



ATTACHMENTS

**Ordinary Council meeting
Separate Attachments 1**

Monday, 16 September 2024

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Appendix 1: Recommended Amendments to Private Plan Change 35 to the Tauranga City Plan, Tauriko Business Estate Stage 4

Guide to understanding the changes

Private Plan Change 35 to the Operative Tauranga City Plan (City Plan) are shown below.

- A description of whether a rule is proposed to be inserted, deleted, amended or moved, as notified, are shown in **red** text.
- Where changes to the content of the City Plan were proposed in Private Plan Change 35, these are shown as either a ~~strike-out~~ for deleted text or underlined for additional text.
- Changes recommended to the notified Private Plan Change 35 text following the consideration of submissions and further submissions are shown in **blue** text and underlined, with the same notations as above.

Chapter 4 – General Rules Provisions

Amend Permitted Activity Rule 4E2.4(c) noise in the Tauriko Commercial and Industry Zone as follows:

4E.2.4 Tauriko Commercial and Industry Zone

- a. Activities in these zones, shall not exceed the following noise levels within the boundary of any site within a Residential Zones, Rural Residential Zone or Rural Zones:

Control Hours and Noise Levels			
Zone	Daytime	Night-time	
Tauriko Commercial Zone	50 dBA Leq	40 dBA Leq and 70 dBA Lmax	
Tauriko Industry Zone	55 dBA Leq	45 dBA Leq and 70 dBA Lmax	

- b. Activities within the Tauriko Industry Zone shall not exceed the following limits within the boundary of any site within the Tauriko Industry Zone, Tauriko Commercial Zone or Greenbelt Zone:

Control Hours	Noise level
daytime	65 dBA Leq
night-time	55 dBA Leq and 80 dBA Lmax

- c. Prior to commencement of any land use within 100 metres of any dwelling existing as at 10 December 2005 on a ~~R~~Rural zoned property [adjoining Tauriko Business Estate Stages 1 to 3 or prior to commencement of any land use within 100 metres of any dwelling existing on a Rural or Rural Residential zoned property adjoining Tauriko Business Estate Stage 4 as at 9 March 2024](#), an acoustic report, prepared by a suitably qualified acoustic engineer shall be submitted to the Council to:
- Outline the range of activities that will occur on the site and their potential noise levels and mitigation/management measures that will be implemented to demonstrate compliance with Rule 4E.2.4. a. and b. Tauriko Commercial and Industrial Zone.
- d. Approved Occupational Safety and Health (OSH) safety devices are exempt from compliance with the noise limits of Rule 4E.2.4 a. and b. — Tauriko Commercial and Industry Zone during the hours of 0700 - 2200 only.

Chapter 7 – Heritage

Amend Appendix 7D Register of Significant Archaeological Areas as follows:

Area No	Planning Map No	Name	Address	Legal Description	NZHPT Site No's.
<u>A24</u>	<u>R93</u>	<u>Omanawa Redoubt</u>	<u>40 Belk Road</u>	<u>Lot 3 DP 564534 and Lot 8 DP</u>	<u>U14/210 (Redoubt)</u>

Chapter 12 – Subdivision, Services and Infrastructure

Insert new objective and policy for Tauriko Business Estate Stage 4 as follows:

12E.1.3 Objective – Stormwater Management within Tauriko Business Estate Stage 4

Promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects) of industrial development in Tauriko Business Estate Stage 4 (as per *Diagram 9, Section 5 (Part B, Plan Maps) Tauriko Staging Plan*) on the health and wellbeing of water bodies, freshwater ecosystems, and receiving environments.

12E.1.3.1 Policy – Stormwater Management within Tauriko Business Estate Stage 4

Require subdivision and development within Tauriko Business Estate Stage 4 (as per *Diagram 9, Section 5 (Part B, Plan Maps) Tauriko Staging Plan*) to demonstrate that stormwater runoff is managed in a manner that meets the requirements of the relevant stormwater consent [and any relevant Stormwater Management Plan](#) and is designed and constructed to:

- a. Incorporate low impact stormwater design practises that:
 - i. Adopt a treatment train approach that includes stormwater management systems that are located, sized and designed to manage stormwater related effects; and
 - ii. ~~Integrate and interface with natural freshwater receiving environments. Are managed in an integrated way and minimise the degradation of rivers and natural inland wetlands.~~
- b. Ensure that constructed stormwater network elements are appropriately sized, designed and constructed to achieve positive stormwater management outcomes in the long term.
- c. Manage and mitigate the risk of flooding.
- d. Ensure that stormwater infrastructure manages the cumulative effects associated with stormwater discharge from subdivision and development on receiving environments.

