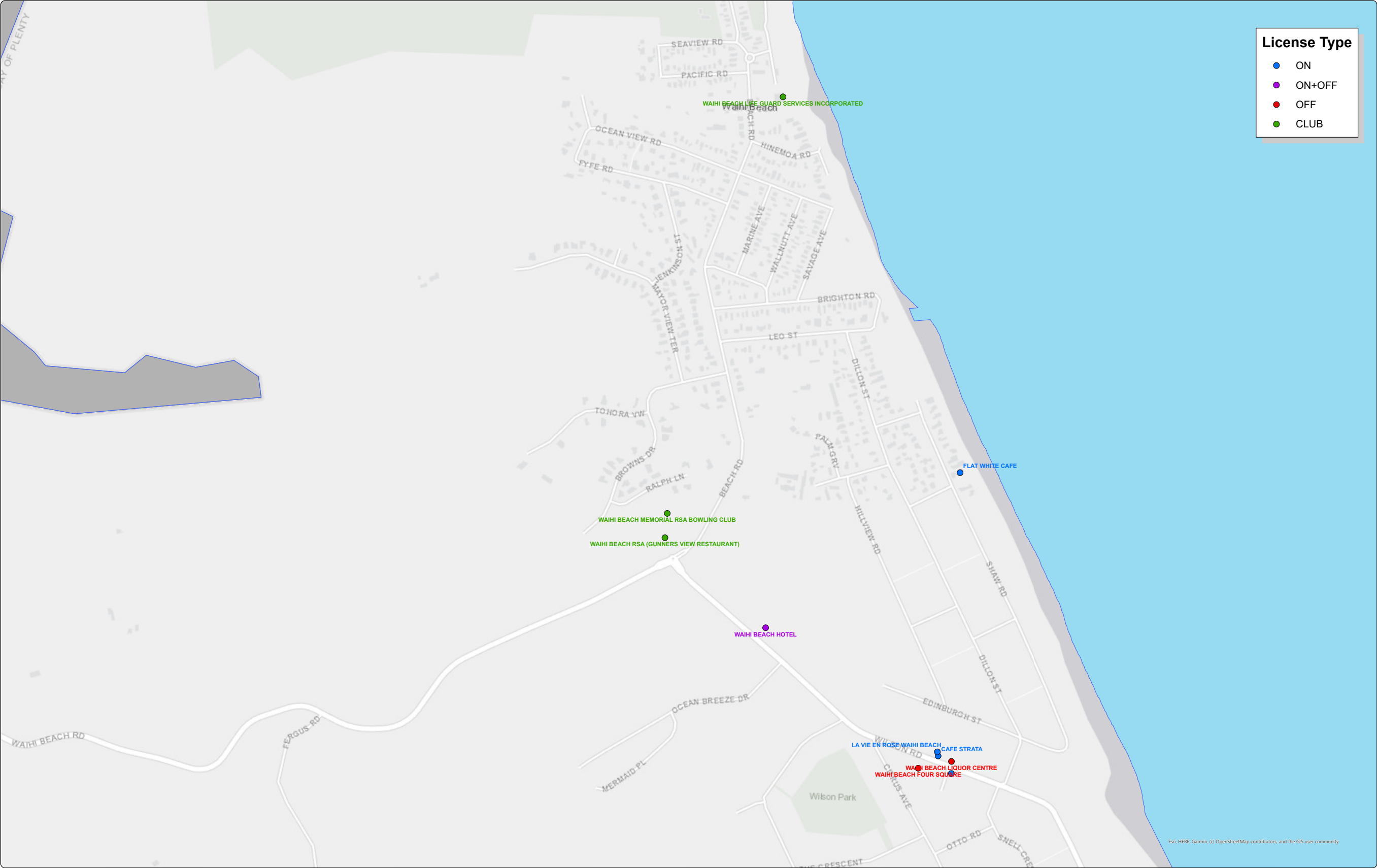
Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
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Location of services is indicative only. Council accepts no liability for any errors.
Archaeological data supplied by NZ Archaeological Assoc./Dept. of Conservation.

Email: gis@westernbay.govt.nz
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0 2.5 5 10 15 20 25
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Kilometers

Western Bay of Plenty District Council
Active Liquor Licences
By Type

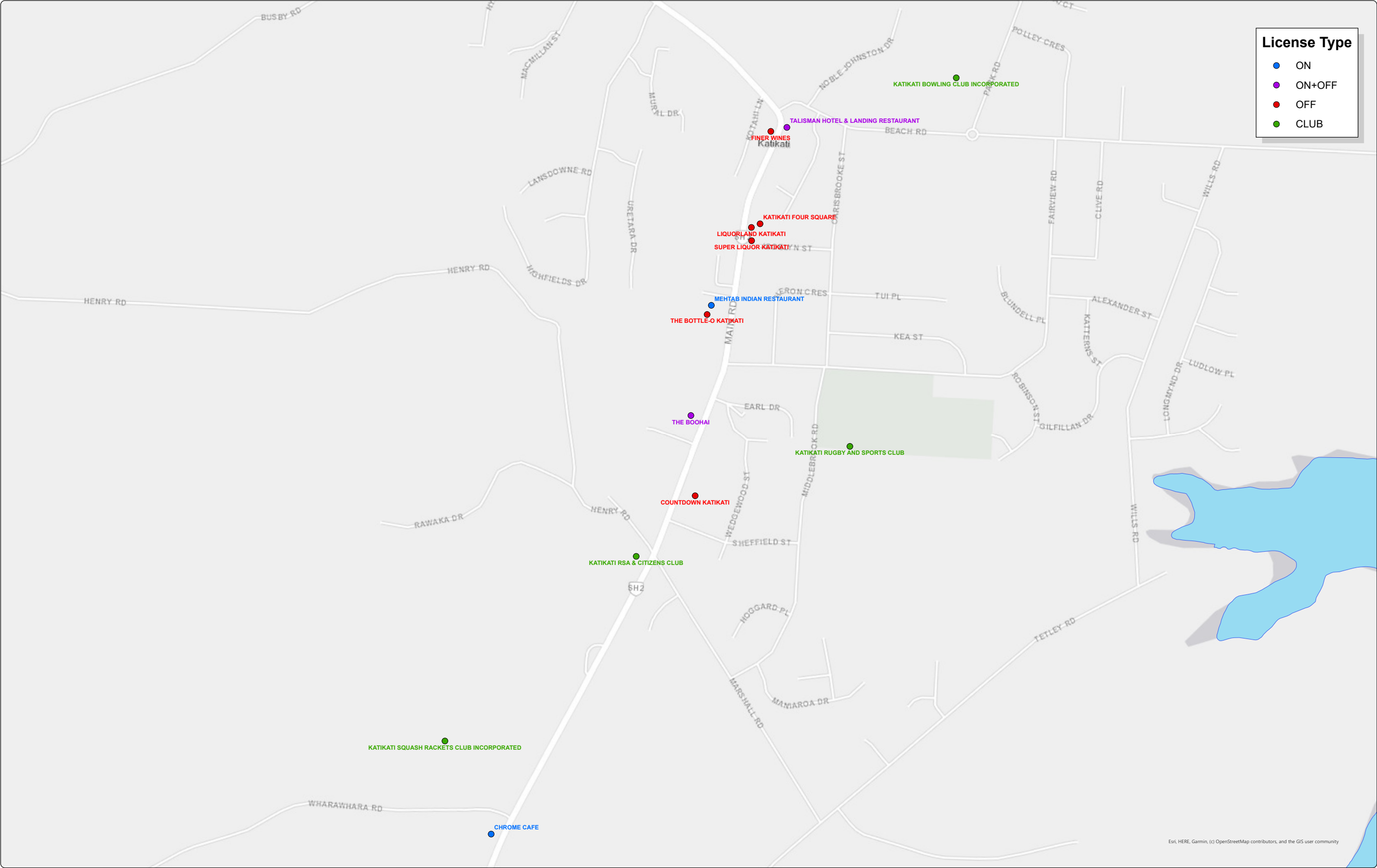
Appendix A



Waihi Beach
Active Liquor Licences
By Type



Appendix A



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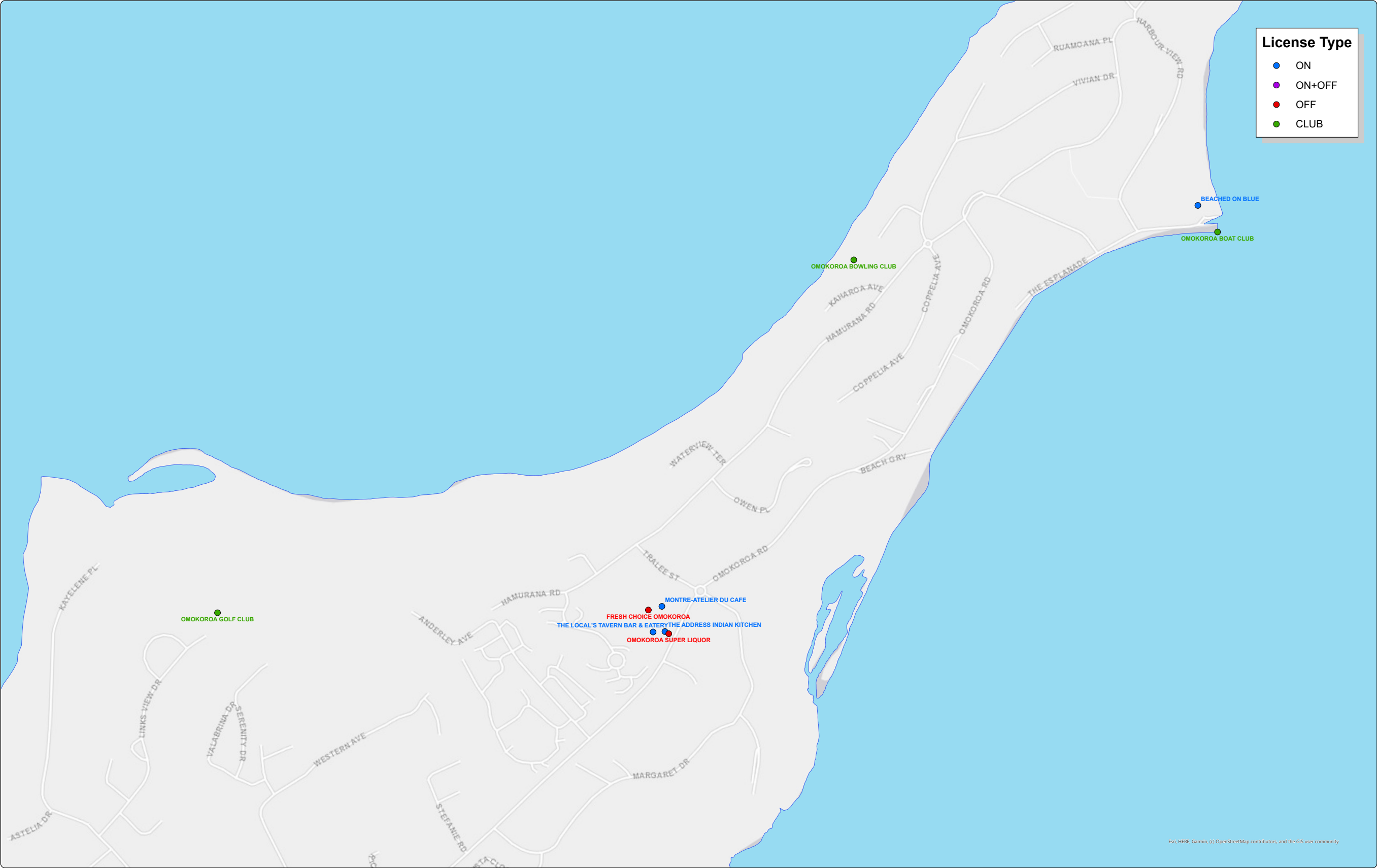
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Scale A1 - 1:4,000
0 50 100 200 300 400 500 Meters

Western Bay of Plenty District Council

Katikati
Active Liquor Licences
By Type

Appendix A



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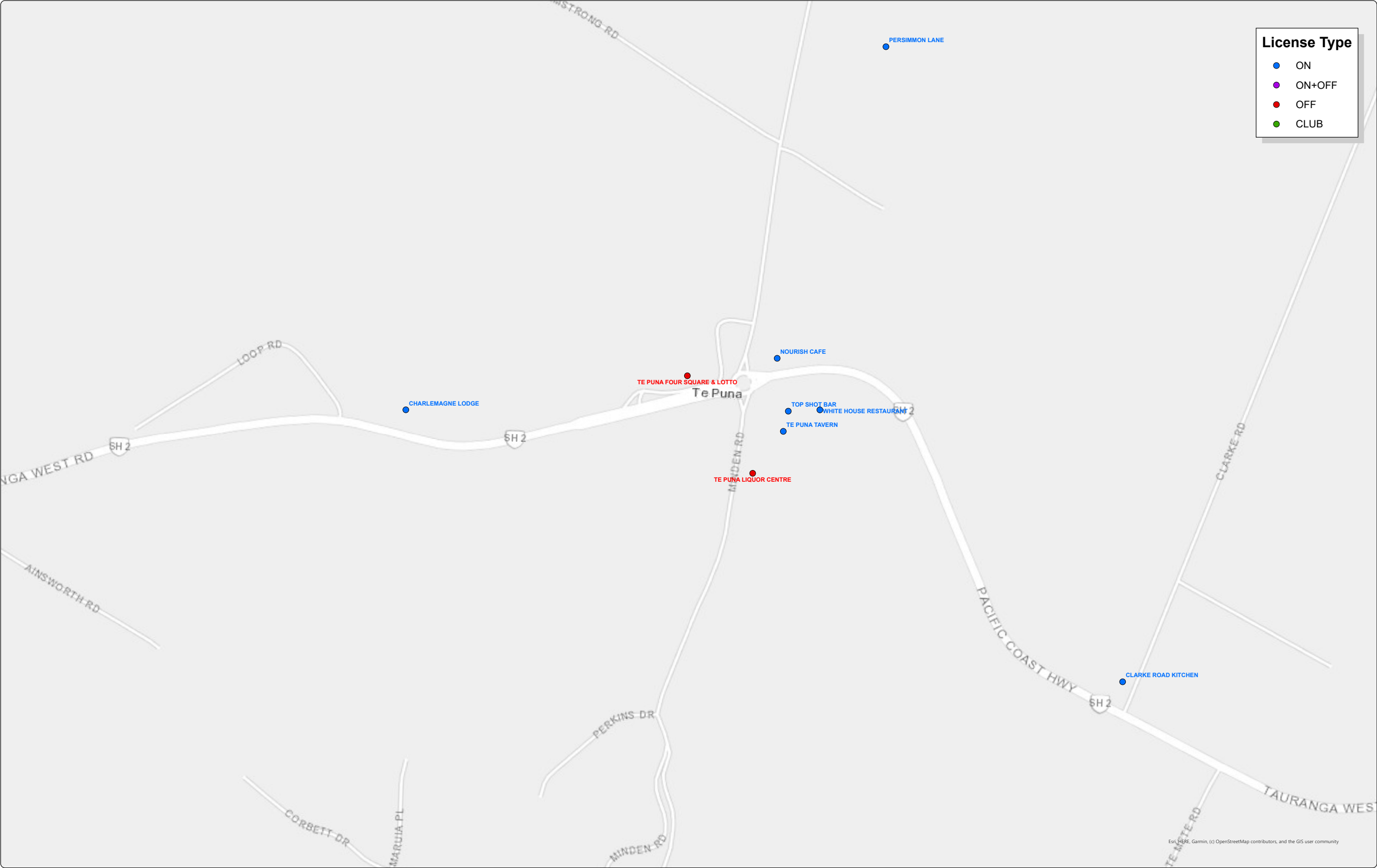
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Scale A1 - 1:4,000
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Western Bay of Plenty
District Council

Omokoroa
Active Liquor Licences
By Type

Appendix A



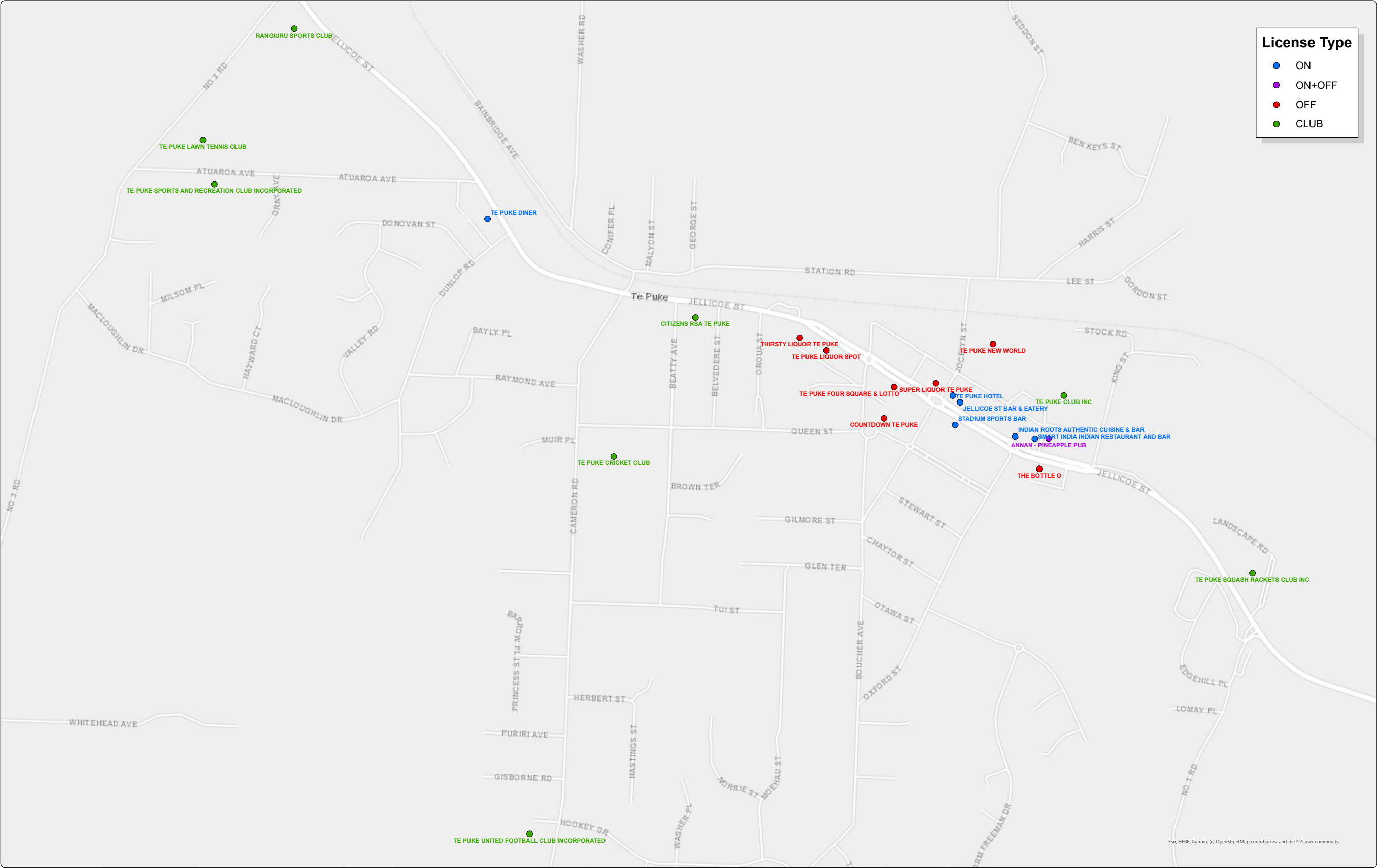
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Scale A1 -1:3,000
 0 50 100 200 300 400 500
 Meters

Te Puna
 Active Liquor Licences
 By Type

Appendix A



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Email: gis@westernbay.govt.nz
Date: 11/17/2020
Operator: mib
Map: E:\Shape\BMS\Projects\MyProject15.aprx

Scale A1 - 1:4,000
0 50 100 200 300 400 500
Meters

Western Bay of Plenty
District Council

Te Puke
Active Liquor Licences
By Type

Appendix B

Appendix B – Licensed hours

Off Licences

Ward	Premises	Days Applied For	Times
WESTERN	FINER WINES	MONDAY TO SATURDAY	8:00 am - 10:00 pm
WESTERN	FINER WINES	SUNDAY	10:00 am - 10:00 pm
CENTRAL	TE PUNA LIQUOR CENTRE	Monday to Sunday	9:00 am - 10:00 pm
WESTERN	HARBOURSIDE MACADAMIAS	Monday to Sunday	9:00 am - 7:00 pm
EASTERN	THIRSTY LIQUOR TE PUKE	Monday to Sunday	9:00 am - 10:00 pm
WESTERN	THE BOTTLE-O KATIKATI	MONDAY TO SUNDAY	8:00 am - 10:00 pm
WESTERN	WAIHI BEACH HOTEL	MONDAY TO SUNDAY	9:00 am - 10:00 pm
EASTERN	TE PUKE LIQUOR SPOT	Monday to Sunday	9:00 am - 10:00 pm
WESTERN	KATIKATI FOUR SQUARE	MONDAY TO SUNDAY	7:00 am - 10:00 pm
WESTERN	SUPER LIQUOR KATIKATI	Monday to Sunday	9:00 am - 10:00 pm
KAIMAI	THE CIDER FACTORIE	Monday to Sunday	9:00 am - 5:00 pm
CENTRAL	FITZPATRICKS BREWING COMPANY LIMITED	Monday to Sunday	10:00 am - 8:00 pm
EASTERN	PAENGAROA LIQUOR	Monday to Sunday	9:00 am - 9:00 pm
WESTERN	COUNTDOWN KATIKATI	Monday to Sunday	7:00 am - 10:00 pm
CENTRAL	FRESH CHOICE OMOKOROA	Monday to Sunday	7:00 am - 10:00 pm
EASTERN	ANANN - PINEAPPLE PUB	Monday to Sunday	12:00 pm noon- 10:00 pm
EASTERN	LUMBERJACK BREWING	Monday to Sunday	12:00 pm midday - 8:00 pm
WESTERN	LIQUORLAND KATIKATI	Monday to Saturday	9:00 am - 10:00 pm
WESTERN	LIQUORLAND KATIKATI	Sunday	9:00 am - 9:00 pm
CENTRAL	EXCEPTIONAL FLAVOURS	Sale may be made any time on any day	Sale may be made any time on any day
EASTERN	SUPER LIQUOR TE PUKE	MONDAY TO SUNDAY	8:00 am - 10:00 pm
EASTERN	THE BOTTLE O	Monday to Sunday	9:00 am - 10:00 pm

Appendix B

Ward	Premises	Days Applied For	Times
EASTERN	TE PUKE FOUR SQUARE & LOTTO	Monday to Sunday	7:00 am - 10:00 pm
CENTRAL	WHAKAMARAMA SUPERETTE	Monday to Sunday	7:00 am - 8:00 pm
WESTERN	WAIHI BEACH SUPERETTE	MONDAY TO SUNDAY	7:00 am - 10:00 pm
CENTRAL	TE PUNA FOUR SQUARE & LOTTO	Monday to Sunday	7:00 am - 9:00 pm
WESTERN	WAIHI BEACH FOUR SQUARE	MONDAY TO SUNDAY	7:00 am - 10:00 pm
EASTERN	THE HIPPI PIPI	Monday to Sunday	11:00 am - 10:00 pm
KATIKATI	THE WINE PORTFOLIO	MONDAY TO SUNDAY	9:00 am - 9:00 pm
CENTRAL	OMOKOROA SUPER LIQUOR	Monday to Sunday	9:00 am - 10:00 pm
WESTERN	WAIHI BEACH LIQUOR CENTRE	Monday to Sunday	8:00 am - 10:00 pm
CENTRAL	DISTILLERIE DEINLEIN	Sale may be made any time on any day	Sale may be made any time on any day
EASTERN	COUNTDOWN TE PUKE	Monday to Sunday	7:00 am - 10:00 pm
EASTERN	NEW WORLD TE PUKE	Monday to Sunday	7:00 am - 10:00 pm

On Licences

Ward	Premises	Licensed Days	Licensed Hours
CENTRAL	ALMA	Monday to Sunday	9:00 am to 1:00 am the following day
EASTERN	ANANN - PINEAPPLE PUB	Monday to Sunday	9:00 am to 1:00 am the following day
CENTRAL	ATAAHUA	Sunday to Wednesday Thursday to Saturday	9:00 am to 10:00 pm 9:00 am to 12:00 midnight
WESTERN	CAFE NINETEEN	Monday to Sunday	9:00 am to 1:00 am the following day
WESTERN	CAFE STRATA	Monday to Sunday	9:00 am to 11:00 pm
WESTERN	CHARLEMAGNE LODGE	Monday to Sunday	9:00 am to 1:00 am the following day

