



# AGENDA

## **City Future Committee meeting**

### **Tuesday, 17 February 2026**

**I hereby give notice that a City Future Committee meeting will be held on:**

**Date: Tuesday, 17 February 2026**

**Time: 9:30 am**

**Location: Tauranga City Council Chambers**  
**L1, 90 Devonport Road**  
**Tauranga**

*Please note that this meeting will be livestreamed and the recording will be publicly available on Tauranga City Council's website: [www.tauranga.govt.nz](http://www.tauranga.govt.nz).*

**Marty Grenfell**  
**Chief Executive**

# Terms of reference – City Future Committee

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## Common responsibility and delegations

The following common responsibilities and delegations apply to all standing committees.

### Responsibilities of standing committees

- Establish priorities and guidance on programmes relevant to the Role and Scope of the committee.
- Provide guidance to staff on the development of investment options to inform the Long Term Plan and Annual Plans.
- Report to Council on matters of strategic importance.
- Recommend to Council investment priorities and lead Council considerations of relevant strategic and high significance decisions.
- Provide guidance to staff on levels of service relevant to the role and scope of the committee.
- Establish and participate in relevant task forces and working groups.
- Engage in dialogue with strategic partners, such as Smart Growth partners, to ensure alignment of objectives and implementation of agreed actions.
- Confirmation of committee minutes.

### Delegations to standing committees

- To make recommendations to Council outside of the delegated responsibility as agreed by Council relevant to the role and scope of the Committee.
- To make all decisions necessary to fulfil the role and scope of the Committee subject to the delegations/limitations imposed.
- To develop and consider, receive submissions on and adopt strategies, policies and plans relevant to the role and scope of the committee, except where these may only be legally adopted by Council.
- To consider, consult on, hear and make determinations on relevant strategies, policies and bylaws (including adoption of drafts), making recommendations to Council on adoption, rescinding and modification, where these must be legally adopted by Council.
- To approve relevant submissions to central government, its agencies and other bodies beyond any specific delegation to any particular committee.
- Engage external parties as required.

# Terms of reference – City Future Committee

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## Membership

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|                           |   |
|---------------------------|---|
| <b>Chair</b>              | Cr Marten Rozeboom  |
| <b>Deputy chair</b>       | Cr Rod Taylor   |
| <b>Members</b>            | Deputy Mayor Jen Scouler<br>Cr Hautapu Baker<br>Cr Glen Crowther<br>Cr Rick Curach<br>Cr Steve Morris<br>Cr Kevin Schuler<br>Cr Hēmi Rolleston<br><br>Mayor Mahé Drysdale (ex officio)<br>Arthur Flintoff - Tangata Whenua Representative |
| <b>Non-voting members</b> | (if any)  |
| <b>Quorum</b>             | <u>Half</u> of the members present, where the number of members (including vacancies) is <u>even</u> ; and a <u>majority</u> of the members present, where the number of members (including vacancies) is <u>odd</u> .                    |
| <b>Meeting frequency</b>  | Six weekly  |

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## Role

The role of the City Future Committee is:

- To consider strategic issues and opportunities facing the city and develop a pathway for the future.
- To consider Tauranga's strategic responses at a sub-regional, regional, and national level as appropriate.
- To ensure there is sufficient land supply for housing and for commercial and industrial purposes.
- To ensure there is sufficient and appropriate housing supply and choice in existing and new urban areas to meet current and future needs.
- To ensure that Tauranga's urban form and transport system enables, supports and shapes current and future sustainable, vibrant and connected communities.
- To ensure there is a clear and agreed approach to achieve measurable improvement in transport outcomes in the medium to long-term including transport system safety, predictability of travel times, accessibility, travel choice, mode shift and improved environmental outcomes.
- To enable Tauranga's urban centres to thrive and provide a sense of place.
- To ensure that council and partner investments in Tauranga's build environment are economically and environmentally resilient.
- To work with all key partners to enhance, protect and restore (where necessary) the wellbeing of our natural environment and harbour to ensure the people of Tauranga can thrive and enjoy the lifestyle this city provides.

- To review and determine the policy framework that will assist in achieving the desired strategic and operational priorities and outcomes for the city.

## Scope

- Development and ongoing monitoring and update of the Western Bay of Plenty Transport System Plan and associated programmes and network operating plans.
- Development and ongoing monitoring and update of the Future Development Strategy and urban settlement patterns, including structure plans as required.
- Development and oversight of urban centres strategies, neighbourhood plans and master-plans.
- Development and oversight of the Compact City programme in support of higher development densities and the provision of a greater range of housing options.
- Development of City Plan changes and related matters for adoption by Council.
- Contribution to matters related to the SmartGrowth Strategy and input to the SmartGrowth Leadership Group.
- Regular monitoring of future strategic and growth-related projects including future strategic transport projects (i.e. projects where the project purpose definition, business case, and funding are yet to be in place).
- Development of strategies, policies, plans and programmes for the medium to long term delivery of social, environmental, economic, cultural and resilience outcomes.
- Ensuring that social, environmental, economic and cultural wellbeings are promoted through all strategic work considered by the Committee.
- Consideration of significant natural hazards risks across the city, as they apply to current and future land-form and built environment.
- Develop, review and approve policies, including as appropriate the development of community consultation material, the undertaking of community consultation, and the hearing of and deliberating on community submissions.
- Develop, review and approve bylaws to be publicly consulted on, hear and deliberate on any submissions and recommend to Council the adoption of the final bylaw. (The Committee will recommend the adoption of a bylaw to the Council as the Council cannot delegate the adoption of a bylaw to a committee.)

## Power to Act

- To make all decisions necessary to fulfil the role, scope and responsibilities of the Committee subject to the limitations imposed.
- To establish sub-committees, working parties and forums as required.

## Power to Recommend

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

## Chair and Deputy Chair acting as Co-Chairs

- While the Chair and Deputy Chair of the Committee roles are separately appointed it is the intention that they act as co-chairs.
  - Only one person can chair a meeting at any one time. The person chairing the meeting has the powers of the chair as set out in standing orders and has the option to use the casting vote in the case of an equality of votes.
  - The rotation of the meeting chairs is at the discretion of the Chair and Deputy Chair and subject to their availability, however it is expected that they will alternate chairing meetings when possible.

- When the Deputy Chair is chairing the meeting, the Chair will vacate the chair and enable the Deputy Chair to chair the meeting. The Chair will be able to stay and participate in the meeting unless they declare a conflict of interest in an item, in which case they will not participate or vote on that item.
- The Chair and Deputy Chair will attend pre-agenda briefings and split any other duties outside of meetings, e.g. spokesperson for the Committee.
- The Chair and Deputy Chair will jointly oversee and co-ordinate all activities of the Committee within their specific terms of reference and delegated authority, providing guidance and direction to all members and liaising with Council staff in setting the content and priorities of meeting agendas.
- The Chair and Deputy Chair will be accountable for ensuring that any recommendations from the Committee are considered by the Tauranga City Council.



## Order of Business

|           |  |            |
|-----------|--|------------|
| <b>1</b>  | <b>Opening karakia .....</b>   | <b>9</b>   |
| <b>2</b>  | <b>Apologies .....</b>   | <b>9</b>   |
| <b>3</b>  | <b>Public forum.....</b>   | <b>9</b>   |
| <b>4</b>  | <b>Acceptance of late items .....</b>  | <b>9</b>   |
| <b>5</b>  | <b>Confidential business to be transferred into the open.....</b>  | <b>9</b>   |
| <b>6</b>  | <b>Change to order of business.....</b>  | <b>9</b>   |
| <b>7</b>  | <b>Confirmation of minutes.....</b>  | <b>10</b>  |
| 7.1       | Minutes of the City Future Committee meeting held on 25 November 2025 .....  | 10         |
| <b>8</b>  | <b>Declaration of conflicts of interest .....</b>  | <b>26</b>  |
| <b>9</b>  | <b>Business.....</b>   | <b>27</b>  |
| 9.1       | Status update on actions from prior City Future Committee meetings .....   | 27         |
| 9.2       | Submission to the Land Transport (Revenue) Amendment Bill.....   | 30         |
| 9.3       | Infrastructure Funding - TCC submissions on growth funding reform and Infrastructure Funding & Financing Amendment Bill..... | 37         |
| 9.4       | Water take re-consenting .....   | 44         |
| 9.5       | Pōteriwhi - Use as an Active Reserve .....   | 49         |
| <b>10</b> | <b>Discussion of late items .....</b>  | <b>103</b> |
| <b>11</b> | <b>Public excluded session .....</b>   | <b>104</b> |
| 11.1      | Public Excluded Minutes of the City Future Committee meeting held on 25 November 2025.....                                   | 104        |
| 11.2      | Public Excluded Attachments 3, 4 and 5 to Item 9.5 - Pōteriwhi Use as an Active Reserve .....                                | 104        |
| <b>12</b> | <b>Closing karakia .....</b>   | <b>105</b> |



- 1      OPENING KARAKIA**
- 2      APOLOGIES**
- 3      PUBLIC FORUM**
- 4      ACCEPTANCE OF LATE ITEMS**
- 5      CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN**
- 6      CHANGE TO ORDER OF BUSINESS**

## **7 CONFIRMATION OF MINUTES**

### **7.1 Minutes of the City Future Committee meeting held on 25 November 2025**

**File Number:** A19699040

**Author:** Anahera Dinsdale, Governance Advisor

**Authoriser:** Sarah Holmes, Team Leader: Governance & CCO Support Services

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## **RECOMMENDATIONS**

That the Minutes of the City Future Committee meeting held on 25 November 2025 be confirmed as a true and correct record.

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## **ATTACHMENTS**

### **1. Minutes of the City Future Committee meeting held on 25 November 2025**



# **DRAFT MINUTES**

**City Future Committee meeting**  
**Tuesday, 25 November 2025**

**Order of Business**

|           |  |           |
|-----------|--|-----------|
| <b>1</b>  | <b>Opening karakia</b>   | <b>3</b>  |
| <b>2</b>  | <b>Apologies</b>   | <b>3</b>  |
| <b>3</b>  | <b>Public forum</b>  | <b>3</b>  |
| 3.1       | Fireworks in the City  | 3         |
| 3.2       | Michael Wenzel speaking to Chipsealing Phillips Drive, Oropi   | 4         |
| <b>4</b>  | <b>Acceptance of late items</b>  | <b>5</b>  |
| <b>5</b>  | <b>Confidential business to be transferred into the open</b>   | <b>5</b>  |
| <b>6</b>  | <b>Change to order of business</b>   | <b>5</b>  |
| <b>7</b>  | <b>Confirmation of minutes</b>   | <b>5</b>  |
| 7.1       | Minutes of the City Future Committee meeting held on 14 October 2025   | 5         |
| <b>8</b>  | <b>Declaration of conflicts of interest</b>  | <b>6</b>  |
| <b>9</b>  | <b>Business</b>  | <b>6</b>  |
| 9.1       | Level of Service Policy Review - Open Space, Active Reserves and Public Toilets  | 6         |
| 9.2       | Use of Council Land Policy Review - Issues and Options   | 6         |
| 9.3       | Policy Review Schedule   | 8         |
| 9.4       | Quarterly Update - Growth, Land Use Planning & Transport Strategy Projects - November 2025                                 | 8         |
| <b>10</b> | <b>Public excluded session at 11:49am</b>  | <b>8</b>  |
|           | Confidential Attachment 2 9.4 - Quarterly Update - Growth, Land Use Planning & Transport Strategy Projects - November 2025 | 9         |
| <b>9</b>  | <b>Business Continued</b>  | <b>9</b>  |
| 9.4       | Quarterly Update - Growth, Land Use Planning & Transport Strategy Projects - November 2025                                 | 9         |
| 9.5       | Waste Infrastructure – Confirmation of Strategic Direction and Next Steps  | 9         |
| 9.6       | Waters Planning Update   | 11        |
| 9.7       | Major Events Strategy Update   | 11        |
| 9.8       | Status update on actions from prior City Future Committee meetings   | 12        |
| 9.9       | Chipseal over asphalt in the 2025/26 reseal programme  | 12        |
| <b>11</b> | <b>Discussion of late items</b>  | <b>15</b> |
| <b>12</b> | <b>Closing karakia</b>   | <b>15</b> |

**MINUTES OF TAURANGA CITY COUNCIL  
CITY FUTURE COMMITTEE MEETING  
HELD AT THE TAURANGA CITY COUNCIL CHAMBERS, LEVEL 1 - 90 DEVONPORT ROAD,  
TAURANGA  
ON TUESDAY, 25 NOVEMBER 2025 AT 9.30AM**

**MEMBERS PRESENT:** Cr Marten Rozeboom (Chair), Cr Rod Taylor, Mayor Mahé Drysdale, Deputy Mayor Jen Scouler, Cr Hautapu Baker, Cr Glen Crowther, Cr Rick Curach, Cr Steve Morris, Cr Hēmi Rolleston, Cr Kevin Schuler, Tangata Whenua Representative Mr Arthur Flintoff

**IN ATTENDANCE:** Marty Grenfell (Chief Executive), Christine Jones (General Manager: Strategy, Partnerships & Growth), Sarah Holmes (Team Leader: Governance & CCO Support Services), Clare Sullivan (Senior Governance Advisor), Anahera Dinsdale (Governance Advisor),

**EXTERNAL:** Dr Jessica Walker, Ms Frankie Hutchings and Mr Michael Wenzel.

Timestamps are included at the start of each item and signal where the agenda item can be found in the recording of the meeting held on 25 November 2025 on [Tauranga City Council YouTube Channel](#).

## **1        OPENING KARAKIA**

Cr Hēmi Rolleston opened the meeting with a karakia.

## **2        APOLOGIES**

### **APOLOGY**

#### **COMMITTEE RESOLUTION CFC/25/7/1**

Moved: Cr Rick Curach  
Seconded: Cr Kevin Schuler

That the apology for lateness received from Cr Hautapu Baker be accepted.

**CARRIED**

## **3        PUBLIC FORUM**

Timestamp: 2 minutes

### **3.1      Fireworks in the City**

**External** Dr Jessica Walker and Ms Frankie Hutchings

**Key Points**

- Dr Walker shared that fireworks had caused severe harm to animals, including the death of a horse and injuries to others, and noted the financial burden of removing hazardous materials from property to prevent further incidents.
- She explained that ongoing fireworks use near a Sikh temple had resulted in nightly disturbances, negatively affecting local wildlife, with multiple dead birds found and other animals impacted.
- She reported that fireworks had also disturbed dementia patients at a nearby rest home, leading to increased disorientation and falls, and highlighted broader community impacts.
- She stated support for regulated public fireworks displays, provided advance notice and location details were given to allow for management of animals and vulnerable people.
- Requested that the Council consider bylaws to prohibit fireworks in public places, roads, and parks to protect native birds and animals.
- Suggested that new subdivisions include covenants to make them fireworks-free zones, expressing willingness to relocate to such an area.
- She mentioned research on air pollution from fireworks, citing a study that found eight minutes with a sparkler equated to a day's worth of air pollution, and offered to share further data and incident reports.

**In response to questions**

- Noted that local government had limited pathways to restrict private fireworks use and sale, and that national government had not prioritised the issue, though a bill had recently been introduced.
- Pointed out that the Council's current bylaw consultation on street use and public places could provide an opportunity to restrict fireworks in public areas, and committed to submitting feedback.
- Discussed whether fireworks problems stemmed more from public or private spaces, and confirmed that public space use was a significant issue.

Timestamp: 11 minutes

**3.2 Michael Wenzel speaking to Chipsealing Phillips Drive, Oropi**

**External** Michael Wenzel

**Key Points**

- Mr Wenzel raised concerns about the sudden decision to chip seal Ashfield Road, which had been asphalted for over 20 years, and noted that the community had not been properly consulted or informed.
- He reported that after engaging with neighbours, the vast majority opposed the chip seal plan, with 95% against it and over 80 signatures collected in support of retaining asphalt.
- He described confusion among residents about the differences between chip seal and asphalt, and highlighted that the notification letter was unclear.
- He shared feedback from other suburbs experiencing similar dissatisfaction with chip seal, including ongoing issues with loose stones and increased maintenance requests.
- He requested that the Council pause the chip seal project to allow more time for community input and consideration of alternative solutions.

- He suggested that if financial contributions from residents were required for asphalt, a longer payment period and clear communication would be necessary for community acceptance.
- He emphasised the importance of maintaining safe walking paths, especially for children, elderly, and families, noting the lack of footpaths and the challenges posed by steep hills and chip seal surfaces.
- He expressed willingness to trial new surface options on Phillips Drive and monitor their effectiveness, proposing that unique roads could serve as test cases for future decisions.
- He stressed the need for clear communication, community involvement, and consideration of financial impacts in future road surface decisions.
- Mr Wenzel thanked the Council for their time and respectful engagement, and reiterated the community's desire to keep their suburb attractive and safe.

At 9:45am Cr Hautapu Baker entered the meeting.

#### **4 ACCEPTANCE OF LATE ITEMS**

##### **Chipsealing vs Asphalt in 2025/26 reseal programme**

The above item was not included in the original agenda because it was not available at the time the agenda was issued, and discussion cannot be delayed until the next scheduled meeting of the Committee because a decision is required in regard to this item.

##### **MOTION**

##### **COMMITTEE RESOLUTION CFC/25/7/2**

Moved: Cr Rick Curach

Seconded: Cr Steve Morris

That City Future Committee accepts the late report 'Chipsealing vs asphalt in 2025/26 reseal programme' to be discussed at the meeting.

**CARRIED**

#### **5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN**

Nil

#### **6 CHANGE TO ORDER OF BUSINESS**

Nil

#### **7 CONFIRMATION OF MINUTES**

##### **7.1 Minutes of the City Future Committee meeting held on 14 October 2025**

##### **COMMITTEE RESOLUTION CFC/25/7/3**

Moved: Cr Marten Rozeboom

Seconded: Cr Rod Taylor

That the Minutes of the City Future Committee meeting held on 14 October 2025 be confirmed as a true and correct record.

**CARRIED****8 DECLARATION OF CONFLICTS OF INTEREST**

Deputy Mayor Jen Scouler noted a potential conflict of interest in relation to item 9.4 – in relation to Fast Track Amendments Bill as she is a Board Member of the Environmental Protection Agency, noting that their role was limited to secretariat duties and did not involve decision-making. The Deputy Mayor requested this be recorded in the minutes.

Cr Steve Morris declared a conflict of interest in relation to item 9.2 and took no part in voting on the matter.

**9 BUSINESS**

Timestamp: 24 minutes

**9.1 Level of Service Policy Review - Open Space, Active Reserves and Public Toilets**

**Staff** Ross Hudson, Manager: Strategic Planning and Partnerships, Spaces and Places  
Vicky Grant-Ussher, Policy Analyst

**COMMITTEE RESOLUTION CFC/25/7/4**

Moved: Cr Hautapu Baker  
Seconded: Cr Kevin Schuler

That the City Future Committee:

- (a) Receives the report "Level of Service Policy Review - Open Space, Active Reserves and Public Toilets".
- (b) Notes that further targeted engagement will inform the development of recommended policy options to be provided to the Committee in early/mid 2026.

**For:** Mayor Mahé Drysdale, Crs Marten Rozeboom, Rod Taylor, Hautapu Baker, Glen Crowther, Rick Curach, Steve Morris, Hēmi Rolleston, Kevin Schuler and Arthur Flintoff

**Against:** Nil

**Abstained:** Deputy Mayor Jen Scouler – noted she abstained due to no discussion/debate.

**CARRIED 10/0**

Timestamp: 49 minutes

**9.2 Use of Council Land Policy Review - Issues and Options**

**Staff** Sandy Lee, Policy Analyst  
Ross Hudson, Manager: Strategic Planning and Partnerships, Spaces and Places

Alison Law, Head of Spaces and Places

At 11:00am the meeting adjourned.

At 11:08am the meeting resumed in open.

### COMMITTEE RESOLUTION CFC/25/7/5

Moved: Cr Rod Taylor

Seconded: Mayor Mahé Drysdale

That the City Future Committee:

- (a) Receives the report "Use of Council Land Policy Review - Issues and Options".
- (b) Agrees to:
  - (i) Remove the specific requirement in the policy for a permit or licence to operate and indicate instead that 'approval' is required to operate commercial activities on council land. See recommendation 1a.
  - (ii) Amend the definition of commercial activity to the proposed definition in the updated draft Street Use and Public Places Bylaw. See recommendation 1b.
  - (iii) Amend the policy to allow council land to be provided for new not-for-profit kohanga reo centres (as for playcentres). See recommendation 2a.
  - (iv) Clarify that scheduled maintenance and repair will be prioritised over bookings and include a statement about regular maintenance of sports fields being for 4-6 weeks over both the autumn and spring periods. See recommendation 3a.
  - (v) Include a statement that booking prioritisation will also be informed by any relevant site-specific masterplans and reserve management plans. See recommendation 3b.
  - (vi) Amend the termination clause to a standard of **3 to 6 years maximum** for community leases on reserves so that it aligns with the Long Term Plan.
  - (vii) Amend the policy to require community gardens to obtain written approval rather than a Licence to Occupy from the council. See recommendation 5b.
  - (viii) Exclude the airport land from the scope of the policy. See recommendation 6a.
  - (ix) Exclude TECT Park and Huharua Park from the scope of the policy. See recommendation 6b.
  - (x) Exclude Bay Venues Limited from the scope of the policy. See recommendation 6c.
  - (xi) Use the existing policy principle of vibrancy, inclusivity and diversity when allowing commercial activities but consideration is to be made for existing 'rate paying' businesses in the area.

- (c) Approves the draft Use of Council Land Policy for public consultation.
- (d) Authorises the General Manager: Operations and Infrastructure to make any necessary minor drafting or presentation changes to the draft Use of Council Land Policy before consultation.

**For:** Mayor Mahé Drysdale, Deputy Mayor Jen Scouler, Crs Marten Rozeboom, Rod Taylor, Hautapu Baker, Glen Crowther, Rick Curach, Hēmi Rolleston, Kevin Schuler and Tangata Whenua Representative Arthur Flintoff

**Against:** Nil

**Abstained:** Cr Steve Morris

**CARRIED 10/0**

### **Attachments**

- 1 Tabled Document - Draft revised Use of Council Land Policy 2025 - with tracked changes
- 2 Tabled Document - SFR20221205 - Use of Council Land Policy Deliberations Report
- 3 Tabled Document - Minutes of SFRC 051222 and resolutions

Timestamp: 1 hour 45 minutes

### **9.3 Policy Review Schedule**

**Staff** Christine Jones, General Manager: Strategy, Partnerships & Governance

#### **Action Requested**

- That staff provide the City Future Committee with the policy review work programme, including the list of policies for review, every 6 months.

### **COMMITTEE RESOLUTION CFC/25/7/6**

Moved: Cr Hēmi Rolleston

Seconded: Cr Steve Morris

That the City Future Committee:

- (a) Receives the report "Policy Review Schedule".

**CARRIED**

Timestamp: 1 hour 51 minutes

### **9.4 Quarterly Update - Growth, Land Use Planning & Transport Strategy Projects - November 2025**

**Staff** Andrew Mead, Head of City Planning and Growth

#### **Action Requested**

- That staff circulate to the Members the land use trends for Te Papa.

### **10 PUBLIC EXCLUDED SESSION AT 11:49AM**

### **COMMITTEE RESOLUTION CFC/25/7/7**

Moved: Cr Rod Taylor

Seconded: Mayor Mahé Drysdale

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this

resolution are as follows:

| General subject of each matter to be considered   | Reason for passing this resolution in relation to each matter   | Ground(s) under section 48 for the passing of this resolution   |
|---|---|---|
| <b>9.4 - Quarterly Update - Growth, Land Use Planning &amp; Transport Strategy Projects - November 2025</b> | s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities | s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |

**CARRIED**

Timestamp: 1 minute (Part 2)

## **9 BUSINESS CONTINUED**

### **9.4 Quarterly Update - Growth, Land Use Planning & Transport Strategy Projects - November 2025**

**Staff** Andrew Mead, Head of City Planning and Growth

#### **COMMITTEE RESOLUTION CFC/25/7/9**

Moved: Mayor Mahé Drysdale

Seconded: Cr Kevin Schuler

That the City Future Committee:

- (a) Receives the report "Quarterly Update - Growth, Land Use Planning & Transport Strategy Projects - November 2025".
- (b) Retrospectively approves TCC's submission to the Fast-track Amendment Bill.
- (c) Agrees that **Attachment 2** can be transferred into the open when information is ready to be made publicly available and is no longer commercially confidential.

**CARRIED**

At 12.37pm the meeting adjourned.

At 1.11pm the meeting resumed in open.

At 1.11pm, Mayor Mahé Drysdale withdrew from the meeting.