Amend Controlled Activity - Standards and Terms Rule 12E.3.1.10 Subdivision within the Tauriko Business Estate as follows:

12E.3.1.10 Subdivision within the Tauriko Business Estate

- a. Any application shall demonstrate how the *subdivision* will be developed in a manner that is consistent with:
 - i. *Diagram 10, Section 5, (Part B, Plan Maps) (Tauriko Business Estate Outline Development Plan);*
 - ii. *Diagram 9, Section 5 (Part B, Plan Maps) Tauriko Staging Plan;*
 - iii. *UG8, Section 6, Urban Growth Plans, (Part B, Plan Maps);*
 - iv. *Appendix 18H – Tauriko Business Estate Mitigation and Landscaping Specification;*
 - v. *Appendix 18D – Tauriko Business Estate Mitigation, Landscaping Features and Buffer Zones;*
 - vi. For applications in Stages 1 to 3 (as per *Diagram 9, Section 5 (Part B, Plan Maps) Tauriko Staging Plan*): *Appendix 18ⁱⁱ – Tauriko Business Estate Typical Road Plans and Cross Sections*, or for applications in Stage 4 (as per *Diagram 9, Section 5 (Part B, Plan Maps) Tauriko Staging Plan*): the Council's Infrastructure Development Code;
 - vii. *Rule 18A.12.2.2 – Tauriko Industry Zone Streetscape;*
- b. A Landscape Concept Plan shall be submitted specifying the work required to achieve the requirements set out in a) above including, but not limited to:
 - i. *Streetscape* for spine road and green connectors;

- ii. Visual extension of green connector;
 - iii. *Walkways* and cycleway links;
 - iv. Stormwater management area;
 - v. Escarpment area;
 - vi. Visual mitigation buffer;
 - vii. Zone interface 10 metre planted buffer strip ~~and 80 metre separation area~~;
 - viii. Planted buffer;
 - ix. Landmark entry features;
 - x. A design theme, including location, for any composite *sign* within a Landmark Entry Treatment area;
 - xi. Convenience centres;
 - xii. Escarpment area – Gargan Road;
- c. Any application shall demonstrate how the provisions of the Cultural Heritage Plan for the *Tauriko Business Estate* have been given effect, including:
- i. Provision for cultural gateway *structures* and historical panels within the defined Landmark Entry Treatment Areas;
 - ii. Naming of streets, parks and other public amenities;
 - iii. Riparian protection and native planting alongside Kopurererua Stream, Omanawa Stream and stormwater ponds;
 - iv. *Archaeological site* monitoring and protection;
- ...
- g. The location of the following features shall, where relevant to the *subdivision*, be identified in a *consent notice*:
- i. *Boundary* between the Tauriko Industry Zone and Tauriko Commercial Zone with the Rural Zone;
 - ii. *Boundary* between the Tauriko Industry Zone and Tauriko Commercial Zone with the Greenbelt Zone;
 - iii. Escarpment area;
 - iv. Landmark Entry Treatment Area;
 - v. Convenience centre;
 - vi. Special *Height* Control Area;
 - vii. Visual mitigation buffer;
 - viii. Visual extension of green connector;
 - ix. Zone interface 10 metre buffer strip ~~and 80 metre separation strip (Belk Road)~~;
- h. n. Any application within Stage 4 (as per *Diagram 9, Section 5 (Part B, Plan Maps) Tauriko Staging Plan*) shall demonstrate how *Objective 12E.1.3, Policy 12E.1.3.1 and Appendix 18F.3 Stormwater* have been given effect. This shall include a stormwater engineering assessment including, but not limited to:
- i. For lots not already subject to a stormwater management plan or approved stormwater consent, the provision of a stormwater management plan;
 - ii. How the requirements of the relevant approved stormwater consent, and the relevant stormwater management plan, will be achieved;
 - iii. How low impact design principles and water quality pre-treatment via a treatment train approach will be undertaken, including for Belk Road;
 - iv. The implementation of a primary network system designed to manage 10% AEP storm events;
 - v. The implementation of a secondary network system designed to manage 1% AEP storm events (with climate change adjustments using RCP8.5H+ scenario for year 2130);