Appendix B

Ward	Premises	Licensed Days	Licensed Hours
WESTERN	CHROME CAFE	Monday to Sunday Private Functions Twice Weekly	9:00 am to 8:30 pm 9:00 am – 11:00 pm
CENTRAL	CLARKE ROAD KITCHEN	Monday to Sunday Monday to Sunday	9:00 am to 7:00 pm Homebase On-site consumption 9:00 am to 1:00 am the following day. Off-site consumption
CENTRAL	EAGLE RIDGE	Monday to Sunday	11:00am to 12:00 midnight
EASTERN	EL CARTEL MEXICANO	Monday to Sunday	9:00 am to 10:00 pm
WESTERN	FLAT WHITE CAFE	Monday to Sunday	9:00am to 12:00 midnight
EASTERN	JELICOE ST BAR & EATERY	Monday to Sunday	9:00 am to 1:00 am the following day
CENTRAL	KAIMAI CAFE	Monday to Sunday	9:00 am to 10:00 pm
WESTERN	LA VIE EN ROSE WAIHI BEACH	Monday to Sunday	9:00 am to 1:00 am the following day
EASTERN	MAKETU BEACHSIDE CAFE & RESTAURANT	Monday to Sunday	10:00 am to 10:00 pm
WESTERN	MEHTAB INDIAN RESTAURANT	Monday to Sunday	10:00 am to 1:00 am the following day
CENTRAL	MONTRE-ATELIER DU CAFE	Monday to Sunday	11:00 am to 10:00 pm
CENTRAL	NOURISH CAFE	Monday to Sunday	9:00 am to 1:00 am the following day
CENTRAL	OLIVE TREE CATERING	Monday to Sunday	9:00 am to 11:40 pm
CENTRAL	OMAHANUI VENUE LIMITED	Sunday to Thursday Friday to Saturday	11:00 am to 10:00 pm 11:00 am to 12:00 midnight
CENTRAL	PERSIMMON LANE	Monday to Sunday	9:00 am to 10:00 pm
EASTERN	PUKEHINA BEACH STORE & TAKEAWAY	Monday to Sunday	9:00 am to 9:00 pm
EASTERN	SMART INDIA INDIAN RESTAURANT AND BAR	Monday to Sunday	10:00 am to 12:00 midnight

Appendix B

Ward	Premises	Licensed Days	Licensed Hours
EASTERN	SUMMERHILL ESTATE GOLF COURSE	Monday to Sunday Monday to Sunday	11:00 am to 9:00 pm - summer hours - 1 Sep to 31 March 11:00am to 6:00 pm - winter hours - 1 April to 31 Aug
WESTERN	TALISMAN HOTEL & LANDING RESTAURANT	Monday to Friday Saturday and Sunday	10:00 am to 1:00 am the following day 9:00 am to 1:00 am the following day
TE PUKE	TE PUKE HOTEL	Monday to Sunday	9:00 am to 10:00 pm
CENTRAL	TE PUNA SPORTS BAR	Monday to Sunday	10:00 am to 1:00 am the following day
CENTRAL	THE ADDRESS INDIAN KITCHEN	Monday to Sunday	10:00 am to 11:00 pm
CENTRAL	THE BLACK SHEEP BAR AND GRILL	Monday to Sunday	9:00 am to 12:00 midnight
WESTERN	THE BOOHAI	Monday to Sunday	9:00 am to 1:00 am the following day
CENTRAL	THE CIDER FACTORIE	Wednesday to Sunday Monday-ised public holiday	10:00 am to 6:00 pm 10:00 am to 6:00 pm
CENTRAL	THE FALLS CAFE	Monday to Thursday Friday to Sunday	9:00 am to 10:00 pm 9:00 am to 1:00 am the following day
CENTRAL	THE LOCAL BAR & EATERY	Monday to Sunday Monday to Sunday	10:00 am to 11:00 pm (Interior) 10:00 am to 10:00 pm (Garden Bar)
WESTERN	THE ORCHARD HOUSE CAFE	Monday to Sunday	9:00 am to 12:00 midnight
CENTRAL	THE POINT ALEHOUSE	Monday to Saturday Sunday	9:00 am to 12:00 midnight 9:00 am to 10:30 pm
WESTERN	THE PORCH KITCHEN & BAR	Monday to Sunday	9:00 am to 1:00 am the following day
WESTERN	THE SURF SHACK	Monday to Sunday	10:00 am to 10:00 pm
EASTERN	The Trading Post	Monday to Sunday	10:00 am to 12:00 midnight

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Ward	Premises	Licensed Days	Licensed Hours
EASTERN	VESEY'S INDIAN RESTAURANT AND BAR	Monday to Sunday	9:00 am to 1:00 am the following day
WESTERN	WAIHI BEACH HOTEL	Monday to Sunday	9:00 am to 1:00 am the following day
WESTERN	WARM EARTH COTTAGE	Monday to Sunday	11:00 am to 1:00 am the following day
CENTRAL	WHITE HOUSE RESTAURANT	Monday to Sunday	9:30 am to 10:30 pm

Club Licences

Ward	Premises	Licensed Days and Hours	Licensed Days and Hours	Licensed Days and Hours	Licensed Days and Hours
EASTERN	BAY OF PLENTY CLAY TARGET ASSOCIATION	Monday to Sunday 12 noon - 9:00 pm			
TE PUKE	CITIZENS RSA TE PUKE	Monday to Sunday 9:00 am - 1:00 am the following day	ANZAC Day 4:00 am to 9:00 am		
EASTERN	EASTERN DISTRICTS RUGBY & SPORTS CLUB	Monday to Wednesday 6:00 pm - 10:00 pm	Thursday and Friday 5:00 pm to 12:00 am midnight	Saturday and Public Holidays 1:00 pm to 12:00 am midnight	Sunday 11:00 am to 10:00 pm
WESTERN	KATIKATI BOWLING CLUB INCORPORATED	Sunday to Thursday 9:00 am - 10:00pm.	Friday, Saturday and Public Holidays 9:00 am - 12:00 am midnight		

Appendix B

Ward	Premises	Licensed Days and Hours	Licensed Days and Hours	Licensed Days and Hours	Licensed Days and Hours
WESTERN	KATIKATI RSA & CITIZENS CLUB	Monday to Sunday 9:00 am – 1:00 am the following day	ANZAC Day 4:00 am to 9:00 am		
WESTERN	KATIKATI RUGBY AND SPORTS CLUB	Monday to Friday 4:00 pm – 12:00 am midnight	Saturday 1:00 pm – 12:00 am midnight	Sunday 2:00 pm – 7:00 pm	
WESTERN	KATIKATI SQUASH RACKETS CLUB INCORPORATED	Monday to Friday 6:00 pm – 1:00 am the following day	Saturday to Sunday 11:00 am – 1:00 am the following day		
EASTERN	MAKETU COMMUNITY FISHING AND RECREATION TRUST INCORPORATED	Monday to Sunday 5:00 pm to 10:00 pm			
WESTERN	MATAKANA ISLAND RECREATION AND COMMUNITY INCORPORATED	Monday to Saturday 10:00 am – 1:00 am the following day	Sunday 10:00 am – 8:00 pm		
KAIMAI	OMOKOROA BOAT CLUB	Sunday to Wednesday 10.00 am to 12.00 Midnight.	Thursday to Saturday 10.00 am to 1.00 am the following day	New Year's Eve 10.00 am to 1.00 am the following day	

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Ward	Premises	Licensed Days and Hours	Licensed Days and Hours	Licensed Days and Hours	Licensed Days and Hours
CENTRAL	OMOKOROA BOWLING CLUB	Sunday to Thursday 9.00 am - 10.00 pm	Friday and Saturday 9.00 am - 1.00 am the following day		
KAIMAI	OMOKOROA GOLF CLUB	Monday to Sunday 10:00 am - 11:00 pm	New Years Eve 10:00 am - 1:00 am the following day		
EASTERN	RANGIURU SPORTS CLUB	Monday to Wednesday 4:00 pm - 12:00 am	Thursday to Sunday 11:00 am - 1:00 am the following day		
EASTERN	TE PUKE CLUB INC	Monday to Sunday 9:00 am - 1:00 am the following day			
EASTERN	TE PUKE CRICKET CLUB	Monday to Sunday 12:00 noon - 10:00 pm			
EASTERN	TE PUKE GOLF CLUB	Monday to Thursday 10:00 am - 10:30 pm	Friday & Sunday 10:00 am - 11:00 pm	Saturday 10:00 am - 12:00 am midnight	Public Holidays 10:00 - 11:00 pm

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Ward	Premises	Licensed Days and Hours	Licensed Days and Hours	Licensed Days and Hours	Licensed Days and Hours
EASTERN	TE PUKE LAWN TENNIS CLUB	Monday to Thursday 10:00 am - 11:00 pm	Friday & Saturday 10:00 - 1:00 am the following day	Sunday 10:00 am - 10:00 pm	
EASTERN	TE PUKE SPORTS AND RECREATION CLUB INCORPORATED	Monday to Thursday 7:00 pm - 11:00 pm	Friday 5:00 pm - 12:00 am midnight	Saturday & Public Holidays 12:00 noon - 12:00 midnight	Sunday 12:00 noon - 10:00 pm
EASTERN	TE PUKE SQUASH RACKETS CLUB INC	Monday to Sunday 10:00 am to 1:00 am the following day			
EASTERN	TE PUKE UNITED FOOTBALL CLUB INCORPORATED	Monday to Friday 6.00pm to 10.00pm	Saturday & Sunday 12.00 noon to 10.00pm		
CENTRAL	TE PUNA RUGBY FOOTBALL CLUB	Monday to Thursday 5:00 pm - 11:00 pm	Friday 5:00 pm - 12:00 am midnight	Saturday 1:00 pm - 1:00 am the following day	Sunday 2:00 pm - 10:00 pm
WESTERN	THE SHORELINE RESTAURANT AND CAFE	Monday to Sunday 10:00 am - 1:00 am the following day			
WESTERN	WAIHI BEACH LIFE GUARD SERVICES INCORPORATED	Monday to Sunday 12:00 pm midday - 12:00 am midnight			

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Ward	Premises	Licensed Days and Hours	Licensed Days and Hours	Licensed Days and Hours	Licensed Days and Hours
WESTERN	WAIHI BEACH MEMORIAL RSA BOWLING CLUB	Monday to Sunday 9:00 am - 1:00 am the following day			
WESTERN	WAIHI BEACH RSA (GUNNERS VIEW RESTAURANT)	Monday to Sunday 9:00 am - 1:00 am the following day	ANZAC Day 5:30 am to 1:00 the following day		

Appendix C

WESTERN BAY OF PLENTY DISTRICT COUNCIL

27 July 2021

IN THE MATTER of the Sale and Supply of Alcohol Act 2012**AND****IN THE MATTER** of the Western Bay of Plenty District Council
Local Alcohol Policy Review

Alcohol Licensing Inspector's Submissions

1. The current situation:
2. The current Local Alcohol Policy (LAP) applies to the entire Western Bay of Plenty District (WBOPD) and Tauranga City Council. I cannot comment on the policy with respect to the elements in place to accommodate the needs of the Tauranga City Council Community, which essentially covers their night-time economy in the city centre.
3. At this point in time, the benefits to the WBOPD community is that no on-licence can be granted beyond the maximum hours of 9.00 am to 1.00 am the following day. The national default hours are 8.00 am to 4.00 am the following day. WBOPD has three main residential and economic centres: Waihi Beach, Katikati and Te Puke. There are numerous smaller communities between these centres such as Te Puna and Maketu, but it is these three centres that host the greatest number of licensed premises for the district. (Not all premises are licensed until 1.00 am in the morning.)
4. The blanket 1.00 am closing time for on-licences has three benefits:
 - (a) It means all premises that are licensed until 1.00 am in the morning have to close their doors at the same time. This provides fairness between all the on-licences in the area.
 - (b) It also means there is no rush to another late night bar in the same town or area. This can be observed in the Tauranga City area where the Mount shuts at 1.00 am and then experiences an exodus to get to the Strand, which shuts at 3.00 am.
 - (c) So far, the 1.00 am closing time for on-licensing appears to have struck a balance between the needs of the licensing community and the local residents as can be measured by the lack of complaints regarding noise and late night opening.

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5. Under the LAP, premises with an off-licence can open at 7.00 am and must close at the latest at 10.00 pm. The national default hours for an off-licence are 7.00 am to 11.00 pm. There is only a difference of an hour. But in a built up area, vehicles coming and going at 11.00 pm as opposed to 10.00 pm would be highly noticeable.
6. The benefits of 10.00 pm closing are as follows:
 - (a) It means all premises that are licensed until 10.00 pm have to close their doors at the same time. This provides fairness between all the off-licences in the area and no one person has a competitive advantage due to being able to stay open for longer than the rest.
 - (b) The lack of complaints from the neighbouring residents indicates the closing time has struck a chord with the local residents and community.
 - (c) Closing at 10.00 pm could also be regarded as beneficial with regards to people wanting to purchase further alcohol on their home from an on-licensed premises.
 - (d) A 10.00 pm closing could also be regarded as beneficial to those areas where alcohol harm is visible such as Te Puke – it essentially means no-one will be able to purchase alcohol any later and be seen consuming the alcohol on streets.
7. In conclusion – I believe the current limiting of hours for on-licences and off-licences are beneficial to our communities.
8. Moving forward:
9. The current LAP should be viewed in conjunction with the Alcohol By-law that prevents consuming alcohol in public spaces in Waihi Beach, Katikati and Te Puke.
10. Out of the three main centres, only Te Puke has a noticeable problem with alcohol related harm in the town centre. A small group of people who are often regarded as homeless insist on consuming alcohol within the restricted area of Te Puke town centre. So far, one death has been recorded and numerous incidents of the by-law being breached.
11. This small group of street drinkers obtain their alcohol from the off-licensed premises. Their normal drink of choice can only be purchased from the bottle stores – beverages strong in alcohol such as Woodstock and Cody's (Whiskey & Coke).

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12. Measures have already been put in place to restrict the sale of alcohol from off-licensed premises to the street drinkers, but yet they can still manage to obtain alcohol and consume it on the streets.
13. The behaviour of the street drinkers often deteriorates after they consume their alcohol to the point of intoxication, which leads to abusive language, arguing and disorderly conduct. They are often observed pestering people to purchase alcohol on their behalf.
14. And this is where the problem lies; even if the bottle stores stop selling alcohol to known street drinkers who they suspect will consume the alcohol in the liquor-ban area, the street drinkers just find someone else to purchase the alcohol on their behalf.
15. We cannot measure how many people avoid Te Puke town centre to avoid the drunken antics of the street drinkers or how many people won't visit Jubilee Park with their children to avoid the drinkers.
16. Wherever there is a problem with alcohol related harm within a community, those businesses that choose to sell alcohol into that community should also be part of the solution to curbing the alcohol related harm.
17. At the moment with respect to off-licensed premises, Te Puke has two supermarkets, one four-square (grocery store) and four bottle stores.
18. The supermarkets generally have very good checks and balances when it comes to ensuring alcohol does not get into the wrong hands and the checkout assistants are usually supported by a large team, the same generally applies to the grocery store. Supermarkets and grocery stores are only permitted under legislation to sell beer and wine.
19. Only bottle stores can sell strong alcohol such as spirits, as well as wine and beer. Bottle stores are sometimes only manned by one person and unless that person has an exceptionally strong character, alcohol is far more likely to end up in the hands of the wrong person.
20. The strong types of alcoholic beverages purchased by the street drinkers can only be purchased from bottle stores, such as the likes of Cody's and Woodstock.
21. As a consequence bottle stores pose a higher risk to communities than a supermarket.

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22. Section 77 (1) (d) states – A local alcohol policy may include policies on any or all of the following matters relating to licensing (and no others): *(d) whether further licences (or licences of a particular kind or kinds) should be issued for premises in the district concerned , or any stated part of the district:*
23. Conclusion:
24. I believe a cap on the number of bottle stores in Te Puke would help stem the problem of street drinking and at least prevent it from growing. If there were no bottle stores in Te Puke, the street drinkers would have a very hard time attempting to purchase alcohol from the supermarkets as they don't sell the stronger products they desire and supermarkets have more checks and balances to prevent people from obtaining alcohol if they so wish. As it stands there are four bottle stores and I do not believe Te Puke has capacity for any further bottle stores.
25. Discretionary conditions:
26. Under the current policy there are number of discretionary conditions for on-licences and clubs. These are predisposed conditions the DLC can use when considering conditions to be added to a licence. The same applies to special licences as well. However there are no discretionary conditions for off-licences. The bottle stores and New World in Te Puke currently have additional conditions on their off-licences to help restrict and assist with the drinking problem in Te Puke. I would suggest discretionary conditions are more pertinent to an off-licence, especially for a bottle store.
27. Conclusion:
28. Moving forward I would suggest the discretionary conditions be applied to all licence types.
29. These are my submissions.

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Q1: Do we still need the LAP? The Benefits of the LAP.

General: It is the Western Bay of Plenty Police's position, that a LAP is still required. A LAP is essentially to ensure the sale, supply and consumption of alcohol is undertaken in a safe and responsible manner and the harm caused by the excessive consumption of alcohol is minimised. The LAP provides a framework that balances public safety and commercial interests. It should articulate the number, location (area), type and operating hours for licensed premise in our community in a manner that promotes actual public safety while supporting business. Without a LAP there is a real risk that financial gain (which benefits few) will be promoted above community safety. It also supports an even playing field for business and mitigates the risk of bias in that all licensee are bound to the same set of rules.

Harm caused by the abuse of Alcohol: An excess number of licensed premises and trading hours for licensed premises can lead to undue alcohol harm and a reduction in amenity and good order. Alcohol abuse is an underlying factor for many social issues and is estimated to cost New Zealand society \$7.85 billion each year. This includes costs resulting from lost productivity, unemployment, as well as justice, health, ACC, welfare costs etc.

<https://www.actionpoint.org.nz/cost-of-alcohol-to-society#:~:text=In%20contrast%2C%20alcohol%20misuse%20is,ACC%2C%20welfare%20costs%2C%20>

Alcohol is a significant driver of crime and road trauma in New Zealand. Approximately 40% of all assault, abduction, robbery, threats or damage to property offences involve alcohol, and one third of all family violence incidents are known to involve alcohol ([New Zealand Crime and Safety Survey 201; New Zealand Crime and Victims Survey 2018](#)).

In New Zealand for the 2019 calendar year there were 137 fatal crashes, 286 serious injury crashes, where alcohol / drugs were a contributing factor. In these crashes, 160 people died, 391 people were seriously injured, and 1936 people suffered minor injuries. In 2019, 17 people died in motor vehicle crashes in the Bay of Plenty and which alcohol/drugs were a contributing factor.

<https://www.transport.govt.nz/statistics-and-insights/safety-annual-statistics/sheet/alcohol-and-drugs>.

Benefits of a LAP: One of the key benefits is that it sets local maximum trading hours for all licenses in the district instead of using the default hours (8am-4am for on licenses and 7am- 11pm for off licenses) that the Sale and Supply of Alcohol Act 2012 imposes.

Police have no doubt that alcohol related crime in our community would be higher if the maximum trading hours were set at the default hours. Previous experience clearly demonstrates that a reduction trading hours has had a positive impact on decreasing alcohol related offending in the Western Bay of Plenty.

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Q2: Is there evidence for changing the existing policy? What matters require change and why?

Western Bay of Plenty (Tauranga) is a rapidly growing area that has seen significant change and therefore it is time to review and consider changing the current LAP. It is the Western Bay of Plenty Police's position that changes are required in the following areas;

- Operating hours in the Tauranga CBD.
- One-way door restrictions.
- Location of licensed premises.

Operating hours in the Tauranga CBD.

General: Urban spread has changed where people are socialising with there now being satellite entertainment destinations. Despite this, most of the reported violent crime and antisocial behaviour around licensed premises still occurs in the central city.

Police offer anecdotal evidence based on experience and observation that the Mount Maunganui entertainment precinct, with its 1:00am closing time has a thriving and vibrant nighttime economy with significantly higher amenity and good order. There is a marked difference in the calls for service and alcohol related harm relative to the Tauranga CBD.

The Tauranga CBD, from midnight onwards has become encumbered by late night disorder often fueled by alcohol preloading. The CBD appears to be a drawcard for groups who have been drinking in other areas to congregate, which often brings together different factions resulting in conflict (both as a result of intoxication and the mixing of conflicting groups).

The most significant difference between the two areas is the different licensing hours for Mount Maunganui and the Tauranga CBB.

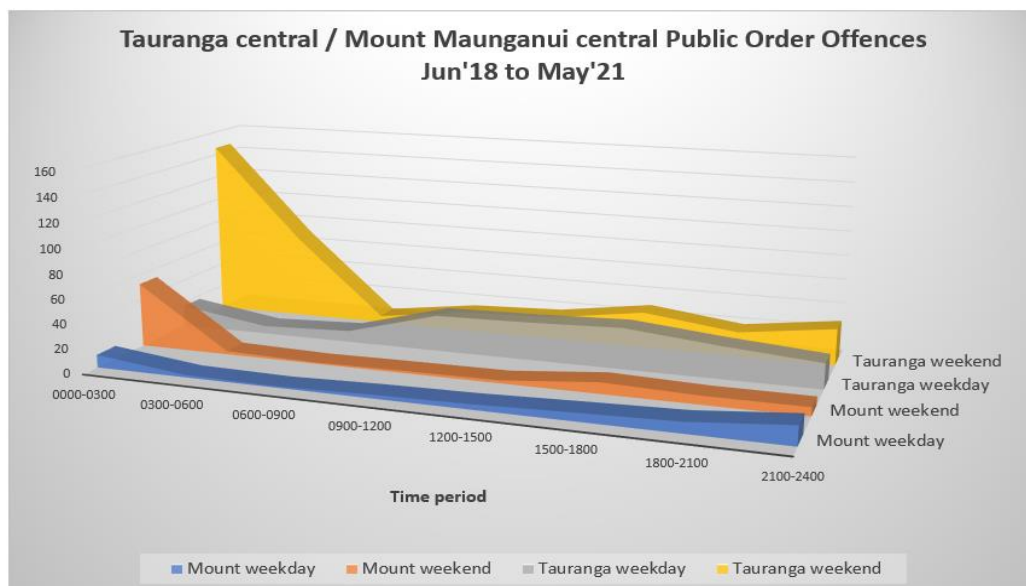
Examples: Time and Place temporal distribution table for the two main data mesh blocks in the Tauranga CBD entertainment precinct below (table 1) shows the increase risk of victimisation between midnight and 4am Saturday and Sunday mornings.



Table 1: <https://www.police.govt.nz/about-us/publications-statistics/data-and-statistics/policedatanz/victimisation-time-and-place>

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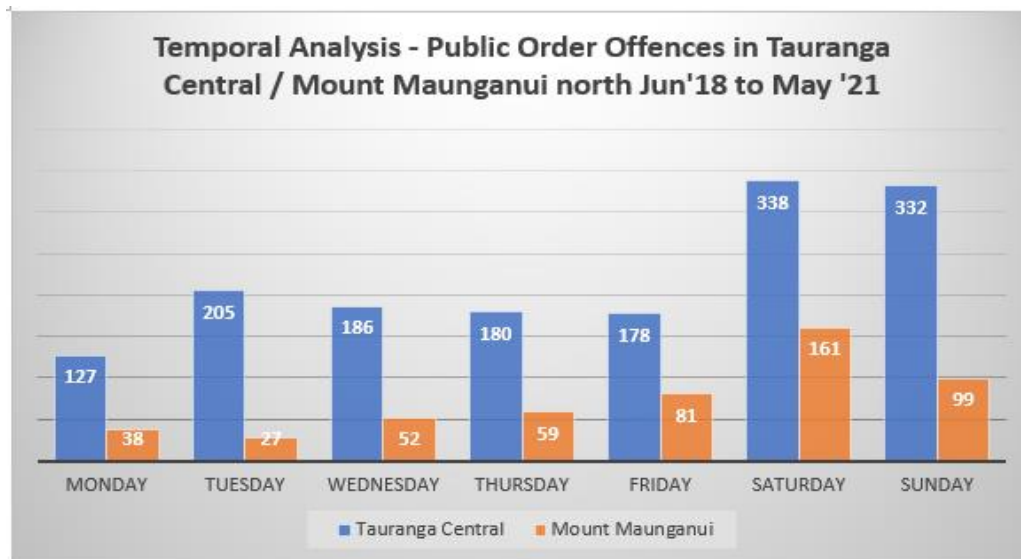
Temporal analysis of public order offences in the Tauranga Central area show a heightened distribution on the weekends and peaks at the midnight to 03:00am time period.