Timestamp: 1 minute (Part 3)

### **9.5 Waste Infrastructure – Confirmation of Strategic Direction and Next Steps**

**Staff** Cayley McLean, Principal Strategic Waste Planner

Andrew Mead, Head of City Planning & Growth

## COMMITTEE RESOLUTION CFC/25/7/10

Moved: Tangata Whenua Representative Arthur Flintoff

Seconded: Cr Glen Crowther

That the City Future Committee:

- (a) Receives the report "Waste Infrastructure – Confirmation of Strategic Direction and Next Steps".
- (b) Endorses the following **strategic objectives** that will guide future waste infrastructure investment and performance measurement, ensuring alignment with the Investment Logic Map (ILM) and Better Business Case framework:
  - (i) Objective 1: Reduce waste to landfill: Decrease the amount of waste disposed of to landfill each year (kg per capita), reflecting improved waste minimisation and system performance.
  - (ii) Objective 2: Increase resource recovery: Boost the proportion of materials captured and diverted from landfill (waste % diverted), demonstrating greater system efficiency and circular outcomes.
  - (iii) Objective 3: Maintain an affordable and accessible waste system by delivering value for money, improving cost efficiency, and staging investment to ensure long-term financial sustainability.
- (c) Endorses the **scale and scope** of the Waste Infrastructure Network as detailed in Table 1, encompassing:
  - (i) Geographic coverage
  - (ii) Access to services for both residential and commercial users;
  - (iii) Access to drop-off infrastructure that complements kerbside services;
  - (iv) Timeframe of investment;
  - (v) Partnerships and collaboration with regional, iwi, and private sector partners;
  - (vi) Non-asset solutions that optimise behaviour change and system performance;
  - (vii) Asset-based solutions that provide fit-for-purpose waste infrastructure
- (d) Endorses the **service levels** for the future waste infrastructure network as detailed in Table 2, which establish the expected level of performance across:
  - (i) **Access and convenience** – ensuring waste services and facilities are accessible and easy to use for all users;
  - (ii) **Capacity** – providing sufficient resource recovery capacity for kerbside and drop-off services;
  - (iii) Affordability (value for money) – managing costs equitably, delivering value for money, and enabling staged investment to support long-term financial sustainability;
  - (iv) **Resilience** – enhancing the system's ability to adapt and respond to disruption; and
  - (v) **Strategic influence** – enabling Council to shape and lead waste outcomes across the city and sub-region.
- (e) Endorses Option 2: Staged Multi-Purpose Network as the **preferred network configuration** for the future waste drop-off facilities.
- (f) Endorses the **site selection framework and evaluation criteria**, as detailed in Table 4, to guide the next stage of detailed site assessment and options analysis, ensuring a consistent, transparent, and evidence-based approach. The framework includes criteria relating to:

- (i) Access and convenience;
- (ii) Land use and consenting feasibility;
- (iii) Connectivity and infrastructure
- (iv) Integration and efficiency;
- (v) Physical characteristics and layout;
- (vi) Value-for-Money and deliverability;
- (vii) Environmental effects;
- (viii) Social effects;
- (ix) Cultural sensitivities;
- (x) Resilience and redundancy; and
- (xi) Operation efficiency.

**CARRIED**

Timestamp: 26 minutes (Part 3)

## **9.6 Waters Planning Update**

**Staff** Claudia Hellberg, Team Leader: City Waters Planning

### **COMMITTEE RESOLUTION CFC/25/7/11**

Moved: Deputy Mayor Jen Scouler

Seconded: Cr Hēmi Rolleston

That the City Future Committee:

- (a) Receives the report "Waters Planning Update".

**CARRIED**

At 1.40pm, Mayor Mahé Drysdale re-entered the meeting.

Timestamp: Part 3 of Livestream – 31 minutes

## **9.7 Major Events Strategy Update**

**Staff** Gareth Wallis, Head of Community Hubs, Arts, Heritage & Events  
Sarah Omundsen, General Manager: Regulatory & Community Services

### **Action Requested**

- That staff provide the Members with a break down list of the 106 events and include how iwi/hapū are providing input for these events.

### **COMMITTEE RESOLUTION CFC/25/7/12**

Moved: Deputy Mayor Jen Scouler

Seconded: Cr Hautapu Baker

That the City Future Committee:

- (a) Receives the report "Major Events Strategy Update".

**CARRIED**

Timestamp: 44 minutes (Part 3)

**9.8 Status update on actions from prior City Future Committee meetings****Staff** Christine Jones, General Manager: Strategy, Partnerships & Governance**COMMITTEE RESOLUTION CFC/25/7/13**

Moved: Cr Kevin Schuler

Seconded: Cr Rick Curach

That the City Future Committee:

- (a) Receives the report "Status update on actions from prior City Future Committee meetings".

**CARRIED**

Timestamp: 45 minutes (Part 3)

**9.9 Chipseal over asphalt in the 2025/26 reseal programme****Staff** Mike Seabourne, Head of Transport  
Martin Taylor, Manager: Transport Network  
Kathy Grant, Team Leader: Contract & Network Management

At 2.03pm, Mayor Mahé Drysdale withdrew from the meeting.

**COMMITTEE RECOMMENDATION**

Moved: Mayor Mahé Drysdale

Seconded: Cr Rick Curach

That the City Future Committee:

- (a) Receives the report "Chipseal over asphalt in the 2025/26 reseal programme"
- (b) Confirms that no change to the current policy, such as introducing a targeted rate for different road surfacing types, is required at this time, recognising the equity and debt considerations involved.
- (a) Supports the recommendation of Option 1, to continue with the reseal programme for 2025/26 as planned unless a viable, funding package external of Council is in place supported by a funding agreement.
  - (i) A viable package covers 100% of all costs over and above the TCC portion of chipseal treatment costs
- (b) That the Council includes in the Long-Term Plan (LTP) process a proposed policy enabling residents to fund the cost difference between Council's standard chip seal contribution and asphalt resurfacing, with formal funding agreements to be finalised prior to scheduled works and contributions received in advance of commencement.
- (e) Notes that staff will add targeted communications to homeowners where their road will go from AC to CS at the beginning of the season and a review of the channels used to deliver this information.

(f) **Attachment 2** due to commercial sensitivity will not be available for public release.

#### AN AMENDMENT WAS PROPOSED

Moved: Cr Steve Morris  
Seconded: Cr Glen Crowther

(d) That the Council includes in the Annual Plan process a proposed policy enabling residents to fund the cost difference between Council's standard chip seal contribution and asphalt resurfacing.

**For:** Deputy Mayor Jen Scouler, Crs Rod Taylor, Glen Crowther, Rick Curach and Steve Morris

**Against:** Crs Marten Rozeboom, Hautapu Baker, Hēmi Rolleston, Kevin Schuler and Tangata Whenua Representative Arthur Flintoff

**Absent:** Mayor Mahé Drysdale

**EQUAL**

**The Chair exercised his casting vote and voted 'Against' the amendment.**

#### LOST

#### AN AMENDMENT WAS PROPOSED:

Moved: Deputy Mayor Jen Scouler  
Seconded: Cr Steve Morris

(b) Endorses the current policy of fit for purpose resurfacing programme while offering ratepayers the choice to increase the level of service (for a street), provided all additional costs to TCC of that increased level of service is funded by those receiving the increased level of service.

**For:** Deputy Mayor Jen Scouler, Crs Glen Crowther, Rick Curach, Steve Morris, Hēmi Rolleston, Kevin Schuler and Tangata Whenua Representative Arthur Flintoff

**Against:** Crs Marten Rozeboom, Rod Taylor and Hautapu Baker

**Absent:** Mayor Mahé Drysdale

**CARRIED 7/3**

At 2.32pm, Mayor Mahé Drysdale re-entered the meeting.

**COMMITTEE RESOLUTION CFC/25/7/14**

Moved: Mayor Mahé Drysdale  
Seconded: Cr Rick Curach

The motion was taken in parts.

That the City Future Committee:

- (a) Receives the report "Chipseal over asphalt in the 2025/26 reseal programme
- (e) Notes that staff will add targeted communications to homeowners where their road will go from AC to CS at the beginning of the season and a review of the channels used to deliver this information.
- (f) **Attachment 2** due to commercial sensitivity will not be available for public release.

**CARRIED UNANIMOUSLY**

- (b) Endorses the current policy of fit for purpose resurfacing programme while offering ratepayers the choice to increase the level of service (for a street), provided all additional costs to TCC of that increased level of service is funded by those receiving the increased level of service.

**For:** Mayor Mahé Drysdale, Deputy Mayor Jen Scouler, Crs Marten Rozeboom, Rod Taylor, Glen Crowther, Rick Curach, Steve Morris and Kevin Schuler

**Against:** Crs Hautapu Baker, Hēmi Rolleston and Tangata Whenua Representative Arthur Flintoff

**CARRIED 8/3**

- (c) Supports the recommendation of Option A, to continue with the reseal programme for 2025/26 as planned unless a viable, funding package external of Council is in place supported by a funding agreement.
  - (i) A viable package covers 100% of all costs over and above the TCC portion of chipseal treatment costs

**For:** Mayor Mahé Drysdale, Deputy Mayor Jen Scouler, Crs Marten Rozeboom, Rod Taylor and Kevin Schuler

**Against:** Crs Hautapu Baker, Rick Curach, Steve Morris, Hēmi Rolleston and Tangata Whenua Representative Arthur Flintoff

**Abstained:** Cr Glen Crowther

**EQUAL**

**The Chair exercised his casting vote and voted 'For' the motion.**

**CARRIED**

(d) That the Council includes in the Long-Term Plan (LTP) process a proposed policy enabling residents to fund the cost difference between Council's standard chip seal contribution and asphalt resurfacing, with formal funding agreements to be finalised prior to scheduled works and contributions received in advance of commencement.

**For:** Mayor Mahé Drysdale, Deputy Mayor Jen Scouler, Crs Marten Rozeboom, Rod Taylor, Hautapu Baker, Rick Curach, Steve Morris, Hēmi Rolleston and Kevin Schuler

**Against:** Cr Glen Crowther and Tangata Whenua Representative Arthur Flintoff

**CARRIED 9/2**

(g) Notes that Under Section 80 of the LGA, this decision is outside the Councils policy as the Council wanted to provide an option of choice for residents. As per resolution (d), Council will review the policy in the Long Term Plan process.

**CARRIED UNANIMOUSLY**

## **11 DISCUSSION OF LATE ITEMS**

The late report was discussed in Business as Item 9.9.

## **12 CLOSING KARAKIA**

Cr Hautapu Baker closed the meeting with a karakia.

**The meeting closed at 4:15pm.**

**The minutes of this meeting were confirmed as a true and correct record at the City Future Committee meeting held on 17 February 2026.**

**8 DECLARATION OF CONFLICTS OF INTEREST**

## 9 BUSINESS

### 9.1 Status update on actions from prior City Future Committee meetings

File Number: A19688288

Author: Anahera Dinsdale, Governance Advisor

Authoriser: Christine Jones, General Manager: Strategy, Partnerships & Growth

#### PURPOSE OF THE REPORT

1. This report provides a status update on actions requested during previous City Future Committee meetings.

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#### RECOMMENDATIONS

That the City Future Committee:

- (a) Receives the report "Status update on actions from prior City Future Committee meetings".

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#### BACKGROUND

2. This is a recurring report provided to every City Future Committee meeting. The next report will be to the City Future Committee meeting of 31 March 2026.
3. The attached update includes all open actions and actions completed since the last report on 25 November 2025.
4. Once reported, completed actions are archived and made available in the Stellar library<sup>1</sup>.

#### DISCUSSION

5. The action status update report for the City Future Committee as at 9 February 2026 is provided as [Attachment 1](#) to this report, and is summarised in the table below.

| Status of actions                            | No. actions |
|--|-------------|
| Closed (completed since the last report)     | 3           |
| In progress                                  | 2           |
| Pending (waiting on something)               | 0           |
| To be actioned                               | 0           |
| <b>Total actions included in this report</b> | <b>5</b>    |

#### ATTACHMENTS

1. [Actions from City Future Committee - a at 9 February 2026 - A19745233](#) 

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<sup>1</sup> Stellar pathway: Council & Committees → City Future Committee → 2025 → Actions Requested by City Future Committee meetings.

| City Future Committee |             |  |  | Actions status update as at: 9 February 2026   |                |             |                     |  |
|-----------------------|-------------|--|--|--|----------------|-------------|---------------------|--|
| Meeting Date          | Agenda Ref. | Report Name  | Action Required  | Status Update<br>(incl anticipated / actual completion date)   | Status Summary | Date Closed | GM / CE Responsible |  |
| 25 Nov 2025           | 9.3         | Policy Review Schedule   | That staff provide the City Future Committee with the policy review work programme, including the list of policies for review, every 6 months. | Reported November 2025. Next report due May 2026, and six monthly thereafter.  | Closed         | 5 Dec 2025  | Christine Jones     |  |
| 25 Nov 2025           | 9.4         | Quarterly Update - Growth, Land Use Planning & Transport Strategy Projects - November 2025   | That staff circulate to the Members the land use trends for Te Papa.   | Email sent C Jones to EMs with data on housing numbers in Te Papa and typology. 2015 to 2025   | Closed         | 5 Dec 2025  | Christine Jones     |  |
| 17 Feb 2025           | 8.4         | Quarterly Update - Growth, Land Use Planning and Transport Strategy Projects - February 2025 | Staff to provide information on infrastructure costs for Māori development.  | Memo on Papakainga housing and infrastructure matters sent to EM's as part of Council Catchup 23 May 2025. Workshop to be scheduled to discuss and then report to a Committee. Staff have been assigned to prepare information for elected members (September 2025). Memo circulated in advance of papakainga briefing scheduled for 4 December - loaded into Stellar.   | Closed         | 4 Dec 2025  | Christine Jones     |  |
| 17 Feb 2025           | 8.6         | 2025/26 Development Contributions Policy - Growth Funding Opportunities                      | That a workshop be held once Central Government provides direction on the funding and financing tools.   | Report with an update in the City Future 1/4ly Growth, Land Use and Transport Planning Report to 5 May 2025. Also addressed in the Government Reforms Affecting TCC report to 5 May 2025 City Futures meeting. Once further clarity on Central Government reform then a workshop can be scheduled.<br><br><b>Legislative change information released December 2025, with submissions due February 2026. Staff reviewing the information and will report to Council with recommended submission points.</b> | In progress    |             | Christine Jones     |  |

| Meeting Date | Agenda Ref. | Report Name  | Action Required   | Status Update<br>(incl anticipated / actual completion date)   | Status Summary | Date Closed | GM / CE Responsible |
|--------------|-------------|--|---|--|----------------|-------------|---------------------|
| 14 Oct 2024  | 9.2         | Waste Infrastructure Programme Business Case development | To provide the Subregional waste infrastructure analysis. This is also to cover projections of costs including external consultants | Workshop held 11 August with Elected members. Report to 16 September Council meeting on broader Te Maunga site.<br>Reported to November City Future meeting on Objectives to inform Business Case option analysis. | In progress    |             | Christine Jones     |

## 9.2 Submission to the Land Transport (Revenue) Amendment Bill

**File Number:** A19577643

**Author:** Sarah Dove, Team Leader: Strategic Transport & Infrastructure

**Authoriser:** Christine Jones, General Manager: Strategy, Partnerships & Growth

### PURPOSE OF THE REPORT

1. To present the Tauranga City Council submission on Land Transport (Revenue) Amendment Bill, that was submitted on 7 January 2026.

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### RECOMMENDATIONS

That the City Future Committee:

- (a) Receives the report "Submission to the Land Transport (Revenue) Amendment Bill.
- (b) Retrospectively endorses the Tauranga City Council's submission to the Land Transport (Revenue) Amendment Bill.

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### EXECUTIVE SUMMARY

2. On 18 November the Land Transport (Revenue) Amendment Bill had its first reading and was referred to Parliament's Transport and Infrastructure Select Committee. The Select Committee called for public submissions by 8 January 2026:  
[https://www3.parliament.nz/en/pb/sc/make-a-submission/document/54SCTIN\\_SCF\\_D31385E9-DD9D-4CBD-C52D-08DE22297AA7/land-transport-revenue-amendment-bill](https://www3.parliament.nz/en/pb/sc/make-a-submission/document/54SCTIN_SCF_D31385E9-DD9D-4CBD-C52D-08DE22297AA7/land-transport-revenue-amendment-bill)
3. The [Land Transport \(Revenue\) Amendment Bill](#) ("Bill") aims to strengthen New Zealand's user-pays approach for transport funding by making tolling and road user charges (RUC) more flexible and modern.
4. The [Bill](#) will modernise the Road User Charges (RUC) system by removing the physical display requirements, and enabling the introduction of online systems. It also proposes the expansion of tolling to certain existing roads, allowing toll revenue to fund alternative route maintenance, and requiring annual Consumer Price Index (CPI)-based toll adjustments. It will also help unlock private investment and expanding delegation and leasing powers in the LTMA to existing toll roads.
5. Staff reviewed the Bill and prepared a submission. Due to the short timeframe between submission being opened and the deadline for submissions on Friday 8 January 2026 it has not been possible to present a draft submission to Council. Instead, staff has liaised with Councillor Taylor and Councillor Rozeboom ahead of the submission deadline to ensure the submission aligns with Councillors' views. The purpose of this council report is to present and receive retrospective endorsement for the final version that has been submitted to the Select Committee (attached).
6. The submission is in general supportive of the intent of the Bill.
7. The submission however also sets out a number of concerns, and requests for amendments and clarifications with the proposed legislation. The four most significant matters are:
  - Whilst increasing tolls with inflation (CPI), this is considered a minimum and isn't capped. It is suggested that this intention is tightened to ensure the community have some security regarding potential future toll levels.

- Using tolls for maintenance of roads is generally acceptable, however given Tauranga will soon have three tolled roads already, we are mindful that the repayment of toll roads is likely to be extended as a result of this. During this time, the free local road alternatives continue to be used for through-traffic, putting increased maintenance requirements onto local Councils.
- Council welcomes the opportunity to prevent HGV's from using local roads, as this is a good opportunity to help shift the 'right traffic on the right roads' in relation to freight movements. However, the Bill is very light on the infrastructure and enforcement responsibilities.
- Unlocking private investment in infrastructure is generally welcomed, but we are agnostic of the proposed change in leasing delegation and leasing powers in the LTMA. Examples from Australia's privatised toll roads with increases in tolls significantly above CPI indicate private investment can be helpful but needs to be strongly regulated.

8. TCC's submission on the Bill is separate to any future decision making on Tolling schemes. Supporting the Bill is not concurrent with supporting new tolling schemes. That would be considered separately and include public engagement and consultation led by NZTA.

## SIGNIFICANCE

9. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.

10. In making this assessment, consideration has been given to the likely impact, and likely consequences for:

- (a) the current and future social, economic, environmental, or cultural well-being of the district or region
- (b) any persons who are likely to be particularly affected by, or interested in, the matter.
- (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.

11. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the matter is of medium significance.

## ENGAGEMENT

12. Taking into consideration the above assessment, that the matter is of medium significance, and that the public has had the opportunity to submit their views directly with the Select Committee, officers are of the opinion that no further engagement is required prior to Council making a decision.

## NEXT STEPS

13. The Select Committee will publish and review all submissions. This may lead to changes to the Bill before it will go through its second and third reading before a final vote.

14. Once the new legislation is enacted through Royal Assent, the Bill will become an Act (law).

## ATTACHMENTS

1. [Land Transport \(Revenue\) Amendment Bill - TCC Submission 6Jan26 - A19574729](#) 



**Submission to the  
Transport & Infrastructure Select Committee**

**Land Transport (Revenue) Amendment Bill**  
January 2026

## 1. Introduction

- 1.1 Tauranga City Council (TCC) welcomes the opportunity to submit on the Land Transport (Revenue) Amendment Bill (Bill).
- 1.2 TCC do not need to be heard by the Committee on our submission.
- 1.3 We are available to discuss our submission further with you or provide additional information if that would be of assistance. Enquires should be directed to:

Andrew Mead, Manager: City Planning & Growth  
027 763 5762  
[andrew.mead@tauranga.govt.nz](mailto:andrew.mead@tauranga.govt.nz)

## 2. Overview of TCC's submission on the Bill

- 2.1 TCC supports the general intent of the Bill. TCC recognises the Bill's potential role in:
  - Allowing toll revenues to be used for road maintenance;
  - Allowing tolls from toll roads to be used for existing roads in the same corridor;
  - Allow the ability to restrict Heavy Good Vehicles (HGV's) from alternative (free) local routes.
  - Unlocking private investment in road infrastructure; and
  - Improving Road User Charges.
- 2.2 However, TCC has a number of specific submission points that seek to clarify the intent of the legislation or seek minor changes to improve clarity, efficiency and effectiveness. Ensuring that the legislation is coherent, navigable and achieves its intended purpose is essential in ensuring its successful implementation.
- 2.3 TCC's submission on the Bill is separate to any future decision making by the Council on the initiation of a new Tolling Scheme or changes to existing Toll Roads in the region, it does not commit TCC to supporting these.

## 3. Tauranga City context

Tauranga City Council is a high-growth Council and faces challenges with growth management and transport infrastructure investment.

- 3.1 Tauranga has experienced sustained levels of high growth primarily driven by strong inward migration. This strong growth is projected to continue in the future. At June 2022, the resident population of the city was estimated to be around 157,900 people. The population is expected to continue to grow over the next thirty years to 212,700, an increase of 54,800 people.
- 3.2 Projections suggest funding required for transport infrastructure in Tauranga and the Western Bay over the next 20 years is estimated at \$10 billion (including Roads of National Significance investments), with current funding estimates at only \$3.5 billion, leaving a \$6.5 billion gap. This shortfall has led to discussions about alternative funding mechanisms, for both construction and maintenance of infrastructure.

3.3 Tauranga currently has two of the country's Toll Roads within its region, and soon it will have three. Therefore, changes to how Toll Roads are funded, how Toll prices are set and increased, how free alternative routes are used, and how Toll Revenue is used, will affect Tauranga City more than any other city in the country.

#### 4. Overview of submission structure

4.1 Changes to managing toll roads

4.1.1 Expand circumstances under which existing roads may be tolled and the setting of toll pricing.

Local councils (in general) prefer to have 'the right traffic on the right road' to provide connectivity and enable movement but also delivery of place functionality. For example, through-traffic should be using arterial roads rather than local neighbourhood roads. Tolling of new, safe roads could induce trip demand on existing local roads, which has an implication on Council maintenance and operations budgeting. These new roads, often State Highways, are generally the safest. Those roads should be used as much as possible, and Tolls may nudge drivers to use the free local road alternative, which leads to increased safety risks.

Section 46 notes the following: *a road tolling order must set base toll amounts and provide for the toll operator to further set tolls to ensure that, at a minimum, the tolls keep pace with the Consumers Price Index (CPI)*. Whilst we understand the reason behind enabling toll charges to be increased with CPI, the amendment bill makes the increase with CPI 'a minimum'.

Part 46B(2) suggests a maximum 'may' be specified in The Order. Without a cap or a maximum yearly increase, the yearly toll charge increase is unknown to Councils and road users, which may cause affordability issues. It is therefore suggested that this intention is tightened to ensure funding partners, Councils and customers have certainty regarding potential toll levels.

Furthermore, CPI is a combined price increase for all goods and services, whilst primarily the cost of road construction and road maintenance could be a better benchmark for annual increases.

4.1.2 Allow toll revenue to be used for maintenance of a toll road.

Section 46 notes that maintenance may also be funded through tolls. This appears most relevant for new toll roads, but there are situations where a (reduced) toll may be considered on existing toll roads to fund on-going maintenance. Local councils are and have been planning their local road network on the basis that toll roads will be paid off within an anticipated number of years, after which these roads will become free for users. Local businesses and drivers have also assumed that current toll roads will be free in due course. Meanwhile, planning and road design schemes are underway for alternative local roads to be upgraded, as transport modelling activities have long assumed the current Toll roads to become free of charge in due course. This predicts traffic reduction on these local roads to enable road width to be utilised differently and supports residential intensification.

It is also important the Bill considers the costs of processing the toll transactions. At present, a significant percentage of toll revenues are used for the administration of the back-office process. If a reduced toll for maintenance is considered for existing toll roads, this needs to be balanced against transaction costs and compared to utilising the NLTF for road maintenance.

Furthermore, Tauranga will soon have three tolled roads, and the repayment timeframe is likely to be extended as a result of enabling maintenance of these toll roads to be funded from the tolls. During this time, the free local road alternatives continue to be used which will put further maintenance requirements onto Council.

It is therefore suggested that Section 46 is clarified that tolls can be used for maintenance for new toll roads, and that additional consideration is required in relation to extending tolls on existing toll roads.

**4.1.3 Allow tolls to be used on existing roads in the same corridor for maintenance where local councils are unable to.**

Section 61A notes it will be possible for a Road Controlling Authority to apply for a road tolling scheme to fund maintenance and/or operation (along with potentially planning, design, supervision and construction costs if deemed appropriate) of an existing road in the same corridor. This is supported by Council to assist with funding opportunities for roading assets that are likely to be used for some strategic journeys in addition to local trips.

Although the Bill wouldn't guarantee that local authorities would receive funding for revoked roads, it would provide the opportunity to negotiate funding assistance for revoked roads, and even potentially existing strategic high-maintenance roads that take significant regional and national freight movements.

The Bill isn't clear on whether this funding is restricted in scope or whether it could include road form upgrades to meet strategic needs. We would suggest that this is further clarified in the Bill.

48)(5) states that: *The Minister must not recommend that a road tolling scheme be established to provide funds for an activity described in section 46(2)(c) unless the Minister is satisfied that the road controlling authority is unable to fund the maintenance or operation of the road or roads itself.* Whilst Council welcomes the opportunity for tolls to be used for local road maintenance, the Bill suggests this could occur where costs are unaffordable to a local road controlling authority. This leaves the trigger for clause 48(5) unclear, the expectation of local authorities to prioritise projects or increase rates remains, which could create a significant cost burden. We therefore suggest this trigger is clarified and the threshold lowered, e.g. that the maintenance or operation of the road or roads places *significant additional costs to the local authority*.

**4.1.4 Ability to restrict HGV's from alternative (free) routes and make this enforceable.**

Clause 46(d) explains the ability to prevent certain vehicles from utilising the (free) alternative route. Preventing HGV's from using the free alternative roads is a good opportunity to help shift 'the right traffic to the right roads' in relation to freight movements. This will be especially important in situations where local roads (including revoked State Highways) are predicted / continue to be used by HGV's to avoid toll payments, influencing the maintenance cost and safety of such local roads. However, the Bill is very light on the enforcement responsibilities, methodologies and costs to enable enforcement.