- ~~iv. How the requirements of the relevant approved stormwater consent, and stormwater management plan, will be achieved.~~
- ~~vi. The effects of climate change on rainfall and sea level based on the RCP 8.5+ median scenario as of the year 2130.~~
- ~~i. o. Any application within Stage 4 (as per *Diagram 9, Section 5 (Part B, Plan Maps) Tauriko Staging Plan*) that exceeds ~~40%~~ 43ha of the total industrial developable land within Stage 4 shall provide traffic modelling to determine whether completion of Taurikura Drive (within Stage 3 (as per *Diagram 9, Section 5 (Part B, Plan Maps) Tauriko Staging Plan*) is necessary to service the lots created by the application.~~
- ~~Note: This standard does not apply where Taurikura Drive within Stage 3 (as per *Diagram 9, Section 5 (Part B, Plan Maps) Tauriko Staging Plan*) has been completed.~~
- ~~j. p. For all lots created within Stage 4 (as per *Diagram 9, Section 5 (Part B, Plan Maps) Tauriko Staging Plan*), a consent notice shall require that:~~
 - ~~i. The requirements of the relevant approved stormwater consent, and stormwater management plan, will be given effect to;~~
 - ~~ii. All roofing and exterior wall surfaces on new buildings are comprised of inert materials (inert materials are those that do not have an exposed surface made from contaminants of concern to water quality; including zinc, copper and lead);~~
- ~~q. For all lots created within Stage 4 (as per *Diagram 9, Section 5 (Part B, Plan Maps) Tauriko Staging Plan*), that contains and/or adjoin the central drain (as per *Diagram 10, Section 5, (Part B, Plan Maps) (Tauriko Business Estate Outline Development Plan)* any application shall:~~
 - ~~i. Demonstrate, either by vesting or an alternative mechanism, that sufficient area on either side of the central drain is provided that can be planted, in natives, and maintained in perpetuity; and~~
 - ~~ii. Demonstrate that the vested area is sufficiently wide enough for planting, access and maintenance purposes.~~
- ~~r. Any application within Stage 4 (as per *Diagram 9, Section 5 (Part B, Plan Maps) Tauriko Staging Plan*) shall be accompanied by an ecological assessment prepared by a suitably qualified ecologist. The assessment shall identify the ecological values present within the application area and demonstrate how the effects on those values will be appropriately managed.~~

Amend Controlled Activity – Matters of Control and Conditions Rule 12E.3.2.6 Tauriko Business Estate as follows:

Modelling

12E.3.2.6 Tauriko Business Estate

- a. The establishment and maintenance of landscaping on land with specific requirement for:
 - i. A minimum 2-year maintenance program for landscaping on land to be vested in Council;
 - ii. A minimum 3-year maintenance program for landscaping within the visual mitigation buffer;
- b. Earth filling and excavations, building and infrastructure setback distances from the crest and toe of escarpment slopes, debris retention measures, and batter slope design;
- c. The completion of relevant works listed in the Appendix 18F.7 Sequencing Schedule, Appendix 18F Tauriko Business Estate Services Strategy Statement and Sequencing Schedule;
- d. For applications within Stage 4 (as per *Diagram 9, Section 5 (Part B, Plan Maps) Tauriko Staging Plan*) the implementation of stormwater management measures to ensure compliance with the relevant approved stormwater consent and any stormwater management plan and any additional recommendations or mitigation measures set out within the stormwater engineering assessment.

e. For applications within Stage 4 (as per Diagram 9, Section 5 (Part B, Plan Maps) Tauriko Staging Plan) that contain and/or adjoin the central drain how the protection and maintenance of the central drain and margins, including its ecological values, is provided for.

f. For applications within Stage 4 (as per Diagram 9, Section 5 (Part B, Plan Maps) Tauriko Staging Plan) how any identified ecological values will be appropriately managed.