Graph 1: Illustrates the temporal distribution of Public order offences. Data values are combined for weekend and weekdays with totals being averaged. Visual comparison of Tauranga Central and Mount Maunganui Central areas show a spike in incidents in the midnight to 03:00am time period. This is attributed to the presence of nighttime entertainment licensed venues in both areas.

It is notable that the spike in the Mount Maunganui area is dramatically lower than that in Tauranga Central. Police attribute this to the earlier closing time of the licensed premises, being 1:00am compared to that of Tauranga central being 3:00am. Style of venue and demographics also contribute.

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Graph 2: Shows the difference in Public Order offence for Tauranga CBD and Mount Maunganui by day of week

Impact on Road Safety: In a recent Road Policing operation held over two consecutive weekends respectively (Operation Tri Cities 7/8 May and 14/15 May 2021), Police apprehend 85 and 95 drivers respectively who were driving with an excess of alcohol in their system (breath/blood). Apprehension rates were higher on Saturday nights than on Friday nights and there was a noticeable increase in the apprehension rate from Midnight through to 4am.

To provide context Western Bay of Plenty Police officers have offered the following testimonials.

Testimonial 1:

I am a Sergeant in the New Zealand Police. I have 44 years' Service. From October 2016 to April 2020 I was the Alcohol Harm Prevention Officer for Western Bay of Plenty Police. My duties in this role included the monitoring of licensed premises and enforcement of the laws in relation to the Sale and Supply of Alcohol Act 2012.

In May 2018 a hearing was held before the Tauranga District Licencing Committee (DLC) after Police opposed the licence renewal of "The Bahama Hut". Police opposed The Bahama Hut due to ongoing issues relating to intoxication and public disorder. In their decision the District Licencing Authority viewed the reduction of hours of sale to 2 am as a key tool in reducing alcohol harm.

Police, as a result of ongoing disorder, fighting and assaults resulted outside the Flow Bar and the general lack of amenity and good order around The Manger, in consultation with Police, agreed

1. Closure of the smoker's area at 2 am to ensure there is no loitering of customers on the exterior of the area
2. Closure of the City Burger Bar 10 minutes prior to bar service stopping from within Flow and City Sports Bar.
3. Closure of City Sports bar and Flow at 2.30 am
4. When required Security staff on the street after 2.30 am to maintain a presence to manage crowds to minimise disorder and impact on amenity and good order.
5. Active monitoring of the Hamilton street carpark to ensure there is not preloading and the area is not an attractor for alcohol related harm.

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The agreement highlighted the licensee's acceptance that the longer operating hours does impacted on the ability to control Patron behaviour and the impact on the surrounding amenity

The reduced hours resulted in increased amenity and good order of the surrounding streets (Willow/Hamilton and The Strand) and a decrease in calls for service to Police. Further the licensee Shannon Jenkins indicated that there was a cultural adjustment of patron drinking behavior (arriving earlier) and that considering reduced staff hours the impact financially was not dramatic.

Prior to my departure in 2020 I had informal discussion with the key licensees in the Tauranga CBD in relation to their view on a reduction of trading hours. All but one licensee agreed that they would be open to discussion as long as there as an even playing field where all premises closed at the same time. There was a stronger appetite for a reduction to 2.30 am last drinks as opposed to 2 am last drinks.

Testimonial 2: I am a Senior Sergeant in the New Zealand Police based in Tauranga. I have 17 1/2 years' service, all of which has been served on the frontline. Two of these years were spent as the alcohol harm reduction Sergeant here in Tauranga which primarily involved Policing licensed premises on Friday and Saturday nights, three out of the four weekends per month.

During my time based in Tauranga, 15 years I have Police licensed premises across Western Bay of Plenty but the two main areas being the Mount Maunganui and Tauranga CBD's. There is a clear and obvious difference in the amount of alcohol related harm between the Mount Maunganui and Tauranga CBD's. The Tauranga CBD would see a significantly higher number of assaults, fights, disorder, drink driving and other alcohol related issues. My observation over the years is that the 0100hrs closing time for the licensed premises in Mount Maunganui is the main factor in the lower number of alcohol related issues.

In recent years the Tauranga CBD was affected by a 0200hrs one-way door policy. This has its obvious positive side but there is also a negative side effect of this policy. A large number of persons arrive in the Tauranga CBD after the Mount Maunganui premises close at 0100hrs and miss the 0200hrs one-way door policy. This leads to large numbers of people standing outside these premises, milling around on the road and often while intoxicated. These additional persons add to the volume of people at the 0300hrs closing time and contribute to the violence that occurs after 0300hrs. Having an earlier closing time in Tauranga to match the 0100hrs closing time in Mount Maunganui will reduce a lot of these issues. Even if the Tauranga premises had a closing time of 0200hrs with a one way policy starting at 0100hrs that would stop the introduction of large numbers of already intoxicated persons arriving in Tauranga on mass after the Mount Maunganui premises close at 0100hrs. Essentially patrons would need to choose which CBD they will socialise in. In my opinion this would have a positive effect on alcohol fueled violence in the Tauranga CBD and reduce the number of drink drivers commuting between Mount Maunganui and Tauranga.

The Strand and surrounding streets become heavily congested with private vehicles and taxis post 0100hrs. There is no designated taxi stand meaning they simply stop on the road to drop off/pick up patrons causing congestion at the intersections and round-a-bouts. This issue would also be resolved by reducing the closing time as there would be no need to travel from the Mount Maunganui licensed premises across to Tauranga as they would either be shut or have a one way door policy matching the Mount Maunganui closing time.

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I am a Police Sergeant based in Tauranga. I have been a member of the New Zealand Police for 20 years, all of which has been served on the frontline. My main role is responding to calls for service across the Western Bay of Plenty which includes the supervision of Police staff and resources, coordinating and overseeing our response.

I have worked on both the Public Safety Team and Team Policing Units dealing with disorder and alcohol-related harm, including numerous New Year's Eve events.

Two of my 20 years were spent attached to the Alcohol Harm Reduction Team here in Tauranga. The role meant I was primarily involved in policing licensed premises across the Western Bay of Plenty on Thursday, Friday and Saturday nights three out of four weekends per month. As part of this role I was also tasked with policing larger public events within the Western Bay of Plenty where alcohol was sold and consumed.

I believe my varied roles and experience gives me a very good understanding of the policing issues across the Western Bay of Plenty area where I regularly work late shifts and night shifts and observe alcohol-related harm amongst the Mount and Tauranga communities.

There is a clear and obvious difference in the amount of alcohol-related harm between the Mount Maunganui business district and the Tauranga business district. The Tauranga CBD is seen as a significantly higher risk area with the number of serious assaults, sexual assaults, fights, disorder, drink/driving offences and other alcohol-related issues.

My observations over the years is that the 0100 hours closing time that we have in the Mount Maunganui area is the main factor for the lower number of alcohol-related harm in the Mount Maunganui business district.

In recent years, I know the Tauranga CBD was affected by the 0200 hours one-way door policy. When this was brought in, it had an obvious positive effect, however it also brought in a negative aspect and that is people were leaving the Mount at or by the 0100 hours closing time and making their way to Tauranga. However, due to the 0200 hours one-way door policy, they were unable to gain entry to licensed premises.

This resulted in a large number of people congregating outside these premises where they tend to mill around, often while heavily intoxicated. These additional persons added to the volume of people that are present at the 0300 hours closing time and contribute significantly to the violence and disorder and alcohol-related harm experienced by the community at closing time.

My belief is that moving the Tauranga premises to 0200 hours closing time with the one-way door policy starting at 0100 hours, would alleviate the pressure that the current closing and one-way door policy times create on the Tauranga business district. This would mean that patrons would essentially have to choose which business district they would like to socialise in and in my opinion, this would be a positive effect on alcohol fueled violence, dishonesty, and social harm within the Tauranga CBD. It would also have an impact on the reduction of drink/driving and driving-related offending with alcohol as a contributing factor between the Mount Maunganui and Tauranga business districts.

The current structure of the Tauranga CBD, the 0300 hours closing time and the surrounding streets of The Strand and the central business district here in Tauranga means that at this time the area becomes heavily congested both with pedestrian traffic and vehicle traffic, including private vehicles

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and taxis. There are no designated taxi stands around The Strand and where these night spots are and so people simply stop on the road to drop off and pick up patrons which causes significant congestion – both from vehicles and pedestrians.

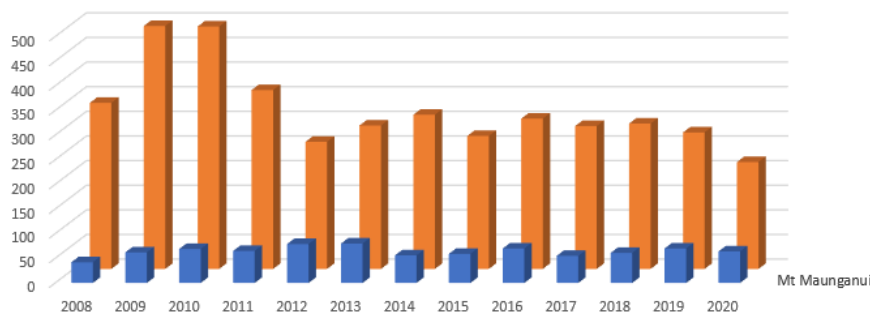
The congestion from the bars invariably leads to brawls often involving large numbers of intoxicated and aggressive patrons. These brawls either start inside licensed premises and are continued out onto the street or are carried out by people who have had confrontations inside the premises, are evicted from the premises but mill around on the street until closing time to continue and identify the parties they were having a confrontation with. These brawls are often quite serious by nature, resulting in hospitalisation of people and not only the risk to community but also the risk to Police staff who are often having to respond.

We have a large and unsatisfactory drinking culture that is only exacerbated through the current closing times of the Tauranga central business district night spots.

In my opinion the Mount Maunganui 0100 hours closing time has provided us little concern and the amount of alcohol-harm related offending is significantly lower than what we experience in Tauranga. In my opinion the Mount is an example of how things can be run without extensive and unnecessary alcohol-harm relating to the community.

This would likely make the central business district more attractive to families to come and socialise and partake and enjoy our city. It would have a dramatic change to the culture and the feel of the central business district.

Due to the change in the way Police have recorded / captured statistical data and changes in focus (the move away from prosecuting lower end offending e.g. breach of the liquor ban in favor of alternative action resolutions) comparing year on year statistics is difficult and can be misleading.



Graph 3: Shows offending in both Mount Maunganui and the Tauranga for the period 2008 to 2020. The offences captured in this data are those listed below in table 2. Please note the figures for 2020 are heavily impacted on by the Covid 19 Pandemic and subsequent restrictions. The data show a relatively consistent level of offending for both areas from 2012 onwards i.e. the issues seen in the CBD are not new.

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Grievous Assaults	Sexual Offences	Disorder
Serious Assaults	Abduction For Sex	Breach Of The Peace
Minor Assaults	Sexual Attacks	Obstructing/Hindering/Resisting
Intimidation/Threats	Rape	Unlawful Assembly
Crimes Against Personal Privacy	Domestic Dispute	Breach Of Local Council Liquor Ban
Drunk Custody/Detox Centre	Domestic Violence	Sale of Liquor offences (old Act)
Drunk Home	(Sale and Supply of Alcohol offences – new Act)	

Table 2

Police position - Maximum Trading Hours for on-licenses

It is the proposal of the Western Bay of Plenty Police that:

- On-licensed premises in the Tauranga CBD area close at 2.00am (a reduction of 1 hour on current maximum trading hours in the present LAP).
- On-licensed premises in the Mount Maunganui CBD area close at 1.00am (maintain the status quo).
- All other on-licensed premises throughout Tauranga or the Western Bay of Plenty close at 1.00am, unless they already have an earlier closing time (maintain the status quo).

One-way door restrictions:

The one-way door restriction set out in the LAP for on-licensed premises in the Tauranga city CBD has assisted in the reduction of alcohol related harm. The one-way door restrictions offer a simple yet effective method of lowering the risk of late night (pending premise closure) binge drinking. It also has the benefit of reducing the risk of people loitering outside licensed premises as they know they will not be admitted.

Police believe that to fully realise the benefits of a one-way door that any licensed premise that operates past midnight must have a one-way door policy that takes effect one hour prior to closing (the end of the licensed hours).

Police see this as a change that would further minimise alcohol related harm caused by the excessive or inappropriate consumption of alcohol. This would progress positively towards achieving the Object of the Act (s4).

Locations for licensed premises:

Western Bay Police do not agree with the locating of licensed premises in areas zoned as industrial. These areas historically have a lack of community oversight. They are often away from any form of public transport and have attracted a heavy drinking culture.

Police are of the opinion that there should be a limit to the number of areas that would be considered 'entertainment precincts' in the WBOP. These have traditionally been identified as the Tauranga and Mount Maunganui CBD areas, where there is a high concentration of licensed premises of all types (taverns, pubs, restaurants and bars) in a relatively small geographical area.

Police would not want to see numbers of such precincts established in other areas that are currently identified as commercial or retail shopping areas (such as Fraser Cove and Papamoa Plaza). This would severely reduce the ability of Police to monitor these premises and deal with the alcohol related issues that arise from these entertainment precincts.

Police believe that an emerging industry of remote sellers (selling remotely from the premise i.e. for delivery) poses significant risk of alcohol related harm. This was a topic for discussion at a recent (July

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2021) Alcohol Harm conference at the Royal New Zealand Police College attended by representatives of the Police, Ministry of Justice, Crown Law, Te Hīringa Hauora / Health Promotion Agency, the Medical Officer of Health and Alcohol Healthwatch.

Police are aware of some incidents where OFF Licence holders were providing a 30-minute delivery service for alcohol purchases which enabled them to continue to run the bottle store past closing time and deliver to persons waiting outside. This topic will be discussed further at a national level for submissions on the re-write of the Act.

The LAP provides the ability to restrict the number and placement of a licensed premises.

This is an import function which when drafted and applied correctly can mitigate the risk of alcohol related harm by, ensuring licensed premises are not in vulnerable communities / areas e.g. adjacent to a school or Rehabilitation clinic. Further, the number / density of licensed premises in an area can result in cut priced alcohol being made readily available which is a driver of antisocial behaviour.

The Alcohol Regulatory Licensing Authority recently stated in [2021] NZARLA 50 Townill that a 'population-based' is only provided for in the context of a Local Alcohol Policy.

Police working in the Te Puke area have become concerned that the number of License premise in the Te Puke area is driving offending including antisocial behaviour in the community. Between August 2018 – July 2020, of the 1082 violence, disorder and drink driving offences committed in the Te Puke area, 154 offences are known to be alcohol related and a further 334 were estimated to be alcohol related. Further 225 of these offences were family harm offences (WBOP/IR/200908).

Anecdotally, local officers have received complaint of homeless persons coming to Police attention due to their behaviour. We also know that when they are refused alcohol they have become aggressive towards the proprietors often resulting in calls to Police. Police are aware that when trespassed from licensed premises they will loiter nearby and get 'associates' or accost passers-by to buy alcohol on their behalf. The high concentration of Off-Licence is an attractor for crime and public disorder.

Te Puke has an estimated population of 8,500 people, which fluctuates with seasonal workers coming into the area. In the Te Puke area there are

8 OFF-licence - all in the CBD and are all within a 500m stretch. Of these 8 off licence, 5 of them are bottle stores, 2 are supermarkets & 1 is the Four Square.

A further 7 ON-licence premises within the same 500m stretch

There are a further 8 separate CLUB licences within the Te Puke area, excluding Maketu, Pukehina & Paengaroa.

It is the Polices submission that consideration be given to the number of liquor Licenses, particularly OFF-Licenses in the Te Puke area.

Further to that, consideration needs to be given to how the maximum number of licences issued in an area is calculated. A holistic method is required, issuing licenses purely based on population may not be effective for ensuring amenity and good order.



Appendix I

Toi Te Ora Public Health
PO Box 2120
TAURANGA 3144

8 September 2020

Tauranga City Council and Western Bay of Plenty District Council
Private Bag 12022
TAURANGA 3143

Tēnā koutou

Thank you for the invitation to provide feedback on the Western Bay of Plenty District Council/Tauranga City Council Local Alcohol Policy (LAP). This letter provides the summary feedback from the Medical Officers of Health for the Bay of Plenty and Lakes District Health Board districts.

Overall, it is strongly recommended the Western Bay of Plenty District Council/Tauranga City Council LAP is retained and strengthened. A large body of research supports the idea of addressing alcohol-related harm and improving health outcomes through population-based prevention strategies that focus on changing physical and social environments. The further strengthening of the LAP provides a significant opportunity for council to improve the local environment and culture around the drinking of alcohol.

The following is required to strengthen the existing LAP:

- Define maximum alcohol outlet density in specific areas and zones
- Reduce off-license trading hours
- Implement a one-way door policy in the last hour of opening for all on-licensed premises that are open after 1.00am
- Proximity of alcohol outlets need to be capped at current levels within a specified footpath distance from schools and other education facilities.

Issues of Health and Wellbeing – Populations Survey 2020

In 2020, Toi Te Ora Public Health undertook a Health and Wellbeing Population Survey. This is an important source of information as it helps us understand the views of people who reside in the Bay of Plenty, across a range of issues relevant to public health. Alcohol related findings showed:

- Two thirds of respondents' support reducing the number of places that sell alcohol
- Two thirds of respondents support more restrictions on advertising and sponsorship by alcohol companies
- 71% of respondents believe supermarkets and liquor stores should not be selling alcohol before 10am
- Almost two thirds of respondents believe more restrictions on alcohol availability would improve safety in towns and cities at night (Toi Te Ora Public Health, 2020).

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These results indicate the community is supportive of tighter regulatory measures to manage issues such as alcohol outlet density, sponsorship, trading hours and availability. A strengthened LAP will help council achieve the policy goal to '*reflect local communities' character, amenity, values, preferences, and needs*' (Western Bay of Plenty District Council, Tauranga City Council, n.d).

Alcohol outlet density

Research shows increased alcohol outlet density is associated with an **increase** in:

- Alcohol consumption (Campbell et al., 2009)
- Levels of serious violent offending (Connor et al, 2020)
- Alcohol-related traffic crashes
- Harm to quality of life, including effects on work performance, relationships, physical health, and finances
- Under-age youth access and consumption of alcohol (Chen et al., 2009).

Alcohol outlet density is positively associated with social deprivation in New Zealand (Cameron et al., 2017; Hay et al., 2009). Overall, people have greater access to alcohol outlets when they live in more socially deprived areas.

Higher alcohol outlet density results in premises competing on price and longer opening hours, further accelerating accessibility to cheap alcohol, higher levels of alcohol consumption and alcohol related harm (Cameron et al, 2019).

Council has a statutory ability to cap, and then lower, alcohol outlet density via the LAP.

Off-license trading hours

Increased alcohol outlet trading hours are associated with increased alcohol consumption and related harms. Evidence indicates:

- High risk drinkers are more likely to take advantage of longer trading hours
- Longer trading hours correspond with an increase in motor vehicle crashes
- Restrictions to trading hours will prevent alcohol-related harm.

Research shows that restricting on and off license trading hours has the most significant impact on alcohol harm reduction amongst 15 – 29-year-olds. (Connor et al., 2020). The LAP and associated trading hour restrictions could play a pivotal role in minimising alcohol-related harm in the Western Bay of Plenty.

Thank you for the opportunity to provide this feedback. Please contact me if you would like to clarify any points raised in this letter.

Nāku noa, nā



Dr Phil Shoemack

Medical Officer of Health

(On behalf of the Medical Officers of Health for the Bay of Plenty and Lakes districts)

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References

- Cameron, M.P., Cochrane, W., & Livingstone, W. (2019). *The relationships between alcohol outlets and harm: A spatial panel analysis for New Zealand, 2007 – 2014*. Wellington: Health Promotion Agency
- Campbell, C., Hahn, R., Elder, R., Brewer, R., Chattopadhyay, S., Fielding, J., Naimi, T., Toomey, T., Lawrence, B., & Middleton, J. (2009). Effectiveness of Limiting Alcohol Outlet Density As a Means of reducing Excessive Alcohol Consumption and Alcohol-Related Harms. *American Journal of Preventive Medicine*, 37(6), 556-569. <http://doi:10.1016/j.amepre.2009.09.028>
- Chen, M., Gruenewald, P., & Remer, L. (2009). Does Alcohol Outlet Density Affect Youth Access to Alcohol? *Journal of Adolescent Health: official publication of the Society for Adolescent Medicine*, 44(6), 582-589. <https://doi.org/10.1016/j.jadohealth.2008.10.136>
- Connor, J., Maclennan, B., Huckle, T., Romeo, J., Davie, G., & Kypri, K. (2020). Changes in the incidence of assault after restrictions on late-night alcohol sales in New Zealand: evaluation of a natural experience using hospitalization and police data. *Society for the Study of Addiction*, 116, 788-798. <https://doi.org/10.1111/add.15206>
- Hay, G., Whigham, P., Kypri, K., & Langley, J. (2009). Neighbourhood deprivation and access to alcohol outlets: A national study. *Health & Place*, 15(4), 1086-1093. <https://doi.org/10.1016/j.healthplace.2009.05.008>
- Toi Te Ora Public Health. (2020). Issues of Health and Wellbeing – Populations Survey 2020. Available: https://toiteora.govt.nz/assets/Toi-Te-Ora-Public-Health/Publications-and-Resources/Population-Surveys/2020_Population_Survey_Low_Res_FINAL.pdf
- Western Bay of Plenty District Council., & Tauranga City Council. (n.d). *Local Alcohol Policy*, https://www.tauranga.govt.nz/Portals/0/data/council/policies/files/lap_policy.pdf

Public Health Intelligence Brief



Appendix J
TOI TE ORA
PUBLIC HEALTH
Bay of Plenty + Lakes Districts

Alcohol related harm – Morbidity in the Western Bay of Plenty

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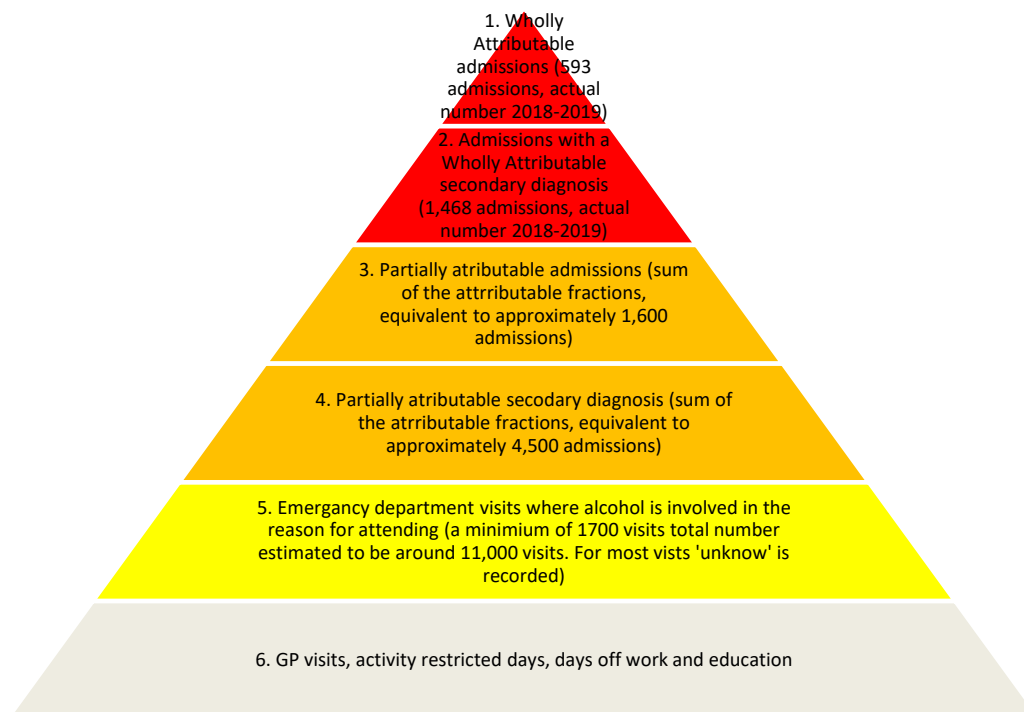
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Background

Alcohol impacts on the health of consumers in multiple ways. For many health conditions alcohol consumption is a contributing factor, these conditions are known as partially attributable to alcohol. For a small set of conditions alcohol is the only cause and these conditions are said to be wholly attributable to alcohol.