Enforcement of this rule is detailed in the amended Section 54, albeit is unclear on enforcement methods and responsibilities. We propose that the legislation includes further clarification on this, for example, the ability for a road controlling authority to enforce this through CCTV footage.

- 4.2      Unlocking private investment and expanding delegation and leasing powers in the LTMA to existing toll roads.
- 4.2.1    We are generally supportive of this proposed change. We welcome the opportunity to enable private investment should the cost benefit analysis support that. However we are mindful that coordination, setting tolls, and engagement with local authorities continues to be undertaken by NZTA or the Government to ensure consistent oversight to ensure the public interest.
- 4.3      Changes to roll-out of a digital Road User Charges (RUC) aiming to be used for all vehicles on the road, rather than only diesel and electric as currently is the case.  
We are mindful that RUC are a significant source of revenue to help maintenance of roads, including Local Roads. We would be supportive of a fair way of user pays infrastructure charging, both in terms of wear and tear from certain vehicle classes, as well as the usage in specific locations and times, for example in relation to the recent Land Transport Management (Time of Use Charging) Amendment Bill.

## 5. Conclusion

- 5.1    TCC appreciates the opportunity to submit and acknowledges the proposed amendments.
- 5.2    Our submission sets out key topics through which we suggest changes, or clarifications, to enable the Bill to be efficient and effective in enabling implementation. TCC would be happy to be involved in further engagement to refine the Bill.

**9.3 Infrastructure Funding - TCC submissions on growth funding reform and Infrastructure Funding & Financing Amendment Bill****File Number:** A19438503**Author:** Ben Corbett, Team Leader: Growth Funding  
Andrew Mead, Head of City Planning & Growth**Authoriser:** Christine Jones, General Manager: Strategy, Partnerships & Growth**PURPOSE OF THE REPORT**

1. To seek approval of the key submissions points for the submission on the:
  - Infrastructure Funding & Financing Amendment Bill, and
  - The exposure draft of the Local Government (Infrastructure Funding) Amendment Bill and associated discussion document which proposes introduction of development levies in place of development contributions.

**RECOMMENDATIONS**

That the City Future Committee:

- (a) Receives the report "Infrastructure Funding - TCC submissions on growth funding reform and Infrastructure Funding & Financing Amendment Bill".
- (b) Approves the key submission points on the Infrastructure Funding & Financing Amendment Bill (Attachment 1)
- (c) Approves the key submission points on the exposure draft of the Local Government (Infrastructure Funding) Bill and associated discussion document (Attachment 2).
- (d) Delegates authority to the General Manager Strategy, Partnerships and Growth to approve the detailed submissions.

**EXECUTIVE SUMMARY**

2. In November 2025,
  - (a) The Department of Internal Affairs (DIA) released a consultation document and exposure draft of the Local Government (Infrastructure Funding) Amendment Bill (DL Bill); and
  - (b) Central Government introduced the Infrastructure Funding & Financing Amendment Bill (IFF Bill) to Parliament.
3. The DL Bill proposes a large-scale reform of the development contributions (DC) regime. This Bill is still under development, and the DIA is seeking early feedback. The staff view is that the DL Bill has potential to improve on the existing DC system, but significant uncertainties remain to be resolved.
4. The IFF Bill is an incremental improvement on the existing tool. Staff largely support the proposed amendments with a few matters requiring further refinement.
5. Submissions for both processes close on 20 February 2026. It is anticipated the DL Bill will be enacted in 2026 or 2027 (however this timing has not been confirmed), and the IFF Bill in 2026.

## BACKGROUND

6. The Going for Housing Growth programme is part of the Government's broader plan to address New Zealand's housing affordability issues. It is structured around three pillars that make system changes to address the underlying causes of housing shortages. In 2025 the Government sought feedback on initiatives to free up land for development (Pillar 1 of Going for Housing Growth). They are currently considering feedback on the new resource management system with the intent of introducing new legislation to replace the Resource Management Act.
7. Pillar 2 includes three initiatives: replacing development contributions with a development levies system; making changes to improve the Infrastructure Funding and Financing Act (IFF); and improving flexibility of targeted rates for growth infrastructure. Draft legislation and consultation on the development levies system and the IFF Act were released in November 2025 with submissions due for both on 20 February.
8. The third pillar of the Going for Housing Growth Policy is "providing incentives for communities and councils". Very little information is available regarding this pillar to date.
9. This report summarises the key elements of TCC's submissions on the IFF Bill and the draft DL Bill and associated discussion document.
10. The consultation document notes that legislative changes to targeted rates are planned to be progressed through the Bill that replaces development contributions with a development levies system, however further information is not yet available.

## DISCUSSION

### Infrastructure Funding & Financing Amendment Bill

11. The IFF Bill was introduced to Parliament in December 2025 and referred to the Finance & Expenditure Committee.
12. TCC has advocated for a number of crucial improvements to the IFFA since implementing our Transport IFF levy in 2022. These matters have been partially addressed in the IFF Bill. Staff are generally supportive of the changes proposed but further changes are required to optimise this funding tool.
13. TCC's key submission points are:
  - (a) *Empowering IFF applicants*

The IFF Bill updates the legislation to empower applicants for IFF levies. This is unlikely to have any practical impact where the applicant is council itself. However, the IFF Bill also widens the range of entities who can apply to establish an IFF to include developers and Crown agencies like NZTA. The IFF Bill narrows the grounds on which a council can object to or raise concerns with an IFF. The primary grounds are now that a council will struggle to collect rates if the IFF is implemented or that the infrastructure to be funded will not integrate with its existing infrastructure. TCC will submit that it is important for councils to turn their minds to broader considerations including consideration of any other levies proposed, upcoming rates impacts or the desirability of the proposed infrastructure to vest with council and become its financial responsibility. Ultimately, the relevant Minister will still make the final decision as to whether to establish an IFF levy, but this gives council opportunity to ensure the wider context is well understood.

- (b) *GST treatment of IFF*

Generally speaking, financial transactions are GST exempt. IFF levies are subject to GST, and the Bill does not change this status. Applying GST to IFF transactions increases the cost of these arrangements compared to alternative finance sources. There is no discernible policy rationale for treating IFF differently to other finance sources. TCC will submit that the Bill should be updated to ensure GST does not apply in future.

(c) *Integration with DC regime*

Currently if an IFF is used to fund a project, all DCs collected towards that project must be provided to the financier. This is not appropriate as it makes it pointless to use DCs and IFF to fund a project if DCs are collected before the IFF is established. DCs can be collected if they are collected after the IFF is established (like at Tauriko West). This was an unintentional inconsistency, and the Bill amends the IFFA to ensure DCs do not have to be passed through to the financier. TCC will submit in support of this amendment.

(d) *Flexibility of NZTA funding*

Every 3 years NZTA sets its 10-year National Land Transport Plan. Funding is provided with different levels of commitment through the NTLP. This proved very challenging for TCC when establishing the TSP IFF. TCC was required to commit to raising money and repayment obligations before it was certain NZTA funding would be made available for those same projects (eg Cameron Road Stage 2). This discrepancy creates risk for TCC that is difficult to mitigate. NZTA's funding cycle is bound by legislation, and an amendment is required to the Land Transport Management Act 2003 in order to allow NZTA to commit funding out of cycle. This amendment is not provided for in the Bill. TCC will submit this change should be included in the Bill as a consequential amendment or otherwise advanced by way of an amendment to the LTMA.

(e) *Definition of Protected Maori Land*

Currently the IFFA creates a definition of "Protected Maori Land" which is exempt from paying levies. The definition includes 10 limbs. TCC supports 9 of these but one is not practically feasible to implement. This is because it requires an assessment of the ethnicity of landowners and a comprehensive history of each land title. The Government has revised this limb to remove the ethnicity assessment and only require councils to check their existing rating system for the land title history. These changes are likely an improvement on the current system. However, as TCC does not hold the relevant information in its rating system, the test remains ineffective. TCC will submit in conditional support noting the test could be removed altogether to more closely align with the existing approach to rating of Māori land.

14. The above points will form the basis of the IFF Bill submission and be accompanied by a table setting out detailed analysis working through the IFF Bill on a clause-by-clause basis.

**Local Government (Infrastructure Funding) Amendment Bill**

15. The Government is proposing to reform the existing development contributions (DC) system and replace it with development levies (DL). The Department of Internal Affairs (DIA) has prepared a consultation document and exposure draft of the proposed amendment bill (DL Bill) for early public consultation. The DL Bill is partially incomplete and will rely heavily on regulations which have not been published. Submissions will be used to assist DIA in completing the DL Bill.
16. The Government has advised it intends to introduce the DL Bill to Parliament in May 2026. Staff anticipate this will be followed by a formal consultation period at the Select Committee stage (similar to the IFF Bill discussed above). Subject to central government priorities post-election, the DL Bill is anticipated to be enacted in 2026 or 2027 for implementation from 2028 (however this timing has not been confirmed). In the meantime, TCC also expects to continue informal conversations with the DIA as they continue to design the DL system.
17. TCC supports amendments to the DC system. The DL proposal has the potential to provide an improvement on the current system but requires further work before benefits will be assured.

18. There are similarities in the structure and intent between the existing DC system and the proposed DL system. Both systems rely heavily on TCC's balance sheet to fund growth-related capital expenditure. Charges under both are calculated in similar manners with total growth costs being spread across expected future growth. Both have similar charging mechanisms and developers are likely to have similar abilities to object to charges.
19. There are material differences between the two systems.
  - (a) The new system is a levy rather than a cost recovery tool. This means it functions more like a tax.
  - (b) DLs are likely to rely primarily on one district wide levy charge. The projects that are funded need to provide for growth generally but unlike DCs they do not need to directly benefit individual developments within the levy area. i.e. development in Wairakei and Bethlehem will pay the same amount towards waters infrastructure irrespective of the cost of providing waters infrastructure to those developments.
  - (c) There is an ability to charge high-cost levy areas on top of the base levy which in theory could function similar to TCC's local catchments. However there are many more requirements in establishing a high-cost levy area including the need to demonstrate that the infrastructure in the area you are using a high-cost overlay is substantially more expensive than other areas of the City. In practice TCC are likely to see a substantial reduction in the number of catchments used or may opt not to add any high-cost overlays.
  - (d) Practically, this means that one levy area covering the whole city (like TCC's citywide DC) but instead of numerous local catchments there may be a small number of high-cost overlays.
  - (e) The bulk of the DL will likely be charged at the first available opportunity, generally subdivision, rather than split over resource consents and building consent as currently occurs.
  - (f) Councils will be empowered with a suite of tools to reduce under-collection of growth charges including the ability to apply any increased DLs from the date a new policy is published for consultation (instead of from the date it is adopted), ability to reassess DLs following policy review after 3 years and the ability to apply interest to unpaid charges.
20. TCC's key submission points are:
  - (a) *Council's capacity to fund growth*  
TCC has limited capacity to utilise DCs or DLs as it requires balance sheet capacity to fund growth capacity prior to growth occurring. This is a fundamental constraint in the current DC system and appears to be materially unchanged in the new system. This limits the effectiveness of the tool and so TCC looks forward to complementary funding tools from central government (as signalled at pillar 3 above), to enable greater delivery of growth infrastructure.
  - (b) *Efficient use of land and infrastructure*  
An aggregated levy masks price signalling as to whether infrastructure capacity already exists within the city. TCC currently has older growth catchments where DCs are relatively cheap (Te Papa Infill, Papamoa etc). These catchments are less expensive because the enabling infrastructure was often delivered decades ago at lower prices and significant development capacity / redevelopment potential remains in these areas. Newer catchments with newer infrastructure (Pyes Pa West, Wairakei) are more expensive. This upwards trend is expected to continue for new catchments funded in this way (eg Te Tumu and Keenan Rd). Aggregating the levy makes each development the same price and gives little financial incentive to utilise existing capacity rather than requiring new infrastructure.
  - (c) *Enable flexibility to respond to local context*

We propose to submit in support of creating more than one levy area / catchment (in practice probably a small number like 2 or 3) rather than one citywide catchment only. The purpose is to align with the fundamental principle of a levy but still reflect the underlying cost to deliver enabling infrastructure which differs across the city. This aligns with the approach proposed for Auckland Council but not elsewhere in New Zealand.

(d) *Growth pays for growth – minimising under-collection*

DLs include many incremental improvements which will help councils to better ensure growth pays for growth. Staff will submit in support of these changes. However, the system departs from current practice by requiring councils to exclude the anticipated impacts of inflation on the capex programme for projects to be delivered in future from the DL calculation. Inflation expectations are priced into DCs and currently account add \$570 to citywide DCs for each 3-bedroom dwelling but rises to over 20% of the DC charge for areas yet to be delivered like TBE Stage 4. If inflation is not included, DLs will be set based on the cost to deliver the infrastructure today, price rises are certain to occur and then TCC will have been collecting DLs towards a lesser amount than it was realistically expecting to incur. We propose to submit against this change.

(e) *Cross-boundary issues*

TCC is experiencing growth at its boundaries but has little legislative power to ensure growth pays for growth if the growth is in Western Bay of Plenty District Council's jurisdiction but relies on TCC infrastructure. TCC will advocate for greater powers to apply its DL across borders, or have them applied on its behalf, to ensure development pays its fair share of growth costs and does not undermine development within the city.

(f) *Interaction between funding sources*

It is imperative that DLs can effectively work alongside other growth funding tools such as IFF levies, targeted rates, direct government funding and direct developer funding / delivery of infrastructure via development agreements. TCC regularly uses multiple funding sources in order to ensure sufficient funding is available (e.g. Tauriko West). The DL Bill is not clear as to how these funding sources will interact to ensure fairness across the city. It would not be appropriate for development in Tauriko West to pay the same DL as development elsewhere if the developers in Tauriko West are also meeting their own development costs and having other growth funding tools applied as well as having to pay the full standardised levy charge. Further consideration needs to be given to how these systems can function together in a practical way.

(g) *Crown exemption*

Most Crown developments are exempt from paying DCs (with a few exceptions eg Kainga Ora) even though they rely on Council provided infrastructure to function. This makes development less expensive for the Crown, but results in an under collection for councils which is then transferred to general rates funded debt and repaid by ratepayers. The Crown intends for this exemption to continue under DLs. We propose to submit against this. At a minimum, the Crown should enable Councils to fund the under collection through 'scaling up' DL charges thereby shifting the cost to other developers rather than ratepayers.

(h) *Development of Māori Land*

TCC's jurisdiction includes large areas of Māori owned land. Much of this land had been earmarked for development in time, but is highly challenging to progress due to fragmented beneficial ownership and restricted access to equity and finance due to the nature of customary title. The DL Bill has not contemplated this type of land or how it might be supported to develop. This is particularly important in Te Tumu where Māori land forms over 40% of Te Tumu and infrastructure costs are high.

(i) *Transition*

Transition from DCs to DLs is likely to be highly complex. This is particularly so for TCC given its unique approach to the timing of DC charges (local DCs at subdivision, citywide DC at building consent). Staff are working with officials to identify options. This work is at an early stage. One of the key challenges will be capturing growth charges from those who have already paid a portion of their DCs but not all i.e. where subdivision consent has been lodged, granted or completed but building consent has not been progressed. There is a significant amount of land in this category which should not avoid paying its share of growth charges.

(j) *Administrative impacts*

The DL system is likely to require investment in digital systems and personnel. This is both through the transition and to operate the new system. While the new system is empowering for Councils, it will require investment to enable those powers to be utilised. For example, TCC will be empowered to reassess DL charges regularly before they are paid. Currently our systems are not built to enable this to occur at scale.

## STATUTORY CONTEXT

21. As discussed above.

## STRATEGIC ALIGNMENT

22. This contributes to the promotion or achievement of the following strategic community outcome(s):

| Contributes  |                          |
|--|--------------------------|
| We are an inclusive city                               | <input type="checkbox"/> |
| We value, protect and enhance the environment          | <input type="checkbox"/> |
| We are a well-planned city that is easy to move around | ✓                        |
| We are a city that supports business and education     | <input type="checkbox"/> |
| We are a vibrant city that embraces events             | <input type="checkbox"/> |

23. Growth funding is a crucial element of enabling Tauranga to meet its growth aspirations by funding the infrastructure to enable growth to proceed in a coordinated manner by developers rather than ratepayers.

## FINANCIAL CONSIDERATIONS

24. While the submissions are integral to TCC's future funding of growth, there are no financial implications directly associated with making these submissions.

## LEGAL IMPLICATIONS / RISKS

25. Not applicable.

## TE AO MAORI APPROACH

26. Given the short timeframes over the Christmas / New Year period set by the Government for this consultative process, the Council has not sought input or advice from Te Rangapu o Mana Whenua o Tauranga Moana.

## CLIMATE IMPACT

27. This matter relates to how the costs of growth are determined to be shared across growth development. While the infrastructure that is being funded has a climate impact, the policy of cost allocation does not have a direct impact.

## **SIGNIFICANCE**

28. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
29. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
  - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
  - (b) any persons who are likely to be particularly affected by, or interested in, the matter.
  - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
30. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the matter is of low significance.

## **ENGAGEMENT**

31. Taking into consideration the above assessment, that the matter is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision. While drafting these submissions, staff have engaged with the Department of Internal Affairs, developers and industry professionals and representatives of other high growth councils.

## **NEXT STEPS**

32. Staff will incorporate comments from elected members into our submissions, finalise the submissions and submit them.

## **ATTACHMENTS**

Nil

#### 9.4 Water take re-consenting

**File Number:** A19596072

**Author:** Claudia Hellberg, Team Leader: City Waters Planning

**Authoriser:** Reneke van Soest, General Manager: Operations & Infrastructure

#### PURPOSE OF THE REPORT

1. Informing councillors about the Waiorohi and Tautau water take consent application to be lodged in March 2026 to secure ongoing water supply for the city.

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#### RECOMMENDATIONS

That the City Future Committee:

- (a) Receives the report "Water take re-consenting".

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#### EXECUTIVE SUMMARY

2. Tauranga City Council is renewing the municipal water take consents for the Tautau and Waiorohi Streams, which supply the Joyce Road and Oropi Water Treatment Plants. The existing consents expire in October 2026 and renewing them over a 35 year term is sought to ensure long term supply for a growing population. The lodgement of a replacement consent six months prior to this will allow TCC to legally continue to take water, while the consent application is being processed.
3. Demand modelling shows water use increasing significantly toward 2054, requiring continued access to existing sources. The application includes renewed abstraction, intake upgrades, fish passage improvements, and associated discharge consents.
4. Following detailed assessment of stream flows, it is proposed to reduce the current consented amount from the Tautau but to match this to the sustained capacity of the Joyce Road treatment plant. For the Waiorohi it is proposed to keep the previously consented amount and to increase the treatment capacity at the Oropi Water Treatment Plant in the future, when required.
5. Ecological and hydrological assessments indicate that there could be potential negative ecological impacts from the take and associated structures. In order to minimise these impacts mitigation measures including new minimum flow regimes, NIWA compliant screening, improved fish passage, and ongoing demand management are proposed. With these mitigations, effects are expected to be very low or less than minor.
6. No planning has been undertaken for the implementation of these mitigation measures. This will be carried out after the consents have been granted to understand the full implications of the consent requirements and will be subject to future LTP decisions. Currently the LTP has a placeholder project for silt management at the Oropi intake in the order of \$3 Million in financial years 2028 and 2029 which will be reassessed in light of the reconsenting process.
7. The proposal ensures a secure drinking water supply, supports urban growth, improves climate resilience, and enhances ecological outcomes. Together with the existing Waiari consent, it provides sufficient supply for the city over the consent term.

8. Engagement with Mana Whenua has informed environmental and cultural aspects, including flow setting and a proposed cultural reference working group for ongoing engagement throughout the consent term.

## BACKGROUND

9. Tauranga's water supply system serves approximately 150,000 residents and is projected to support 210,000 people by 2050. Demand modelling indicates peak day demand will rise from 58 ML/day (2022) to 92 ML/day by 2054, requiring continued access to existing sources alongside demand management initiatives.
10. The consent application seeks to renew and update Tauranga City Council's (TCC) municipal water take consents for the Tautau Stream and Waiorohi Stream, which supply the Joyce Road and Oropi Water Treatment Plants (WTPs) respectively.
11. These consents, originally granted under the Water and Soil Conservation Act 1967 and now governed by the Resource Management Act 1991 (RMA), expire on 1 October 2026. The lodgement of a replacement consent six months prior to this will allow TCC to legally continue to take water, while the consent application is being processed.
12. A 35-year term is sought to ensure long-term security of supply for Tauranga's growing population and to enable strategic infrastructure planning.
13. Consents are being sought for the continued abstraction of water for municipal supply, associated damming/diversion, maintenance and upgrading of intake structures, and discharges related to water treatment operations.
14. The application includes:
  - a) Tautau Stream: Renewal of water take reduced from 432 L/s (37.3 ML/day) to 374 L/s (32.3 ML/day), plus associated structures and discharges.
  - b) Waiorohi Stream: Renewal and reactivation of upper intake; combined take up to 653 L/s (56.4 ML/day), with upgrades to fish passage and intake structures.
  - c) Associated land use and discharge consents for both streams.
15. The reduction of the consented allowance from the Tautau stream is a response to provide for the ecological protection of the instream habitat.
16. The proposed allocation ensures resilience, supports planned growth, and accommodates uncertainties such as climate change impacts.
17. Comprehensive assessments (hydrology, ecology, landscape, recreation) have been undertaken to ascertain the level of mitigation required to minimise the effect on the stream ecology and flow variability.
18. To address this, the following measures are proposed:
  - a) Minimum flow regimes: 200 L/s for Tautau and 250 L/s for Waiorohi, determined through ecohydraulic modelling.
  - b) Fish passage improvements: Upgrade at Tautau and new structure at Upper Waiorohi.
  - c) Intake upgrades: Installation of NIWA-compliant fish screens and bypass systems at both the Tautau and Waiorohi intakes.
  - d) Demand management: Continuation of water conservation education supported by a 'Drought Management – Water Restriction Procedure', universal metering, and leakage reduction.
19. With these measures, residual adverse effects are assessed as very low or less than minor.
20. No planning has been undertaken for the implementation of these mitigation measures. This will be carried out after the consents have been granted to understand the full implications of the consent requirements and will be subject to future LTP decisions. Currently the LTP has

a placeholder project for silt management at the Oropi intake in the order of \$3 Million in financial years 2028 and 2029 which will be reassessed in light of the reconsenting process.

21. Positive effects of consents being sought are:
  - (a) Ensure safe, reliable drinking water for public health and sanitation.
  - (b) Support urban growth and economic development.
  - (c) Enhance resilience to drought and climate change.
  - (d) Maintain ecological integrity through improved flow management and fish passage.
22. The proposed consent package balances the need for a secure municipal water supply with the protection of freshwater ecosystems and cultural values. With robust mitigation and monitoring, the environmental effects will be no more than minor, and the proposal will promote the sustainable management purpose of the RMA.
23. If granted, the proposed consents for the takes supplying the Joyce and Oropi treatment plants together with the current Waiari consent will provide sufficient water supply for Tauranga City for the time of the consent and beyond. No further water supply sources would be needed. This is subject to Regional Council granting the consents at the levels that have been proposed, and water usage and population growth remains within the current projected levels.

## STATUTORY CONTEXT

24. The application has been prepared in accordance with the RMA, National Policy Statement for Freshwater Management (NPS-FM), National Environmental Standards for Freshwater (NESF), and Bay of Plenty Regional planning instruments.

## STRATEGIC ALIGNMENT

25. This contributes to the promotion or achievement of the following strategic community outcome(s):

| Contributes  |                          |
|--|--------------------------|
| We are an inclusive city                               | <input type="checkbox"/> |
| We value, protect and enhance the environment          | ✓                        |
| We are a well-planned city that is easy to move around | ✓                        |
| We are a city that supports business and education     | ✓                        |
| We are a vibrant city that embraces events             | <input type="checkbox"/> |

26. A secure water supply is essential for a growing and well-planned city. Any potential environmental effects from this activity are being mitigated and will be no more than minor, and the proposal will promote the sustainable management purpose of the RMA.

## OPTIONS ANALYSIS

27. An alternative assessment has been carried out, which looked at a wide range of alternative water supply options to the current takes. An initial long-long list of options included rainwater tanks, purified recycled water for drinking and non-drinking purposes, seawater desalination, stormwater harvesting and reuse, a range of water efficiency measures, water carting, water sharing between regions, and a range of groundwater and surface water implementation approaches (e.g. transfer of water from an existing source into the TCC network). A fatal flaw assessment was undertaken, and it was reduced to a long list of options.
28. Some of the options on the long-long list were parked for a potential review in the future in case circumstances have changed, e.g. more severe climate impacts than currently anticipated. Options, which were taken further into a traffic light assessment were scored against the criteria of Natural Environment, Public Health Protection, Social, Financial, Supply Resilience, Infrastructure Resilience, Technology and Infrastructure, and Statutory

Risks and Conflicts. This assessment was informed by experts in each category. A cultural assessment was not carried out as part of this initial assessment, as it would have required input from a wide range of different iwi and hapu groups not currently involved in the re-consenting process. Hence the results from this traffic light assessment are considered as draft acknowledging that the cultural assessment is missing.

29. From the traffic light assessment, it was found that the Option to continue with the take of our current watersupply sources scored the highest and supports the decision to re-consent the existing water takes from the Tautau and Waiorohi.

## FINANCIAL CONSIDERATIONS

30. To continue with the existing takes is the most cost-effective option. Existing plants and pipe networks will be able to be upgraded to meet future demand. Some costs will occur for minor mitigation measures to address environmental effects.

## LEGAL IMPLICATIONS / RISKS

31. Consents are being lodged under current RMA framework. The RMA reform may impact decision making for this application, but this is unknown at this time.
32. While significant efforts have been made to engage with stakeholders during the preparation of the application new concerns might arise should Regional Council decide to publicly notify this application.