Chapter 18 Industrial Zones

Amend Policy 18A.8.2.1 – Urban Form as follows:

18A.8.2.1 Policy – Urban Form

By ensuring *subdivision*, land use and development occurs in an integrated manner that:

- a. Provides functional access links to adjacent development, in particular Pyes Pa West and Tauriko West;
- b. Provides safe and convenient internal routes for cyclists and pedestrians and enables future links to surrounding areas;
- c. Supports the efficient and effective provision of public transport to, from and within the area;
- d. Enables people working and carrying out business in the area to meet their day-to-day needs through provision for small-scale convenience *retail* and *childcare* facilities within defined local centres in the industrial estate.

Amend Policy 18A.8.3.2 – Landscape and Visual Amenity Protection through On-Site Controls as follows:

18A.8.3.2 Policy – Landscape and Visual Amenity Protection through On-Site Controls

By ensuring the visual effects of industrial land development at Tauriko is mitigated through controls that:

- a. ~~Limit~~ Limit the scale of *buildings* and impose building setbacks in prominent locations, limit the extent and location of *signs*, and limit the use of high-impact and highly reflective colours on *buildings* visible from residential and rural areas;
- b. Enable larger-scale *buildings* in specific locations where the landscape has the capacity to absorb those effects.

Amend Permitted Activity Rule 18A.12.1.2 – Building Height in the Tauriko Industry Zone as follows:

18A.12.1.2 Tauriko Industry Zone

- a. The maximum *height* of any *building* or *structure*, with the exception of the permitted intrusions in *Rule 4H.2 – Permitted Activity Rules*, shall be 16 metres in the Tauriko Industry Zone;
- b. Notwithstanding the maximum height permitted by *Rule 18A.12.1.2 a) – Tauriko Industry Zone*, all *buildings* on a *site* shown in *Diagram 10, Section 5, (Plan Maps, Part B) (Tauriko Business Estate Outline Development Plan)* as Special Height Control Area (Recession Plane) shall be contained within a *building* envelope measured 8 metres above ground level at the boundary of the Tauriko Industry Zone, the Tauriko Commercial Zone and the Greenbelt Zone, and at an angle of 20 degrees above horizontal into the site to the maximum *height* applicable for the zone (See Diagram - *Appendix 18D: Tauriko Business Estate Mitigation, Landscape Features and Buffer Zones*);
- c. All *buildings* or *structures* within the area identified as subject to the '12 metre Height Limit' in *Diagram 10, Section 5, (Plan Maps, Part B) (Tauriko Business Estate Outline Development Plan)* as Tauriko Business Estate Area shall not exceed a *height* of 12 metres above ground level;

- d. All buildings or structures within the area identified as subject to the '20 metre Height Limit' in Diagram 10, Section 5, (Plan Maps, Part B) (Tauriko Business Estate Outline Development Plan) as Tauriko Business Estate Area shall not exceed a height of 20 metres above ground level;
- e. All buildings or structures within the area identified as subject to the '25 metre Height Limit' in Diagram 10, Section 5, (Plan Maps, Part B) (Tauriko Business Estate Outline Development Plan) as Tauriko Business Estate Area shall not exceed a height of 25 metres above ground level.

Amend Permitted Activity Rule 18A.12.2.2 – Tauriko Industry Zone Streetscape as follows:

18A.12.2.2 Tauriko Industry Zone Streetscape

- a. For all buildings and activities on sites within the Tauriko Industry Zone having a direct frontage to Taurikura Drive and Belk Road specimen trees shall be provided and maintained by, or on behalf of, the landowner(s) on sites adjoining the Taurikura Drive boundary and Belk Road boundary at the rate of one tree for every 10 lineal metres of road frontage or fraction thereof. The trees shall be located within the site and within 10 metres of the front boundary of the site with Taurikura Drive or Belk Road. The trees shall be planted before occupation of a building or start of an activity on site in accordance with the rate of planting specified in this rule;

Delete Permitted Activity Rule – Special Permitted Activities in the Tauriko Industry Zone Rule 18A.14.2.3 as follows:

~~18A.14.2.3 80 Metre Separation Strip~~

~~For the areas defined in Diagram 10, Section 5, (Plan Maps, Part B) (Tauriko Business Estate Outline Development Plan) and in accordance with Appendix 18D: Tauriko Business Estate Mitigation, Landscape Features and Buffer Zones as 80 metre separation strip:~~