Attendances to emergency departments can be a form of alcohol related harm. Alcohol is involved in many attendances to emergency departments around the country and is known to put pressure on emergency departments on the weekends especially late at night. Alcohol results in health harms that do not necessarily come into contact with hospital services in the form of GP visits for alcohol related conditions, activity restricted days and days off work and education. Figure 1 outlines the types of harm to health and estimates the extent of the harm where possible for the 2018-2019 year.

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Figure 1: Types of Alcohol related morbidity and estimates for the Bay of Plenty DHB¹

Currently we have only reliable data for the top two sections of the pyramid. Section 3 and 4 require detailed work to be carried out on the amount of alcohol New Zealanders are currently drinking in order to calculate the alcohol attributable fraction for New Zealand. Data is being collected about emergency department visits for section 5, however data quality improvements need to occur to improve the quality of the data.

Wholly attributable admissions to hospital

Wholly attributable: diagnosis of a condition considered wholly attributable to alcohol as per Jones and Bellis (2014)².

¹ Partially attributable admissions (sum of the attributable fractions): Some conditions are partially attributable to alcohol. The proportion of the cause of the condition attributable to alcohol can be calculated this is known as the attributable fraction. To gain an understanding of the burden of disease the fractions are added together giving a number of people or admissions and in the absence of alcohol there would be fewer admissions similar to the sum of attributable fractions.

² Jones L, Bellis MA. 2014. Updating England-Specific Alcohol Attributable Fractions. Liverpool: Centre for Public Health, Liverpool John Moores University.
http://allcatsrgrey.org.uk/wp/download/public_health/alcohol/24892-ALCOHOL-FRACTIONS-REPORT-A4-singles-24.3.14.pdf

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The table below lists the conditions and their ICD 10 AM codes (the classification system used in New Zealand for clinical coding) which are wholly attributable to alcohol. The conditions can be divided up into two types. Conditions caused by long term use of alcohol – chronic alcohol use and conditions caused by preceding consumption of alcohol – acute alcohol use.

Table 1: Conditions wholly attributable to the consumption of alcohol

Type	Condition	ICD 10 AM code
Chronic Alcohol use	Alcohol-induced pseudo-Cushing's syndrome	E24.4
	Mental and behavioural disorders due to use of alcohol	F10 excluding F10.0
	Degeneration of nervous system due to alcohol	G31.2
	Alcoholic polyneuropathy	G62.1
	Alcoholic myopathy	G72.1
	Alcoholic cardiomyopathy	I42.6
	Alcoholic gastritis	K29.2
	Alcoholic liver disease	K70
	Alcohol-induced acute pancreatitis	K85.2
	Alcohol-induced chronic pancreatitis	K86.0
	Fetal alcohol syndrome	Q86.0
Acute alcohol use	Mental and behavioural disorders due to use of alcohol: acute intoxication	F10.0
	Excess alcohol blood levels	R78.0
	Ethanol poisoning	T51.0
	Methanol poisoning	T51.1
	Toxic effect of alcohol, unspecified	T51.9
	Accidental poisoning by and exposure to alcohol	X45
	Intentional self-poisoning by and exposure to alcohol	X65
	Poisoning by and exposure to alcohol, undetermined intent	Y15
	Evidence of alcohol involvement determined by blood alcohol level	Y90
	Evidence of alcohol involvement determined by level of intoxication	Y91

Two method of measuring wholly attributable admissions:

Narrow measure – The main reason (primary diagnosis or primary external cause code) for admission to hospital was wholly attributable to alcohol. The narrow measure counts admissions to hospital that occurred because of the consumption of alcohol. The measure is a conservative estimate of admissions to hospital due alcohol. The narrow measure represents the top section of the pyramid displayed in figure 1.

Broad measure – The main reason (primary) for hospital admission or a secondary diagnosis was wholly attributable to alcohol. The broad measure is all people who are admitted to hospital and are diagnosed with a condition wholly attributable to alcohol regardless of the diagnosis being the main reason for their admission to hospital. The broad measure is an indication of the burden of disease

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seen by hospital services wholly attributable to alcohol in the population and includes the narrow measure. The broad measure represents the top two sections of the pyramid combined displayed in figure 1.

The broad and narrow measures are two distinct measures measuring different aspects of the burden of disease caused by alcohol. The narrow measure could be considered a measure of the direct impact on hospital services and resources as the admissions would not have occurred in the absence of alcohol use. The broad measure captures the harm that is occurring to the population that hospital services see.

Crude Rates of admissions – A rate per 10,000 adults 15 years and older were calculated using the Stats NZ Subnational Population Estimates³.

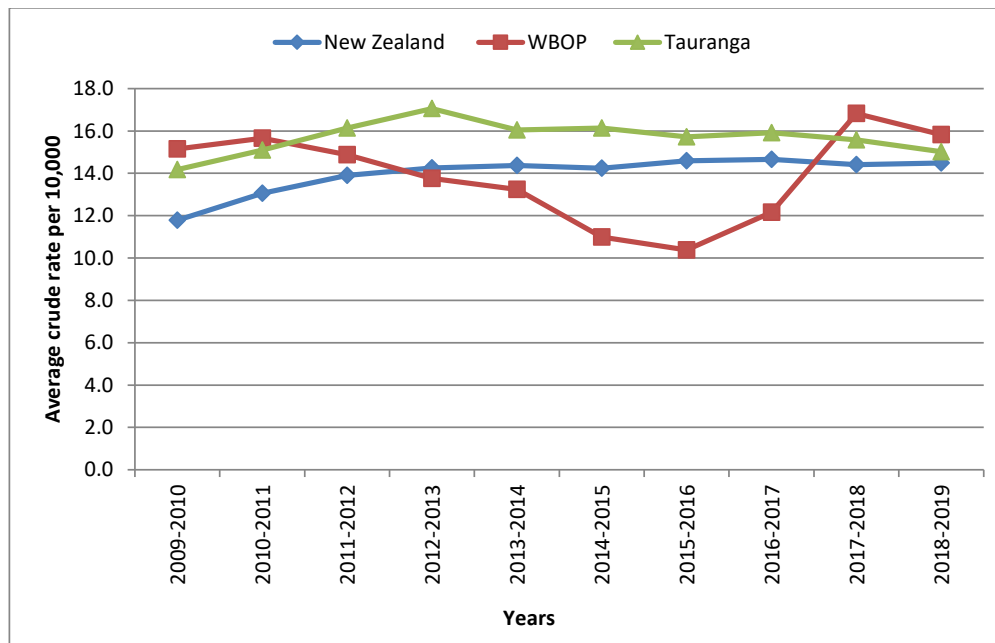
³ [NZ.Stat Metadata Viewer \(stats.govt.nz\)](http://nzdotstat.stats.govt.nz/OECDStat_Metadata/ShowMetadata.ashx?Dataset=TABLECODE7980&ShowOnWeb=true&Lang=en)
http://nzdotstat.stats.govt.nz/OECDStat_Metadata/ShowMetadata.ashx?Dataset=TABLECODE7980&ShowOnWeb=true&Lang=en

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Wholly attributable admissions to hospital Narrow Measure

The crude rate of admissions to hospital in Tauranga has been consistently above the New Zealand rate over the last decade. In the Western Bay of Plenty the rate decreased and then increased to above the New Zealand rate between 2017 and 2019.

Figure 2: Narrow measure crude average rates of admissions to hospital with wholly attributable to alcohol primary diagnosis 2009-2019

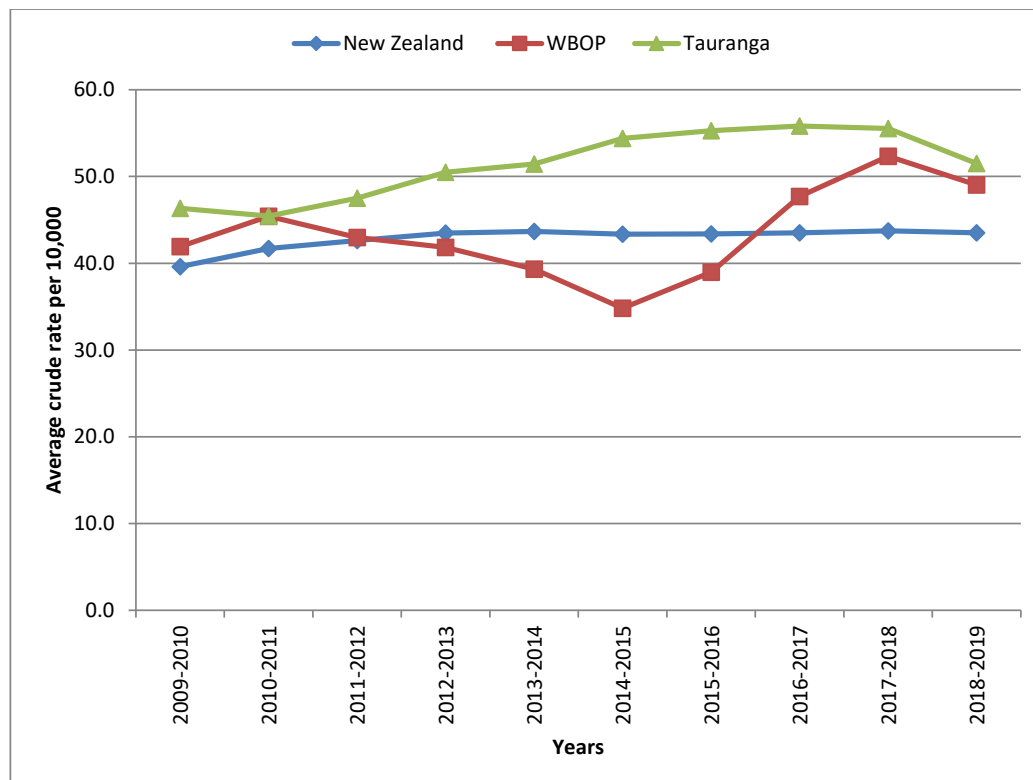


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Wholly attributable admissions to hospital Broad Measure

The broad measure rates follow a similar pattern as the narrow measure rate.

Figure 3: Broad measure crude average rates of admissions to hospital for people with conditions wholly attributable to Alcohol 2009-2019



The broad measure rates can be divided into conditions caused by acute and chronic alcohol use (table 1). The narrow measure rates cannot be split. Exploratory analysis of the narrow measure found greater than expected variation between DHBs in the rates for acute and chronic alcohol use conditions. This is indicative of inconsistent coding practices for determining the primary diagnosis and the primary external cause across DHBs and possibly between hospitals. The broad measure is not affected by the inconsistent coding practices as it is not reliant on the primary diagnoses.

Figures 3 and 4 display the rates of admission to hospital from conditions caused by acute and chronic alcohol use. The Tauranga and Western Bay of Plenty rates of admission to hospital with conditions caused by chronic alcohol use are above the New Zealand average rate. The rates for conditions caused by acute alcohol use are similar to the national average for Tauranga and less than the national average for Western Bay of Plenty.

The lower rate seen in Western Bay of Plenty for conditions caused by acute alcohol use could be due to reduced access to hospital services caused by travel distance. Those living in Tauranga are much

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closer to the hospital and emergency department and therefore might be more likely to access hospital services for conditions caused by acute alcohol use.

Figure 4: Broad measure chronic alcohol use crude average rates of admissions to hospital for people with conditions wholly attributable to Alcohol 2009-2019

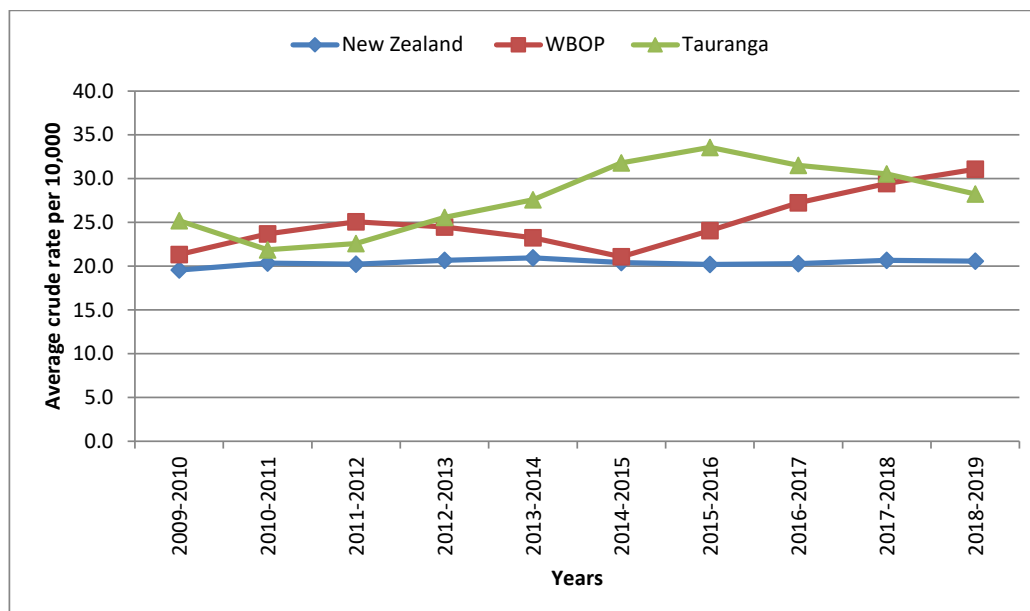
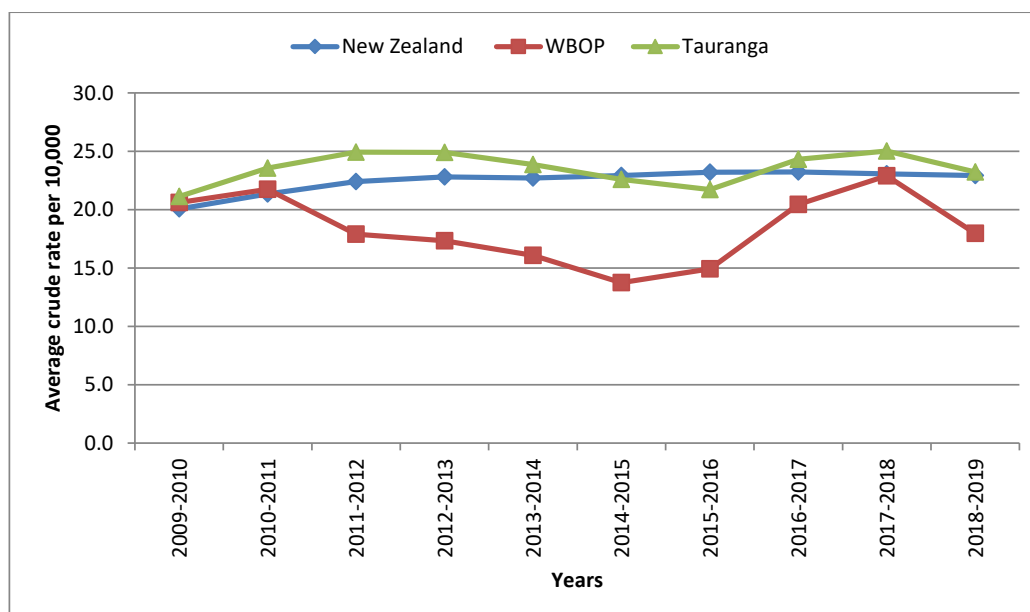


Figure 5: Broad measure acute alcohol use crude average rates of admissions to hospital for people with conditions wholly attributable to Alcohol 2009-2019



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Narrow Definition Domicile Data Table

Domiciles are geographic areas equivalent to the 2013 census area units. Domiciles approximate areas commonly thought of as suburbs within cities. People are assigned to domiciles according to their home address. Table 2 displays the number of admissions to hospital with a primary diagnosis wholly attributable to alcohol. For each two year period and the period 2014-2019 the domiciles are ranked out of all domiciles in New Zealand with at least 1 admission (total number of domiciles: 1754) based on the number of admissions. There are multiple domiciles in Tauranga and Western Bay of Plenty that rank consistently highly. Note that small changes in the number of admissions can have a large impact in the rank and small numbers of admissions have been suppressed to preserve privacy.

Table 2: Admissions to Hospital with a primary diagnosis wholly attributable to Alcohol (narrow definition)

TA	domicile name	2014-2015		2016-2017		2018-2019		2014-2019	
		Count	Rank within NZ	Count	Rank within NZ	Count	Rank within NZ	Count	Rank within NZ
Tauranga	Tauranga Central	57	7	42	11	31	26	130	8
Tauranga	Mt Maunganui North	17	111	25	42	16	139	58	64
Western Bay of Plenty	Te Puke East	13	211	14	197	29	35	56	67
Tauranga	Gate Pa	6	573	19	105	30	31	55	71
Tauranga	Greerton	22	56	21	72	9	407	52	93
Tauranga	Tauranga South	19	83	17	130	13	218	49	115
Tauranga	Hairini	12	244	20	90	15	162	47	125
Tauranga	Palm Springs	4	781	19	106	21	80	44	154
Western Bay of Plenty	Minden	6	572	19	104	18	111	43	160
Western Bay of Plenty	Kaimai	13	210	17	133	10	347	40	203
Tauranga	Te Maunga	19	84	13	220	8	480	40	204
Tauranga	Matua	10	326	8	468	21	83	39	208
Tauranga	Tauranga Hospital	5	668	16	161	13	220	34	262
Tauranga	Omanu	6	575	12	274	15	172	33	276
Tauranga	Doncaster	15	159	10	345	8	494	33	289
Tauranga	Welcome Bay East	10	327	12	263	10	353	32	306

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Tauranga	Judea	13	212	5	725	11	338	29	365
Tauranga	Pyes Pa	4	782	12	278	12	278	28	383
Tauranga	Brookfield	15	158	5	724	8	531	28	401
Tauranga	Arataki	4	780	10	385	13	241	27	414
Tauranga	Papamoa Beach East	7	492	9	431	10	366	26	433
Tauranga	Otumoetai North	7	491	9	430	9	431	25	458
Tauranga	Palm Beach	8	418	7	550	8	508	23	502
Tauranga	Yatton Park	3	916	8	512	10	373	21	548
Tauranga	Bethlehem	8	417	6	628	7	593	21	562
Tauranga	Bellevue	8	416	8	475	5	748	21	569
Western Bay of Plenty	Pongakawa		911		590	10	387	20	595
Western Bay of Plenty	Katikati Community	4	779	9	441	7	576	20	605
Tauranga	Welcome Bay West		1085	11	332		648	19	636
Western Bay of Plenty	Te Puna		157		1511		963	19	646
Western Bay of Plenty	Waihi Beach		913		682		450	18	654
Tauranga	Otumoetai South	9	369		1079		625	18	666
Tauranga	Bethlehem East		667		1100	10	403	17	693
Western Bay of Plenty	Omokoroa		666		1284	10	405	16	730
Western Bay of Plenty	Rangiuru		912		781	8	535	16	737
Western Bay of Plenty	Te Puke West		1292		395		740	16	748
Tauranga	Maungatapu		574		966		706	15	767
Western Bay of Plenty	Aongatete		777		981		708	13	837
Western Bay of Plenty	Athenree		778		1529		551	12	872
Tauranga	Te Reti		915		782		883	12	891
Western Bay of Plenty	Upper Papamoa		490		846		1564	11	971
Tauranga	Poike		577		1091		1203	10	1016
Tauranga	Pacific View		576		1279		1235	9	1065
Western Bay of Plenty	Maketu Community		910		998		1190	8	1113
Tauranga	Gravatt		914		1305		1088	7	1158

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Western Bay of Plenty	Tahawai		1560		1690		725	6	1196
Western Bay of Plenty	Paengaroa		1559		1689		835		1258
Western Bay of Plenty	Ohauiti - Ngapeke		1558		1432		1101		1330
Tauranga	Kaitemako		1084		1324		1411		1384
Tauranga	Kairua		1561		1433		1257		1423
Tauranga	Matapihi		1293		1610		1492		1567
Western Bay of Plenty	Island View - Pios Beach		1557		1431		1648		1687

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Broad Definition Domicile Data Table

Table 3 display the number of admissions to hospital with a primary or secondary diagnosis wholly attributable to alcohol. For each two year period and the period 2014-2019 the domiciles are ranked out of all domiciles in New Zealand with at least 1 admission over the six years to 2019 (total number of domiciles: 1853) based on the number of admissions. There are multiple domiciles in Tauranga and Western Bay of Plenty that rank consistently highly. Note that small changes in the number of admissions can have a large impact in the rank and small numbers of admissions have been suppressed to preserve privacy.

Table 3: Admissions to hospital for people with conditions (a primary or secondary diagnosis) wholly attributable to Alcohol (broad definition)

TA	domicile name	2014-2015				2016-2017				2018-2019				2014-2019	
		chronic alcohol use	acute alcohol use	Total	Rank within NZ	chronic alcohol use	acute alcohol use	Total	Rank within NZ	chronic alcohol use	acute alcohol use	Total	Rank within NZ	Total	Rank within NZ
Tauranga	Tauranga Central	86	76	162	5	49	60	109	9	51	46	97	15	368	7
Tauranga	Mt Maunganui North	29	36	65	52	44	37	81	25	25	24	49	121	195	40
Tauranga	Tauranga South	50	25	75	32	46	27	73	35	23	17	40	204	188	48
Tauranga	Gate Pa	17	14	31	327	34	33	67	40	36	47	83	20	181	53
Tauranga	Greerton	51	18	69	44	37	22	59	65	29	21	50	113	178	58
Western Bay of Plenty	Te Puke East	24	14	38	211	34	24	58	72	49	22	71	41	167	70
Tauranga	Hairini	18	17	35	256	34	18	52	95	40	17	57	85	144	100
Western Bay of Plenty	Kaimai	20	15	35	255	34	28	62	54	11	20	31	362	128	151
Tauranga	Brookfield	23	25	48	113	14	29	43	158	17	18	35	297	126	156
Tauranga	Doncaster	23	10	33	287	43	13	56	74	19	16	35	292	124	168
Tauranga	Palm Springs	8	8	16	704	22	14	36	265	39	23	62	62	114	215
Tauranga	Otumoetai North	17	17	34	270	10	22	32	331	30	16	46	143	112	220
Tauranga	Yatton Park	11	16	27	391	21	23	44	154	21	19	40	209	111	225
Tauranga	Arataki	22	10	32	303	20	16	36	253	18	22	40	213	108	237
Tauranga	Omanu	13	11	24	457	27	25	52	99	20	12	32	352	108	242
Tauranga	Judea	15	19	34	269	18	15	33	315	23	17	40	215	107	245
Tauranga	Te Maunga	24	8	32	304	31	5	36	254	21	17	38	252	106	254

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Tauranga	Pyes Pa	15	9	24	459	19	16	35	277	21	20	41	195	100	284
Tauranga	Welcome Bay East	13	12	25	434	17	11	28	408	24	22	46	145	99	290
Tauranga	Matua	15	10	25	433	14	16	30	366	27	17	44	162	99	291
Western Bay of Plenty	Katikati Community	16	9	25	431	25	13	38	227	21	12	33	334	96	320
Tauranga	Bethlehem	24	12	36	237	11	11	22	550	18	18	36	287	94	340
Tauranga	Otumoetai South	22	12	34	271	32	6	38	223	10	12	22	585	94	345
Tauranga	Palm Beach	21	16	37	226	16	9	25	459	16	15	31	371	93	350
Western Bay of Plenty	Minden	10	6	16	703	21	20	41	195	12	21	33	333	90	372
Tauranga	Tauranga Hospital	11	8	19	596	27	11	38	230	13	14	27	440	84	400
Tauranga	Welcome Bay West	16	3	19	597	19	20	39	214	12	14	26	461	84	401
Tauranga	Bellevue	25	8	33	286	9	16	25	460	12	11	23	561	81	424
Tauranga	Papamoa Beach East	13	11	24	458	12	14	26	442	16	13	29	406	79	436
Western Bay of Plenty	Omokoroa	4	5	9	1005	9	5	14	858	45	10	55	95	78	444
Western Bay of Plenty	Te Puke West	13	8	21	539	14	12	26	445	15	9	24	521	71	521
Western Bay of Plenty	Aongatete	14	4	18	629	10	8	18	706	16	11	27	456	63	585
Western Bay of Plenty	Rangiuru	7	4	11	907	16	11	27	429	17	8	25	491	63	586
Western Bay of Plenty	Waihi Beach	7	5	12	859	15	10	25	487	14	8	22	593	59	640
Western Bay of Plenty	Pongakawa	8	6	14	785	12	8	20	639	17	4	21	627	55	690
Tauranga	Te Reti	12	3	15	734	14	4	18	712	10	11	21	628	54	704
Tauranga	Maungatapu	12	10	22	510	7	9	16	762	10	6	16	791	54	707
Western Bay of Plenty	Te Puna	9	16	25	432	4	5	9	1037	8	6	14	888	48	776
Tauranga	Pacific View	6	7	13	824	6	4	10	1009	11	5	16	802	39	899
Tauranga	Gravatt			11	908			7	1154	14	6	20	670	38	909
Tauranga	Bethlehem East			5	1254			7	1184	12	11	23	584	35	954
Western Bay of Plenty	Upper Papamoa			15	733			15	813			4	1406	34	979
Western Bay of Plenty	Tahawai				1253				1381	13	9	22	611	31	1016
Western Bay of Plenty	Maketu Community			6	1185			15	828			9	1102	30	1042
Western Bay of Plenty	Athenree			9	1004			3	1450			17	776	29	1054
Tauranga	Poike			13	825			9	1045			6	1276	28	1080

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Western Bay of Plenty	Paengaroa		1401		1398		11	1038	18	1258
Tauranga	Kaitemako	6	1186		8	1117	4	1414	18	1274
Tauranga	Matapihi	7	1121			1454	7	1255	17	1288
Western Bay of Plenty	Ohauti - Ngapeke		1400			1397	9	1146	16	1314
Western Bay of Plenty	Island View - Pios Beach		1754		7	1212	5	1356	12	1425
Tauranga	Kairua		1616			1423	6	1314	11	1446
Tauranga	Tauranga City-Marinas		1756			1621		1634		1714
Western Bay of Plenty	Matakana Island		1755			1620		1718		1764
Western Bay of Plenty	Inlet - Tauranga Harbour Omokoroa		1615			1803		1846		1846

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Findings

- The rate of admission to hospital with conditions wholly attributable to alcohol has consistently been higher in Tauranga than the average rate for New Zealand over the last 10 years.
- In the Western Bay of Plenty the rate has decreased and then increased again. The rate of admission to hospital with conditions wholly attributable to alcohol is currently higher than the New Zealand average.
- Western Bay of Plenty and Tauranga have rates for conditions caused by chronic alcohol use higher than the New Zealand Average.
- The rate for conditions caused by acute alcohol use is similar to the New Zealand average in Tauranga. In the Western Bay of Plenty this rate is lower than the New Zealand average rate which might be due to the geography of the Western Bay of Plenty making it more difficult to access hospital services. People experiencing conditions caused by acute alcohol use in rural towns and rural areas have to travel much further to access hospital services.
- Several domiciles in the Western Bay of Plenty and Tauranga rank within the top 100 (total number of domiciles ranked: 1851) for the number of admissions according to the broad definition; including Tauranga Central, Mt Maunganui North, Tauranga South, Gate Pa and Te Puke East.