## TE AO MĀORI APPROACH

33. Mana Whenua have been actively involved in setting objectives and minimum flows, and Cultural Value Assessments have informed the proposal.
34. Consent conditions are being proposed to set up a working group with relevant tangata whenua. The purpose of this group is to facilitate engagement and information sharing between the group and the consent holder (TCC).

## CLIMATE IMPACT

35. The proposed consents support the use of existing infrastructure and avoid the need for new carbon intensive investments.
36. Potential impacts from the activity are being mitigated, so residual adverse effects are assessed as very low or less than minor.

## CONSULTATION / ENGAGEMENT

37. Besides the ongoing engagement with tangata whenua representatives TCC informed the community as a whole about this project via a webpage, which was set up in September 2024 and has up- to-date information to the project, background, decision-making process, timeframes, FAQs and details on where Tauranga's water is supplied from, as well as staff contact for feedback or further information.
38. Stakeholders which were directly contacted include existing water take consent holders from the Tautau and Waiorohi streams and key stakeholders like Fish and Game, Forest and Bird Protection Society, and Federated Farmers.

## SIGNIFICANCE

39. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
40. In making this assessment, consideration has been given to the likely impact, and likely consequences for:

- (a) the current and future social, economic, environmental, or cultural well-being of the district or region
- (b) any persons who are likely to be particularly affected by, or interested in, the matter.
- (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.

41. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the matter is of high significance. However, it is a continuation of the current status quo and does not have any new impact on the community or the environment.

### **ENGAGEMENT**

42. Taking into consideration the above assessment, that despite the matter is of high significance, officers are of the opinion that no further engagement is required.

### **NEXT STEPS**

43. Lodgement of application for consents for the continued abstraction of water for municipal supply, associated damming/diversion, maintenance and upgrading of intake structures, and discharges related to water treatment operations by March 2026.

### **ATTACHMENTS**

**Nil**

## 9.5 Pōteriwhi - Use as an Active Reserve

**File Number:** A17123393

**Author:** Alison Law, Head of Spaces & Places  
Ross Hudson, Manager: Strategic Planning and Partnerships, Spaces and Places  
Andrew Mead, Head of City Planning & Growth

**Authoriser:** Reneke van Soest, General Manager: Operations & Infrastructure

### PURPOSE OF THE REPORT

1. To seek direction on the use of Council's land at Pōteriwhi (Parau Farms), specifically whether it should be used solely as a reserve for active and passive recreation or for a mixed development including housing.

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### RECOMMENDATIONS

That the City Future Committee:

- (a) Receives the report "Pōteriwhi - Use as an Active Reserve".
- (b) Agrees that the preferred option for Council's land at Pōteriwhi in Bethlehem is as a mix of active and passive reserves for sports and recreation outcomes and not for housing or other urban development purposes.
- (c) Rescinds previous Crown Commission decisions on Pōteriwhi made on 19<sup>th</sup> June 2023, 29<sup>th</sup> April 2024 and 10<sup>th</sup> June 2024 and removes Pōteriwhi from the Asset Divestment Register.
- (d) Approves staff undertaking stakeholder engagement, detailed design and implementation planning, in accordance with recommendation (b), using existing budgets, reporting to the City Delivery Committee with a proposed implementation plan, to guide investment phasing decisions through the upcoming Long Term Plan.
- (e) **Public Excluded Attachment 3, 4 and 5 will remain in Public excluded.**

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### EXECUTIVE SUMMARY

2. Council last developed a major active reserve in the 1990s (Gordon Spratt Reserve, Waipuna Park). The west of the city has grown significantly since through Bethlehem, The Lakes – and soon Tauriko West – without commensurate investment in active reserves. Council's land at Pōteriwhi represents the best opportunity to provide a major sport and recreation hub to serve our current and future communities in that arc of the city. As well as providing for sports, its position adjacent to the Wairoa river means it can also provide for a mix of walking, cycling, river access, ecological enhancement and events. Investment can be phased to align with Council's overall budget to develop a set of reserve spaces that balance and enhance the overall network and that have the potential to be a significant positive legacy for future generations.

### Pōteriwhi's potential for sport and recreation

3. Council's active reserve network and its investment in sports facilities provide for grass sports, court sports, aquatics, sports club facilities, casual recreation and events. The network of land and facilities is a core component of Council's provision of infrastructure to

serve our existing and growing communities and support quality of life outcomes. The network is under pressure, with current demand for space not being met in several areas across the city; an issue which will exacerbate as the city grows unless investment continues. The most acute issues are in the west.

4. In the west (an arc from Matua through to the Lakes and the Western Corridor), there is a set of supply deficits across Council's network of active reserves and sport and recreation facilities with the following assessed to be required to provide a suitable level of service for our current communities and with population growth –
  - (a) Four winter sports fields (with the space also used for summer sports) and supporting facilities to meet current and emerging demand
  - (b) A further 4-6 fields to meet demand from Tauriko West and wider Western Corridor growth in the 2030s
  - (c) Outdoor hardcourts for informal basketball, netball and racquet sports
  - (d) Major playgrounds with more diverse play facilities in Bethlehem, Greerton and Tauriko West
  - (e) Longer-term, indoor court provision including potential replacement of the Queen Elizabeth Youth Centre circa 2040
  - (f) Longer-term, potentially a new aquatics facility (to be determined through reassessment of current Council and non-Council facilities and demand in the 2030s)
5. Demand for sports fields is the primary driver of land requirements. Council's land at Pōteriwhi was acquired in the early 2000s as the location for a new major active reserve to serve the west of the city. The site can provide up to six sports fields and a range of other sport and recreational outcomes, play facilities, walking, cycling and water access connections to the Wairoa River esplanade and ecological and historical reserves and can enable broader active reserve network benefits through relocation of clubs over time.
6. Access to the site was resolved in 2022 through land purchase. At that time, the Crown Commission sought to enable part of the site for early housing outcomes (see Attachment 6 for a summary of decisions made previously), reducing the active reserve provision to two-three fields and a smaller hardcourt and play space. Since that time, the following has changed –
  - (a) Assessment of the feasibility of generating more field capacity at Fergusson Park has concluded that capacity is constrained by drainage issues and the park is expected to lose capacity over time with climate change.
  - (b) Cost estimates of land purchase to provide multiple fields in Tauriko West have been revised significantly upwards and that land is unlikely be available to use until the early 2030s at best.
  - (c) The speed at which housing can be delivered on the site (particularly in comparison to Tauriko West) has been revised backwards.
  - (d) Further assessment of the Pōteriwhi site suggests that the corner of the site identified for sports fields under the concept including housing would require significant earthworks and retaining to provide the intended capacity.
7. Given the factors above and the potential that Pōteriwhi offers as a major community asset for the city with positive knock-on benefits for the network of sports and recreation facilities, it is proposed that this Council reconsiders the previous direction and reinstates the original intended purpose for the site.

### **'Reserves only' or 'Mixed Development' Options**

8. Nonetheless, housing and a financial return are assessed to be feasible on the site, with the potential to enable a mix of housing types and tenures. An initial feasibility assessment (Attachment 3) modelled options that could provide between 200-300 homes with different

levels of Council investment, risk and financial return. Housing development costs ranged from \$12.4m based on selling a fully serviced development site (“full block divestment”) to \$40.5m with Council as the developer. Potential net profit ranged from \$9.4m to \$39.3m. Peak debt ranged from \$12m – \$33m.

9. These figures are considered by staff to be at the low end of likely costs, especially for offsite enabling infrastructure. Moreover, the financial assessment above did not account for land that Council would then need to purchase in Tauriko West to provide the active reserve capacity displaced from Pōteriwhi. This would equate to four to six hectares of active reserve land, estimated at, at least, \$24m. Use of that land in Tauriko West for sport and recreation would then negate the development of 100-150 houses.
10. The key challenges for housing outcomes at Pōteriwhi are:
  - (a) The need for significant unbudgeted off-site infrastructure capacity upgrades, including at least \$11m for wastewater network capacity.
  - (b) The current zoning of the site for open space activities and the need for the site to be rezoned to enable housing. Given the current ‘plan stop’ environment rezoning would most likely have to proceed through implementation of the new resource management system.
  - (c) The need for Council debt capacity to enable housing which would result in other capital expenditure being deferred or higher debt levels. This is especially significant for options where Council would play a greater role in the development, which are the options shown to deliver the greatest financial return. The current LTP makes no budget provision for this.
11. The table below provides a summary comparison of the estimated costs, pros and cons of the options to provide ‘development ready’ land to meet active reserve levels of service across Pōteriwhi and Tauriko West, accounting for the housing and revenue potential of each option. Note that only where Council makes a significant upfront investment – effectively becoming the sub-division developer – does the overall financial picture become more favourable than the recommended option to make Pōteriwhi a major active reserve.

| Option   | Capex   | Net overall cost after divestment for housing | Net cost of ‘development ready’ land per sports field gained | Pros   | Cons   | Project Uncertainty & Financial Risk Profile  |
|--|---------|---|--|--|--|---|
| Pōteriwhi ‘current concept’ – 2.5 fields + 250 houses (‘full block divestment’ – lowest capex, risk, return) | \$53.2m | \$31.2m                                       | \$4.8m   | Net gain of 100 to 150 houses<br>Comparatively lower capex and risk than TCC playing a more active role in housing development | Upfront capex and balance sheet impact<br>Development risk and delayed outcomes<br>At least 1.5 fewer fields | <b>High</b><br>Uncertain delivery timeframes<br>Stakeholder complexities<br>Potential for cost-escalation |
| Tauriko West 4 fields  |         |   |  |  |  |   |
| Pōteriwhi ‘current concept’ - 2.5 fields + 250 houses (‘super block divestment’)                             | \$79.4m | \$21.4m                                       | \$3.3m   | Net gain of 100 to 150 houses<br>Higher return so overall cost per field is  | Significant upfront capex and balance sheet impact<br>Development risk and                                   | <b>High</b><br>Uncertain delivery timeframes<br>Stakeholder and market                                    |

|   |         |         |        |  |  |  |
|---|---------|---------|--------|--|--|--|
| – higher capex, risk, return)<br><br>Tauriko West 4 fields  |         |         |        | lower  | delayed outcomes<br>At least 1.5 fewer fields                                  | complexities<br>Significant cost-escalation + market risk  |
| Pōteriwhi 'active reserve concept' 6 fields<br><br>Tauriko West 2 fields + 100 houses not displaced | \$33.3m | \$33.3m | \$4.2m | More fields gained, sports network benefits and community outcomes<br><br>Lower and more phased capex + availability of DCs<br><br>Higher community and mana whenua acceptance | ~ 100 fewer houses<br><br>Higher net cost per field than 'super block' option' | <b>Low to Moderate</b><br><br>Some cost-escalation risk until ground and infrastructure parameters are fully-understood. |

Note: the super block development option for Pōteriwhi refers to Council being the land / subdivision developer and delivering larger blocks to group builders that they would develop and further subdivide for multiple dwellings, including standalone, duplex and terraced houses. These blocks would typically be 1,000m<sup>2</sup> to 2,000m<sup>2</sup> in size.

12. The Financial Considerations section provides the outputs of a more detailed model considering a full set of costs and the indicative distribution of costs and revenues and rates impact across the LTP of the three options. Note that the model is based on high-level assumptions that can be refined and verified depending on the direction taken.
13. Pending direction from this Council, further detailed feasibility will be required to determine more accurate costs, designs and implementation plans for the preferred option. Budget is available in this financial year and next to develop detailed designs and undertake engagement with stakeholders on the 'reserves only' option for Pōteriwhi. It is considered that there is sufficient budget in the current LTP to deliver the 'Reserves Only' option, albeit with some reallocation of budgets from within the Active Reserves programme. If that option is preferred, staff would return to the City Delivery Committee later in the financial year with an implementation plan. If the 'mixed development' concept is retained, staff would need to review options, consenting pathways and implementation budgets for consideration through the Long Term Plan.
14. Balancing community outcomes (sports, recreation, housing enablement), upfront and whole of life costs, delivery and cost escalation risks and consideration of Council's core responsibilities and capacity, the staff view is that developing Pōteriwhi as a mix of active and passive reserves is the preferred option, in turn reducing our need for land in Tauriko West enabling more private housing development there.

## COMMUNITY AND TANGATA WHENUA PERSPECTIVES

15. The site as a whole, and the area within the site that transects Pōteriwhi Pā in particular, holds major cultural and historical significance to Ngāti Kahu and Ngāti Hangarau. A representative from Ngāti Kahu intends to speak at the Public Forum of this meeting.
16. Ngāti Kahu and the Crown Commission signed a Memorandum of Understanding that sets out their respective visions for the site and agreement to work collaboratively. (Confidential attachment 4).

17. Community consultation on the 'mixed development' concept including housing was undertaken in 2022. There were 47 responses in favour of the concept, with 107 preferring the site be used for open space and community outcomes. See attachment 7 for further information.

## ACTIVE RESERVE CAPACITY

18. Council's network of active reserves consists of the equivalent of 71 full rugby or football fields (which also provide for summer field sports), indoor and outdoor courts, leased spaces to sports codes and clubs, supporting facilities and play spaces. Sports fields are the primary driver of land requirements. Our supply and demand analysis and feedback from sports clubs tells us that in the two major growth corridors - including historic growth in Bethlehem and Pāpāmoa East and future growth in Tauriko West and Te Tumu – there are current and emerging deficits in provision. Gordon Spratt Reserve and Waipuna Park were the last large active reserves, constructed in the 1990s.
19. In the West, the Bethlehem – Otūmoetai catchment has an existing deficit due to delays in accessing and developing Pōteriwhi which is expected to grow to the equivalent of four sports fields and further should Fergusson Park become less useable over time. In the Western Corridor catchment, with historic development of The Lakes and emerging development in Tauriko West and beyond, we will need at least four additional fields. It is important to consider these catchments together due to their proximity.
20. In the East, circa three fields are required to relieve pressure at Gordon Spratt and meet growth in Wairakei, with at least a further five field equivalents required should Te Tumu proceed as planned. This report focuses on options in the West. Once further necessary information on comparative site costs is available for the East, a further report will be brought to Council seeking direction. The confidential attachment 5 provides details of a suite of options across the two growth areas that have been considered over the past few years.
21. To increase capacity within the existing network, \$6.8m has been invested since 2022 through cost-effective improvements to drainage and irrigation, using resilient grass species, reconfiguring fields and adding floodlights. Improvements to our booking system and the introduction of booking fees towards operational costs have also mitigated overbooking. Further improvements are planned to continue (including through partnerships) but we are reaching the point of diminishing returns.
22. So, we also need to develop new fields on land Council owns and to acquire new land for growth, particularly in parts of the city where supply deficits are already acute or where new residential development is expected soon. The sooner additional capacity is created, the sooner Council's level of service and the expectations of the community can be met. Note that in some cases clubs are now capping membership, which puts up barriers to participation and the associated health and wellbeing benefits. If investment in new capacity keeps ahead of demand, growth funding will be applicable to the costs of capacity building projects, mitigating the general rates impact.

## Catchment and alternative site context

23. Also in the broader western catchment is Council's land at Merricks Farm in Pyes Pā. This land is available and assessed to be feasible to develop two to three sports fields. This is currently considered of most value to help meet the medium to longer-term demand from the Western Corridor, intensification and the decreasing utility of Greerton Park with climate change, *in addition to* the options assessed here. As such is not included in the comparative options assessment. With 'development ready' land prices in the Keenan Road growth area currently estimated to be circa \$10m/ha, Merricks Farm and some land in Tauriko West are considered necessary options to meet a decent level of active reserve, sports and recreation facility provision as the city grows westwards.
24. Alternative sites in the Bethlehem area and the Western Corridor have been considered over the last few years. None of these are considered to represent a feasible alternative to a combination of Pōteriwhi, Merricks Farm and land in Tauriko West as a means to provide a

reasonable level of service for the current and emerging population's sport and recreational interests Confidential Attachment 5 provides further details of sites considered and the network context.

### 'RESERVES ONLY' CONCEPT FOR PŌTERIWHI

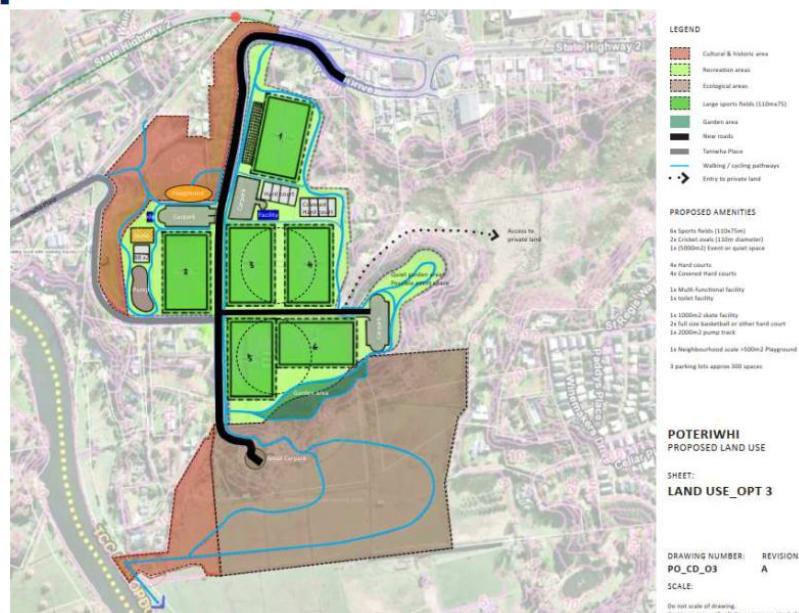
25. The land at Pōteriwhi off Parau Drive by State Highway 2 in Bethlehem, which Council acquired as a future active reserve, can provide for up to six sports fields, as well as hardcourts and a range of recreational, play and cultural/historical outcomes. It represents an opportunity to –

- Provide for current and emerging active reserve demand in the west of the city, meeting the current deficit in the Bethlehem-Otumoetai area and providing for some growth in the Western Corridor.
- Significantly reduce the need to acquire land for sports fields in Tauriko West, potentially reducing the space required by circa 3ha, saving at least \$18m.
- Mitigate expected reduced capacity over time at Fergusson Park.
- Support plans for the transition of the Tauranga Domain into a major events space (with or without the proposed community stadium) through the relocation of some clubs to Pōteriwhi over time.
- Provide an option (though not the only option) for indoor courts in the West, including to replace the QEYC in due course.
- Provide a comprehensive mix of reserve spaces, including passive, historic and ecological reserve areas and walkways to and along the Wairoa River.
- Align the development of the land with the interests of hapū.

26. Two initial active and passive reserve concepts for Pōteriwhi have been developed (Attachment 1). One concept focuses on maximising sports field capacity, the other on providing sports fields whilst retaining space for a larger provision of future indoor and outdoor hardcourts. The central part of the site lends itself to the provision of four sports fields in both concepts, with that and the associated supporting infrastructure expected to be the first phase of a multi-year programme.

## Pōteriwhi Concept 1

- 6 football / rugby fields
- 2 cricket ovals
- 3-4 Hardcourts
- Option for 3 indoor courts
- Multisport clubrooms, storage etc
- Events
- Play facilities
- Passive recreation, gardens
- Walking, cycling connection to Wairoa river pathway
- River access
- Ecological restoration
- Historical, cultural reserve spaces



27. Initial 'order of magnitude' estimates (based on older assessments and more recent work for the mixed housing and fields concept) suggest development costs of up to \$25-30m over time to deliver Concept 1. Concept 2 would infer further investment in indoor courts and/or major outdoor hardcourt capacity in due course.
28. Should Council support the 'Reserves Only' concept, it is proposed that staff undertake the next stages of design and planning in FY26 and FY27 with development proposed to be phased from FY28-31 for the fields and play facilities. Sufficient existing budget capacity is expected to be available to deliver the proposed outcomes but will require some reallocation from within the wider Active Reserves programme of budgets (See Financial Considerations section).
29. At this stage, we would propose to develop a more detailed design and project implementation plan, informed by further site technical assessment and stakeholder input before returning to the City Delivery committee for further consideration. Budget of up to \$500k is currently allocated towards Pōteriwhi for this purpose in FY26.
30. In due course, additional active reserve land capacity will be required to meet demand for sports in the Western Corridor. If Pōteriwhi is developed as reserves, circa 3.5ha of land is still proposed to be acquired in Tauriko West with early engagement with landowners underway through the Tauriko West developer agreement process. In addition, as is noted above, Council's land at Merricks Farm (Joyce Road) can provide at least two sports fields and capacity for courts if required.
31. Council will need to consider the phasing of delivery at Pōteriwhi in the context of its Sport Facilities programme as a whole and overall budget settings through upcoming Annual and Long-Term Plan processes. The Overall Programme section below provides an indicative, revised sports facility investment programme across the Long-Term Plan period. The programme aims to meet and exceed Council's current Levels of Service, enabling growth to pay for growth, whilst ensuring value for money, equity across sports and communities and working within a balanced overall LTP investment programme.
32. The table below at paragraph 48 summarises the current and proposed LTP budgets for new Active Reserve projects.

## MIXED HOUSING & RESERVE CONCEPT

33. The Crown Commissioners, in seeking to enable early housing outcomes, agreed the divestment of land at Smiths Farm, off Cambridge Road, that had originally been acquired as a future Active Reserve. They also sought to progress an option for mixed development at Pōteriwhi including 200+ houses and circa 2.5 sports fields and other local catchment scale sport and recreation. Attachment 6 provides a summary of the decision-making history associated with site, including engagement processes with tangata whenua and the wider community during that period. Key dates were as follows –

|                               |   |
|-------------------------------|---|
| 4 <sup>th</sup> October 2021  | Commissioners agree in principle to use the site for housing and to explore partnership arrangements with Ngāti Kahu and Kainga Ora (Housing NZ). |
| Nov – Dec 2021                | Public consultation on the proposed land use change.  |
| 8 <sup>th</sup> November 2022 | Commissioner Tolley signed MoU with Ngāti Kahu agreeing to work together to seek consensus on land uses.  |
| 19 June 2023                  | Commissioners approve a 'mixed use' site, instruct commencement of City Plan change and endorse concept plan.                                     |
| 29 April 2024                 | Commissioners agree to include Pōteriwhi as a potential 'fast track' development. (Then declined by Government).                                  |

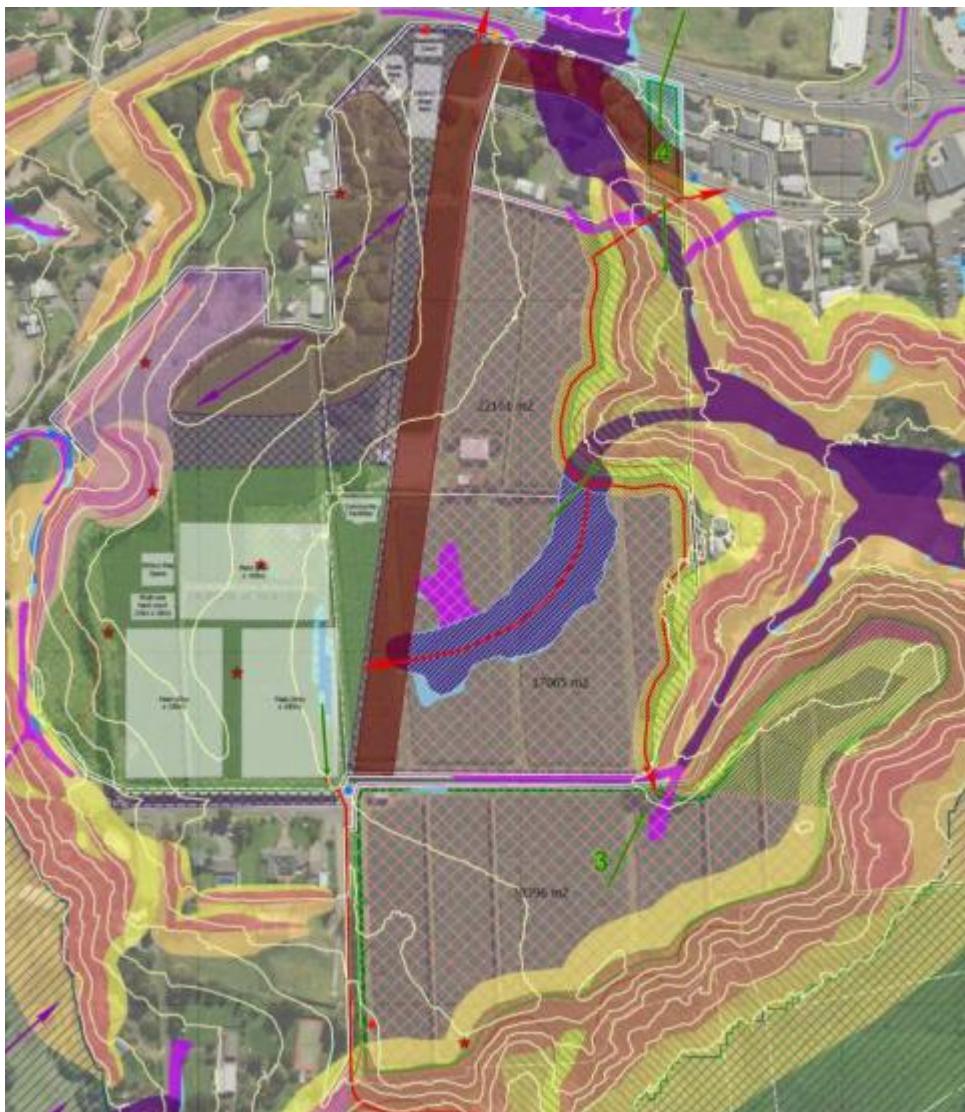
34. The infrastructure costs and potential revenues associated with a set of divestment options was assessed (see confidential attachment 3). These included –

- I. “Full Block Divestment” where Council provides the primary offsite and onsite enabling infrastructure and then divests a parcel of 7.7ha of land which would then require earthworks, internal infrastructure and development.
- II. “Developed Superblock Divestment” where Council also provides the earthworks and internal infrastructure and then sells a block or blocks of more-fully development ready land.
- III. “Full Residential Development” – at between 25 and 35 dwellings/ha – where Council also prepares and sells individual (or groups of) lots.