- a. ~~Use of the 80 metre separation strip shall be limited to:~~
 - i. ~~Protection, establishment, enhancement, and maintenance of landscape planting, and provision of walkways;~~
 - ii. ~~Uses (excluding any buildings) provided for as permitted activities under Rule 16A.7 – Activity Status Rules~~
 - iii. ~~Stormwater detention ponds, and associated earthworks and structures, (excluding any buildings);~~
- b. ~~Notwithstanding Rule 18A.14.2 a) Special Permitted Activities in the Tauriko Industry Zone above, parking, access and manoeuvring that is fully screened from view from any adjacent site in the Rural Zone may also be undertaken, provided this shall not be closer than 60 metres from the boundary of an property in the Rural Zone~~

~~Note: Any activity that does not comply with Rule 18A.14.2.3 – 80 Metre Separation Strip shall be considered a Restricted Discretionary Activity.~~

Insert new Special Permitted Activity Condition in the Tauriko Industry Zone Rule 18A.14.3.4 as follows:

18A.14.3.4 Compliance of Land Use with Urban Growth Plan, Services Strategy, Staging Plan, Outline Development Plan and other relevant documents

- a. No land use shall occur in the Tauriko Business Estate unless it complies with the requirements of:
 - i. Diagram 10, Section 5, (Plan Maps, Part B) (Tauriko Business Estate Outline Development Plan);
 - ii. Diagram 9, Section 5, (Plan Maps, Part B) (Tauriko Staging Plan);
 - iii. Appendix 18D: Tauriko Business Estate Mitigation Landscape Features and Buffer Zones;

- iv. Appendix 18F: Tauriko Business Estate Services Strategy Statement and Sequencing Schedule;
 - v. Appendix 18H: Tauriko Business Estate Mitigation and Landscaping Specification;
 - vi. UG8, Section 6, Tauriko Business Estate Urban Growth Plan, (Plan Maps, Part B);
 - vii. Rule 12E.3.1.10(h)(n) – Subdivision within the Tauriko Business Estate.
- b. Where a land use is being carried out on a lot created from a subdivision under Rule 12E.3.1.10 – Subdivision within the Tauriko Business Estate the land use shall be deemed to have complied with Rule 18A.14.3.4 - Compliance of Land Use with Urban Growth Plan, Services Strategy, Staging Plan, Outline Development Plan and other relevant documents.

Insert new Special Permitted Activity Conditions in the Tauriko Industry Zone Rule 18A.14.3.5 as follows:

18A.14.3.5 External Treatment of Buildings and Other Structures

All roofing and exterior wall surfaces shall be comprised of inert materials (inert materials are those that do not have an exposed surface made from contaminants of concern to water quality; including zinc, copper and lead).

Amend 18A.15 Restricted Discretionary Activity Rules as follows:

18A.15 Restricted Discretionary Activity Rules

The following are Restricted Discretionary Activities:

- a. Any permitted activity that does not comply with:
 - i. *Rule 18A.12.2 – Streetscape;*
 - ii. *Rule 18A.12.3 – Industrial and Sensitive Zone Boundaries;*
 - iii. *Rule 18A.12.4 – Outdoor Storage;*
 - iv. *Rule 18A.12.5 a) – Ancillary Retail and Offices;*
 - v. *Rule 18A.13.4.3 – Traffic;*
 - vi. *Rule 18A.13.4.4 a) – Boundaries of Scheduled Site;*
 - vii. *Rule 18A.13.4.5 – Site Layout and Landscaping;*
 - viii. *Rule 18A.14.3.4 - External Appearance of Buildings and Structures;*
- b. Cranes on the Sulphur Point Wharves not complying with the *height* limits specified in *Rule 18A.12.1.3 b) – Port Industry Zone* or located in an area outside either the proposed Sulphur Point Wharf Extension North (proposed as 170 metres to the north of the existing wharf), or further south than the Sulphur Point Extension South (being 286 metres south of the existing wharf);
- ~~c. Permitted activities in the Tauriko Industry Zone, located within the 80 metre strip separation identified on Diagram 10, Section 5, (Plan Maps, Part B) (Tauriko Business Estate Outline Development Plan), and not otherwise permitted by Rule 18A.14.2.3 – 80 Metre Separation Strip.~~
- d. Any activity identified as a Restricted Discretionary Activity in *Table 18A.1 Industrial Zones Activity Status*;
- e. Any activity within the Papamoa East Employment Zone identified as a Restricted Discretionary Activity in *Table 18A.1: Industrial Zones Activity Status*.