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Appendix – TLA Narrow Definition Data Tables*Table 4: Count of admissions to hospital – narrow definition*

count	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
New Zealand	8065	9031	9687	10021	10256	10392	10914	11238	11287	11560
WBOP	108	113	108	100	98	84	82	100	144	140
Tauranga	257	278	301	322	310	322	325	342	348	347

Table 5: Crude average rate of admissions to hospital – narrow definition

crude rate per 10,000	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
New Zealand	11.8	13.1	13.9	14.3	14.4	14.2	14.6	14.7	14.4	14.5
WBOP	15.1	15.7	14.9	13.8	13.2	11.0	10.4	12.2	16.8	15.8
Tauranga	14.2	15.1	16.1	17.1	16.0	16.1	15.7	15.9	15.6	15.0

Appendix – TLA Broad Definition Data Tables*Table 6: Count of admissions to hospital – broad definition*

count	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
New Zealand	27113	28839	29717	30570	31165	31639	32457	33357	34251	34702
WBOP	299	328	312	304	291	266	308	392	448	434
Tauranga	840	837	886	953	994	1086	1143	1199	1241	1190

Table 7: Crude average rate of admissions to hospital – broad definition

crude rate per 10,000	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
New Zealand	39.6	41.7	42.6	43.5	43.7	43.4	43.4	43.5	43.7	43.5
WBOP	41.9	45.4	43.0	41.8	39.3	34.8	39.0	47.7	52.3	49.0
Tauranga	46.3	45.4	47.5	50.5	51.4	54.4	55.3	55.8	55.6	51.5

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1.2 Dr Derek Keith Sage (Emergency Medicine Specialist) - BSc(Hons), MB, BCh(Wales), PGDipClinED, MRCP(UK), FRCS(Edin), FRCER, FRCP(London), FACEM – responding as a credentialed expert/specialist

The international and national medical literature is clear on the long term harm of alcohol abuse whether that is hazardous drinking or addiction (alcoholism). We are also aware that alcohol is a contributory factor to many (not most) accidents/injuries including motor vehicle crashes.

It is hard at a local level to quantify exactly the part alcohol plays in presentations because the outcome rather than the cause is coded for records and alcohol is only recorded clearly if the presentation is intoxication.

For overall attendances at the emergency department alcohol is not a big player except at certain times of the year where partying is rife eg New Year's. I can also say having worked in many other hospitals that Tauranga is a lightweight compared to other places I have worked. This may be due to the older than average population demographic even though the elderly are not immune to drinking and falling etc.

I see that the main area that alcohol plays its pathological game is in more at the domestic level with domestic violence some of which we see (tip of iceberg) and children with disrupted or harmful home environments. It has been proposed that raising the price of alcohol would decrease the consumption and there may be some evidence for that but it is whether it affects the right target groups. Those who prioritise alcohol above their families will deprive and injure their households more by spending more on alcohol and less on their children. So there are consequences that are potentially harmful to innocents in this approach. Additionally we have a subgroup of older adults (aged folks) who with a lifetime's accumulated wealth will have more money anyway and now do spend it on drink, get drunk and fall and injure themselves. They join the intoxicated and injured at New year's as well!!

Restricting outlets and restricting times of availability of domestic 'off license' drink used at home is probably a good way to go as this reduces availability without economic impact of 'poor households'.

In terms of public bars a similar approach could be a solution although I do think that the policy of there being a time in which folks are not allowed to enter but may leave to avoid hopping from bar to bar would also decrease drunkenness and accidents/violence etc. I am not sure if bars have used breath testing for entry criteria later in the day.

You must consider as I say those who want to drink and need to drink will pay for the drink no matter the cost with no regard to their dependents or the law. When you hear that someone was many times over the legal limit caught driving, they are addicts to the drug called alcohol and most of us would not be able to find our car let alone attempt to drive it with their blood levels. They don't care, they must drink and will.

At the end of the day most of us are safe/ sensible consumers of alcohol (if we drink at all) and we should not 'punish' a majority because of a minority with extreme

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measures. It is also my experience that people who become violent on alcohol are already violent in disposition they just disinhibit themselves and they know it! They know that they should not drink but as I mentioned their life circumstances drive them to prioritise it.

Education at an early age by role models is useful as we need to trap the habit at an early age.

Education, enforcement, engineering is the standard approach to prevention of accidents and injuries and it applies here also.

~~I hope that you found this a useful perspective. It is from years of experience and observation in the field of emergency medicine and it is a personal one rather than an official BOPDHB view (just to be clear). You may have a different view from the director of mental health or from the Medical Officer for (public) Health.~~



MEMORANDUM

TO Matt Leighton
Senior Policy Analyst
Western Bay District Council

CC Jane Barnett - Policy Analyst
Paul Mason - Community Development
Tauranga City Council
Reon Tuanau – Pou Herenga
Michael Mills – CAYAD Consultant
Mikaere Sydney – CAYAD Kaimahi
Roimata Ah Sam – Operations Manager
Paora Stanley – CEO

FROM Te Ohu Rangatahi – Mel Bennett

SUBJECT LOCAL ALCOHOL POLICY REVIEW FEEDBACK

DATE 18 June 2021

KAUPAPA:

To provide feedback for the Local Alcohol Policy Review.

The alcohol industry is responsible for a high risk of harm. Research shows that a good, healthy, quality of life is lost due to alcohol. Alcohol compromises the health of our whānau through either loss of life (approximately 800 deaths per year in NZ), or it is directly attributed to poor quality of life.

We propose the following in order to reduce harm of sale and supply, and reduce harm caused by excessive or inappropriate consumption of alcohol.

1. Notification Criteria of new Liquor License Applications:

- a. New off license applications notifications to be sent to the Iwi.

2. Geographical Areas of harm witnessed by our team to be recognised as areas of concern:

- a. Wharepai Domain / Fergusson Park / Yatton Park / Cameron Road (specifically in between Wharepai Domain and Greerton) – public drinking and intoxication in public bus stops / Memorial Park (side of QEYC building, under trees) / The Strand (along the waterfront) / CBD – Bus Stop / Coronation Park / Tye Park – Welcome Bay / Turret Road, Mayfair (around boardwalk) / Archery Car park - Takitimu Drive / Fraser Cove and Street from 15th Ave to Greerton Road including Merivale (Fraser Cove car park in particular)

3. Cultural Impact – We propose the following:

- a. Decision-Making Process
 - i. Selection Panel – Iwi to have a voice in this process.

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Website. www.ngaiterangi.com



He toroa whakakopa au nō runga i Kārewa, he pōtiki manawa ū nā Ngāi Te Rangi

I am a soaring albatross high above Kārewa, a stout-hearted child that belongs to Ngāi Te Rangi.



- ii. District Licensing Committee – Iwi to have a representative
- b. Treaty clause in the Policy
 - i. Implementation of a clause recognising partnership, protection, and participation of local Iwi.

4. Environmental Impact - Special License Concerns:

- a. Concerts – I am awaiting data from BOPDHB to support the below:
 - i. One Love / Bay Dreams / Good Vibes – drug bags, needles, empty bottles, and cans left on the streets of Cameron Road.
 - ii. Discretionary conditions be placed for One Love:
 - 1. License issue subject to discretionary conditions:
 - a. Limit alcohol branding on digital platforms
 - b. Installation and operation of CCTV cameras within the premises

5. Amendments to LAP:

- a. Amendment to trading hours of premises directly located in our high deprivation index areas.
- b. Limit the location of licenses in the future.

6. Sale and Supply of Liquor Act Amendment Bill

- a. The Iwi will continue to support the changes which have been identified in this Bill, however, will continue to work with the National Alcohol organisations such as alcohol health watch.

7. Hui again prior to the notification of provisional policy phase

Ngā mihi

Mel Bennett – Te Ohu Rangatahi Manager

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Draft Local Alcohol Policy Options

1. There are a number of potential options that address the overall issue and respond to the object of the SSAA and meet the Policy goals. The Policy is only one tool that should be considered if we are to look at the issue holistically.
2. Recommended options are identified with green.

Option	Description	Discussion – advantages and disadvantages
TOPIC 1		
Joint policy		
Option A	Retain joint Policy approach with TCC	The intent of developing a joint policy was to provide a consistent sub-regional approach and seek efficiencies. However, there are clear differences between our communities and the efficiency gains are relatively minor.
Option B	Develop separate policies	Separate policies allow TCC and ourselves to focus more on the different issues facing our communities. Efficiencies in the review process have still been realised and can continue despite a separate approach.
TOPIC 2		
Off-licences – e.g. bottle stores, supermarkets		
Option A	Retain the current LAP provisions (e.g. 7am-10pm, no cap on numbers anywhere, no discretionary conditions)	Status quo. The current provisions appear adequate however alcohol harm is still considered high in some areas of the community.
Option B	Amend the maximum licensed hours (increase or decrease)	Increased opening hours may provide flexibility for the DLC to consider on a case by case basis. Decreased hours would limit alcohol availability and subsequent harm. Many licence holders do not fully utilise the existing hours currently available. Supermarkets in the district close at 9pm or earlier and consistency with other off-licences may be beneficial.
Option C	Introduce a cap on the number of off-licences for the district as a whole	A cap would prevent an excess (either more than currently or a population linked number) of licenced premises to be established in the district. Caps may not be suitable where there is not significant alcohol related harm or where substantial growth is expected. The one-size fits all approach may not be appropriate. Likely to be appealed (note these provisions were removed by appeals last time).
Option D	Introduce a cap on the number of off-licences in the Te Puke – Maketu ward area.	A cap would prevent an excess (more than currently) of licenced premises being established in the area. This may be a suitable approach to address issues in Te Puke - Maketu ward area given the evidence of

		<p>greater alcohol related harm and risk factors here.</p> <p>Caps may not reduce alcohol related harm, but may prevent it from increasing.</p> <p>Likely to be appealed (note these provisions were removed by appeals last time).</p>
Option E	Introduce density or sensitive sites location limitations	<p>Limiting the density of off-licences may reduce alcohol availability and price competition.</p> <p>Limiting the location of licences with regard to sensitive sites may reduce risk of harm.</p> <p>Most off-licences are in town CBDs. Dispersed licences may not be preferable.</p> <p>Likely to be appealed (note these provisions were removed by appeals last time).</p>
Option F	Introduce discretionary conditions (e.g. no breaking down stock for singles sales, limit advertising)	<p>Provision of a clear list of discretionary conditions may assist with licencing conversations.</p> <p>Often an element that is appealed in the provisional LAP. Legislation allows a case-by-case approach currently.</p> <p>Likely to be appealed (note these provisions were removed by appeals last time).</p>
Option G	<p>Differentiate conditions by type of off-licence:</p> <p>Supermarket</p> <p>Grocery Store</p> <p>Bottle Stores</p> <p>Online retail</p>	<p>Any of the above options could be further differentiated by off-licence type. This may allow a more nuanced approach to target areas where the risk of harm may be greater.</p> <p>A focus on bottle stores may be justified due to the concern raised by the stakeholders in the pre-engagement.</p>
TOPIC 3 On licences –e.g. restaurants and bars		
Option A	Retain the current LAP provisions (e.g. 9am-1am, no cap on numbers anywhere, discretionary conditions)	<p>Current approach appears to be working. Little concern raised regarding on-licences from pre-engagement.</p>
Option B	Amend the maximum licensed hours (increase or decrease)	<p>Increased opening hours may provide flexibility for the DLC to consider on a case by case basis and could contribute to a 'night-time economy' in the District.</p> <p>Decreased hours would limit alcohol availability and subsequent harm.</p> <p>Many licence holders do not fully utilise the existing hours currently available. There has been no pressure to extend or decrease hours.</p>
Option C	Introduce a cap on the number of on-licences (district wide or location specific)	<p>A cap would prevent an excess of licenced premises being established in the district/ area.</p> <p>Caps may not be suitable where there is not significant alcohol related harm or where substantial growth is expected.</p>

		The number of on-licences does not appear to be a great concern.
Option D	Introduce density or sensitive sites location limitations	Limiting the density of on-licences may reduce alcohol availability and price competition and travelling between venues. Limiting the location of licences with regard to sensitive sites may reduce risk of harm. Most off-licences are in town CBDs. Dispersed licences may not be preferable.
Option E	Amend the list of discretionary conditions	Provision of a clear list of discretionary conditions assists with licencing conversations. The current approach is working well.
TOPIC 4		
Club licences		
Option A	Retain the current LAP provisions (e.g. On-licences and Club licences combined)	Current approach appears to be working but some confusion over club licences as they are not as visible in the LAP.
Option B	Create a separate section for Club licences but retain the current LAP provisions (e.g. same requirements as on-licences)	Additional clarity would be provided. Recognises the difference in intent around club licences and on-licences and the association with club activities. Current approach appears to be working
Option C	Create a separate section for Club licences and amend provisions	Additional clarity would be provided. Provisions could be amended to provide a stronger recognition of the difference in intent around club licences and on-licences and the association with club activities. Limited concern at club licences raised.
TOPIC 5		
Special licences		
Option A	Retain the current LAP provisions (e.g. discretionary conditions)	Current approach appears to be working. Little concern raised regarding special-licences from pre-engagement.
Option B	Amend discretionary conditions	Current approach appears to be working. Little concern raised regarding special-licences from pre-engagement.
TOPIC 6		
Consider Alcohol harm through other processes		
Option A	Work to improve the approach to Licence notification.	Look to do more than legislative minimum to encourage a range of voices and public participation.
Option B	Encourage greater range of applicants to be a member of the DLC.	Enable local input and insight and look to increase Māori perspectives. An increase in awareness and community voice would be beneficial.

Option C	Explore partnership approach with Police.	Conversations with Police to outline concerns and explore further support.
Option D	CCTV cameras to address areas of concern	Addressed through the CCTV Management Plan
Option E	Explore community partnerships. This may include support for Community Patrols, Maori wardens, Safer Communities projects, education initiatives, etc.	This could be considered through the Community Safety Policy review.
Option F	Engage with Central Government agencies to develop partnership approach	Engagement with agencies such as the Ministry for Social Development, Health Promotion agency and others to seek improved outcomes in our district. This could also be considered through the Community Safety Policy review.
Option G	Alcohol accords	Licence holders and Council undertake proactive measures together. Action currently underway in Te Puke.
Option H	Take no further action in this space.	Council may choose not to commit any additional time and resource to this matter.

9.4 ADOPTION OF THE DRAFT ALCOHOL CONTROL BYLAW FOR PUBLIC CONSULTATION

File Number: A4347110

Author: Matthew Leighton, Senior Policy Analyst

Authoriser: Emily Watton, Policy and Planning Manager

EXECUTIVE SUMMARY

1. The purpose of this paper is for the Committee to determine if any changes should be made to the Alcohol Control Bylaw and to adopt a draft Alcohol Control Bylaw for public consultation.

RECOMMENDATION

1. That the Senior Policy Analyst's report dated 19 October, titled 'Adoption of the Draft Alcohol Control Bylaw for Public Consultation', be received.
2. That the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.
3. That in considering the options set out in Attachment 5 of the agenda report, the Committee approves the following change be included in the draft Alcohol Control Bylaw for consultation:
 - that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke, as shown on the map on page 15 of Attachment 1.
4. That in considering the options set out in Attachment 5 of the agenda report, alcohol harm be further considered through other processes, outside of the Alcohol Control Bylaw.
5. That pursuant to s147A and s147B of the Local Government Act 2002, Council is satisfied, in relation to the alcohol ban proposed in Te Puke in the draft Alcohol Control Bylaw 2022, that there is evidence that the area to which the bylaw is intended to apply has experienced a high level of crime and disorder, that can be shown to have been caused or been made worse by alcohol consumption in the area.
6. That pursuant to s147A and s147B of the Local Government Act 2002, Council is satisfied, in relation to the alcohol bans proposed in Katikati and Waihi Beach in the draft Alcohol Control Bylaw 2022, that a high level of crime and disorder (caused or made worse by alcohol consumption in the area concerned) is likely to arise in the area to which the bylaw is intended to apply, if the bylaw is not made.
7. That pursuant to s147A and s147B of the Local Government Act 2002, Council is satisfied that the draft Alcohol Bylaw 2022 can be justified as a reasonable limitation on people's rights and freedoms, and that the draft bylaw is appropriate and proportionate in light of the crime and disorder.
8. That pursuant to s155 of the Local Government Act 2002, Council confirms that a bylaw is the most appropriate way of addressing the perceived problems, the draft bylaw is the most appropriate form of bylaw, and that the draft bylaw does not give rise to any implications under the New Zealand Bill of Rights 1990.
9. That the draft Alcohol Control Bylaw and accompanying Statement of Proposal and submission form, as per attachments 1, 2 and 3 of the agenda report, be adopted for public consultation between 5 November 2021 and 6 December 2021.
10. That Attachment 6, Police Intelligence Reports and Data be retained in confidential.

BACKGROUND

2. The Alcohol Control Bylaw, simplified, sets the Alcohol Control Areas (alcohol ban zones), where alcohol consumption in a public place is banned.
3. The Alcohol Control Bylaw 2016 is now due for review, as it has been in place for five years.

LEGISLATION

4. The Local Government Act 2002, sections 147, 147A and 147B set out the requirements for establishing and reviewing a bylaw for alcohol control purposes.
5. Section 147 (2) states:

A territorial authority may make bylaws for its district for the purpose of prohibiting or otherwise regulating or controlling, either generally or for one or more specified periods, any or all of the following:

 - a) *the consumption of alcohol in public places:*
 - b) *the bringing of alcohol into public places:*
 - c) *the possession of alcohol in public places.*
6. There are specific evidentiary requirements for establishing or continuing alcohol ban areas. These will be a key consideration for Council in considering its approach to this bylaw review.
7. In order to create a new alcohol control area a Council must be satisfied that—
 - a) *must be satisfied that it can be justified as a reasonable limitation on people's rights and freedoms; and*
 - b) *except in the case of a bylaw that will apply temporarily for a large scale event, must also be satisfied that —*
 - i. *there is evidence that the area to which the bylaw is intended to apply has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the area; and*
 - ii. *the bylaw is appropriate and proportionate in the light of that crime or disorder.* (Section 147A).
8. In order to continue an existing alcohol control area, Council must be satisfied that —
 - a) *the bylaw can be justified as a reasonable limitation on people's rights and freedoms; and*
 - b) *a high level of crime or disorder (being crime or disorder caused or made worse by alcohol consumption in the area concerned) is likely to arise in the area to which the bylaw is intended to apply if the bylaw is not made; and*
 - c) *the bylaw is appropriate and proportionate in the light of that likely crime or disorder.* (Section 147A).

WBOPDC ALCOHOL CONTROL BYLAW 2016

9. The Council's Alcohol Control Bylaw was adopted in August 2016.
10. The objective of the bylaw is to help minimise the potential for offensive behaviour in public places, to protect the public from nuisance in public places, and to protect, promote and maintain public health and safety in public places.
11. It provides the Police with an additional tool to address the negative effects associated with the consumption of alcohol in public places.
12. It sets alcohol control areas for all of the Waihi Beach and Athenree area, all of the Katikati area and the centre of Te Puke town. This effectively imposes a 24 hour, seven day a week alcohol ban for public places in these areas. These are set out in maps attached to the bylaw.

13. The alcohol control areas prohibit

- The consumption of alcohol in an Alcohol Control Area;
- The bringing of alcohol into an Alcohol Control Area;
- The possession of alcohol in an Alcohol Control Area; and
- The presence or consumption of alcohol in vehicles within any Alcohol Control Area.

Bylaw development

14. The 2016 Bylaw followed a request from Te Puke Police and Te Puke Community Board to consider imposing an alcohol ban in the Te Puke town centre. The Waihi Beach/Athenree and Katikati areas were previously identified in the Liquor Control Bylaw 2009 (which was established under the Sale and Supply of Alcohol Act's predecessor, the Sale of Liquor Act 1989).
15. The 2016 Bylaw was developed after considering evidence from the Police and pre-consultation feedback from our communities. Council was satisfied there was a high level of alcohol-related crime and disorder in Te Puke, and that a high level of alcohol related crime and disorder would likely arise in Katikati and Waihi Beach if the current bans were withdrawn. The draft bylaw was then released for formal public consultation using the Special Consultative Process.

Bylaw use

16. Looking at the available statistics, the bylaw does not appear to be frequently used by Police to issue infringements. Police provided intelligence reports and the publicly available proceedings by the Police station show mixed use of the bylaw, with 37 infringements logged over a two-year period. The majority of these have been in Waihi Beach (31), which suggests it is a well used tool in that part of the district.
17. This may not reflect a full picture and police may be referring to the bylaw but not capturing it in formal reporting. It may also point to the low level of priority given to these offences by Police.
18. Police also have a range of other options under other legislation to use in relation to public intoxication. The Summary Offences Act 1981 gives police the power to fine people who behave in a disorderly or threatening manner, use indecent or obscene words, fight in a public place, obstruct a public way, indecently expose themselves, damage property or vegetation, or excrete in a public place. Alternatively, the Policing Act 2008 gives a constable who finds a person intoxicated in a public place, or trespassing on private property, the power to take that person to their place of residence, to a temporary shelter, or if those options are not reasonably practical, to detain and take the person into custody until they cease to be intoxicated.
19. Council staff use the Bylaw regularly, particular the provisions around events and providing waivers for these in some circumstances.

DISCUSSION OF EVIDENCE AND OPTIONS

20. Attachment 4 sets out the evidence collected. The evidence is both qualitative and quantitative in nature.
21. The Police reports and data received are set out in Attachment 6 and is confidential due to the nature of the information they contain.
22. Attachment 5 sets out the bylaw options.
23. Overall, the evidence suggests that the current Alcohol Control Areas should continue in Katikati and Waihi Beach, and that the Alcohol Control Area in Te Puke should be considered for expansions to cover the entire urban area of Te Puke.