35. Upfront costs and associated risks increase significantly between option (1) and option (2), but correspondingly so do the potential returns (see above).

36. The image below shows the general land allocations anticipated under this concept, with housing to the Eastern side of the site and Active and Historic Reserves to the West. Note in relation to the Active Reserve land allocation that proximity to the site of the Pōteriwhi Pā, topography and supporting infrastructure requirements may compromise what is achievable and will push up ‘per field’ costs.

**Mixed Housing & Reserve Concept**, showing fields to the Western edge and housing on the Eastern side of the site, with a spine road in between.



37. Whilst the implementation of this concept remains feasible, the following should be considered as key issues or matters to resolve –

- (a) The most efficient zoning and consenting pathway is somewhat unclear given ‘plan stop’ announcements and the project not being listed in the Fast-track Approvals Act. It is likely that rezoning would have to occur through implementation of the new resource management system starting in the next 1-2 years. The Reserve components of the concept could potentially be delivered in advance.
- (b) Enabling infrastructure, especially wastewater, needs to be delivered to enable either divestment or development of the site. The wastewater network in the vicinity of the site does not have capacity to enable housing development (due in part to the site previously not been identified for housing development). This is not provided for in the LTP and budget allocation would need to be provided, in the order of \$11m. Significantly greater budget provision would be required if TCC was to take an active role in the development.
- (c) Further dialogue with Ngāti Kahu and Ngāti Hangarau will be required to follow through on the commitment to a collaborative approach. Support from the hapū would be expected to make the divestment models for housing more complex, requiring commitments to housing outcomes for those hapū.

38. The table below at paragraph 49 summarises current infrastructure budgets associated with the potential development of housing at Pōteriwhi.

### OVERALL SPORTS FACILITIES INVESTMENT PROGRAMME

39. We are developing a revised, indicative overall LTP sports facilities investment programme, with the intention for it to align with Council’s investment priorities and financial principles.

40. The revised programme will account for key recent and upcoming decisions including the following –

- (a) Proposed investment in the active reserve / sports facility concept for Pōteriwhi
- (b) Upcoming proposals for additional active reserve capacity in the east of the city
- (c) Recent decisions on investments in the aquatics network, upcoming decisions on the scale and timing of investment in aquatics at Memorial Park and future projects
- (d) Retention of the Queen Elizabeth Youth Centre
- (e) Delivery of the Netball Multisport Centre at Baypark
- (f) The scale of investment in the Badminton Multisport Centre and further investments in indoor courts space at the Baypark Arena or elsewhere
- (g) Expected availability of Development Contributions and funding from community partners such as TECT

41. The table below gives an indication of the key proposed projects over the period to 2035 and their impact on adopted Levels of Service.

|               | Level of Service  | Position vs LOS in 2025          | Proposed projects and completion dates  | Position vs LoS in 2035                 |
|---------------|---|----------------------------------|---|---|
| Indoor Courts | 13,000 people per court<br>[Sport NZ recommends 7,800 people per court] | +11%<br>[with retention of QEYC] | Badminton Multisport (+2) (2027)<br>Additional courts at Baypark Arena or Wairakei (2032)<br><br>[prioritisation of courts projects could change depending on LoS review] | +47%<br><br>[without adjustment to LoS] |

|                 |   |      |  |      |
|-----------------|---|------|--|------|
| Aquatics        | 45 people per m <sup>2</sup> of 'all season' pool space                           | -26% | Support Mount College Pool (2027)<br>Upgrade Otūmoetai Pool (2028)<br>Memorial Aquatics (2030)<br>Community aquatics in Wairakei (2034)  | +23% |
| Active Reserves | Meet winter sportsfield training demand<br><br>[based on supply/demand modelling] | -9%  | Pōteriwhi phase 1 (2031)<br>Blake Park (2031)<br>Eastern options (2031)<br>Tauriko West land purchase (2032)<br>Merricks Farm (2034)<br>Upgrades to existing Council and partner fields and facilities (ongoing) | +22% |
| Outdoor Courts  | No LoS metric but policy to provide sufficient space for community sport          |      | Baypark Netball Multisport (2028)<br>Racquet Sports opportunities at Blake Park and Gordon Spratt (TBD)<br>Informal hardcourts at Pōteriwhi and East   |      |

42. The table below shows an indicative staging of major projects over the next few years.



43. The programme is developed to align with –

- benchmarked Levels of Service
- network planning that considers current and emerging demands across the city, current provision and facility condition, the network model - hubs and spokes, consistency with overall growth planning (connected centres, development phasing)
- the ways sports are organised
- opportunities to improve value for money and work and/ or invest in partnership
- overall budget capacity and availability of non-rates funding

44. The programme, priorities and phasing can be considered further through the development of the upcoming Long Term Plan.

## STRATEGIC ALIGNMENT

45. This contributes to the promotion or achievement of the following strategic community outcome(s):

| Contributes  |                          |
|--|--------------------------|
| We are an inclusive city                           | ✓                        |
| We value, protect and enhance the environment      | ✓                        |
| We are a well-planned city                         | ✓                        |
| We can move around our city easily                 | ✓                        |
| We are a city that supports business and education | <input type="checkbox"/> |

46. Use of Council's land at Pōteriwhi for active reserves enables a well-distributed network of sports facilities, in a manner broadly consistent with the overall Connected Centres approach to city development. It will enable greater participation in sports by communities local to

those spaces, improving inclusivity and accessibility. At Pōteriwhi, there are significant opportunities for environmental enhancement.

## OPTIONS ANALYSIS

| Option  | Pros   | Cons  |
|---|--|---|
| Use all of Pōteriwhi as active and passive reserves   | <p>Provides major new community space meeting multiple sport and recreational outcomes.</p> <p>Reduces need for Tauriko West Land purchase by circa \$24m.</p> <p>Does not required Council balance sheet capacity to finance the housing development and does not expose Council to any housing development risk.</p> <p>Supported by Tangata Whenua as the preferred option.</p> | <p>Displaces alternative of housing provision but frees up a similar amount of land for housing in Tauriko West.</p> <p>Reduces Council influence on housing typologies and tenures and negates opportunity for financial return on development block divestment.</p>   |
| Continue with current concept of housing and reserves | <p>Enables housing outcomes and potential Council revenue from development or divestment</p>   | <p>Significantly compromises potential of Pōteriwhi as a community asset.</p> <p>Has knock-on effect of additional land requirement in Tauriko West for active reserves.</p> <p>Has unresolved wastewater servicing feasibility issues.</p> <p>Requires significant unbudgeted capital expenditure, additional debt capacity or deferring other capex projects.</p> <p>Has a high level of development risk if Council takes on the developer role to maximise the financial return from the land.</p> <p>Land would need to be zoned for residential which may be difficult to progress quickly given current RMA changes.</p> <p>Not Tāngata Whenua's preferred option.</p> |

## FINANCIAL CONSIDERATIONS

47. The table below summarises the outputs of a high-level financial model that considers a set of cost and revenue inputs to FY34, as they are currently estimated, to explore the financial impact of the option to develop Pōteriwhi as 'Reserves Only' (including accounting for land and development costs for additional active reserve capacity in Tauriko West) as compared

to the 'Mixed Development' (Housing & Reserves) options at Pōteriwhi (also including active reserve costs in Tauriko West). Note that the model makes use of financial data from a range of sources, all of which are high-level and have not been peer-reviewed.

48. The outputs differ from the table in the Executive Summary which only compares the net (uninflated) cost of 'development-ready' land per sports field across the three options. Inputs to the model are as follows –

- Capital costs of developing Pōteriwhi per Concept 1 above
- Capital costs of land and additional fields at Tauriko West
- Capital costs of onsite and offsite infrastructure to enable 'full block' and 'super block' divestment options
- Development Contributions for active reserves and housing infrastructure
- Debt servicing and depreciation costs associated with the above
- Revenues associated with divestment under the 'full block' and 'super block' options
- Field maintenance Opex
- Field booking revenues (at current fee levels)
- Kiwifruit orchard (current average annual) revenues at Pōteriwhi

| Reserves & Housing Development Options<br>Financial Model Outputs Summary | 'Reserves Only'<br>Option (\$m) | Full Block<br>Divestment<br>Option (\$m) | Super Block<br>Divestment<br>Option (\$m) |
|---|---------------------------------|--|---|
| Total Capital   | 54.4                            | 93.0                                     | 116.0                                     |
| Assumed DC funding  | 21.7                            | 20.8                                     | 20.8                                      |
| Asset Divestment  | 0.0                             | 23.6                                     | 63.1                                      |
| Net Rates Debt  | 32.7                            | 48.5                                     | 32.0                                      |
| Net operating surplus / (deficit) (2034)                                  | -4.6                            | -5.2                                     | -6.3                                      |
| Average cost per residential ratepayer (2034)                             | 41.6                            | 46.7                                     | 57.3                                      |
| NPV Opex - 8 years  | -4.0                            | -8.9                                     | -7.9                                      |

49. The table below summarises the current and provisionally proposed (inflated) budget allocations for new active reserve capacity across the LTP. This is considered sufficient to provide the capacity required at Pōteriwhi, Tauriko West and Merricks Farm. There is a separate budget for land acquisition for community infrastructure in the East.

| New Active<br>Reserves | FY26          | FY27          | FY28          | FY29  | FY30 | FY31  | FY32 | FY33    | FY34 | Total        |
|------------------------|---------------|---------------|---------------|-------|------|-------|------|---------|------|--------------|
| Current<br>(\$m)       | 4.38          | 3.27          | 13.31         | 13.65 | 8.61 | 10.19 | 7.43 | \$ 1.23 | 1.26 | <b>63.32</b> |
| Proposed<br>(\$m)      | 2.72          | 1.45          | 4.50          | 15.00 | 9.50 | 10.50 | 8.50 | 8.00    | 4.50 | <b>64.67</b> |
| Variance<br>(\$m)      | <b>- 1.67</b> | <b>- 1.82</b> | <b>- 8.81</b> | 1.35  | 0.89 | 0.31  | 1.07 | 6.77    | 3.24 | <b>1.34</b>  |

50. The infrastructure that would be required to enable housing at Pōteriwhi includes –

- Upgrades to the stormwater network adjacent to the site (including a culvert under State Highway 2) and stormwater infrastructure through the site
- Increased onsite, local and wider area network wastewater capacity
- Roads through the site from Parau Drive (depending on the extent of infrastructure provision pre-divestment, noting that an access road is also required for the 'Reserves Only' option but not to the same specification)
- Water supply to the site, which may trigger wider area capacity constraints.

51. The table below summarises the current LTP (inflated) budgets identified that could provide some of the onsite and offsite infrastructure required to enable housing to be delivered at Pōteriwhi. There is a shortfall of at least \$11m for the wastewater capacity upgrades required and \$2m for the access road. In addition, a further circa \$24m would be required for additional Active Reserve land in Tauriko West.

|   | FY26 | FY27 | FY28 | FY29 | FY30 | FY31 | FY32 | FY33 | FY34 | Total       |
|---|------|------|------|------|------|------|------|------|------|-------------|
| <b>Total LTP Budgets to enable housing at Pōteriwhi</b> | 0.7  | 5.8  | 1.6  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | <b>8.16</b> |

## LEGAL IMPLICATIONS / RISKS

52. No major legal implications or risks are currently identified with the recommended options. Development of Pōteriwhi as reserves is consistent with its current zoning. Resource consent would be required for the envisaged activities. Adjacent landowners and stakeholders would be consulted through the next phase of feasibility and project design.

## TE AO MĀORI APPROACH

53. At Pōteriwhi, significant opportunities to work in partnership with Ngāti Kahu and Ngāti Haungarau in a manner consistent with Council's core objectives for the site. In particular, we intend to work closely with the hapū to preserve and celebrate what remains of the Pōteriwhi Pā and to acknowledge the complex history of the whenua. Significant opportunities also exist to revegetate the lower levels of the site and to re-establish the relationship of the whenua to the Wairoa River in partnership with the hapū and the community as a whole.

## CONSULTATION / ENGAGEMENT

54. Engagement plans will be developed in due course. Stakeholder engagement will be essential to the success of the projects.

## SIGNIFICANCE

55. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.

56. In making this assessment, consideration has been given to the likely impact, and likely consequences for:

- (a) the current and future social, economic, environmental, or cultural well-being of the district or region
- (b) any persons who are likely to be particularly affected by, or interested in, the proposal.
- (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.

57. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the proposal is of medium significance.

## ENGAGEMENT

58. Taking into consideration the above assessment, that the proposal is of medium significance, officers are of the opinion that no further engagement is required prior to Council making a decision but note that further engagement will be undertaken with mana whenua, stakeholders and the community as more detailed designs are developed.

## NEXT STEPS

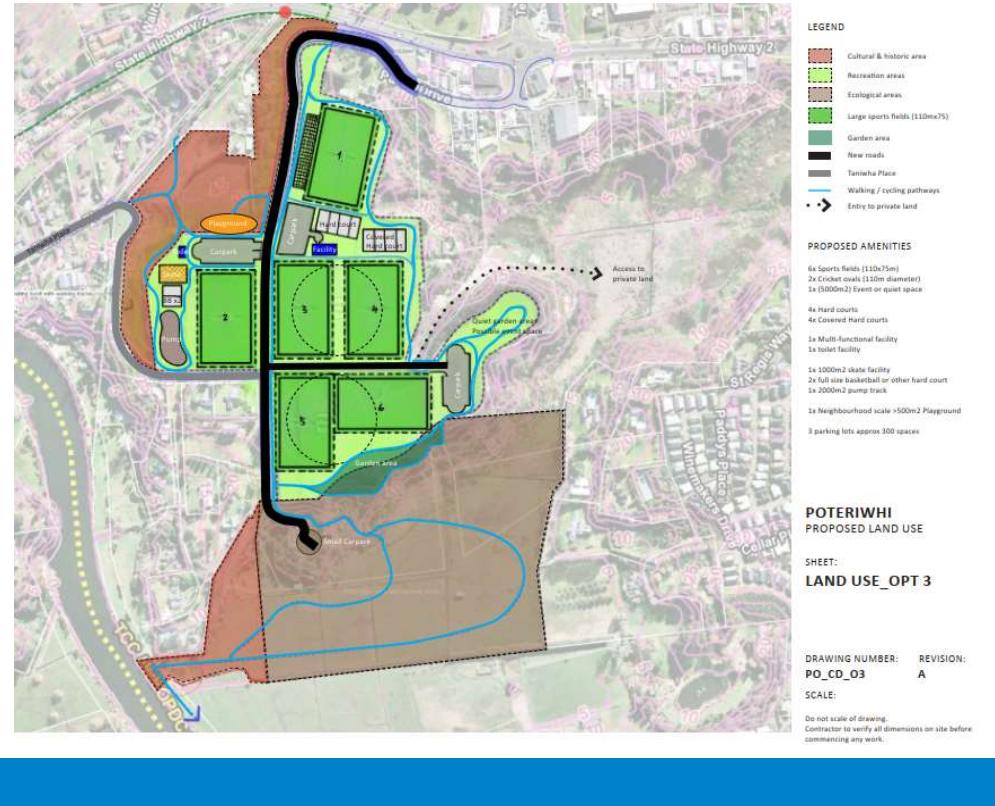
59. Next steps would include more detailed design and site feasibility, stakeholder engagement and consenting.

## ATTACHMENTS

1. Attachment 1 - Poteriwhi Concepts (Sep 25) - A18747143 [!\[\]\(cc240d45859e824837c5990421229424\_img.jpg\)](#) [!\[\]\(22b81171f02b7d7e0699e293ff9cc2a6\_img.jpg\)](#)
2. Attachment 2 - Indicative LTP Sports Facilities Programme (Sep 25) - A18747146 [!\[\]\(b9da2c14a94f061a9014e0b0008d20e3\_img.jpg\)](#) [!\[\]\(98661105a24009eaf7f3cf80f949f60e\_img.jpg\)](#)
3. Attachment 6 - Poteriwhi timeline (Sep 25) - A19699916 [!\[\]\(422a2acf3b65933a2e813c47ff4d01f7\_img.jpg\)](#) [!\[\]\(76648c0ed851068d596f47df21a79921\_img.jpg\)](#)
4. Attachment 7 - Poteriwhi Council Report on Consultation 02 08 22 - A19699921 [!\[\]\(a8481d3fd5f97b4caff19db0787cd098\_img.jpg\)](#) [!\[\]\(3a44c0fb6ad06fad68e014708acdebdc\_img.jpg\)](#)
5. Attachment 8 - Poteriwhi Council Report 19 06 23 - A19699928 [!\[\]\(98d801ea5da0466665433a8a4786c6a3\_img.jpg\)](#) [!\[\]\(61eef55b1b23153537283befbde59cf0\_img.jpg\)](#)
6. Attachment 9 - Council 2024-06-10 Report - Pōteriwhi Recreation and Housing Concept Plan Update - A16010146 [!\[\]\(95344f9c9fb553216c1fe80018e86f8d\_img.jpg\)](#) [!\[\]\(5bcf0f5e64a136b1484c09a54e46fa14\_img.jpg\)](#)
7. Attachment 10 - Council 2024-04-29 Report - Pōteriwhi - Approval for Fast-track Approvals Bill application - A15780430 [!\[\]\(597ae18d9e39f556f792f9915b1fb7c8\_img.jpg\)](#) [!\[\]\(104ace4f0bc650eb509af37fda8d67b2\_img.jpg\)](#)

# Pōteriwhi Concept 1

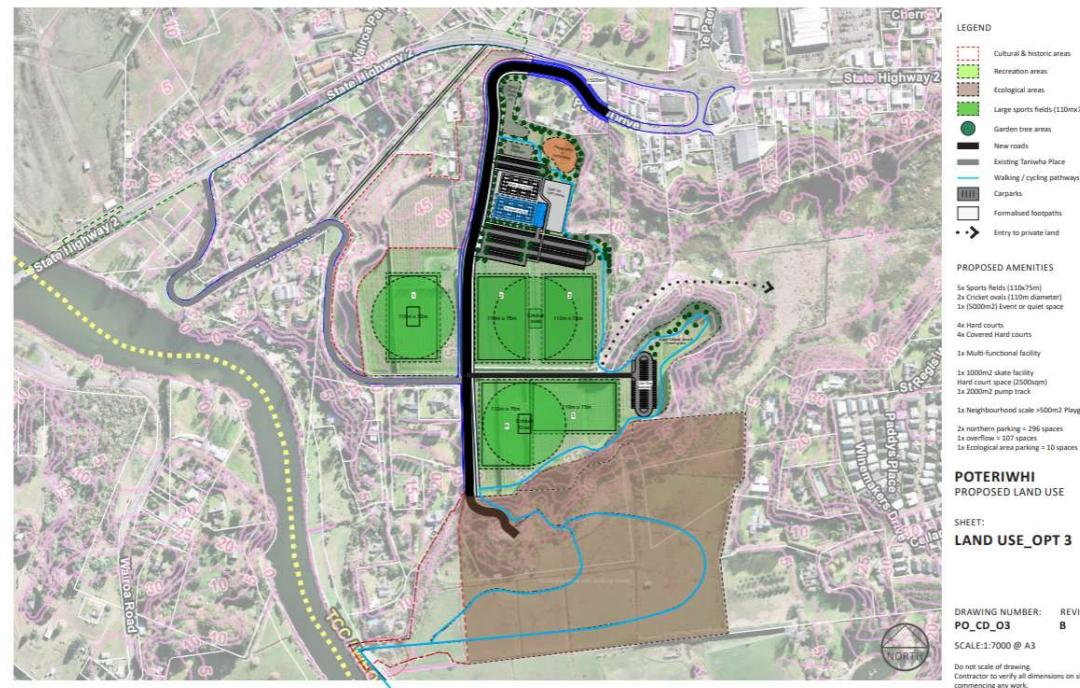
- 6 football / rugby fields
- 2 cricket ovals
- 3-4 Hardcourts
- Option for 3 indoor courts
- Multisport clubrooms, storage etc
- Events
- Play facilities
- Passive recreation, gardens
- Walking, cycling connection to Wairoa river pathway
- River access
- Ecological restoration
- Historical, cultural reserve spaces



# Pōteriwhi Concept 2

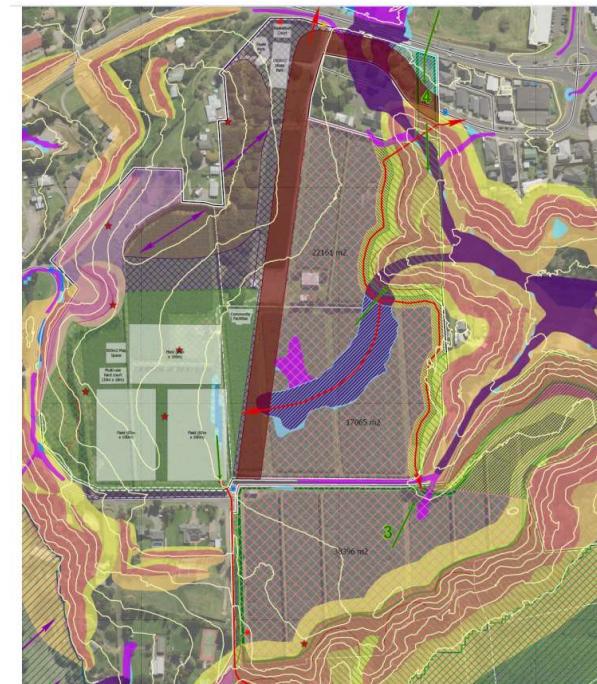
## Changes to Concept 1

- 1 less football / rugby field
- 1 more cricket oval
- Indoor Courts
- Major outdoor hardcourts
- Hard surfaces concentrated at North of site



## Housing & Reserves Concept

- Developed to enable housing
- Mix of 200+ homes and 3 sportsfields



## Indicative Revised Sport Facilities Investment Programme (01/09/25)

| Aquatics            | FY26       | FY27       | FY28        | FY29      | FY30        | FY31     | FY32     | FY33        | FY34      | Total        | Comments / Assumptions                            |
|---------------------|------------|------------|-------------|-----------|-------------|----------|----------|-------------|-----------|--------------|---|
| Mt College Pool     | 2.6        | 2.4        |             |           |             |          |          |             |           | 5.0          | opex funded grant                                 |
| Otūmoetai Pool      |            |            | 3.3         |           |             |          |          | 2.4         |           | 5.7          | initial cost estimate                             |
| Memorial Aquatics   |            | 1.5        | 10          | 35        | 53.5        |          |          |             |           | 100.0        | DCs (\$26m) + TECT (\$15m)                        |
| Wairākei Pool (PEI) |            |            |             |           |             |          |          | 25          | 25        | 50.0         | placeholder for 750m <sup>2</sup> community pools |
| <b>\$m Total</b>    | <b>2.6</b> | <b>3.9</b> | <b>13.3</b> | <b>35</b> | <b>53.5</b> | <b>0</b> | <b>0</b> | <b>27.4</b> | <b>25</b> | <b>160.7</b> |   |
| LoS                 | -26%       |            |             |           |             | 20%      |          |             |           | 23%          |   |

| Active Reserves            | FY26        | FY27        | FY28        | FY29        | FY30        | FY31        | FY32        | FY33      | FY34     | Total        | Comments   |
|----------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-----------|----------|--------------|--|
| Links Ave Artificial       | 3.1         |             |             |             |             |             |             |           |          | 3.1          | under contract, due to complete Oct' 25                |
| Gordon Spratt              | 5.5         |             |             |             |             |             |             |           |          | 5.5          | clubrooms x2, changing, toilets, parking               |
| Baypark (Netball etc)      | 1.5         | 7           | 6.5         |             |             |             |             |           |          | 15.0         | QS estimate, refinement required in FY26               |
| Baypark Speedway + Parking |             |             | 6.0         |             |             |             |             |           |          |              | QS estimate, refinement required in FY26               |
| Blake Park                 |             |             |             | 2.2         | 4.2         | 3.5         | 5.0         |           |          | 14.9         | OOM estimate for fields, facilities                    |
| Tauranga Domains           |             |             |             |             |             | 1.1         | 2.5         | 10.0      |          | 13.6         | placeholder for site works for events                  |
| Pōteriwhi                  | 0.5         | 1.5         | 7.0         | 11.5        | 8.0         | 5.0         |             |           |          | 33.5         | OOM estimate for fields, facilities                    |
| PEI or Tara Rd Fields      |             | 1.0         | 8.0         | 7.0         | 7.0         |             |             |           |          | 23.0         | Concept QS for fields, support facilities, play spaces |
| Network Upgrades           | 2.5         | 1.0         | 1.0         | 1.0         | 1.0         | 1.0         | 1.0         | 1.0       | 1.0      | 10.5         | fund for general field + facility works (e.g. Arataki) |
| Western Corridor           |             |             |             | 8.0         |             | 15.0        | 10.0        |           |          | 33.0         | includes land + facility development                   |
| <b>\$m Total</b>           | <b>13.1</b> | <b>10.5</b> | <b>28.5</b> | <b>29.7</b> | <b>20.2</b> | <b>25.6</b> | <b>18.5</b> | <b>11</b> | <b>1</b> | <b>152.1</b> |  |
| LoS                        | -9%         |             |             |             |             |             |             |           |          | 22%          |  |

| Indoor Sports                        | FY26 | FY27 | FY28     | FY29 | FY30 | FY31      | FY32 | FY33 | FY34      | Total       | Comments                                   |
|--------------------------------------|------|------|----------|------|------|-----------|------|------|-----------|-------------|--|
| Badminton Multisport                 |      |      | 8.0      |      |      |           |      |      |           | 8.0         | assumes 50% equity investment              |
| Additional Courts (Arena, PEI, West) |      |      |          |      |      | 10.0      | 10.0 |      |           | 15          | 35.0 OOM estimate for 7+ courts            |
| <b>\$m Total</b>                     |      |      | <b>8</b> |      |      | <b>10</b> |      |      | <b>15</b> | <b>33.0</b> |  |
| LoS                                  | 11%  | 23%  |          |      |      | 29%       |      |      | 47%       |             | note Sport NZ LoS is 7,800ppc vs 13,000ppc |

| Combined                      | FY26        | FY27        | FY28        | FY29        | FY30        | FY31        | FY32        | FY33        | FY34        | Total        |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------|
| <b>Total \$m</b>              | <b>15.7</b> | <b>22.4</b> | <b>41.8</b> | <b>64.7</b> | <b>73.7</b> | <b>35.6</b> | <b>18.5</b> | <b>38.4</b> | <b>41.0</b> | <b>345.8</b> |
| Variance to pre AP budget \$m | -3.9        | -48.3       | -2.4        | -6.8        | 44.4        | 8.6         | -8.4        | 20.5        | 24.0        | 27.7         |