24. The proposed wider Alcohol Control Area for Te Puke aligns with the urban limits boundary set through the Regional Policy Statement. As the Bylaw could continue without review for 10 years, this is intended to also cover future growth areas for the town.

LOCAL GOVERNMENT ACT 2002 SECTION 155 CONSIDERATIONS

25. As part of reviewing a bylaw, Council is required to make determinations required by s155 of the Local Government Act 2002. This means that Council must determine that a bylaw is the most appropriate way of addressing the perceived problem, that the draft bylaw is the most appropriate form of bylaw and that it does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
26. The following text summarises the issues relating to Local Government Act 2002 section 155 matters, and this report requests Council to make a formal resolution confirming its position. The following text is also recommended for inclusion in the statement of proposal:
27. There is no legislative requirement to have this bylaw in place, however the Local Government Act 2002 specifically provides Council with the 'power to make bylaws for alcohol control purposes' under section 147.

Is a bylaw the appropriate means to deal with the problem?

28. The issues firmly sit within Council's responsibilities. The current bylaw has been in place for five years and itself replaced the Liquor Control Bylaw 2009.
29. Council considered a range of options to address alcohol related crime, disorder and nuisance in the district's main towns. While it is accepted that there are a number of agencies responsible for reducing alcohol-related harm in our communities, it was considered that a bylaw provides the most appropriate mechanism to effectively deal with people drinking in public places in a manner that has a negative impact on the enjoyment and safety of other people using that public place. The Police have requested a wider alcohol ban be considered because it is an effective tool to manage public nuisance behaviour.
30. There may be other non-regulatory measures that Council could consider implementing alongside the alcohol bans, such as re-designing 'hot spots' for anti-social behaviour in town centres and advocating for improved access to support services for those with alcohol issues.
31. The bylaw is perceived to have been an effective tool in reducing alcohol-related crime, disorder, and nuisance in the specific locations that the alcohol bans currently apply and has contributed to those community's perceptions of safety. The proposed bylaw aligns with the LGA purposes above and is consistent with the approach taken by other local authorities of a similar size and nature.

Is the bylaw in the appropriate form?

32. The Bylaw focuses on specific locations in the district where Council considers that a high proportion of offences committed are alcohol-related, and also a high proportion of offences are committed in public places. The extent and timing applicable in the proposed Alcohol Control Areas in the draft bylaw are supported by the Police. The draft bylaw is consistent with Council document standards and has been written in plain English so far as possible. It is therefore considered to be the most appropriate form of bylaw.

Is the bylaw consistent with the New Zealand Bill of Rights?

33. The Bill of Rights protects the human rights and fundamental freedoms of all people in New Zealand, including the right to freedom of movement. Whilst the bylaw provides that people can be asked to leave public places that are subject to a permanent or temporary alcohol ban, it is considered that the restrictions are fair and reasonable in the interest of public health and safety. This bylaw does not restrict the movement of people who are not in possession of alcohol or those drinking alcohol in private premises. Therefore, it is considered that the proposed bylaw does not give rise to any implications under the Bill of Rights.

SIGNIFICANCE AND ENGAGEMENT

34. 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.

The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.

35. In terms of the Significance and Engagement Policy this decision is considered to be of medium significance because:
- a) the bylaw proposes to introduce a wider alcohol control area for Te Puke and this is likely to be of community interest,
 - b) there is a moderate level of community interest more broadly on the topic,
 - c) there are a range of stakeholders who are impacted, and
 - d) consultation is a legislative requirement.

ENGAGEMENT, CONSULTATION AND COMMUNICATION

36. Engagement with key stakeholders and the wider community is an important part of the review and is also legislatively required.
37. Pre-engagement has been undertaken with key stakeholders – Council Alcohol Licensing Inspector, Police and CCTV contractors.
38. Additional feedback on the wider topic of alcohol in the community has been sought alongside the review of the Local Alcohol Policy, with views received from a range of stakeholders including Community Boards, Community Patrols and Hauora.
39. The Special Consultative Procedure (SCP) is required to make, amend or revoke bylaws, where it is considered that there is significant impact on the public, otherwise section 82 consultation may be undertaken. The SCP process will need to occur due to the potential decisions in relation to any specific alcohol ban areas.

Interested/Affected Parties	Completed/Planned Engagement/Consultation/Communication		
Name of interested parties/groups		Planned	Completed
Council Alcohol Licensing Inspector, Police and DHB	Key stakeholders engaged with as part of the research and options development stage. Further input will be sought as part of the formal engagement process with targeted communications.		
Community Boards, Community Patrols, Citizens Advice Bureau, Tauranga Budget Advisory Service, Empowerment NZ,.	Identified stakeholders have been engaged with as part of the research and options development stage. Further input will be sought as part of the formal engagement process with targeted communications.		
Tangata Whenua via Hauora	Identified stakeholders have been engaged with as part of the research and options development stage. Further input will be sought as part of the formal engagement process with targeted communications.		
General Public	Information from other engagement processes has been used in the research and options development stage. Public feedback will be sought as part of the formal engagement process and feedback sought across a range of formats.		

ISSUES AND OPTIONS ASSESSMENT

40. There are a number of potential options that address the overall issue and respond to alcohol related issues.
41. The Bylaw is only one tool that should be considered if we are to look at the issue holistically.
42. The options relating to the content of the draft Alcohol Control Bylaw are set out in Attachment 5.

Option A That the draft Alcohol Control Bylaw and accompanying Statement of Proposal and submission form, as per attachments 1, 2 and 3, <u>be adopted</u> for public consultation between 5 November 2021 and 6 December 2021	
Assessment of advantages and disadvantages including impact on each of the four well-beings <ul style="list-style-type: none"> • Economic • Social • Cultural • Environmental 	Advantages: <ul style="list-style-type: none"> • Bylaw review process can continue within proposed timeframes, concurrently with the consultation on the draft Local Alcohol Policy. • The draft bylaw is representative of direction given by the Committee in workshops. • The community can consider the draft bylaw and provide feedback to Council.
Costs (including present and future costs, direct, indirect and contingent costs).	Staff time will be required to deal with queries from the community about the proposed bylaw, and to progress the subsequent stages of the bylaw review. However, this can be managed within existing staffing and budgets.
Option B That the draft Alcohol Control Bylaw and accompanying Statement of Proposal and submission form, as per attachments 1, 2 and 3, <u>is not</u> adopted for public consultation between 5 November 2021 and 6 December 2021	
Assessment of advantages and disadvantages including impact on each of the four well-beings <ul style="list-style-type: none"> • Economic • Social • Cultural • Environmental 	Advantages: <ul style="list-style-type: none"> • Current bylaw will remain effective until December 2023. Disadvantages: <ul style="list-style-type: none"> • Bylaw review timeframes will be compromised. • There will not be a wider alcohol control area in Te Puke until a final bylaw is adopted.
Costs (including present and future costs, direct, indirect and contingent costs).	If the bylaw review process is significantly delayed, the Committee may need to revisit issues it has already considered and more staff time will be incurred.

STATUTORY COMPLIANCE

43. The recommendations of this report ensure Council complies with LGA requirements for making bylaws for alcohol control purposes.
44. The draft bylaw will be subject to a Special Consultative Procedure to ensure that Council is complying with its obligations to seek community views on proposals of significance.

FUNDING/BUDGET IMPLICATIONS

45. The project costs of the review are met within current operational funding.

ATTACHMENTS

1. **Draft Alcohol Control Bylaw** [!\[\]\(a88007b249b36c75dcbde101f514cec3_img.jpg\)](#) [!\[\]\(800628c068083563f747129d8b339031_img.jpg\)](#)
2. **Statement of Proposal - Draft Alcohol Control Bylaw** [!\[\]\(01f5879e654468630e790d983a473ee0_img.jpg\)](#) [!\[\]\(ce8b778f402aca455ccdfd070a33a08d_img.jpg\)](#)
3. **Submission Form - Alcohol Control Bylaw and Local Alcohol Policy** [!\[\]\(c4a503502fa8c84efaf3849039d81824_img.jpg\)](#) [!\[\]\(a109cdb3d611d5f1b240988e8ef9c59e_img.jpg\)](#)
4. **Evidence for Alcohol Control Bylaw** [!\[\]\(d71c711e57cec5a823156542f63a9248_img.jpg\)](#) [!\[\]\(6882145ce9ee268a53810f22a2c366af_img.jpg\)](#)
5. **Draft Alcohol Control Bylaw Options** [!\[\]\(e458be0fc8f668fe06ec7077ab57a22f_img.jpg\)](#) [!\[\]\(302dd0360c34eae593553dd6407038a1_img.jpg\)](#)
6. **Confidential - Police Intelligence and Data Reports - Confidential**



DRAFT Alcohol Control Bylaw 2022

Explanatory Note

The objective of the Alcohol Control Bylaw is to help minimise the potential for offensive behaviour in public places, to protect the public from nuisance in public places, and to protect, promote and maintain public health and safety in public places.

This Bylaw is made by the Western Bay of Plenty District Council under the powers given to it by the Local Government Act 2002 and the Sale and Supply of Alcohol Act 2012 and their respective amendments.

Western Bay of Plenty District Council**DRAFT Alcohol Control Bylaw 2022****Contents**

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Western Bay of Plenty District Council

DRAFT Alcohol Control Bylaw 2022

Authority

Pursuant to the powers vested in it under Section 147 of the Local Government Act 2002, the Western Bay of Plenty District Council makes this Bylaw.

Title

This Bylaw may be cited as the Western Bay of Plenty District Council Alcohol Control Bylaw 2022 and shall come into force on xxxxxx 2022.

Repeal

The Western Bay of Plenty District Alcohol Control Bylaw 2016 is repealed

Bylaw Structure

This Bylaw comprises the document including Schedule 1.

Scope

This Bylaw shall apply within the boundaries of the Western Bay of Plenty District. The provisions shall apply to the areas as detailed in Schedule 1, and any temporary areas as made by Council from time to time.

The purpose of this Bylaw is to prohibit or control the consumption of, bringing into and possession of alcohol into restricted places, and also to:

- (a) Protect the public from nuisance in public places;
- (b) Protect, promote and maintain public health and safety in public places;
- and
- (c) Minimise the potential for offensive behaviour in public places.

Validation

The Western Bay of Plenty District Council Alcohol Control Bylaw 2022 was duly made at a meeting of the Western Bay of Plenty District Council held on xxxxxx, after completion of the Special Consultative Procedure, and will come into force on xxxxxx 2022.

Savings

All approvals, permits, and other acts of authority (including any resolutions of the Council) which originated under the Western Bay of Plenty District Council Alcohol Control Bylaw 2016, and all applications, and other acts of parties and generally all documents, matters, acts, and things which so originated and are continuing at the commencement of this Bylaw, continue for the purposes of this Bylaw to have full force and effect.

The revocation of the Western Bay of Plenty District Council Alcohol Control Bylaw 2016 does not prevent any legal proceedings, criminal or civil, being taken to enforce that bylaw and such proceedings continue to be dealt with and completed as if that bylaw had not been revoked.

1.——Title

This Bylaw may be cited as the Western Bay of Plenty District Council Alcohol Control Bylaw 2016 and shall come into force on 1 October 2016.

2.——Purpose and Application

This Bylaw shall apply within the boundaries of the Western Bay of Plenty District. The provisions shall apply to the areas as detailed in Schedule 1, and any temporary areas as made by Council from time to time.

The purpose of this Bylaw is to prohibit or control the consumption of, bringing into and possession of alcohol into restricted places, and also to:

- (a)——Protect the public from nuisance in public places;
- (b)——Protect, promote and maintain public health and safety in public places; and
- (c)——Minimise the potential for offensive behaviour in public places.

3. ~~Alcohol Control Bylaw Validation~~

~~The Western Bay of Plenty Liquor Control Bylaw 2009 is hereby revoked:~~

~~The foregoing Bylaw was duly made at a meeting of the Western Bay of Plenty District Council held on 25 August 2016 after completion of the Special Consultative Procedure. This Bylaw becomes operative on 1 October 2016.~~

~~The Common Seal of the Western Bay of Plenty District Council was affixed hereto pursuant to a resolution of Council on 25 August 2016, in the presence of:~~

Chief Executive Officer

Date

4.1. Definitions

Alcohol

As defined in section 5 of the Sale and Supply of Alcohol Act 2012, means a substance –

- (a) That –
 - a. Is or contains a fermented, distilled, or spirituous liquor; and
 - b. At 20°C is found on analysis to contain 1.15% or more ethanol by volume; or
- (b) That –
 - a. Is a frozen liquid, or a mixture or a frozen liquid and another substance or substances; and
 - b. Is alcohol (within the meaning of paragraph (a)) when completely thawed to 20°C; or
- (c) That, whatever its form, is found to contain 1.15% or more ethanol by weight in a form that can be assimilated by people.

Alcohol Control Area

Means public place(s) specified in Schedule 1 of this Bylaw, and in respect of which the prohibitions and controls in this Bylaw will apply at any specified time, day or event. It does not include any part of a public place for which an alcohol licence has been issued under the Sale and Supply of Alcohol Act 2012.

Event

As defined in section 5 of the Sale and Supply of Alcohol Act 2012, includes an occasion or gathering, and any of a series of events

Licensed premises

As defined in section 5 of the Sale and Supply of Alcohol Act 2012, means any premises for which a licence is held (where premises may include a conveyance, or part of any premises).

Public Place

As defined in section 147 of the Local Government Act 2002,

- (a) Means a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject a person from it; but
- (b) Does not include licensed premises.

Restricted Place Means a public place where an Alcohol Control Area or Temporary Alcohol Control Area is in force.

Temporary Alcohol Control Area

Means public place(s) specified by Council resolution publicly notified where the same prohibitions and controls as for Alcohol Control Areas will temporarily apply, due to the occurrence of a specific event.

5.2. Alcohol Control Areas

5.12.1 This Bylaw makes permanent alcohol bans in specified Alcohol Control Areas in Waihi Beach, Katikati and Te Puke. Subject to clause **9-6** of this Bylaw, the following actions are prohibited at all times in any place within the Alcohol Control Areas detailed in Schedule 1:

- (a) The consumption of alcohol in an Alcohol Control Area;
- (b) The bringing of alcohol into an Alcohol Control Area;
- (c) The possession of alcohol in an Alcohol Control Area; and
- (d) In conjunction with the alcohol controls under paragraphs (i) to (ii) above, the presence or consumption of alcohol in vehicles within any Alcohol Control Area is also prohibited.

5.22.2 Alcohol Control Areas can only be made, amended or revoked through a review of this Bylaw, using the Special Consultative Procedure as required by section 156 of the Local Government Act 2002.

5.32.3 Aside from regular reviews required by sections 158 or s159 of the Local Government Act 2002, Council will only initiate a review of this Bylaw (for the specific purpose of proposing new Alcohol Control Areas) where it considers that the requirements of section 147A of the Local Government 2002 have been satisfied (i.e. where there is sufficient evidence to justify the making of a new Alcohol Control Area).

6.3. Temporary Alcohol Control Areas

6.13.1 Council may from time to time, by way of resolution publicly notified, impose temporary alcohol bans. A Temporary Alcohol Control Area may be made for a particular time period related to a specific event, for a period not exceeding seven (7) consecutive days.

6.23.2 The same prohibitions and controls in clause **25.1** (which apply to Alcohol Control Areas with permanent alcohol bans) will apply for the period of the temporary ban.

6.33.3 Before Council makes a Temporary Alcohol Control Area, it will consider:

- (a) the nature and duration of the expected event;
- (b) the number of people expected to attend;
- (c) the history of the event (if any);
- (d) the area in which the event is to be held;
- (e) the nature and history of alcohol-related problems usually associated with the area, together with any anticipated alcohol-related problems;
- (f) whether the benefits to local residents and to the community would

- outweigh the restrictions the resolution would impose on local residents and other people, including those who may be attending any events, in the area covered by resolution;
- (g) whether the Police support the proposed Temporary Alcohol Control Area; and
 - (h) any other information the Council considers relevant.

6.43.4 Where a Temporary Alcohol Control Area is made, public notice shall be given for a minimum of seven (7) days prior to the event or particular time of the year, specifying the areas and the time periods when the provisions of this Bylaw shall apply. Public notices shall be affixed in or adjacent to these specified public places for such times that the provisions of this Bylaw apply.

7.4. Offences and Penalties

7.14.1 Every person commits an offence under the Local Government Act 2002, and is liable upon summary conviction to a fine not exceeding \$20,000, who:

- (a) Fails to comply with or acts in contravention to any alcohol ban or any provision under this Bylaw;
- (b) Fails, refuses or neglects to comply with any notice duly given to that person under this Bylaw; or
- (c) Breaches the conditions of any dispensation or exemption granted under clause 96 this Bylaw.

7.24.2 Breaches of this Bylaw are also Infringement Notice offences under s245 of the Local Government Act 2002.

8.5. Powers of the Police

8.15.1 In accordance with the powers of arrest, search and seizure set out in sections 169, 169A and 170 of the Local Government Act 2002, a member of the Police may, without warrant, for the purpose of ascertaining whether alcohol is present, search a container (such as a parcel, package, bag or case) in the possession of a person who is in, or entering, a Restricted Place; or a vehicle that is in or is entering a Restricted Place; and seize and remove any alcohol (and its container) that is in a Restricted Place in breach of an alcohol ban.

8.25.2 A person must be informed that they have the opportunity to promptly remove a container or a vehicle containing alcohol from a Restricted Place, and the person shall be given reasonable opportunity to do so. For the

avoidance of doubt, if the person has removed alcohol from the Restricted Place and returns to that Restricted Place with alcohol (within a period when it could be deemed that the person has been informed prior to remove the alcohol), then this clause shall not be interpreted as requiring the member of Police to provide the person with a further opportunity to remove the alcohol from the Restricted Place prior to search.

8.35.3 A member of the Police may arrest:

- (a) any person whom the Police find committing an offence against this Bylaw;
- (b) arrest a person who has refused to comply with a request made by Police:
 - (i) to leave the Restricted Place; or
 - (ii) to surrender to a constable the alcohol that, in breach of an alcohol ban, is in the person's possession.

8.45.4 Alcohol or a container seized under section 169(2)(b) of the Local Government Act 2002 is forfeited to the Crown if the person from whom the alcohol or container is seized pays the infringement fee.

9.6. Exemptions and Dispensations

9.16.1 As provided for in section 147(4) of the Local Government Act 2002, this Bylaw does not prohibit, regulate, or control, in the case of alcohol in an unopened container,—

- (a) the transport of the alcohol from licensed premises next to a public place, if—
 - (i) it was lawfully bought on those premises for consumption off those premises; and
 - (ii) it is promptly removed from the public place; or
- (b) the transport of the alcohol from outside a public place for delivery to licensed premises next to the public place; or
- (c) the transport of the alcohol from outside a public place to premises next to a public place by, or for delivery to, a resident of the premises or his or her bona fide visitors; or
- (d) the transport of the alcohol from premises next to a public place to a

place outside the public place if—

- (i) the transport is undertaken by a resident of those premises; and
- (ii) the alcohol is promptly removed from the public place.

9.26.2 This Bylaw does not limit any individual or organisation (corporate or otherwise) from obtaining a Special Licence pursuant to section 137 of the Sale and Supply of Alcohol Act 2012, for any event to be held in a Restricted Place.

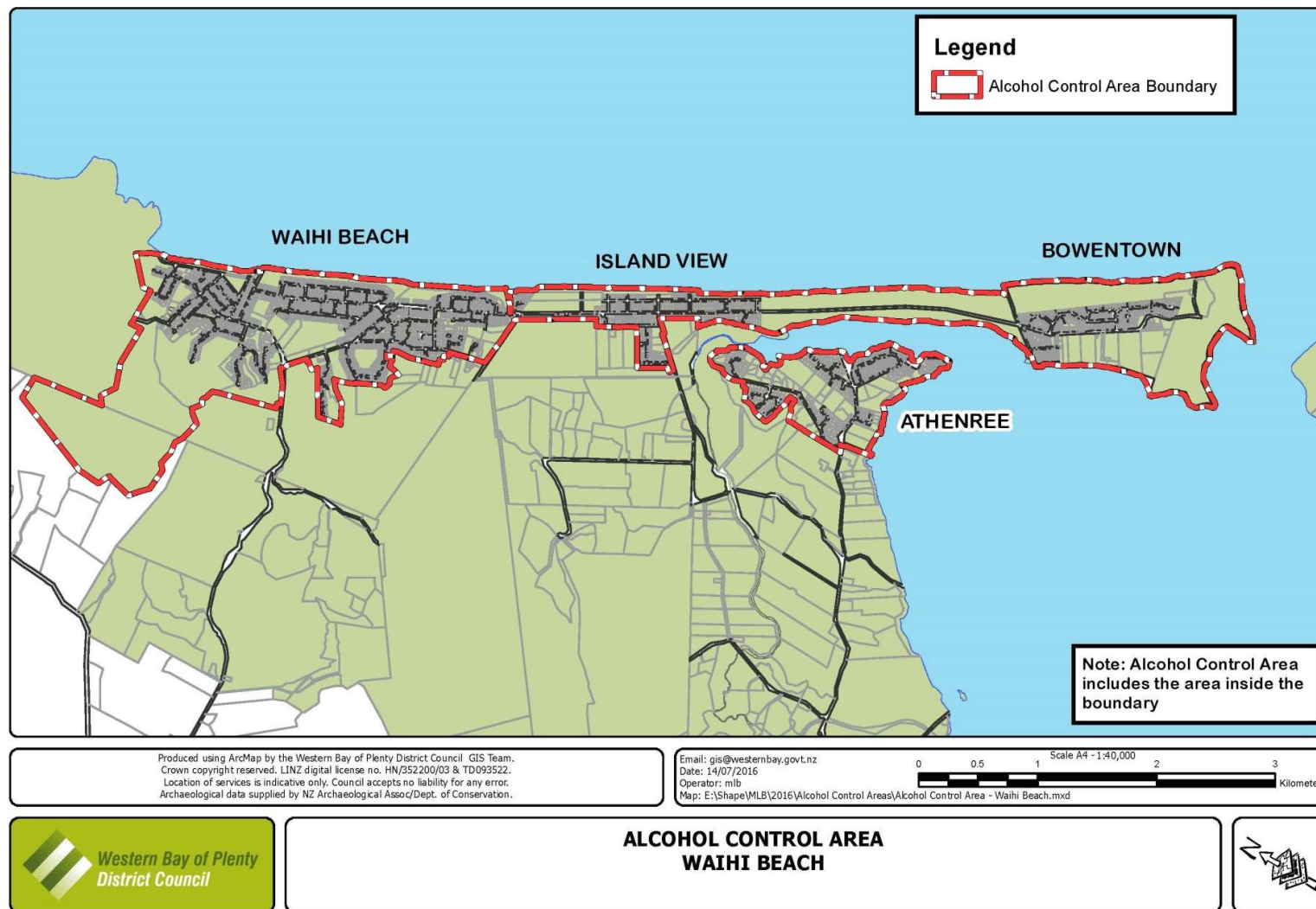
9.36.3 The Chief Executive of the Western Bay of Plenty District Council or a delegated staff member may, on application by any person (including a territorial authority employee), grant a dispensation to do or refrain from doing anything that would otherwise be in breach of this Bylaw for the purpose of enabling possession and/or consumption of alcohol in a Restricted Place at anytime for a specific event. Such dispensation will only be granted for the specific time periods and specific locations associated with the event, and may be subject to conditions or requirements as the delegated staff member determines necessary to meet the objectives of the Local Government Act 2002 and the Sale and Supply of Alcohol Act 2012.

9.46.4 This Bylaw does not prohibit the possession and/or consumption of alcohol at any premises within a Restricted Place in compliance with the conditions of a license for the sale and/or consumption of alcohol under the Sale and Supply of Alcohol Act 2012. This includes footpath areas that are licenced as part of those premises and are clearly defined on an approved plan of a current and appropriate licence. The operating hours permitted by the licence must also apply at the time alcohol is being possessed or consumed within the licensed area. Such footpath areas will be required to comply with all other relevant Western Bay of Plenty District Council Bylaws.

Schedule 1: Alcohol Control Areas

Public places within the following areas of the Western Bay of Plenty District are Alcohol Control Areas for the purpose of this Bylaw, as shown on the maps attached for:

- Waihi Beach (Map A)
- Katikati (Map B)
- Te Puke (Map C)

Map A – Waihi Beach

Map B – Katikati

Map C – Te Puke

Deleted and replaced by map below



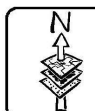
Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.
Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.
Location of services is indicative only. Council accepts no liability for any error.
Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

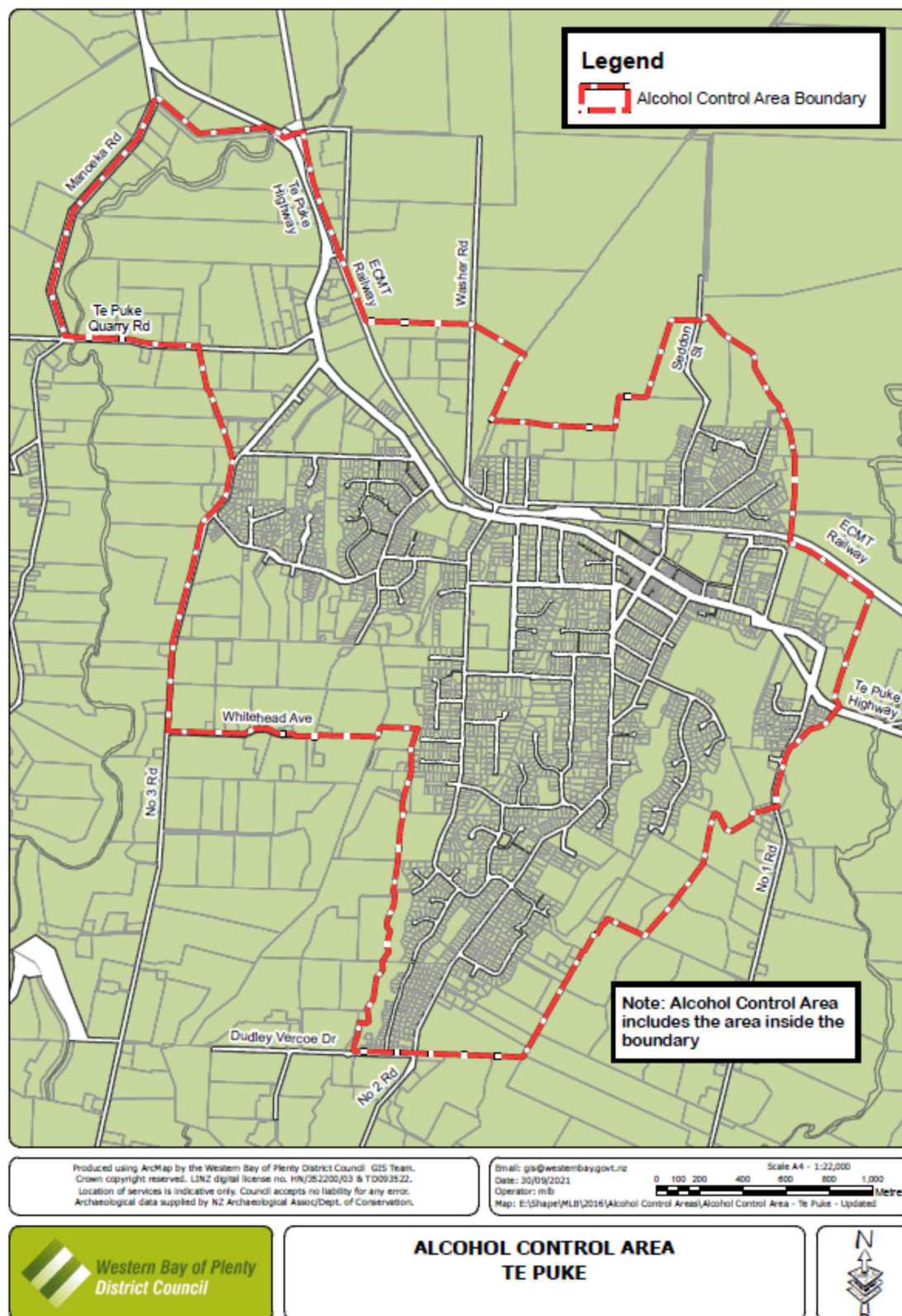
Email: gis@westernbay.govt.nz
Date: 14/07/2016
Operator: mlb
Map: E:\Shape\MLB\2016\Alcohol Control Areas\Alcohol Control Area - Te Puke.mxd

Scale A4 - 1:4,000
0 25 50 100 150 200 250
Meters



**ALCOHOL CONTROL AREA
TE PUKE**







Draft

Alcohol Control Bylaw

Statement of Proposal

Introduction

Western Bay of Plenty District Council is reviewing its Alcohol Control Bylaw.

We are seeking your views on the proposed changes.

The current Alcohol Control Bylaw came into effect in 2016 and is now due for review.

The purpose of the bylaw is to prohibit or control the consumption of, bringing into and possession of alcohol in restricted places, and also to:

- (a) Protect the public from nuisance in public places;
- (b) Protect, promote and maintain public health and safety in public places;
- and
- (c) Minimise the potential for offensive behaviour in public places.

Summary of proposed changes

Full 'tracked-changed' versions of the Draft Alcohol Control Bylaw is available as Appendix A. For the full agenda report, which includes more detailed consideration of the issues and options, please see the Policy Committee Report from 19 October 2021, titled 'Adoption of the Draft Alcohol Control Bylaw for Public Consultation'.

The majority of the Bylaw is proposed to remain unchanged except for minor editorial changes for consistency with our other bylaws.

The main areas of change proposed are:

- **Increase the size of the Alcohol Control Area in Te Puke:** the Alcohol Control Area currently in place for Te Puke currently only covers the centre of town. The proposal is that it be expanded to cover the entire urban area of Te Puke.

Reasons for the proposal

The proposed changes to the Alcohol Control Bylaw aim to limit alcohol related crime.

Information collated and feedback from stakeholders, and particularly the Police, points to concerns at the level of alcohol related crime in the wider Te Puke township.

The proposed change means that the Police will have an additional tool to address this across the wider Te Puke township, rather than being limited to the town centre. All public areas (eg. roads, footpaths, parks and reserves) in the Te Puke township will be covered by the proposed new Alcohol Control Area, which may prevent issues from being 'moved down the road'.

The change will bring the approach for Te Puke in line with the Alcohol Control Areas currently in place for Katikati and Waihi Beach/Athenree.

The majority of the Bylaw is proposed to remain unchanged except for minor editorial changes for consistency with our other bylaws.

The current Alcohol Control Bylaw was adopted in 2016. This introduced the Alcohol Control Area for Te Puke. The Bylaw appears to be working well and the Alcohol Control Areas for Katikati and Waihi Beach/Athenree are considered useful and necessary.

The review meets Council's role under the Local Government Act 2002.

Legislative background

The Local Government Act 2002 empowers Council to make bylaws for its district for one or more of the following purposes:

- a) Protect the public from nuisance
- b) Protect, promote and maintain public health and safety
- c) Minimise the potential for offensive behaviour in public places.

The Local Government Act 2002 also specifically empowers Council to make bylaws for the purpose of controlling the consumption and possession of alcohol in public places. However, before it makes such a bylaw, Council must be satisfied that:

- It can be justified as a reasonable limitation on people's rights and freedoms;
- There is evidence that the area to which the bylaw is intended to apply has experienced a high level of alcohol-related crime or disorder (or if an alcohol ban is already operative, then Council must be satisfied that a high level of alcohol-related crime and disorder is likely to arise in the area without the bylaw being made); and
- That the bylaw is appropriate and proportionate in light of that crime and disorder.

Council must also determine whether:

- A bylaw is the most appropriate way to of addressing the perceived issues;
- The draft bylaw is the most appropriate form of bylaw; and
- The draft bylaw gives rise to any implications under the NZ Bill of Rights Act 1990.

Is a bylaw the appropriate means to deal with the problem?

The issues firmly sit within Council's responsibilities. The current bylaw has been in place for five years and itself replaced the Liquor Control Bylaw 2009.

Council considered a range of options to address alcohol related crime, disorder and nuisance in the district's main towns. Whilst it is accepted that there are a number of agencies responsible for reducing alcohol-related harm in our communities, it was considered that a bylaw provides the most appropriate mechanism to effectively deal with people drinking in public places in a manner that has a negative impact on the enjoyment and safety of other people using that public place. The Police have requested a wider alcohol ban be considered because it is an effective tool to manage public nuisance behaviour.

There may be other non-regulatory measures that Council could consider implementing alongside the alcohol bans, such as re-designing 'hot spots' for anti-social behaviour in town centres, and advocating for improved access to support services for those with alcohol issues.

The bylaw is perceived to have been an effective tool in reducing alcohol-related crime, disorder and nuisance in the specific locations that the alcohol bans currently apply, and has contributed to those community's perceptions of safety. The proposed bylaw aligns with the LGA purposes above, and is considered to be consistent with the approach taken by other local authorities of a similar size and nature.

Is the bylaw in the appropriate form?

The Bylaw focuses on specific locations in the district where Council considers that a high proportion of offences committed are alcohol-related, and also a high proportion of offences are committed in public places. The extent and timing applicable in the proposed Alcohol Control Areas in the draft bylaw are supported by the Police. The draft bylaw is consistent with Council document standards and has been written in plain English so far as possible. It is therefore considered to be the most appropriate form of bylaw.

Is the bylaw consistent with the New Zealand Bill of Rights?

The Bill of Rights protects the human rights and fundamental freedoms of all people in New Zealand, including the right to freedom of movement. Whilst the bylaw provides that people can be asked to leave public places that are subject to a permanent or temporary alcohol ban, it is considered that the restrictions are fair and reasonable in the interest of public health and safety. This bylaw does not restrict the movement of people who are not in possession of alcohol or those drinking alcohol in private premises. Therefore it is considered that the proposed bylaw does not give rise to any implications under the Bill of Rights.

Does the justification for the bylaw exist as required by legislation?

Council considered detailed Police Intelligence Reports and for Te Puke, Katikati and Waihi Beach. It also considered feedback on whether there should be alcohol control areas in each location and considered other existing data sources.

Council was satisfied that there is a high level of alcohol-related crime and disorder in Te Puke, and that a high level of alcohol-related crime and disorder is likely to arise in Katikati and Waihi Beach if the current alcohol control areas were revoked. This is supported by the Police. Council considered a range of options with respect to the timing and area that each proposed ban should apply. Council considers that the proposed alcohol bans in the specified public places are a reasonable limitation on people's rights and freedoms, and that a bylaw is an appropriate and proportionate response.

Council must follow the special consultative procedure in reviewing the policies. This Statement of Proposal has been prepared in accordance with the Local Government Act 2002.

Have your say

We need your feedback by 4pm Monday 6 December 2021

Please tell us what you think of the proposals.

You can do this by:

- Entering it online at: <https://haveyoursay.westernbay.govt.nz>
- Posting it to: *Alcohol Control Bylaw Review, Western Bay of Plenty District Council, Private Bag 12803, Tauranga 3143.*
- Emailing it to: haveyoursay@westernbay.govt.nz
- Delivering it to:
 - Western Bay of Plenty Barks Corner Office, 1484 Cameron Road, Greerton
 - Te Puke Library and Service Centre, 130 Jellicoe Street, Te Puke

- The Centre – Pātuki Manawa, Katikati Library, Service Centre and Community Hub, 21 Main Road, Katikati
- Waihi Beach Library and Service Centre, 106 Beach Road, Waihi Beach
- Ōmokoroa Library and Service Centre, 28 Western Avenue, Ōmokoroa

Feedback forms are available at all service centres, and at our public Have Your Say events.

If you have questions, or if you would like to give feedback in person, we encourage you may register for a more formal opportunity to present your views. Please email haveyoursay@westernbay.govt.nz or phone 07 571 8008 by Monday 6 December 2021 to secure a timeslot and receive further information. The location may change based on the content and number of submissions, and the date will be:

Council Chambers (Barkes Corner): Tuesday 14 December – 9.30am start

Giving effective feedback

We will provide feedback forms at all service centres and at our community events throughout the consultation period. These forms include questions on the key changes and ask for your opinion on each.

You may also wish to comment on specific the clause(s) of the Bylaw, and state why the clause is supported, not supported, or how it could be amended.

What happens next?

Council will acknowledge in writing or by email (if provided) the receipt of your feedback.

Review Timeframes:

- | | |
|----------------------------------|------------------|
| ▪ Period for feedback opens: | 5 November 2021 |
| ▪ Period for feedback closes: | 6 December 2021 |
| ▪ Have your say day: | 14 December 2021 |
| ▪ Policy Committee adopts bylaw: | March 2022 |
| ▪ Bylaw becomes effective: | May 2022 |

Appendices:

- A. Draft Local Alcohol Policy – track-changed

**Feedback Number and Date Received**

Office use only

Have your say on the future of your District



Western Bay of Plenty District Council

FEEDBACK FORM

- Draft Local Alcohol Policy and Draft Alcohol Control Bylaw

We appreciate you taking the time to let us know what you think about our draft Local Alcohol Policy and draft Alcohol Control Bylaw. Please read the statement of proposals, draft policy and draft bylaw available at any of our service centres or at haveyoursay.westernbay.govt.nz and then let us know what you think!

Visit haveyoursay.westernbay.govt.nz to make a submission online.

Otherwise fill out this feedback form and either

- Deliver your submission to the Katikati, Te Puke, Ōmokoroa and Waihi Beach Library and Service Centres or the Main Council Office at Barks Corner
- Email it to haveyoursay@westernbay.govt.nz
- Mail it to: Local Alcohol Policy Review and Alcohol Control Bylaw
Western Bay of Plenty District Council
Private Bag 12803
Tauranga Mail Centre
Tauranga 3143

Please note: All the information you provide in your feedback form (including personal details) will become public documents.

For photocopying purposes, please write clearly in black or blue pen.

All written feedback must be received by 4pm on Monday 6 December 2021

Name:

First name

Surname

Organisation (only if submitting on behalf):
Postal address:
Home phone:
Mobile:
Email:
Signature:
Date:

I would like to give feedback in person on Tuesday 14 December 2021

Yes/No

(If you answered 'yes' to giving feedback in person, staff will be in touch to arrange a time.)

Please use the reverse of this form for your submission

Privacy Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.



Western Bay of Plenty District Council

FEEDBACK FORM

Please use the space below to comment on any aspects of the policy or bylaw. You can attach extra pages if necessary.

1. Local Alcohol Policy – Off licence hours

Do you agree with the proposed change to the maximum hours for off licences to 7am –9pm (currently 7am–10pm)?

- ☐ Option 1 **I agree** with the proposed change
☐ Option 2 **I do not** agree with the proposed change
☐ Option 3 Other (please comment below)

2. Local Alcohol Policy – Bottle stores in the Te Puke – Maketu ward area

Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu ward?

- ☐ Option 1 **I agree** with the proposed change
☐ Option 2 **I do not** agree with the proposed change
☐ Option 3 Other (please comment below)

3. Local Alcohol Policy – Other actions or comments

Are there any other changes you would like to see in the Local Alcohol Policy or further actions that could be taken to address alcohol related harm? Are there any comments you wish to make on any other changes in the Policy?

Continued on the following page

Privacy Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.



4. Alcohol Control Bylaw – Te Puke Alcohol Control Area

Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?

- ☐ Option 1
- ☐ Option 2
- ☐ Option 3
- I agree** with the proposed change
- I do not** agree with the proposed change
- Other (please comment below)

5. Alcohol Control Bylaw – Other actions

Are there any other changes you would like to see in the Alcohol Control Bylaw or further actions that could be taken?

Privacy Act 2020: This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.

Evidence for Alcohol Control Bylaw

1. Assessing evidence

1.1 Where can alcohol bans apply?

Legislation says evidence must relate to the area which the alcohol control area is intended to apply. We can only apply an alcohol control area to public places, but not licensed premises (or any part of them). This means that the evidence gathered should relate to offences in public places, rather than those that occur in private residences.

Evidence presented includes quantitative and qualitative data.

1.2 What should be 'counted' as alcohol-related crime and disorder in a public place?

The reported offences in the Police intelligence reports for each township include statistics for family harm and drink driving (blood alcohol/evidential breath) offences. However, it is suggested that these offence types should not be included as evidence for an alcohol control area in a public place.

Although it is acknowledged that it is inevitable that some family harm incidents occur in public, it has previously been considered a fair assumption that the majority of disputes would occur on private property. This is supported by the Police intelligence reports. It is also an interaction between two people that know each other, as opposed to some kind of altercation with a stranger in a public place. Therefore, it is considered that these offences shouldn't be counted as evidence of public place disorder to justify an alcohol ban. Where there are high statistics for family harm incidents, some other type of intervention (other than an alcohol control area) is likely to be a more appropriate and effective response.

The purpose of an alcohol control area is to restrict consumption and possession of alcohol in a public place where there are high levels of alcohol-related crime and disorder. Drink driving (excess blood alcohol/evidential breath test) is an offence under Land Transport Act 1998. This is not a Local Government Act 2002 matter, nor a local government bylaw matter. People who commit this offence have already consumed alcohol and can be fined or prosecuted under the Land Transport Act 1998, so a ban for possession and consumption within a specified area is unlikely to have an effect on these offences. Therefore it is considered that these offences also shouldn't be counted towards public place crime and disorder statistics to justify alcohol control areas.

Ourselves and other Councils (including Gisborne and Auckland City) have used this methodology previously to assess the available data and have been satisfied that an alcohol control area was an appropriate response.

1.3 Shortcomings of the evidence gathered

It should be noted that 31% of all crime is reported to Police, based on the findings from the New Zealand Crime & Safety Survey.

The Police intelligence reports cover a 24 month period only, which makes it difficult to understand trends over time, or whether any particular year is an outlier in terms of more or less crime than average. This may especially be the case given the implications of Covid-19 on the data.

Although it is clear that alcohol is involved in a significant proportion of crimes, consideration needs to be given to:

- The difficulty of getting a clear picture of the location of alcohol-related crime (which is a key consideration in determining the extent of any alcohol ban area).
- The number of individuals that may have been responsible for more than one offence, or the number of offences recorded by Police for a single 'incident'.
- The lack of information of how our District's towns compare with other similar towns in other parts of New Zealand.

There is a difference in data presentation between the Waihi Beach data (Waikato Police) report and the intelligence reports from the Bay of Plenty Police. These reports are appended to the report, however are confidential due to the nature of the information they contain.

1.4 Comparison with the development of the 2016 Bylaw

The approach taken is the same as that used to assess the data in 2016. This allows for a level of consistency in approach and enables comparison between the data sets.

The details of the approach taken is set out at the end of this document.

2. Analysis of evidence gathered

2.1 Police statements

Police have stated that the Bylaw is a useful tool and should be retained, and in the case of Te Puke the Alcohol Control Area expanded.

2.1.1 Waihi Beach Police Statement

Over the summer period Waihi Beach/Bowentown/Athenree population swells with approximately 9,000 extra persons. With this we have issues at the Waihi Beach Hotel with young persons carrying alcohol to the premises and causing disorder on the way. Without any powers i.e. if there is no Alcohol Ban in place this would make it very difficult to police and would have the area going back to several years ago where the area was out of control with mass disorder.

This also goes for North End of Waihi Beach and Bowentown where we no longer have to have road blocks in over the summer period as with the Ban in place this deters young persons sitting in their vehicles drinking/smashing bottles and causing general disorder.

Since the introduction of the Alcohol Ban the area has gone back to being a great place for families to come and stay and enjoy the area, I would hate for this to be lost and then in turn loose control with mass disorder and riotous behaviour of the past.

2.1.2 Katikati Police Statement

Put simply the alcohol ban in public places in Katikati has been very successful.

The large amounts of people, particularly young people are no longer congregating in Parks and Reserves or in town drinking alcohol to the point where they become disorderly or overly intoxicated.

Occasionally we get people drinking in their vehicles, particularly in reserves or carparks such as at the end of Beach Road or spilling out from parties. Generally we give the people the opportunity to leave the area or warn them and they comply. We rarely have to resort to issuing an infringement. The lack of infringements issued in my opinion shows that the liquor ban works exceptionally well and gives the Police the necessary tools to Police it without being overbearing.

I believe that if the liquor ban were not in place behaviour would revert to how it used to be in a very short time and public disorder incidents, violence in public places and damage to property would soon escalate to how it was prior to the ban.

Recently we issued notices to two men who stay at a local backpackers as we had continual complaints that they were drinking alcohol in a kids park in town. The issuing of the instant fines has stopped them from returning.

I have been a Police Officer for 35 years and policed Waihi Beach for 7 years before and after the liquor ban when a two man station was located there. To put it mildly it was like the wild west at night at Waihi Beach and the disorder and damage to public and council property was rife. We were soon able to bring normality back to Waihi Beach once we had the power to seize liquor and issue infringement notices much to the relief of the public.

I am fully supportive of the continuing liquor ban in Katikati. It would be a mistake not to have it.

2.1.3 Te Puke Police Statement

- Discussed alcohol related harm in the Te Puke and wider area.
- Alcohol consumption in public places is a concern in Te Puke and not limited to the CBD. There are issues in several parks including the Rose Garden.
- The Bylaw provides a useful tool to address drinking in the alcohol control area. It was noted that many of the instances of its use may not be formally recorded – e.g. the alcoholic drink is tipped out and people moved on.
- The Bylaw could help prevent situations escalating by stopping alcohol consumption in public places early. Alcohol consumption in public places has led to disorder, assaults, public urination, setting bins on fire, and other crime.
- Extending the Alcohol Control Area to cover all of the Te Puke town would be beneficial. It would offer a tool to help address these issues across all of the town, rather than just the core CBD.
- Noted that the Bylaw is only one tool, and that a wider approach was necessary to help the community address alcohol harm and deal with some of the underlying issues.

2.1.4 Police intelligence reports

The Police Intelligence reports are confidential due to the nature of the information they contain.

The intelligence reports consider the provisional crime data and undertakes analysis to determine the number of those that are considered to be alcohol related and estimated to be alcohol related offences.

The Police intelligence reports obtained for each Western Bay of Plenty township provide a range of data. These require careful reading, as there is some interchanging between statistics for wider township areas and the current alcohol control areas in the townships.

These 'wider area' statistics are broken down in Table 1 of each report. This also shows how many offences are known or estimated to be alcohol related. Please note that these are not the offence statistics for the alcohol control area, which will be a smaller sub-set of these statistics.

Table 2 of each report shows the number of reported offences that occurred in public places¹, and how many of these are known or estimated to be alcohol related.

Because the alcohol control area in Te Puke is a much smaller area than the extent of the whole township, the data is further broken down to show reported offences in the alcohol control area. Please note that these are all reported offences, not just those that are alcohol related.

The maps (with the 'coloured dots') show the distribution of offences across each township. In some specific locations, there are clusters of offences in public places locations which are shown by the number inside the coloured dot. Please note that these are all reported offences, not just those that are alcohol related.

Commentary is provided in the report for each location.

2.2 Frequency assessments

This is developed using the Police intelligence data provided and the methodology set out at the end of the report.

2.2.1 Waihi Beach – Police intelligence report

In the two year period ending July 2020, 128 alcohol related offences were recorded in the Waihi Beach area. Of these it is estimated that 63 occurred in non-residential locations such as public places and commercial areas.

The following table categorises the reported offences in public places in the Waihi Beach area that are known or estimated to be related to alcohol, that were recorded between 1 August 2018 to 27 July 2020. For comparison the number of offences that were recorded during 2014 and 2015 is included in italics and brackets. Both data sets cover a 24 month period.

Waihi Beach	Frequency				
Nature	One-off	Occasionally (monthly +)	Frequently (weekly)	Weekend or holiday	Daily
Nuisance					
Perceived		35			

¹ Police statistics are for 'non-residential areas' which include public places and commercial areas

threat		(51)			
Clear and/or present danger	7 (5)				
Physical	17 (2)				
Extreme	5 (1)				

It may be worth noting that 31 infringements for possessing/consuming alcohol in an alcohol banned area were issued in Waihi Beach area over the two year period ending July 2020.

When comparing the 2018-2020 data with that of 2014-2015, there is a slight change in the nature or frequency of offences. There are more serious crimes occurring in the physical and extreme categories.

It should be noted that the available data provided by Waikato Police is in a different format to that provided by Bay of Plenty Police and therefore some differences in interpretation may arise.

2.2.2 Katikati - Police intelligence report

In the two year period ending Jul 2020, 470 offences were recorded in Katikati. Of the 470 offences, 161 occurred in non-residential locations such as public places and commercial areas. Of these 104 are known to be alcohol related and a further 19 can be estimated to be attributed to alcohol.

The following table categorises the reported offences in public places in the Katikati area that are known or estimated to be related to alcohol, that were recorded between 1 August 2018 to 27 July 2020. For comparison the number of offences that were recorded during 2014 and 2015 is included in italics and brackets. Both data sets cover a 24 month period.