**Timeline summary of reports and decisions on Pōteriwhi (25/09/25)****NOTE – PARTS OF THIS TIMELINE INCLUDE REFERENCE TO DECISIONS MADE CONFIDENTIALLY**

| Timeframe  | Activity  | Reference documents' location                      |
|--|---|--|
| 2000 - November  | <b><u>Land purchase:</u></b><br>TCC purchased 22 ha from Mr John Walker (Parau Ltd) - for active reserve purposes.<br>Council resolution M00/114.38   | Report - Objective Reference A2682804              |
| 2001 - June  | <b><u>Land purchase:</u></b><br>TCC purchased 11ha from Cascade Holdings Ltd - for reserve purposes.<br>Council resolution M01/53.28  | Report - Objective Reference A2670172              |
| 2002   | <b><u>Land vested as recreation reserve under Reserves Act</u></b><br>The 11ha purchased in 2002 was vested pursuant to Reserves Act as recreation reserve. This was a condition of the sale to TCC.<br>Note that the 22ha is defined as "park" under the Local Government Act.   |  |
| 2006   | <b><u>Land re-zoned to enable active reserve development:</u></b><br>District Plan - Plan Change 33 to the Tauranga District Plan – Rezoning Parau Farms, from rural to recreation zone*.<br>To recognise intended use as public reserve.<br>Council resolution M06/133.4<br>*current City Plan zone is Active Open Space.  | Report - Objective Reference A3196894              |
| 2021 – July 26   | <b><u>2021-31 LTP budget approval (Commission):</u></b><br>Approx \$56 million (inflated, including significant contingency) allocated for construction of active reserve across 2023 to 2027.<br>Resolution CO14/21/3.   | Report – Objective Reference A12727617             |
| 2021 – October 4   | <b><u>Investigate change of use from reserve to housing:</u></b><br>Commission resolved in principle to use Parau Farms site for housing, in partnership with Kainga Ora and Ngati Kahu, and to:<br>- Investigate housing development options in partnership with Kainga Ora and Ngati Kahu<br>- Proceed with public consultation for disposal (of 22ha)<br>Resolution CO18/21/1.   | Report – Objective Reference A12948106.            |
| 2021 – November/December   | <b><u>Public consultation on proposed land use change:</u></b><br>Staff ran a public consultation process from 15 November to 15 December 2021.<br>Including engagement with neighbours, properties within rohe of Ngati Kahu and Ngati Hangarau, Ngati Kahu and Ngati Hangarau hapu, Kainga Ora, local and regional sporting clubs and organisations, Smartgrowth partners and housing groups.   |  |
| 2022 – February 8  | <b><u>Report on public consultation outcomes:</u></b><br>Commission resolved to receive submissions and note a report will be brought to Council seeking a decision on disposal for housing after tangata whenua feedback has been received.<br>Resolution C01/22/4.  | Report – Objective Reference A13150408             |
| 2021 – December 13<br>2022 – July 25<br>2022- November – acquisition | <b><u>Acquisition of land to access the site from SH2</u></b><br>Reports to Commission seeking necessary approvals to acquire property to access the site from SH2.<br>Acquisition achieved November 2022.<br>Resolutions CO24/21/2 and CO14/22/3   | Reports - Objective Reference A13028754, A13671738 |
| 2022 – November 8  | <b><u>MOU between Tauranga City Council and Ngati Kahu Hapu</u></b><br>Signed by Anne Tolley Commission Chair on behalf of TCC<br><br>Agreement to work together to:<br>- Explore and identify options for future land use on Pōteriwhi that can be agreed by both parties<br>- Discuss various options with view to seek consensus on preferred option(s)<br>- Identify matters of disagreement and work to see if those matters can be addressed in a mutually beneficial way | Objective Ref A15601886                            |
| 2022 – March to December   | <b><u>Engagement with tangata whenua to develop concept plan</u></b><br>A concept Plan for the whole site was developed by TCC staff and Ngati Kahu and completed in December 2022.   |  |
| 2023 – June 19   | <b><u>Commission approval to a mixed-use site and commencing land use zoning change process:</u></b>  | Report Objective Ref A14755346                     |

| Timeframe           | Activity   | Reference documents' location                              |
|---------------------|--|--|
|                     | <p>Commission resolved to:</p> <ul style="list-style-type: none"> <li>- approve a change in land use to Pōteriwhi site from all active reserve to mixture of uses - housing, sports fields, passive reserve, stormwater management and river access.</li> <li>- endorse the concept plan agreed between TCC staff and Ngati Kahu, in principle that reflects the proposed land use</li> <li>- proceed with preparation of a City Plan plan change to rezone land to enable housing.</li> <li>- note Ngati Kahu desire to achieve some housing outcome for their hapū and that TCC will continue to work with them on ways that could be achieved</li> <li>- request Ngati Kahu hapū nominate 2 representatives to work with Council as planning progresses.</li> </ul> <p>Resolution CO9/23/8.</p> |  |
| 2023 – June         | <p><b>Purchase of 96R Taniwha Place</b><br/>           Strategic acquisition of 96R Taniwha Place (3.6ha) to unlock full potential of Pōteriwhi – provides additional access and land development options in the wider re-development of the whole site as a whole.<br/>           Note – this land is zoned Rural under the City Plan.</p>  | Acquisitions approval memo – Objective Reference A14935431 |
| 2023/24             | <p><b>Work commences to prepare City Plan plan change (per Commission direction)</b><br/>           Project work being undertaken to enable eventual preparation of City Plan plan change – per Commission direction at June 19 2023 meeting. Including undertaking due diligence and technical feasibility assessments of the proposal.</p>   |  |
| 2024 – April 29     | <p><b>Commission approval to:</b></p> <ul style="list-style-type: none"> <li>- include Pōteriwhi mixed use development within Schedule 2 of the Fast -Track Approvals Bill</li> <li>- continue due diligence and refinement of concept plan</li> <li>- land divestment strategy including seeking market expressions of interest subject to Pōteriwhi being included in the Fast Track Approval Bill</li> </ul> <p>Resolution CO9/24/4.</p>  | Report – Objective Ref A15780430                           |
| 2024 – June 10      | <p><b>Detailed update to Commission:</b><br/>           Commission resolved to:</p> <ul style="list-style-type: none"> <li>- confirm an updated concept plan with specified activity areas, and next steps for further planning and investigation (developed by staff as a result of the project work through 2023/24).</li> </ul> <p>Resolution CO13/24/5.</p>  | Report – Objective Reference A16010146                     |
| 2024 – September 13 | <p><b>Development Feasibility Assessment – “Veros Memo”</b><br/>           As part of next steps in investigations, Veros were commissioned to conduct a feasibility assessment of various development options for the residential land within the Pōteriwhi development.</p>  | Veros memo - Objective Ref A16667297                       |
| 2024 – October 6    | <p><b>Notification of outcome of Fast Track Approval Bill Schedule 2 projects</b><br/>           Pōteriwhi was not included in the schedule.<br/>           Opportunity to still make a fast-track application, but the 149 scheduled projects will be prioritised.</p>  |  |

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## Agenda

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### 11.2 Pōteriwhi (Parau Farms) - Consultation Outcomes

**File Number:** A13150408

**Author:** Andy Mead, Manager: City & Infrastructure Planning

Phillip Kai Fong, Team Leader Strategic Property

Angela Martin, Contractor

**Authoriser:** Christine Jones, General Manager: Strategy & Growth

#### PURPOSE OF THE REPORT

1. To receive the submission report. The public consultation process is complete, however further input and discussions with mana whenua are to be completed prior to a decision being made by Council on the proposal.

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#### RECOMMENDATIONS

That the Council:

- (a) Receives the submissions lodged during the consultation period 15 November to 15 December 2021 on the proposal to sell Pōteriwhi (Parau Farms).
- (b) Agrees to receive the late submission from Sport Bay of Plenty, lodged on 22 December 2021.
- (c) Notes a further report will be brought to Council seeking a decision on whether the land should be disposed of for housing development once mana whenua feedback and input has been received.

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#### EXECUTIVE SUMMARY

2. Council identified Pōteriwhi (Parau Farms) as land having potential to be used for housing development.
3. Council has consulted with the community on the proposal to dispose of the land for housing development.
4. The submissions received generally opposed the proposal, but common themes in the community feedback were identified which staff have considered and responded to in this report.
5. Following analysis and consideration of the submissions, and mana whenua response staff recommend that further input and discussions with mana whenua be completed prior to a decision on the proposal being made by Council. A further report will be brought to Council seeking a decision on the proposal following this engagement.

#### BACKGROUND

6. The Council-owned land known as Pōteriwhi (Parau Farms), the subject of the community consultation, is located at 287A State Highway 2, Bethlehem on the southern side of State Highway 2, between the Wairoa River to the west and Moffat Road to the east. Pōteriwhi (Parau Farms) incorporates approximately 22 hectares of land and is legally described as:
  - Lot 2 Deposited Plan South Auckland 53048, SA44B/781
  - Part Lot 3 Deposited Plan South Auckland 47016, SA42D/213
  - Part Lot 4 Deposited Plan South Auckland 47016, SA53B/12
  - Lot 5 Deposited Plan South Auckland 47016, SA41D/783.
7. The land is depicted green in the plan below:

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8. The land was acquired by Council in 2000 for future development as sports fields and to date has operated as a kiwifruit orchard.
9. In order to meet Council's development capacity requirements under the National Policy Statement – Urban Development (NPS-UD) a site-by-site review of Council-owned developable land was undertaken, as other greenfield and intensification projects are insufficient. Pōteriwhi (Parau Farms) was identified as land having potential to be utilised for housing and urban development. This option was presented to Council in the report of 4 October 2021, following which Council approved in principle "...the utilisation of the Parau Farms site in Bethlehem for housing development and proceeding with:
  - (a) *Investigation of housing development options in partnership with Kāinga Ora – Homes and Communities and Ngāti Kahu; and*
  - (b) *Process of public consultation for the disposal of park under section 138 of the Local Government Act 2002.*"
10. It is intended that Kāinga Ora – Homes and Communities would be Council's development partner/purchaser of the land, with the structure of such arrangement still to be determined and potential for mana whenua involvement remaining a possibility.
11. The public consultation for the disposal of a park under section 138 Local Government Act 2002 (LGA) has been undertaken, with submissions closing on 15 December 2021. This report provides a summary and assessment of the submissions received and following consideration of the key themes of the submissions, addresses whether the land should be sold for housing development.

**STRATEGIC / STATUTORY CONTEXT**

12. The land was purchased by Council for sports fields and therefore meets the definition of a park under the LGA, being land acquired principally for recreational purposes. Section 138 of the LGA requires that Council consult on the proposal to sell or dispose of the park before it can do so.
13. There is a national priority for housing, which has led to central government implementing the NPS-UD. Council is legally obliged to meet the requirements of the NPS-UD.

**CONSULTATION / ENGAGEMENT**

14. Public consultation on the proposal to sell the land for housing development commenced 15 November 2021, announced by a press release issued that afternoon, and closed 15 December 2021. The consultation document, included at **Attachment 1**, was made publicly

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## Agenda

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available on Council's website, delivered to neighbouring properties and properties within Ngāti Kahu and Ngāti Hangarau rohe, emailed to hapū in conjunction with an offer of a hui to discuss the proposal, and emailed to other key stakeholders including Kāinga Ora - Homes and Communities, local and regional sporting organisations, Smartgrowth partners and housing groups. The consultation was further supported by advertisements placed in The Sun newspaper on 26 November and 10 December 2021. The public could provide feedback on the proposal by:

- Email
- Completion of the feedback form manually; or
- On-line via Have Your Say.

15. The public consultation resulted in written feedback from 158 interested parties. Of these, from the Have Your Say web page, 106 were in opposition and 47 in favour. Four neutral submissions, expressing neither support nor opposition to the proposal, and one late submission in opposition were received by email. The submissions received and summary analysis of submissions are included at **Attachment 2** and **3** respectively.

16. Of the 153 submissions received via the Have Your Say web page, 31% were in support and 69% in opposition. Bethlehem residents represented 61 (40%) of the respondents, of which 52 (85% of Bethlehem respondents) submitted in opposition. The remaining respondents were distributed fairly evenly across Tauranga.

17. In terms of age groups, those up to age 34 tended to be most supportive of the proposal, with those in the 55-64 year age group being most opposed.

18. Ngāti Kahu responded to the consultation advising they were not in a position to meet the deadline for submissions. They have verbally expressed concern with proposed use of the land for housing. They affirmed the cultural and ancestral significance of Pōteriwhi and seek to protect wāhi tapu that may be affected by the proposal.

19. Ngāti Kahu met with Commissioners on 26 January 2022 to discuss their concerns with the proposal. Ngāti Kahu are now in the process of clarifying culturally significant aspects of Pōteriwhi in consultation with their wider hapū. A date has not yet been set for when this is likely to happen. At this stage of the process, Ngāti Kahu have not confirmed their position. They propose to set out their priorities and share with the Commissioners at a future date.

20. Council are yet to formally engage with Ngāti Hangarau pending the outcome of discussion between Ngāti Kahu and Ngāti Hangarau regarding their shared interests in Pōteriwhi.

21. The key themes identified from the consultation feedback are:

Submissions in opposition (107)

- Need to understand how/where sports fields will be provided
- Concern regarding impact of loss of green space on local amenity
- Existing infrastructure/roading/local services already at capacity
- City, and particularly Bethlehem, needs sports/recreational space as much as housing
- Concern regarding type of development and residents.

Submissions in support (47)

- City needs both housing and sports/recreational space
- Looking for intensification and mix of housing opportunities, including green space
- Well located site, close to schools and shops
- Ensure cultural areas protected/enhanced in any development.

Neutral submissions (4)

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- Need for both housing and sports/recreational space
- How commitment to biodiversity, climate change and future growth will be delivered on
- Work with schools and Ministry of Education to manage potential role growth.

22. The staff response to these themes is set out in the table below:

| Theme  | Staff Response   |
|--|--|
| Need to understand how/where sports fields will be provided.         | Alternative options for sports field provision in Bethlehem and the wider catchment within which Pōteriwhi (Parau Farms) falls are currently being explored. Options include development of existing Council land (e.g. Smiths Farm, Tauranga Racecourse reserve, lower Parau), land acquisitions, enhancements to the existing active reserves network, and partnerships with other land owners. We will be in a position to provide a revised plan for provision across the sports field network in the first half of 2022.  |
| Concern regarding impact of loss of green space on local amenity     | The environment would change from rural to urban, however the escarpments and lower areas will remain green space. Changes to landscape and visual amenity due to the proposed housing development, and methods address the changes where required, will be dealt with through RMA planning processes and implementation of the City Plan. The site will be the subject of significant urban design, and key features of the proposed housing development would include landscape plantings and provision of local reserves. From what we currently know about the site, we don't believe development on the lower areas (outside of the area subject to this report) will be viable, and so this area appears to be a suitable location to enhance amenity values of the wider site, in addition to the landscaping and reserves within the proposed housing development.   |
| Existing infrastructure/roading/ local services already at capacity. | <p>Water and wastewater modelling shows that the network can cope with urban development of the site with local upgrades that would be delivered as part of the development.</p> <p>The same is true for stormwater. Water would be treated on-site and then discharged into the Wairoa River. No flooding risks have been identified.</p> <p>Transport modelling has been undertaken which demonstrates the network would operate with sufficient levels of service post development, including access to the site and the key intersection onto SH2.</p> <p>It is important to note that development would not start for a number of years and would take a significant period of time to be completed. As such, it is well aligned with the timeframe for completion of the Tauranga Northern Link project that creates a State Highway bypass of Bethlehem and would significantly reduce pressure on the current SH2 through Bethlehem.</p> |

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| Theme  | Staff Response   |
|--|--|
| City needs both housing and sports/ recreational space.                                | <p>In relation to housing needs, and to meet Council's development capacity requirements under the NPS-UD a site-by-site review of Council-owned developable land was undertaken as other greenfield and intensification projects are insufficient to meet the NPS-UD requirements. Pōteriwhi (Parau Farms) was identified as land having potential to be utilised for housing and urban development.</p> <p>As noted above, we are currently exploring alternative locations for sports field provision and will be producing a revised plan for provision across the sports field network.</p> |
| Concern regarding type of development and residents.                                   | <p>The city's growth strategy has a significant focus on more people living in and around town centres like Bethlehem. We aim to provide a mix of different types and sizes of houses suitable and affordable for all types of people. Pōteriwhi (Parau Farms) land provides the opportunity to deliver housing in close alignment with the city's growth strategy.</p>  |
| Looking for intensification and mix of housing opportunities, including green space.   | <p>Refer above. Green space is a core element of any master planned development and would be considered through the next phase of the project if it progresses.</p>  |
| Well located site, close to schools and shops.   | <p>These are key reasons why the site is suitable for housing outcomes.</p>  |
| Ensure cultural areas protected/ enhanced in any development.                          | <p>It is intended that areas of cultural heritage will be protected or enhanced through any development and we will be working with mana whenua to ensure outcomes that respect the cultural and ancestral significance of the land.</p>   |
| How commitment to biodiversity, climate change and future growth will be delivered on. | <p>The delivery of higher levels of intensification in locations with good access to active modes and public transport is essential to meeting climate change objectives. This site is well suited to achieving these outcomes given proximity to the Bethlehem town centre, schools and public transport options.</p>   |
| Work with schools and Ministry of Education to manage potential roll growth.           | <p>Noted. TCC staff will be in contact with MOE.</p>   |

**FINANCIAL CONSIDERATIONS**

23. This report has minimal financial implications. The value of the property will be addressed in a future report as referred above. An Infrastructure Acceleration Fund RFP application has been submitted for infrastructure funding for the development proposal.

**LEGAL IMPLICATIONS / RISKS**

24. No significant legal risks / implications have been identified.

**SIGNIFICANCE**

25. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal

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or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.

26. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
  - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
  - (b) any persons who are likely to be particularly affected by, or interested in, the proposal.
  - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
27. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the proposal is of medium significance.

### ENGAGEMENT

28. Taking into consideration the above assessment, that the proposal is of medium significance, and taking into account the engagement/consultation completed to date, officers are of the opinion that it is appropriate that further engagement with mana whenua be undertaken prior to Council making a decision on the proposal.

### NEXT STEPS

29. Council will continue to engage with mana whenua regarding the proposal. A further report will be brought to Council seeking a decision on whether the land is to be disposed of for housing development once mana whenua feedback and input has been received.

### ATTACHMENTS

1. **Consultation Document - A13061994**
2. **Submissions Received - A13188854**
3. **Summary of Submissions - A13188932**

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## Agenda

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### 12.5 Pōteriwhi (Parau Farms) further Report to Consultation Outcomes

**File Number:** A14755346

**Author:** Nick Chester, Principal Strategic Advisor

**Authoriser:** Christine Jones, General Manager: Strategy, Growth & Governance

#### PURPOSE OF THE REPORT

1. To conclude the public consultation process for the proposed land use change of Pōteriwhi (Parau Farms).
2. To seek approval for a land use change of Pōteriwhi to a mixed-use model that includes retention of land for sports fields, passive reserve/stormwater and river access, with the remainder of land being disposed for housing purposes.
3. To endorse in principle the updated concept plan for Pōteriwhi that reflects revised proposed land use.

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#### RECOMMENDATIONS

That the Council:

- (a) Receives the report "Pōteriwhi (Parau Farms) further Report to Consultation Outcomes" and notes the 8 February 2022 report "Pōteriwhi (Parau Farms) further Report to Consultation Outcomes".
- (b) Approves Pōteriwhi land use change to include retention of land for sports fields, passive reserves, stormwater and river access, with the remainder of land being disposed for housing purposes
- (c) Endorses in principle the updated concept plan for Pōteriwhi (Figure 1) that reflects this proposed land use and notes that the concept plan will be further developed and reported back to Council for approval.
- (d) Approves proceeding with the development of a plan change to zone land at Pōteriwhi to enable housing
- (e) Note hapū desire to achieve some housing outcome for their hapū and that TCC will continue to work with them on ways that could be achieved
- (f) Request Ngati Kahu hapū nominate 2 representatives to work with council as planning progresses.

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#### EXECUTIVE SUMMARY

4. Council consulted on a potential change of purpose for council-owned land known as Pōteriwhi (Parau Farms) in 2021, recognising a need to increase housing in Tauranga. Currently the land is zoned Active Open Space and classified for use as future sports fields.
  - (a) Consultation ran from 15 Nov-15 Dec 2021. A total of 153 submissions were received – 31% in favour and 69% opposed.
  - (b) Concerns included: impact on local infrastructure capacity (traffic, water), potential devaluing of neighbouring properties, loss of green space and natural environment, cultural concerns and pressure on surrounding amenities ie schools
5. Council considered feedback on the proposal on 8 February 2022. The decision was deferred allowing further time to engage with hapū before making a final decision. This engagement has been occurring since this time and will continue.

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6. The need for increased housing supply remains critical. Staff have used feedback gathered through public consultation to recommend a revised plan for Pōteriwhi that would result in a mixed-use model, incorporating housing alongside recreational and cultural uses.
7. Staff have begun the development of a concept plan for Pōteriwhi. The plan includes the retention of land for 3 sports fields, passive reserve/stormwater and river access, with the remainder of land being disposed for housing purposes. It is anticipated that approximately half of the land (11.4 hectares) would be disposed of for housing.
8. The updated concept plan will also focus on ensuring concerns raised through the public submission process are addressed.
9. Ongoing engagement with hapū will be a key part of further development of the concept plan

## BACKGROUND

10. The Council-owned land known as Pōteriwhi (Parau Farms) is located at 287A State Highway 2, Bethlehem on the southern side of State Highway 2, between the Wairoa River to the west and Moffat Road to the east. Pōteriwhi (Parau Farms) incorporates approximately 22 hectares of land and is legally described as:
  - Lot 2 Deposited Plan South Auckland 53048, SA44B/781
  - Part Lot 3 Deposited Plan South Auckland 47016, SA42D/213
  - Part Lot 4 Deposited Plan South Auckland 47016, SA53B/12
  - Lot 5 Deposited Plan South Auckland 47016, SA41D/783.
11. The land is part of the traditional estate of Ngāti Kahu, Ngāti Rangi and Ngāti Tamahapai
12. The land was acquired by Council in 2000 for future development as sports fields and to date has operated as a kiwifruit orchard.
13. In order to meet Council's development capacity requirements under the National Policy Statement on Urban Development (NPS-UD) a site-by-site review of Council-owned developable land was undertaken, as other greenfield and intensification projects are insufficient. Pōteriwhi (Parau Farms) was identified as land having potential to be utilised for housing and urban development.
14. Subsequently a review of the need for sportfields identified that all of land was not required for active sports purposes .
15. The matters were presented to Council in the report of 4 October 2021, following which Council approved in principle "...the utilisation of the Parau Farms site in Bethlehem for housing development and proceeding with:
  - (a) *Investigation of housing development options in partnership with Kainga Ora – Homes and Communities and Ngāti Kahu; and*
  - (b) *Process of public consultation for the disposal of park under section 138 of the Local Government Act 2002.*"
16. The public consultation for the disposal of a park under section 138 Local Government Act 2002 (LGA) was undertaken in November-December 2021. A summary and assessment of the submissions received was provided to Council on 8 February 2022.
17. The outcome of this report was that Council:  
*"Notes a further report will be brought to Council seeking a decision on whether the land should be disposed of for housing development once mana whenua feedback and input has been received"*

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### **CONSULTATION/ENGAGEMENT ON CHANGE OF LAND USE**

18. Council consulted on a potential change of purpose for the land in 2021, recognising a need to increase housing in Tauranga. Consultation ran from 15 Nov-15 Dec 2021. A total of 153 submissions were received – 31% in favour and 69% opposed.

19. The key themes identified from the consultation feedback were:

Submissions in opposition (107)

- Need to understand how/where sports fields will be provided
- Concern regarding impact of loss of green space on local amenity
- Existing infrastructure/roading/local services already at capacity
- City, and particularly Bethlehem, needs sports/recreational space as much as housing
- Concern regarding type of development and residents.

Submissions in support (47)

- City needs both housing and sports/recreational space
- Looking for intensification and mix of housing opportunities, including green space
- Well located site, close to schools and shops
- Ensure cultural areas protected/enhanced in any development.

Neutral submissions (4)

- Need for both housing and sports/recreational space
- How commitment to biodiversity, climate change and future growth will be delivered on
- Work with schools and Ministry of Education to manage potential role growth.

20. Potential responses to concerns were covered in detail in the 8 February 2022 report

21. The initial work undertaken on the draft concept plan has sought to address several of these concerns. Work will continue at the plan is developed to fully address specific issues.

### **TANGATA WHENUA ENGAGEMENT**

22. Pōteriwhi is part of the traditional estate of Ngāti Kahu, Ngati Rangi and Ngati Tamahapai

23. A Memorandum of Understanding was signed 8 November 2022 between Council and Ngāti Kahu to explore future land use opportunities in partnership

24. When consulting with Ngāti Kahu, Council is also taking into account the views and preferences of the community expressed through the 2021 consultation which favoured a mixed-use development retaining some sports fields and green space alongside some housing, provided there was infrastructure to support it.

25. Ngāti Kahu were involved in hui in 2022 and 2023 where history and principles were discussed, and a draft concept plan was developed. They were provided a copy of the current proposed concept plan for comment on 13 April 2023 and as at date of writing this report no feedback has been received.

26. Ngāti Kahu have expressed a desire to achieve some affordable housing for their hapū potentially on Poteriwhi or alternatively on other land in their rohe area. Council has advised we are open to exploring opportunities in this regard.

27. Council will continue to engage with Ngāti Kahu during further development of the concept plan and are requesting that two representatives are appointed to engage with TCC on this project.

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**DEVELOPMENT OF AN UPDATED CONCEPT PLAN**

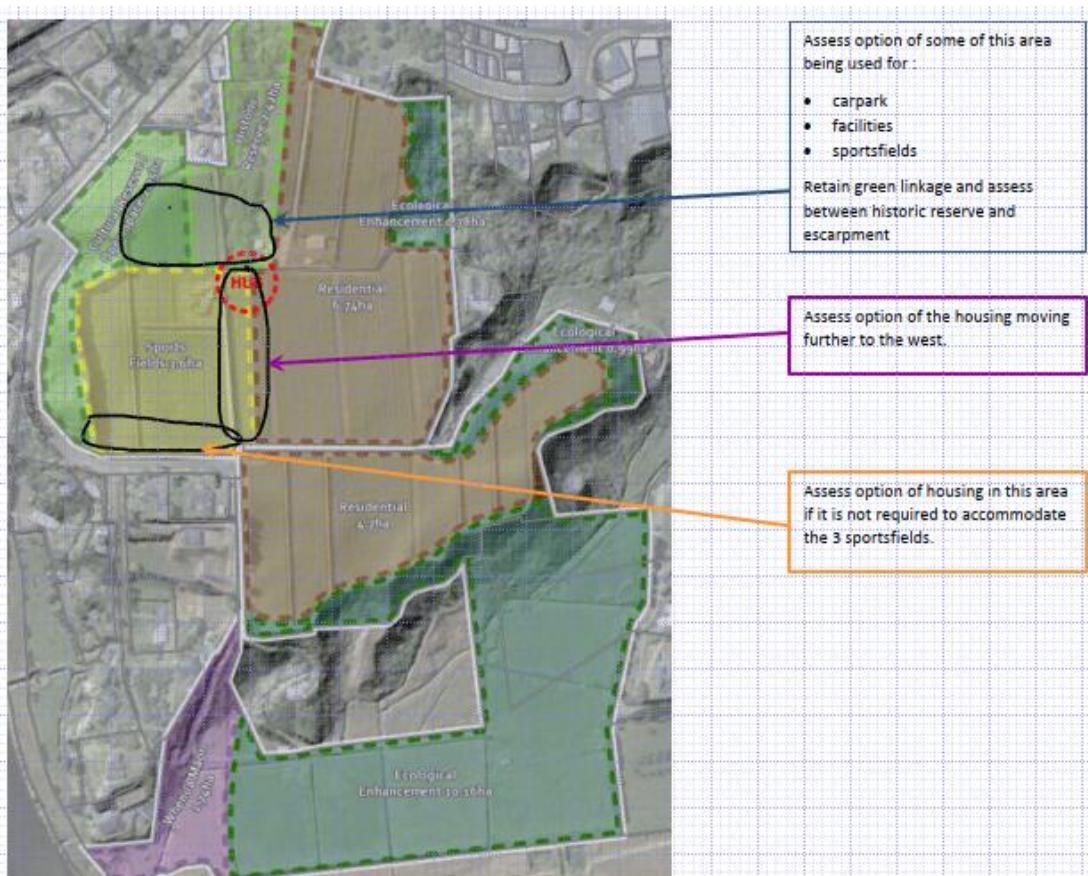
28. Staff have responded to the concerns raised through the consultation process by developing an updated concept plan for Pōteriwhi. The summary of proposed land uses are listed in Table 1.

29. The updated concept plan looks to address a number of the key concerns raised by the community through the consultation process and seeks to incorporate feedback received to date from tanga whenua.

30. There are several changes to the proposed land use to create a more mixed-use development. Changes include space for sportsfields and recreational use. It also ensures space for cultural, natural and ecologic preservation and enhancement alongside housing development.

31. These changes result in a proposed decrease of land available for housing from 22 hectares to approximately 11.4 hectares. This in turn will reduce reliance on infrastructure in the area, which was a major concern through the consultation process.

32. *Figure 1: Updated Pōteriwhi Concept Plan*



33. Further points to note on the updated concept plan include opportunities to:

- Elongate the sportsfields to the north, decrease the sportsfield west to east width and increase the residential area.
- Locate the toilet, carpark and possibly community facility building on either the flat kiwifruit land currently in the open space area or the vegetated area, so that it can service both the Historic Reserve and the sportsfields.

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34. The further review could result in greater utilisation of the land, lower capital and lower maintenance costs, while still maintaining the contiguous green linkages.

35. Table 1 below provides a summary of each of the areas within the updated concept plan and arrangements considered.

**Table 1: Pōteriwhi Proposed Land Use Summary**

| Land use                      | Indicative size (ha)                    | Description  | Arrangements options considered  | Comments   |
|-------------------------------|---|--|--|--|
| Historic reserve              | 2.4<br>(Review size **)                 | Creation of a historic reserve encompassing pa site in TCC ownership. Requires Reserves Act processes  | <ul style="list-style-type: none"> <li>• Council ownership</li> <li>• Joint Hapu / TCC prepared management plan</li> <li>• Council funds &amp; maintains site</li> </ul>   | Similar approach to Gate Pa Historic Reserve.                                |
| Cultural reserve / open space | 2.25<br>(Review Size **)                | Land adjoining pa site, largely comprising escarpment. Retain as green space creating buffer between urban development and river as well as connectivity toward the river  | <ul style="list-style-type: none"> <li>• Council ownership</li> <li>• Joint Hapu / Council prepared management plan</li> <li>• Council funds &amp; maintains site</li> </ul>   | Escarpment slip risks – responsibility and any liability stays with Council. |
| Sportsfields                  | 3.6 (Review footprint & orientation **) | 3 sports fields  | Council ownership, management and maintenance  |  |
| Community facilities          |   | Facilities such as changing rooms, toilets and parking. Possible community centre  | Council ownership, management and maintenance  | Services sportsfields, historic site and passive greenspace.                 |
| Ecological enhancement        | 11.93                                   | <p>Primarily existing low-lying floodable area. To be enhanced through planting, walking/cycling tracks etc (similar to Kopurererua Valley). Stormwater will be managed in this area.</p> <p>Also contains areas of undevelopable escarpment. These areas would also be enhanced through further planting.</p> | <ul style="list-style-type: none"> <li>• Council ownership</li> <li>• Joint Hapu / Council prepared management plan</li> <li>• Council funds &amp; maintains site</li> </ul>   |  |
| Whenua Māori                  | 1.74                                    | Part of the ecological area above but with greater significance to the hapu due to historic occupation and use associated with the river.  | Either same as Historic Site (refer above) or: <ul style="list-style-type: none"> <li>• Hapu owned, managed and maintained and</li> <li>• Legal public walkway access through site to river provided for (possibly through an easement).</li> </ul>                                      |  |
| Residential                   | 11.44                                   | Medium density housing circa 30 dwellings / ha. Once constraints removed (eg building setbacks from escarpments) approximately 300 dwellings. (Note further analysis required of housing numbers once footprint  | <ul style="list-style-type: none"> <li>• Rezone land to enable medium density housing</li> <li>• Strategic divestment (similar to Smiths Farm) with mix of market and affordable housing</li> <li>• Social procurement and employment for hapū could be included as preferred</li> </ul> |  |

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|  |  |  |   |
|--|--|--|---|
|  |  | review completed and residential land area refined). | criteria in divestment market process assessment. |
|--|--|--|---|

**STRATEGIC / STATUTORY CONTEXT**

36. The land was purchased by Council for sports fields and therefore meets the definition of a park under the LGA, being land acquired principally for recreational purposes. Section 138 of the LGA requires that Council consult on the proposal to sell or dispose of the park before it can do so.
37. This process was undertaken in November-December 2021 with significant input received from the community.
38. The recommendations in the report conclude the consultation process. As the recommended land use changes are not materially different from that consulted on (proposed type of land use has not changed, just the exact form and amount dedicated to different uses), staff consider that it is not necessary to undertake further or additional consultation.
39. Progressing a structure planning process and plan change will enable the delivery of this mixed-use development, including rezoning land for housing purposes. Updates on the preparation of the structure plan and planning process will be provided through the Strategy, Finance and Risk Committee. Council is required to adopt the plan change for formal public notification.
40. There is a national priority for housing, which has led to central government implementing the NPS-UD. Council is legally obliged to meet the development capacity requirements of the NPS-UD.

**OPTIONS ANALYSIS**

41. Option 1 – Consulted option

| Description   |
|---|
| Proceed with initial option consulted on to dispose of 22 hectares for housing purposes, whilst retaining flood prone areas for recreational use. |

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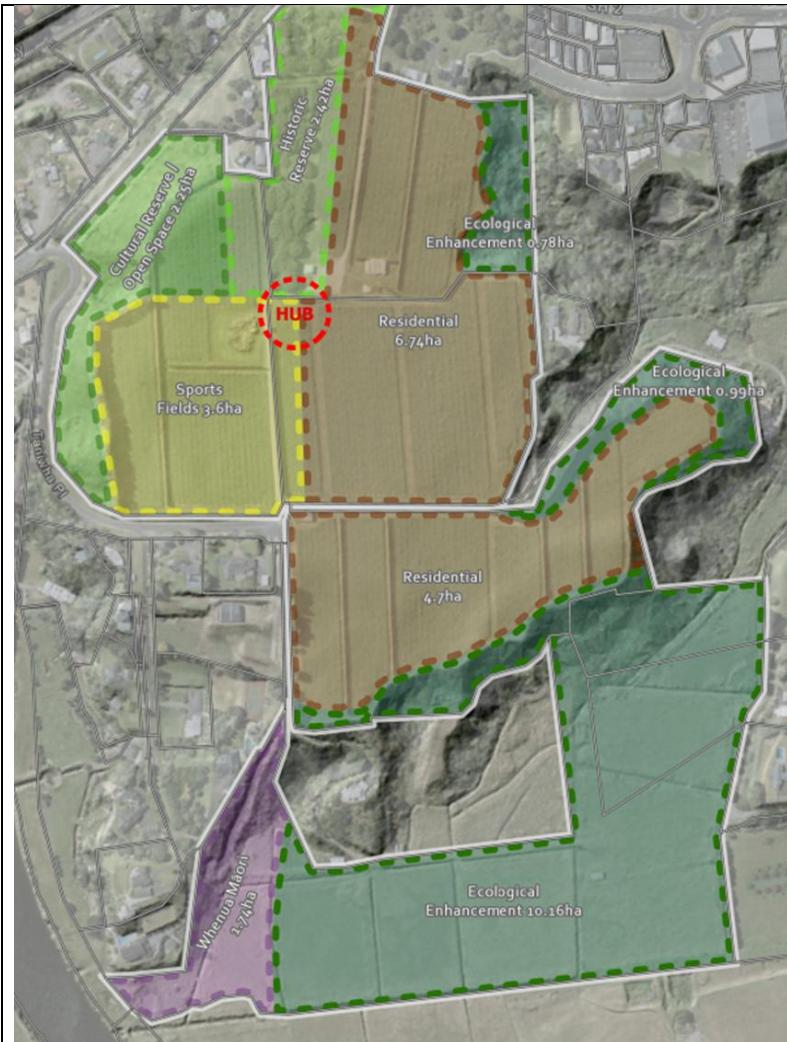


| Benefits   | Disadvantages  |
|--|--|
| <ul style="list-style-type: none"> <li>Provides an additional 22 hectares of land in the city for housing development to occur</li> <li>Allows for the quickest response to housing shortfall currently experienced in Tauranga</li> </ul> | <ul style="list-style-type: none"> <li>Is the most significant land use change and removes future options for sportsfields.</li> <li>Reduces opportunities for land for cultural, recreational and ecological uses.</li> <li>Largest future demand on for infrastructure in the Bethlehem area.</li> <li>Does not reflect the feedback from Ngāti Kahu and the majority of community submissions.</li> </ul> |

42. Option 2 – Modified option (**Recommended**)

| Description  |
|--|
| Retain part of the land area for sports fields, passive reserve/stormwater and river access, with the balance of land being disposed for housing purposes. |

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| Benefits   | Disadvantages  |
|--|--|
| <ul style="list-style-type: none"> <li>Provides an additional 11.4 hectares of land in the city for housing development to occur</li> <li>A concept plan can establish the exact design of the space and ensure that recreational and cultural concerns can be addressed.</li> <li>Creates a more mixed-use approach initially favoured by Ngati Kahu.</li> <li>Strikes a balance in terms of housing needs and concerns around provision of open space</li> </ul> | <ul style="list-style-type: none"> <li>Reduced opportunities for recreational space in the city</li> <li>Increased need for infrastructure in the Bethlehem area and strain on existing infrastructure.</li> <li>No specific response received yet from Ngati Kahu on the updated concept plan - there may be matters that they wish to raise with Council. However, there is opportunity for further refinement through the continued engagement between Council and Ngati Kahu.</li> </ul> |

## 43. Option 3 – Original intent of all recreation use

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| Description   |  |
|---|--|
| Retain land in current status for use as future sports fields and recreation space (status quo)   |  |
| Benefits  | Disadvantages  |
| <ul style="list-style-type: none"> <li>Reduced reputational risk to council that comes with a change in land use</li> <li>Closer alignment to the majority of submitter responses during consultation</li> <li>Provides more space for recreational and cultural use as initially intended when the land was purchased</li> </ul> | <ul style="list-style-type: none"> <li>Continued strain on housing provision in the city that will need to be met elsewhere</li> <li>No contribution to addressing the housing shortfall.</li> </ul> |

44. Staff recommend Option 2 as the most appropriate to address current issues and maximise current opportunities. Option 1 and 3 are not recommended.

#### FINANCIAL CONSIDERATIONS

45. There are no financial considerations associated with this report. The cost associated with preparing a plan change will be met within existing budgets and concept / development costs will be met from the development proceeds or existing active reserve budgets as appropriate.

#### LEGAL IMPLICATIONS / RISKS

46. Under the Local Government Act 2002 (LGA) notes that with respect to the Significance and Engagement Policy, “*Any transfer of ownership or control, or the construction, replacement or abandonment, of a strategic asset as listed in this policy is considered to be a matter of high significance*”. The strategic assets listed in the TCC Significance and Engagement Policy include “*Open space networks, parks, walkways, sportsfields and indoor facilities*”.

47. It is the view of staff that the definition of “strategic asset” in the policy is intended to apply to networks of assets rather than individual assets. This is supported by the introductory wording of paragraph 5.2 which provides “*the council considers a strategic asset to be an asset class (ie. A network) that delivers the service*”. A network is deemed to include those components which are integral to the functioning of the network as a whole.” Furthermore, LGA section 5 includes a definition of an asset as “*that the local authority needs to retain if the local authority is to maintain the local authority’s capacity to achieve or promote any outcome ...*”

48. Staff have assessed that the transfer of ownership and control of parts of Pōteriwhi site is not a transfer of a strategic asset. The rationale supporting this is:

- The policy and the LGA both provide for a ‘strategic asset’ disposal which is all or substantive part of a network such that it is integral to the overall functioning of the network and/or impacts materially on the ability to achieve the outcomes. It is the staff view that the policy was not intended to apply to individual parks and sportsfields which are not necessary to maintain Council’s capacity to achieve community outcomes.
- Only part of the land is transferring, and active reserve and park outcomes will still be delivered on the land.
- The land is only one part of a wider network of active reserves and parks
- There is currently no delivery of service, and it has been assessed that there are sufficient other opportunities for TCC to secure the land required to achieve the desired outcome.

#### SIGNIFICANCE

49. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council’s Significance and Engagement

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Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.

50. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
  - (a) the current and future social, economic, environmental, or cultural well-being of the district.
  - (b) any persons who are likely to be particularly affected by, or interested in, the decision.
  - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
51. In accordance with the considerations above, (including the assessment in paragraphs 46 to 48), criteria and thresholds in the policy, it is considered that the decision is of medium significance.

### **ENGAGEMENT**

52. Taking into consideration the above assessment, that the decision is of medium significance, and that consultation has occurred, staff are of the opinion that no further engagement is required prior to Council making a decision. In forming this view consideration was also given to the elapsed time since the consultation was undertaken and it was assessed that community views and preferences are unlikely to have changed over this period, and there are no material changes to or within the community which would require further engagement.
53. The recommendation takes into account Ngāti Kahu and community feedback, and the concept plan has been updated to reflect the feedback received. The updated concept plan still retains a mix of housing and recreation, however the scale of these has changed.
54. The next step to enable the mixed-use development will require consultation as part of the preparation of a structure plan and plan change.

### **NEXT STEPS**

55. Staff will continue to develop the Pōteriwhi concept plan further through an engagement process with Ngāti Kahu.
56. Staff will commence the process to prepare a structure plan and plan change to enable the mixed-use development which will include rezoning land at Pōteriwhi to enable housing.
57. The further developed concept plan will be presented to Council for approval later in 2023.

### **ATTACHMENTS**

**Nil**

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**12.7 Pōteriwhi Recreation and Housing Concept Plan Update****File Number:** A16010146**Author:** Carl Lucca, Team Leader: Urban Communities**Authoriser:** Jeremy Boase, Acting General Manager: Strategy, Growth & Governance**Please note that this report contains confidential attachments.**

| Public Excluded Attachment  | Reason why Public Excluded   |
|---|--|
| Item 12.7 - Pōteriwhi Recreation and Housing Concept Plan Update - Attachment 1 - Attachment A: 2022 11 22 Pōteriwhi Memorandum of Understanding TCC and Ngāti Kahu | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.<br><br>s7(2)(i) - The withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). |

**PURPOSE OF THE REPORT**

1. The purpose of this report is to: provide a detailed update on the Pōteriwhi Recreation and Housing Concept Plan, including proposed next steps and timeframes; and to confirm opportunities to engage with and further progress planning with mana whenua and other parties, including the adjacent community.

**RECOMMENDATIONS**

That the Council:

- (a) Receives the report "Pōteriwhi Recreation and Housing Concept Plan Update".
- (b) Confirms the Activity Areas, including proposed next steps and timeframes, as outlined in the concept plan for further investigation and detailed planning.
- (c) Notes the following opportunities to engage with and further progress planning with mana whenua:
  - (i) Identification and protection of the Pōteriwhi Pā site and how it may be recognised and managed in the future.
  - (ii) Provision of cultural passive reserves within the subject site, recognising the relationship Ngāti Kahu has with the whenua (land).
  - (iii) Working with mana whenua to further recognise their relationship with the whenua, including:
    - (1) Appropriately locating activities over the site to protect cultural values of the Wairoa Awa (River)
    - (2) Protecting the ecological areas in the low wetland areas (ecological reserve retirement from grazing), thereby enabling possible restoration of wetlands adding to environmental protection for the Wairoa Awa (with associated agreement on management)
    - (3) Developing 'story telling' over the site, integrated into the design of open space and walkways, recognising the history of the site and surrounding area.
  - (iv) Recognising mana whenua aspirations for affordable housing and working with

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them to investigate opportunities for affordable living outcomes as part of wider strategic housing outcomes.

- (v) Potential to be more involved in concept plan development, and subsequently the more detailed design steps for various components.
- (d) Notes that Council will continue to seek engagement with tangata whenua on processes and workstreams throughout the project.
- (e) Notes that the resolutions of this meeting are made in addition and further to those made at the Council meeting on 29 April 2024.
- (f) **Attachment 1** can be transferred into the open when all parties to the MoU have agreed to release the information, and the site is not subject to further negotiations.

**EXECUTIVE SUMMARY**

2. Council has approved future mixed use of the Pōteriwhi site including protection of the Pōteriwhi Pā site, sports fields, passive reserves and residential land use. This process included community consultation in line with the Local Government Act 2002 (LGA) in November-December 2021, recognising a need to increase housing in Tauranga. The outcomes of the consultation and draft concept plan were reported to Council on 19 June 2023<sup>1</sup>.
3. More recently, on 29 April 2024<sup>2</sup>, Council made the following decisions:
  - (a) Endorsed staff continuing further due diligence and refinement of the concept plan for the project.
  - (b) Approved submitting an application to include the Pōteriwhi Project as a Schedule 2A listed project within the Fast-track Approvals Bill, to support future mixed-use development of the site (completed 3 May 2024).
  - (c) Approved the strategic divestment objectives/outcomes and Council progressing a divestment strategy for the residential land including seeking market expressions of interest.
  - (d) Noted that Ngati Kahu hapū have signalled a desire to achieve some housing outcome for their hapū and that Council will continue to work with them on ways that could be achieved alongside wider cultural considerations over the site.
4. Further background including project context and process to date is outlined in the 29 April 2024 Council report.
5. This report provides a further detailed update on the Pōteriwhi concept plan and seeks to confirm direction for key components of the site planning, including proposed next steps and timeframes. This includes acknowledging common aspirations for the site with mana whenua, such as identification and protection of the pā site area, provision of open space, recognising mana whenua relationship with the whenua, and protecting and enhancing environmental / ecological outcomes.
6. As outlined in the report, opportunities to work with mana whenua include:
  - (a) Identification and protection of the Pōteriwhi Pā site and how it may be managed in the future.
  - (b) Provision of cultural passive reserves within the subject site, recognising the relationship Ngāti Kahu has with the whenua (land).

<sup>1</sup> [https://infocouncil.tauranga.govt.nz/Open/2023/06/CO\\_20230619\\_AGN\\_2507\\_AT\\_WEB.htm](https://infocouncil.tauranga.govt.nz/Open/2023/06/CO_20230619_AGN_2507_AT_WEB.htm)

<sup>2</sup> [https://infocouncil.tauranga.govt.nz/Open/2024/04/CO\\_20240429\\_AGN\\_2582\\_AT\\_WEB.htm](https://infocouncil.tauranga.govt.nz/Open/2024/04/CO_20240429_AGN_2582_AT_WEB.htm)

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- (c) Working with mana whenua to further recognise their relationship with the whenua, including:
  - (i) Appropriately locating activities over the site to protect cultural values of the Wairoa Awa (River)
  - (ii) Protecting the ecological areas in the low wetland areas (ecological reserve retirement from grazing), thereby enabling possible restoration of wetlands adding to environmental protection for the Wairoa Awa (with associated agreement on management)
  - (iii) Developing 'story telling' over the site, integrated into the design of open space and walkways, recognising the history the site and surrounding area (including the role it played in the Tauranga wars and drawing up the code of humane conduct before the Battle of Gate Pā Pukehinahina in 1864).
- (d) Recognising mana whenua aspirations for affordable housing and working with them to investigate opportunities for affordable living outcomes as part of wider strategic housing outcomes.
- (e) Potential to be more involved in concept plan development, and subsequently the more detailed design steps for various components.

**IMPORTANCE OF PŌTERIWHI TO MANA WHENUA**

- 7. Pōteriwhi is part of the traditional estate of Ngāti Kahu, Ngāti Rangi and Ngāti Tamahapai located across the State Highway 2 from Wairoa marae. It is the location of pre-European settlement as well as historic occupation and an important place where ancestors resisted British military occupation and land takings in the 1860s. The current Wairoa Marae has been forcibly moved from locations within the property several times for the benefit of the wider community. The subject site is also located adjacent to Ngāti Hangarau rohe.
- 8. Pōteriwhi is also located in close proximity to other places of high cultural and historic importance to Ngāti Kahu, Ngāti Rangi and Ngāti Tamahapai including Te Papa o Wharia (on Taniwha Place) and Te Roto Parera (adjacent to the Wairoa Awa).
- 9. Recognising the importance of the whenua to mana whenua and the need to work in partnership in relation to the future development of Pōteriwhi, Council and Ngāti Kahu signed a Memorandum of Understanding (MoU) in 2022.
- 10. This MoU sets out how we will work together, including the parties' respective and shared aspirations for the site. It also captures the Ngāti Kahu vision for the site. The MoU is a confidential document and is attached confidentially as **Attachment A**.

**PŌTERIWHI CONCEPT PLAN – DETAILED OVERVIEW**

- 11. As outlined in the 29 April 2024 report, Council's internal project team have been undertaking further analysis of site opportunities and constraints, to assist in informing feasibility and scope for further detailed due diligence. Together with the ongoing site assessment, Council has also considered feedback received from mana whenua and the wider community through previous community consultation processes to assist in shaping the concept plan. In particular, this responds to and integrates the following key considerations:
  - (a) Cultural significance of the site to mana whenua
  - (b) Recreation outcomes to meet citywide and local needs
  - (c) Citywide housing needs.
- 12. This section includes a breakdown of the Pōteriwhi Concept Plan activity areas, including where these have been influenced by strategic outcomes and/or engagement and consultation, outcomes sought and proposed next steps. The concept plan is attached as **Attachment B**.