Katikati	Frequency				
Nature	One-off	Occasionally (monthly +)	Frequently (weekly)	Weekend or holiday	Daily
Nuisance					
Perceived threat	4 (5)				

Clear and/or present danger	5 <i>(9)</i>				
Physical	3 <i>(9)</i>				
Extreme	3 <i>(3)</i>				

It may be worth noting that no infringements for alcohol related offences were issued in Katikati over the two year period ending July 2020.

When comparing the 2018-2020 data with that of 2014-2015, there is not a significant change in the nature or frequency of offences.

Katikati has a low proportion of offences occurring in public places (34% of all offences). Of the 161 total offences in public places, a high proportion of these are known or estimated to be related to alcohol (76% of public place offences).

2.2.3 Te Puke – Police crime intelligence report

In the two year period ending Jul 2020, 1082 offences were recorded in the Te Puke area. Of the 1082 offences, 299 occurred in non-residential locations such as public places and commercial areas. Of these 151 are known to be alcohol related and a further 47 can be estimated to be attributed to alcohol.

The following table categorises the reported offences in public places in the Te Puke area that are known or estimated to be related to alcohol, that were recorded between 1 August 2018 to 27 July 2020. For comparison the number of offences that were recorded during 2014 and 2015 is included in italics and brackets. Both data sets cover a 24 month period. (Note: this is a wider area than the current alcohol control area).

Te Puke	Frequency				
Nature	One-off	Occasionally (monthly +)	Frequently (weekly)	Weekend or holiday	Daily
Nuisance					
Perceived threat	17 <i>(4)</i>				
Clear and/or present danger	11 <i>(18)</i>				

Physical	3 (11)				
Extreme	2 (11)				

Six non-traffic infringements and offences were issued in Te Puke over the two year period ending July 2020. These offences may include alcohol control area breaches and underage drinking in public place.

When comparing the 2018-2020 data with that of 2014-2015, there is a significant change in the nature or frequency of offences. This may reflect the introduction of the alcohol control area. There appears to be a decrease in the extreme and physical nature of public place offending but an increase in the lower 'perceived threat' category of offences.

Te Puke has a relatively low proportion of offences occurring in public places (28% of all offences). Of the 299 total offences in public places, a fairly high proportion of these are known or estimated to be related to alcohol (66% of public place offences). This is down from 72% for 2014 and 2015 period. Which may suggest that the alcohol control area is contributing to a reduction in harm.

The police report notes that the most significant clusters of offences coincides with locations where the number of licenced premises is most significant. The biggest two of these clusters are covered in the current alcohol control area.

2.3 Other evidence

2.3.1 CCTV

Analysis of Monthly CCTV findings has been undertaken.

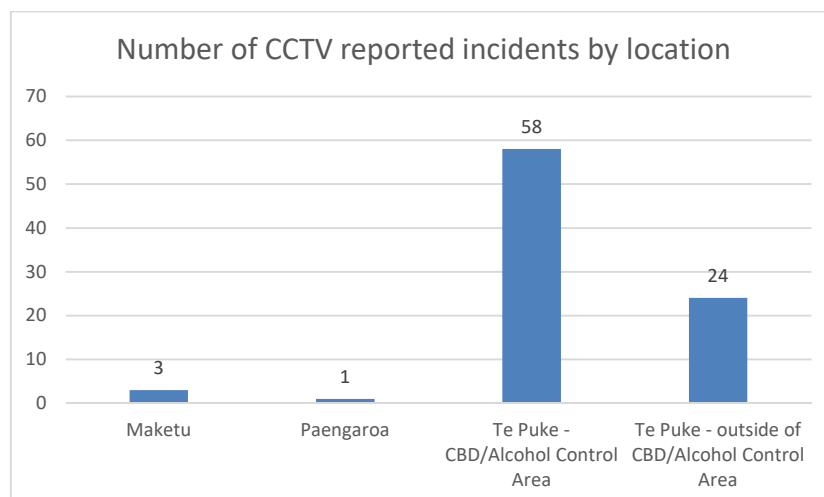
86 alcohol related incidents have been recorded in the monthly findings reports for the period January 2020 – May 2021 (17 month period but only 14 months of data is available). This represents 12% of incidents reported in the monthly findings. These cover a range of incidents including drinking in alcohol control areas, driving offences, theft, vandalism, etc.

Month	# incidents	# alcohol related	% alcohol related
Jan-20	66	8	12
Feb-20	90	15	17
Mar-20	75	10	13
Apr-20	87	10	11
May-20	50	3	6
Jun-20	20	0	0

Jul-20	38	5	13
Aug-20	54	6	11
Sep-20	41	5	12
Oct-20	40	3	8
Nov-20	unavailable	-	-
Dec-20	unavailable	-	-
Jan-21	53	8	15
Feb-21	21	4	19
Mar-21	38	4	11
Apr-21	unavailable	-	-
May-21	56	5	9
TOTAL	729	86	12

Of the logged incidents 13 related to primarily Road Traffic Offences, however, it should be noted that many involved drinking in vehicles in public spaces (both Alcohol Control Areas and elsewhere).

The majority of the incidents recorded in the monthly findings are in the Te Puke CBD area. There is still a large proportion outside of this space in the wider Te Puke township. The below graph outlines the locations.



The majority of general public drinking incidents are not logged, due to the volume and low priority these are given. Only those of a more serious nature or that lead to a more serious incident are captured.

Another limitation to bear in mind is that the majority of the CCTV camera network is Te Puke based, with 49 percent of the camera network in the town. This is obviously reflected in the subsequent reports.

The CCTV operators recommend increasing the Te Puke alcohol control area to cover more of the parks and reserves in the town. Increasing the area would allow

the CCTV operators to take more proactive action and request police support earlier. Currently, where alcohol consumption is taking place in a public place outside of the alcohol control area, operators are unable to take action as it is legal and often have to wait until the incident escalates. Concerns have been raised that people are drinking in the parks and playgrounds and this is leading to people passing out, vandalising facilities, urinating on play equipment, littering and undertaking subsequent criminal activity.

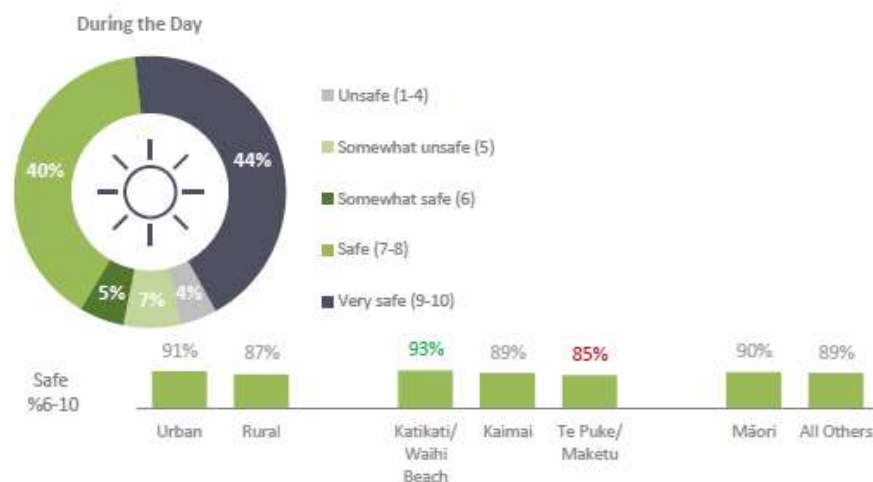
2.3.2 Residents' Survey

Our Residents' Survey asks residents if they felt safe in their local neighbourhood during the day and after dark. A statistically robust sample of 694 responses was received, with quota targets by age, ward and ethnicity.

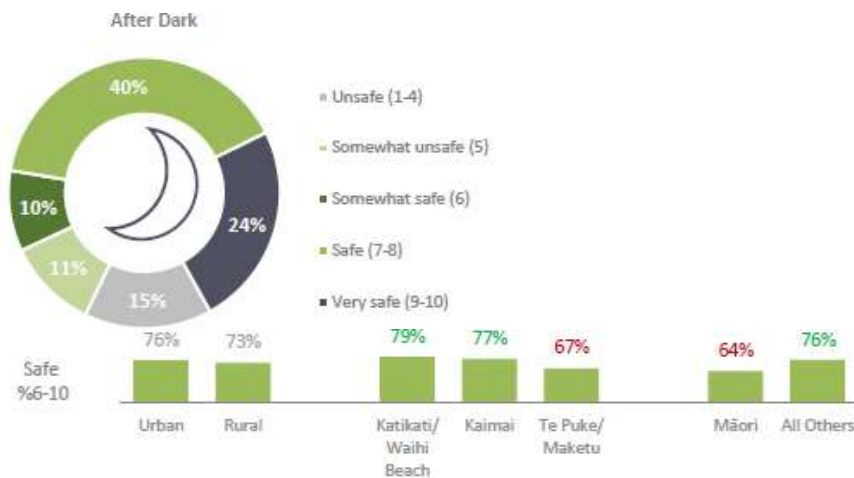
For the 2020/2021 year, 89% of residents felt safe in their local neighbourhood during the day. This held true across all age groups, both genders and all ethnicity groups.

Urban residents were slightly more likely to feel safe in their local neighbourhood during the day.

Residents from the Katikati / Waihi Beach ward were more likely to feel safe in their local neighbourhood during the day, while Te Puke / Maketu residents were less likely to feel safe.



Looking at safety after dark, nearly three in four residents (74%) feel safe in their local neighbourhood at night, on a par with results from the previous year (2019/2020). Younger residents (18-29 years old), Te Puke / Maketu residents and Māori residents are less likely to feel safe in their local neighbourhood after dark.



There is a clear difference for those in the Te Puke/Maketu ward compared to the other wards, with a lower proportion of respondents feeling safe, especially after dark. The key drivers for the variation in perception is hard to determine as verbatim comments are not collected for these questions.

2.3.3 Staff input

Concern has been raised by staff regarding the wider Te Puke area including, Donovan Park and Te Puke Rose Gardens, concern was also raised regarding Minden Lookout and Ōmokoroa Boat Ramp.

Consideration could be given to extending the Te Puke alcohol control area to cover more of the township, similar to the approach taken for Waihi Beach and Katikati. Establishing new alcohol control areas at the Minden Lookout and Ōmokoroa Domain area could also be considered, however there is little data to back up such a change.

Of the 2,747 CCRs logged for Reserve matters between August 2019 and August 2021, 33 related to alcohol consumption or bottles dumped/left in reserves. A large proportion of these related to the dumping of empty bottles and cans beside bins in reserves. A range of locations were covered in the CCRs including Beach Road in Katikati, Broadlands Block at Waihi Beach, Wairoa Reserve, Donovan Park in Te Puke, the Minden Lookout and Ōmokoroa Esplanade. However, no single location appears to dominate the CCRs logged.

Assessment methodology

Approach taken

We have used an assessment tool developed by Auckland City Council to guide Local Board decision-making and used by WBOPDC to inform the 2016 Bylaw. It is considered that the assessment tool provides for robust consideration, and clearly identifies areas where there is a high level of alcohol related crime and disorder. The determination of whether there is a 'high level' of alcohol related crime and disorder included assessment of:

- The severity of the offending; and
- The regularity of such offending.

Firstly, different types of offences were categorised:

Figure 1 Offence Categorisation

Category	Type of Offences
Nuisance	May include litter, broken bottles, general disorder, reduced open space access due to perceived fears of safety, excessive noise, intoxication
Perceived Threat	When a person or groups of people drinking have inappropriate behaviour. Focussed on abusive language, actions and/or low level perception of safety
Clear and/or Present Danger	Flight or fight situation, direct exposure to crime or disorder described. May include offensive and/or aggressive behaviours, intimidation or abusive language
Physical	Where people's safety is physically threatened, and a victim and/or perpetrator finds themselves under threat of violence or harm. Typically includes verbal threats of physical violence, fighting, street brawls, personal injury, assault (without a weapon)
Extreme	Where there is generally a Police investigation and would be of a nature that had a significant impact on the community. It may include sexual violence, assault with a deadly weapon, attempted murder, manslaughter or murder

Please note that as discussed above, drink driving (excess blood alcohol/evidential breath test) have not been included in the analysis.

Then the frequency of each offence category occurring was considered:

Figure 2 Frequency Assessment

	Frequency				
Nature	One-off	Occasionally (monthly +)	Frequently (weekly)	Weekend or Holiday	Daily
Nuisance					
Perceived Threat					
Clear and/or present danger					
Physical					
Extreme					

The key suggested whether or not an alcohol ban was likely to be justifiable:

Key

Alcohol ban may be justified
Individual assessment to determine if alcohol ban required – justified rationale for ban
Alcohol ban may not be justified

The following recommendations were suggested for a proportionate response, and it is suggested that the least restrictive restriction be used to address the problem:

Figure 3 Recommended Proportionate Response

Occurrence	Restriction
One off: only occurring once	Is an alcohol ban warranted; can the issue be dealt with in some other way? i.e. non regulatory approaches
Occasionally: at times; from time to time; now and then (i.e. monthly +)	Is an alcohol ban warranted; can the issue be dealt with in some other way? i.e. non regulatory approaches
Frequently: often; many times; at short intervals (i.e. weekly but not monthly)	<ul style="list-style-type: none"> 7pm – 7am or 10pm – 7am during daylight saving, 7pm – 7am outside of daylight saving
Weekend/holiday period: period from Friday through to Sunday or a known holiday period	<ul style="list-style-type: none"> 7pm – 7am or 10pm – 7am during daylight saving, 7pm – 7am outside of daylight saving or Holiday or weekend ban
Daily: occurring every day	<ul style="list-style-type: none"> 24 hours seven days a week

Draft Alcohol Control Bylaw - Options

There are a number of potential options that address the overall issue.

The Bylaw is only one tool that should be considered if we are to look at the issue wider.

Recommended options are identified with green.

Option	Description	Discussion – advantages and disadvantages
TOPIC 1		
The extent of the alcohol control areas		
Option A	Retain the Alcohol Control Areas as currently set in the bylaw.	The data suggests that these are currently working.
Option B	Reduce the existing Alcohol Control Areas.	Reducing the sizes may contribute to increased issues, and is unlikely to be supported by Police
Option C	Increase the existing Alcohol Control Area to cover Te Puke more broadly.	Increasing the size of the Te Puke Alcohol Control Area may improve outcomes. It would also align with the approach taken for Katikati and Waihi Beach.
Option D	Add additional Alcohol Control Areas.	Limited data to justify new areas.
TOPIC 2		
Timing for alcohol control areas		
Option A	Retain the 24/7 alcohol ban year round.	Current approach appears to be working.
Option B	Amend for specific times of the day or peak seasons.	May allow for a more liberal approach at quieter times. However, it may make it more complex to enforce.
TOPIC 3		
Amend any specific provisions		
Option A	Retain the body of the bylaw as is currently set out.	Current approach appears to be working.
Option B	Amend specific provisions (vehicles, events, exemptions, etc).	The Bylaw could become more prescriptive.
TOPIC 4		

Consider alcohol harm through other processes		
Option A	Explore a partnership approach with Police.	Conversations with Police to outline concerns and explore further support.
Option B	CCTV cameras to address areas of concern	Addressed through the CCTV management Plan
Option C	Explore community partnerships. This may include support for Community Patrols, Maori wardens, Safer Communities projects, education initiatives, etc.	This could be considered through the Community Safety Policy review.
Option D	Take no further action in this space.	Council may choose not to commit any additional time to this matter.

9.5 WESTERN BAY OF PLENTY DISTRICT COUNCIL SUBMISSION - CHANGES TO MĀORI WARD AND CONSTITUENCY PROCESSES

File Number: A4337265

Author: Tom Rutherford, Policy Analyst

Authoriser: Emily Watton, Policy and Planning Manager

EXECUTIVE SUMMARY

1. This report provides a submission made by Mayor Webber on behalf of the Western Bay of Plenty District Council on the following matter, for the information of the Policy Committee: *Western Bay of Plenty District Council submission to Changes to Māori Ward and Constituency Processes – Department of Internal Affairs, dated 26 August 2021.*
2. The Department of Internal Affairs consulted on the Changes to Māori Ward and Constituency Processes. In February 2021, legislation was passed to repeal the binding poll provisions that prevented most councils from being able to consider establishing Māori wards. When the legislation was introduced it was announced that there would be a second stage of changes to further align the process for establishing Māori wards with the process for establishing general wards. This was the focus area of consultation for the second stage of changes.

RECOMMENDATION

1. That the Policy Analyst's report dated 20 September 2021, titled 'Western Bay of Plenty District Council Submission – Changes to Māori Ward and Constituency Processes' be received.
2. That the following submission, shown as Attachment 1 of the agenda report, is received by the Policy Committee and the information is noted:
 - Western Bay of Plenty District Council submission to Changes to Māori Ward and Constituency Processes – Department of Internal Affairs, dated 26 August 2021.

ATTACHMENTS

1. **WBOPDC Submission - Changes to Maori Ward and Constituency Processes** [!\[\]\(32b3140000635d85b5fcc7ce37a1b40f_img.jpg\)](#) 

Office of the Mayor

26 August 2021

Local Government Policy Team
Department of Internal Affairs/Te Tari Taiwhenua
PO Box 805
WELLINGTON 6140

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Organisation: Western Bay of Plenty District Council
Postal Address: Private Bag 12803, TAURANGA 3143
Daytime telephone: 0800 926 732
Email address: tom.rutherford@westernbay.govt.nz

Submission on Changes to Māori Ward and Constituency Processes

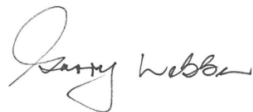
We would like to thank Te Tari Taiwhenua for the opportunity to provide feedback on the discussion document *Changes to Māori ward and constituency processes*.

About the Western Bay of Plenty District

Western Bay of Plenty District Council (WBOPDC) is a territorial local authority covering approximately 195,000 hectares, with a population of 53,900. Within our District we have 11 iwi and 74 hapū. Towns in the District include Maketu, Te Puke, Katikati, Ōmokoroa and Waihi Beach. The Western Bay of Plenty District's constituency has one of the highest percentages of Māori among local authorities in New Zealand.

Please find our response to the issues and questions set out below.

Yours sincerely,



Garry Webber
Mayor
Western Bay of Plenty District Council

Issue 1 – Requirement to consider

- A) Should Councils be required to consider Māori wards?
 - a. Yes, every council (the same as general wards)
 - b. Yes, but only councils that already have Māori wards
 - c. Yes, but only councils that don't already have Māori wards
 - d. No (the same as the current law)
- B) If yes, how often?
 - a. Every six years (the same as general wards)
 - b. Another frequency – please state.
- C) Do you have any other comments about this issue?

The legislative process that councils are obliged to follow in considering the establishment of Māori wards is misaligned with the equivalent process for considering the establishment of general wards. Two separate processes for establishing general wards and Māori wards is confusing to our community and adds unnecessary complexity to our democracy.

We are of the view that if we can bring the process around the establishment and review of Māori wards in line with the same process followed for the establishment and review of general wards then this is of greater benefit to the community. Overall, the decision to establish a Māori ward(s) cannot practically be taken in isolation to decisions around general wards. A decision to establish a Māori ward(s) materially influences general ward numbers and configuration. Accordingly, it makes sense to enable joint consideration of both by aligning the legislative process.

Addressing the remaining differences between the two current processes of general wards and Māori wards is an opportunity for council and central government to recognise the Crown's commitment to equity under Te Tiriti o Waitangi. This change would help to improve public understanding of local government processes and maintain public confidence in the local electoral system.

Issue 2 – Timing of decisions

- A) Should Māori ward decision-making continue to take place in two stages?
 - a. Yes (the same as the current law)
 - b. **No – one stage (the same as general wards)**
- B) How should the time between 23 November and 1 March be filled?
 - a. More time for councils to decide about Māori wards
 - b. More time for councils to decide about general wards
 - c. No changes (the same as the current law)

In relation to question 'A' above, and consistent with our response to Issue 1 above, we **support** Māori ward decision-making occurring simultaneously with decisions around general wards.

In terms of question 'B' above, our view is that by aligning the process for the consideration of both general wards and Māori wards, the time between 23 November and 1 March could be well utilised by council considering the foundational aspects of its representation review (for example, communities of interest) and/or engaging informally with the community (including with tangata whenua) in advance of notifying the initial representation proposal for formal consultation.

Issue 3 – Opportunities for public input

- A) Should councils be required to engage with their community when considering Māori wards?
- a. Yes (the same as general wards)
 - b. No, but they must have regard for iwi/hapū/whanau perspectives
 - c. No (the same as the current law)
- B) If yes, what type of engagement is best?
- a. Iwi/hapū dialogue
 - b. Targeted consultation with people of Māori descent or on the Māori electoral roll
 - c. Wider public consultation with the whole community
 - d. Council to decide on a case-by-case basis
- C) If your council considered Māori wards in 2020 or 2021, what type of engagement approach was used and how effective do you think this was?

This question is somewhat confusing as it is unclear whether in question 'A' 'engage' is intended to refer to formal consultation following the notification of an initial representation proposal, noting the references to 'consultation' in question 'B'. In a local government context, 'consultation' implies statutory consultation, whereas engagement can involve a continuum of public participation approaches ranging from informal to formal/statutory consultation.

Overall, our view is that the law should apply consistently to Māori wards as to general wards. What this means in the context of formal statutory consultation under the Local Electoral Act, is that any decision to establish a Māori ward should be consulted on alongside a decision to establish general wards as part of an initial representation proposal.

However, this should not preclude any Council from utilising other informal engagement opportunities in advance of notifying an initial representation proposal to test ideas and early thinking, either with key community stakeholders, the wider community, or Iwi Māori. We consider that the approach that Te Tari Taiwhenua has taken to canvassing views from the local government sector on these questions is a perfect example of an informal engagement approach.

Further, it almost goes without saying that the decision to establish (or disestablish) a Māori ward(s) would not occur without first seeking the views of tangata whenua as a partner under Te Tiriti o Waitangi and this would occur *kanohi ki te kanohi*. For these reasons, we believe that all the options identified in question 'B' could be usefully deployed by council through a representation review process.

In terms of question 'C', we did not make a resolution to establish a Māori ward for the 2022 local government elections.

Issue 4 – Decision-making rights and role for Local Government Commission

- A) What role should the Local Government Commission have in relation to Māori wards?
- a. People can appeal a council's decision to create / not to create Māori wards, and the Local Government Commission must decide
 - b. No role and people cannot appeal a council's decision to create / not to create Māori wards (the same as the current law)
 - c. No role but people can appeal a council's decision to create / not to create Māori wards to some other entity

B) If some other entity, then who should this be?

N/A

C) Do you have any other comments about this issue?

Again, our view is that the law needs to be equitable and consistent regarding Māori ward processes and general ward processes. By extension this includes the ability to appeal (either to the Local Government Commission or any other entity) aspects of a final representation proposal.

Noting that there are limited grounds for appeal by a submitter on a final representation proposal and that those grounds do not presently include the ability to appeal either the establishment of a Māori ward or a general ward, we are of the view that option 'b' should prevail. Accordingly, we **support** option b.

Again, by extension, we agree that the Local Government Commission should retain its current jurisdictional powers to determine on appeal, if necessary, how wards should be implemented, be it a Māori ward or general ward.

Issue 5 – Discontinuance process and period in force

- A) What should a council be required to do if it wishes to no longer have any Māori wards?
- a. The council should be able to decide this on its own (the same as the current law)
 - b. The council must consult with its community (the same as general wards)
- B) How long should council decisions to create Māori wards stay in place?
- a. Until the council decides otherwise, but at least 2 elections (the same as the current law)
 - b. Until the council decides otherwise, but at least 1 election and must be reviewed after 2 elections (the same as general wards)
 - c. 1 election only
 - d. 2 elections only
- C) Do you have any other comments about this issue?

Again, we emphasise our view that the law should be equitable and consistent in its approach to the disestablishment of Māori wards as with general wards. Accordingly, for question 'A' we **support** option 'b' and for question 'B', we **support** option 'b'.

Issue 6 – Types of polls

A) Should councils retain the ability to initiate binding polls on general wards?

a. Yes (the same as the current law)

b. No (the same as Māori wards)

B) Do you have any other comments about this issue?

We believe that Māori wards and general wards should be treated equally and therefore councils should not be able to initiate binding polls on general wards as this is not the case with Māori wards.

Councils are elected as representatives of their communities for the purpose of making decisions. Representation arrangements are subject to statutory consultation obligations which provides a valuable opportunity for understanding the full range of community views and a strong foundation upon which local councils can make robust representation decisions. For these reasons and in this context we do not believe there is a need for polls, binding or otherwise.

10 INFORMATION FOR RECEIPT