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13. Timeframes outlined below are based on approval to use the Fast-track Approvals Bill (FTA) consenting process. The Bill seeks to establish a streamlined process for several approvals under different legislation including (but not limited to) resource consents and archaeological authorities. The consent application is envisaged to be made in mid-2025 following completion of the divestment process for residential land and subsequent planning and design in partnership with a preferred developer.
14. Delivery of the various activity areas will be staged with the infrastructure required for the activities being delivered first (following the FTA consenting process) while the housing and active recreation is envisaged to commence in late 2026 / early 2027.

Activity Area A: Historic Reserve and Pā Site (1.3 hectares)

15. The proposed Historic Reserve and Pā Site Activity Area is located in the northwest area of the site. This area is intended to protect and provide a buffer to the historic Pōteriwhi Pā site, recognising the historic and cultural significance of the pā to mana whenua and the wider community. Pōteriwhi Pā holds a significant place in the leadup to the Battle of Gate Pā Pukehiahina being a place where tangata whenua met before the battle and drew up the Rules of Engagement. This action is of utmost cultural importance to the hapū.
16. An archaeological survey update was undertaken in January 2024 to assist in informing planning of the site. The purpose of the update was to better understand the location and historical values of the Pōteriwhi Pā site. This survey notes that the pā site is likely situated on the crescent shaped ridge that extends northwest from the site into neighbouring properties, however its exact location and extent is not known and there remains a possibility that part of the pā and/or associated structures may extend into the subject site.
17. Opportunity exists to work with mana whenua on further investigation of the area, to assist in understanding the location of the pā site and any associated areas of taonga and/or other historic importance. Potential also exists for mana whenua to consider and propose how this area may be best managed in the future, including the future reserve classification.
18. Next steps include seeking engagement with mana whenua and discussing further archaeological exploratory investigation to identify the likely extent and location of the pā site more accurately. This will include working with mana whenua on the development of an appropriate management plan and application for Heritage New Zealand approvals, as appropriate.
19. Approvals for archaeological exploratory investigation can be sought through the FTA consenting process (mid-2025) or earlier with mana whenua support. Following further exploration and assessment of the likely extent of the pā site, Council can work with mana whenua to confirm the appropriate boundaries of the activity area. Once the boundaries are confirmed, Council can classify the area as Historic Reserve, should this be desired.

Activity Area B: Further Investigation – Historic Reserve or Active Recreation (1.1 hectares)

20. This area surrounds Activity Area A and is subject to the outcome of exploratory archaeological investigations associated with the pā site (as above). Final outcomes of the archaeological investigations and engagement with mana whenua will inform what activities can be appropriately provided for in this area.
21. It is likely that the area sits outside of the historic pā site, however given the likelihood that other irreversible developments have impeded the protection and restoration of the pā itself, there is an opportunity to still give recognition to its significance. Being off the archaeological site it may be appropriate for additional active and passive recreation. It is envisaged that aspects of this area could be co-designed with mana whenua to integrate with the adjoining Historic Reserve and Pā Site Activity Area, acknowledging its cultural significance and gateway location. This recognition is an important cultural aspect expressed by the hapū.
22. The southern part of this activity area also has potential to provide for car parking associated with the proposed sports fields.

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23. Next steps in the site planning are subject to outcomes of archaeological investigations, with opportunity to engage mana whenua in relation to desired outcomes for the area. The timeframes are aligned with Activity Area A above.

Activity Area C: Cultural Reserve (2.9 hectares)

24. Activity Area C includes two areas within the subject site:
  - (a) An upper area adjoining the Historic Reserve and Pā Site on the western side of the subject site, largely escarpment; and
  - (b) A lower area on the western side of the site adjacent to the Wairoa Awa.
25. Both areas are of significance to mana whenua and recognise the importance of the site in context of mana whenua history over the whenua. Opportunity exists within the upper area to enhance ecological outcomes and contribute the physical and visual buffer between future land use and the Wairoa Awa valley. Within the lower area, opportunity exists to work with mana whenua to enhance and reestablish wetland areas adjacent to the river, as well as improving environmental outcomes on the adjoining Ecological Reserve Activity Area.
26. From a cultural point of view, re-prioritising activities on these areas to be more ecologically protective and functioning especially for Wairoa Awa is a critical improvement.
27. Council can seek appropriate classification of this reserve land to provide for the cultural outcomes sought. It is likely that this process would follow shortly after (or concurrently with) the FTA consenting process, to align with agreed boundaries for the adjoining activity areas.

Activity Area D: Active Reserve (4.2 hectares)

28. Activity Area D is located on the western side of the site between the Wairoa Awa valley and the proposed future residential activity area.
29. Pōteriwhi provides an important opportunity to locate sports fields and other recreation facilities to meet citywide recreational needs as well as a recreation hub alongside the delivery of housing and close to a town centre that has a good range of commercial offerings to support the development.
30. Activity Area D provides key proposed recreational elements including sports fields, hard court, changing rooms/toilets/storage, skate facility and/or pump track, major neighbourhood play space, 3x3 basketball, and a range of passive recreation spaces (including historic/heritage reserve, ecological enhancement reserve, landscape and amenity enhancement areas, pathways). It may be appropriate to locate some recreational activities in other locations outside area D.
31. The area has been located in response to mana whenua feedback, enhancing a connected green area on the western side of the development and increasing the buffer between the Wairoa Awa valley and future residential development.
32. It is noted that the area includes a number of middens and potential for other archaeological remains, the impacts and potential removal of which will be managed appropriately through engagement with mana whenua and Heritage New Zealand.
33. There is potential for development of the Pōteriwhi site, including the recreation areas, to have visual impacts when viewed from the river. As such a landscape assessment will be undertaken and it is anticipated that the site design will include mitigation measures such as planting and appropriate location of activities to reduce any impacts.
34. Next steps for this area include continued open space planning (late 2024), including further geotechnical and earthworks investigations to confirm landform works and detailed site layout. Consenting for related works (including infrastructure and earthworks) will be included within the FTA consenting process in mid-2025.
35. Subject to consenting outcomes and other dependencies, it is envisaged that delivery of active recreation could commence from late 2026 / early 2027 onwards.

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Activity Area E: Passive Recreation (1.0 hectares)

36. Activity Area E primarily relates to the 'spur' of land located on the eastern side of the development, which drops away to lower property on three sides. Due to the location, topography and slope hazard, this area remains largely undevelopable for residential purposes and with limited viable other use aside from passive recreation.
37. Potential exists to provide for passive recreation space tied in with a network of walking paths around the top of the wider escarpments, providing both connectivity and amenity for future residents and visitors, as well as incorporating ecological and cultural enhancements to the site.
38. As part of ongoing due diligence work and future development discussions, the best use of this area will continue to be explored. Consenting for related works (including infrastructure and earthworks) will be included within the FTA consenting process in mid-2025.

Activity Area F: Ecological Reserve, Stormwater Reserve and Slope Hazard Buffer (15.7 hectares)

39. This activity area includes the existing low-lying floodable area of the site to the south, and areas of slope hazard around the eastern aspects of the site (adjacent to the housing activity area). These areas will be used as open space and provide wider functional uses including ecological enhancement, stormwater and slope hazard mitigation.
40. The low-lying area in the southern area of the site creates an opportunity to enhance ecological values through planting, ecological restoration, and re-creation of natural wetlands, and the creation of links for walking and cycling along the Wairoa Awa and up through to the Pōteriwhi site. This includes retirement of grazing in the lower areas with a return to wetland thereby enhancing environmental outcomes for the Wairoa Awa.
41. There is also potential for progressive enhancement of planting and ecological enhancement of the slopes, improving ecological outcomes while also continuing to mitigate potential for slips (protecting both the upper developable area and lower adjoining lands).
42. The residential property that was located in between the kiwifruit orchard at the top and the bottom ecological area has been acquired by Council to assist in delivery of these outcomes.
43. Once again, from a cultural point of view, re-prioritising activities on these areas to be more ecologically protective and functioning especially for Wairoa Awa is a critical improvement.
44. Future plans for enhancement and management have potential to include mana whenua and wider community inputs, opening up access to both as appropriate.
45. Next steps for these areas include undertaking an ecological assessment (mid 2024) and consideration of wider due diligence relating to hazards and stormwater management (late 2024 / early 2025). Consenting for related works (including stormwater) will be included within the FTA consenting process in mid-2025.
46. The Council can seek appropriate classification of this reserve land to provide for the cultural outcomes sought. It is likely that this process would follow shortly after (or concurrently with) the FTA consenting process, to align with agreed boundaries for the adjoining activity areas.
47. The existing low-lying floodable area is currently classified as Recreation Reserve. A reclassification to Local Purpose Reserve (for stormwater and ecological purposes) will be undertaken following the FTA consenting process.

Activity Area G: Housing (7.8 hectares)

48. Activity Area G has been identified for medium density residential including upwards of 215 dwellings, and potentially up to circa 300 dwellings depending on density and typology (e.g., townhouses, low rise apartments).
49. Within the area, approximately 0.9 hectares of land will need to be set aside for stormwater attenuation, along with local roads. A design philosophy statement will be developed to guide stormwater outcomes within the residential area and over the wider site.

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50. The need for increased housing supply in Tauranga and the sub-region remains critical, and Pōteriwhi offers the opportunity to partner or divest to deliver a range of housing options. Housing also offers an opportunity for Council to ensure balance is achieved across the need for good investment returns to fund infrastructure and open space on the site while also moving towards delivery that addresses affordable housing disparities in market.
51. The 29 April 2024 resolutions approved strategic divestment objectives/outcomes with respect to the potential disposal of the residential component of Pōteriwhi, including:
  - (a) Enabling housing development at the earliest opportunity.
  - (b) Delivering medium density residential development with a mix of housing typologies, and a mix of affordable and market housing.
  - (c) Providing a range of housing tenure and ownership arrangements.
  - (d) Maximising the financial return from the market housing to enable reinvestment into affordable housing outcomes and/or contributing to the infrastructure costs which will be incurred to deliver the recreation and open space outcomes on the Pōteriwhi site.
52. Within the strategic divestment objectives/outcomes, there is opportunity to work with and recognise mana whenua aspirations for a portion of affordable housing, including to investigate opportunities for affordable living outcomes as part of wider housing outcomes (without compromising wider residential outcomes and opportunities for divestment).
53. Such outcomes could include a percentage of the developable housing area (e.g., 10%) being provided for as affordable housing or land purchase opportunities, affordable rental or rent-to-buy schemes with future developers, or similar approaches. The outcomes would be subject to engagement with mana whenua, development feasibility and future developer agreements, as appropriate.
54. As part of next steps Council will continue to assess and classify the land under the Property Acquisitions and Disposals Policy including engagement with mana whenua on cultural matters. This is envisaged to occur during the third quarter of 2024.
55. Through the subsequent divestment process (including an approach to seek expressions of interest in late 2024 / early 2025 from developers to partner on the residential components of Fast-track Approvals consent process) Council will continue to engage with mana whenua in relation to their housing aspirations for the site and how these may be achieved.
56. Subject to consenting outcomes and other dependencies, it is envisaged that housing development could commence from late 2026 / early 2027 onwards.

Other matters

57. Developing 'story telling' over the site, integrated into the design of open space and walkways, recognising the history of the site and surrounding area will be an important outcome to support and enhance the identity of the site. This will be part of the ongoing implementation process over time.
58. All aspects of the site development include infrastructure and access improvements. More detailed due diligence of the constraints and opportunities will be required to confirm the developable area and overall feasibility in relation to infrastructure and development costs. This due diligence will include geotechnical investigations, stormwater catchment plan, earthworks considerations, ecological assessment, landscape assessment, feasibility assessment and recreational facilities considerations. This due diligence will inform the preparation of a final structure plan for the site and future planning processes including application of approvals and/or plan change processes. Planning is underway in relation to three-waters and transport and will progress to further detail as part of consenting in mid-2025.

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**ENGAGEMENT, INCLUDING TANGATA WHENUA**

59. As outlined in the 29 April 2024 report, communication with Ngāti Kahu hapu has been ongoing to continue to keep mana whenua up to date with project progress. Staff have kept Ngāti Kahu informed of progress with updates of planning work completed and upcoming.
60. The aspirations of Ngāti Kahu to deliver housing outcomes for the hapu are acknowledged and ways to deliver this outcome are being considered through project planning.
61. Potential exists for mana whenua to be more involved in concept plan development, and subsequently the more detailed design steps for various components. Council will continue to make this opportunity available throughout the process.
62. There are other known developments planned around the Bethlehem town centre and adjacent to the site that are being considered by the project team as to future feasibility. Working together with the other developers will assist in understanding future impacts on infrastructure such as three waters and transportation networks.
63. Engagement with adjoining landowners will be undertaken through the due diligence process as the concept plan is tested and refined.

**FINANCIAL CONSIDERATIONS**

64. Financial considerations are outlined in the 29 April 2024 report and confidential attachments.

**LEGAL IMPLICATIONS / RISKS**

65. Local Government Act consultation has been undertaken for the land use change from a park / recreation (open space) to residential housing on a portion of the site.
66. Legal consideration of any applications will be in accordance with the Fast-track Approvals legislation once enacted and/or other legislative processes as appropriate.

**SIGNIFICANCE**

67. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
68. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
  - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
  - (b) any persons who are likely to be particularly affected by, or interested in, the decision.
  - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
69. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the matter is of medium significance. However, the decision proposed in this report is of low significance as it is a project update to consider next steps and potential parallel pathways to development. There will be further Council decision points, subject to conditions being met as outlined in this report, on whether the land is a strategic disposal and the entity which will be the preferred purchaser of the development land.

**NEXT STEPS**

70. Continue next steps in relation to each activity area as outlined in the report, including engagement with mana whenua.

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71. Assess and classify the land under the Property Acquisitions and Disposals Policy, including completing the three-step process: assess, engage with mana whenua on cultural matters, and confirm the classification.
72. Develop a divestment strategy (including an approach to seek expressions of interest from developers to partner on the residential components of Fast-track Approvals consent process).
73. Await decision on whether project is included in Fast-track Approvals legislation.
74. Undertake divestment action if the land is classified as a Strategic Disposal and Fast Track Consenting pathway can be utilised.

**ATTACHMENTS**

1. **Attachment A: 2022 11 22 Pōteriwhi Memorandum of Understanding TCC and Ngāti Kahu - A15601886 - Public Excluded**
2. **Attachment B: 2024 05 29 Pōteriwhi Concept Plan - A16024525**

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**12.9 Pōteriwhi - Approval for Fast-track Approvals Bill application, Development and Divestment**

**File Number:** A15780430

**Author:** Andy Mead, Manager: City Planning & Growth  
Carl Lucca, Team Leader: Urban Communities  
Robyn Scrimshaw, Senior Urban Planner

**Authoriser:** Christine Jones, General Manager: Strategy, Growth & Governance

**Please note that this report contains confidential attachments.**

| Public Excluded Attachment   | Reason why Public Excluded   |
|--|--|
| Item 12.9 - Pōteriwhi - Approval for Fast-track Approvals Bill application, Development and Divestment - Attachment 1 - 2024 04 12 - Memo - Pōteriwhi Costings | s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities. |

**PURPOSE OF THE REPORT**

1. The purpose of this report is to:
  - (a) Update progress in planning for the achievement of cultural recognition, recreation and housing outcomes on the Pōteriwhi site.
  - (b) Seek Council approval to make an application to include the Pōteriwhi Project as a Schedule 2A listed project within the Fast-track Approvals Bill.
  - (c) Seek Council direction regarding divestment of the housing land area.

**RECOMMENDATIONS**

That the Council:

- (a) Receives the report "Pōteriwhi - Approval for Fast-track Approvals Bill application, Development and Divestment".
- (b) Approves Council submitting an application to include the Pōteriwhi Project (Parau Farms) as a Schedule 2A listed project within the Fast-track Approvals Bill.
- (c) Delegates to the Chief Executive the:
  - (i) approval and lodgement of an application to have the project listed in Schedule 2A of the Bill; and
  - (ii) preparation and lodgement of an application for approvals under the Fast Track Approval if the project becomes listed in that legislation.
- (d) Endorses staff continuing further due diligence and refinement of the concept plan based on the attached concept plan (including protection of the pa site, active and passive recreation / open space and housing) and development outcomes reported to date.
- (e) Approves the strategic divestment objectives/outcomes with respect to the potential disposal of the residential component of Pōteriwhi of:
  - (i) Enabling housing development at the earliest opportunity.
  - (ii) Delivering medium density residential development with a mix of housing

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typologies, and a mix of affordable and market housing.

- (iii) Providing a range of housing tenure and ownership arrangements.
- (iv) Maximising the financial return from the market housing to enable reinvestment into affordable housing outcomes and/or contributing to the infrastructure costs which will be incurred to deliver the recreation and open space outcomes on the Pōteriwhi site.
- (f) Agrees that the potential divestment of the residential component of the Pōteriwhi land will likely be classified as *Strategic Disposal* under the Property Acquisitions and Disposal Policy, noting that the appropriate classification can only be confirmed upon completion of Mana Whenua engagement.
- (g) Approves Council progressing a divestment strategy for the residential land including seeking market expressions of interest subject to:
  - (i) Pōteriwhi being included in Schedule 2 of the Fast Track Approvals Act; and
  - (ii) The land being classified as a Strategic Disposal,
 with recommendations on selection of preferred purchaser to be reported to Council for decision making.
- (h) Notes that TCC will continue to seek engagement with tangata whenua on processes and workstreams associated with the project.
- (i) Notes Ngati Kahu hapū have signalled a desire to achieve some housing outcome for their hapū and that TCC will continue to work with them on ways that could be achieved alongside wider cultural considerations over the site.
- (d) **Attachment 1** can be transferred into the open after divestment process has been undertaken

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**EXECUTIVE SUMMARY**

2. Council has approved future mixed use of the Pōteriwhi (Parau Farms) site including protection of the pa site, sports fields, passive reserves and residential land use. This process included community consultation in line with the Local Government Act 2002 (LGA).
3. This report provides an update on the Pōteriwhi project (including further concept plan development) and seeks Council approval to make an application to include the Pōteriwhi Project within the Fast-track Approvals Bill. The application is due on 3 May 2024.
4. The Fast-track Approvals Bill provides an alternate tool for Council to consider moving forward the agreed future use of the Pōteriwhi site, in line with Council resolutions to date. In particular, it would have the following benefits:
  - (a) Potential to decrease consenting timeframes to enable housing to occur earlier over the site by integrating processes and moving straight to a resource consent and other approvals (as an alternate to a more drawn-out plan change processes ahead of consenting)
  - (b) Enable Council to move towards divestment earlier and speed up the process of providing housing, recreation space and associated infrastructure, making a significant contribution to housing needs in the next three to ten years.
5. Importantly, the process does not over-ride the need for engagement with mana whenua, partners and other key stakeholders, which Council remains committed to undertaking through any process to deliver appropriate outcomes over the site.
6. Further analysis of the site has been undertaken internally to better understand potential opportunities and constraints. In particular, it is noted that natural hazards are a significant

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constraint over the site (particularly the risk of slope failure). It is anticipated that a feasible development providing upwards of 215 dwellings (based on 30 dwellings / hectare of net developable land) and active recreation and play, and passive reserves is achievable over the site. Further due diligence and refinement is required to confirm the findings, appropriately undertaken as part of the preparation of any Fast-track Approvals application or plan change process.

7. It is also acknowledged that a divestment strategy (including an approach to seek expressions of interest from developers to partner on the residential components of Fast-track Approvals consent process) would be required to be progressed and reported back to Council for decision making. This shall include engagement with mana whenua, noting that Ngati Kahu hapū have signalled a desire to achieve some housing outcome for their hapū. It is also envisaged that any future land use will include an affordable housing component, subject to market feasibility.

**BACKGROUND**

8. Council consulted on a potential change of purpose for council-owned land known as Pōteriwhi (Parau Farms) in November-December 2021, recognising a need to increase housing in Tauranga. Currently the land is zoned Active Open Space; however, as above, Council has approved future mixed use of the site including recreation and residential land use.
9. Council considered feedback on the proposal on 8 February 2022. The decision was deferred allowing further time to engage with hapū before making a final decision. This engagement has occurred.
10. The need for increased housing supply remains critical. Staff used feedback gathered through public consultation to recommend a revised plan for Pōteriwhi that would result in a mixed-use model, incorporating housing alongside recreational and cultural uses.
11. The outcomes of the consultation and draft concept plan were reported to Council on 19 June 2023<sup>1</sup>. The outcomes included the following resolutions:
  - (a) *Receives the report "Pōteriwhi (Parau Farms) further Report to Consultation Outcomes" and notes the 8 February 2022 report "Pōteriwhi (Parau Farms) further Report to Consultation Outcomes".*
  - (b) *Approves Pōteriwhi land use change to include retention of land for sports fields, passive reserves, stormwater and river access, with the remainder of land being disposed for housing purposes.*
  - (c) *Endorses in principle the updated concept plan for Pōteriwhi (Figure 1) that reflects this proposed land use and notes that the concept plan will be further developed and reported back to Council for approval.*
  - (d) *Approves proceeding with the development of a plan change to zone land at Pōteriwhi to enable housing.*
  - (e) *Note hapū desire to achieve some housing outcome for their hapū and that TCC will continue to work with them on ways that could be achieved.*
  - (f) *Request Ngati Kahu hapū nominate 2 representatives to work with council as planning progresses.*
12. The project team have been continuing work on the project in light of the above resolutions, including further development of the concept plan.

**STRATEGIC / STATUTORY CONTEXT**

13. The land was purchased by Council for sports fields and therefore meets the definition of a park under the LGA, being land acquired principally for recreational purposes. Section 138 of

<sup>1</sup> [https://infocouncil.tauranga.govt.nz/Open/2023/06/CO\\_20230619\\_AGN\\_2507\\_AT\\_WEB.htm](https://infocouncil.tauranga.govt.nz/Open/2023/06/CO_20230619_AGN_2507_AT_WEB.htm)

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the LGA requires that Council consult on the proposal to sell or dispose of the park before it can do so. As described above, this process was undertaken in November-December 2021 with input received from the community.

14. There is a national priority for housing, which led to central government implementing the NPS-UD. Council is legally obliged to meet the development capacity requirements of the NPS-UD. Council is currently unable to meet the requirements of the NPS-UD and there is a shortfall of housing supply in Tauranga.
15. The project forms part of the overall Future Development Strategy residential growth allocations within the SmartGrowth Strategy 2023 and support the sub-region's connected centres programme. The site is adjacent to the Bethlehem Town Centre which has a commercial offering to support further residential development.
16. Pōteriwhi is an opportunity to partner or divest to deliver a range of housing options under this mandate. For Council to ensure balance is achieved across the need for good investment returns and to support delivery that addresses affordable housing disparities in market, setting strategic outcomes for the divestment and development of Pōteriwhi is important, and will have a major bearing on the direction of the project.
17. It is proposed that the strategic objectives and outcomes for Pōteriwhi should be:
  - (a) Enabling housing development at the earliest opportunity.
  - (b) Delivering medium density residential development with a mix of housing typologies, and a mix of affordable and market housing.
  - (c) Providing a range of housing tenure and ownership arrangements.
  - (d) Maximising the financial return from the market housing to enable reinvestment into the affordable housing outcomes and/or contributing to the infrastructure costs which will be incurred to deliver the recreation and open space outcomes on the Pōteriwhi site.

**PROJECT UPDATE / PROGRESS**

18. Following on from the initial development of the concept plan reported on 19 June 2023, the internal project team have been undertaking further analysis of site opportunities and constraints, to assist in informing feasibility and scope for further detailed due diligence. This has included consideration of three waters, natural hazards, transportation, city planning and spaces and places. Key findings to date include:
  - (a) Natural hazards will impact on the development of the site and how the impacts can be mitigated through delivery needs to be carefully considered. In particular, overland flow paths, stormwater attenuation and slope hazards have been identified to have an impact on the overall residential developable area. Further detailed technical analysis is required to confirm the potential constraints.
  - (b) As well as providing for wider city recreational needs, the site presents an opportunity to have a recreation hub alongside the delivery of housing to create a development with good amenity close to a town centre that has a good range of commercial offerings to support the development. Key recreational elements proposed include sports fields, hard court, changing rooms/toilets/storage, skate facility and/or pump track; major neighbourhood play space, 3x3 basketball, and a range of passive recreation spaces (including historic/heritage reserve, ecological enhancement reserve, landscape and amenity enhancement areas, pathways). These activities generally fit within the original concept plan areas identified.
  - (c) An updated archaeological report has been prepared to inform the project team and consider the archaeological values of the site. The purpose of the update was to better understand the location and historical values of the Pōteriwhi Pā site. In consideration of this report a "buffer" has been applied around the potential pā location, indicating an area to avoid through development, until further investigations are undertaken to better understand the location of the pā. The establishment of the buffer has impacted on the

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potential location of recreation facilities, the feasibility of which needs to be further explored.

- (d) Access to the site will be through a future Parau extension that connects through to the roundabout that intersects with the current State Highway 2. The team are working with the Tauranga Northern Link team to understand the future function of this roading network and how movement will look into the future.
- (e) The low lying area in the bottom southern area of the site creates an opportunity to enhance ecological values through planting, ecological restoration, and re-creation of natural wetlands, and the creation of links for walking and cycling along the Wairoa River. The property that was located in between the kiwifruit orchard at the top and the bottom ecological area has been acquired to assist in delivery of these outcomes.

19. Based on the above opportunities and constraints, the developable area for residential land use is expected to be approximately 7.1 hectares, providing for upwards of 215 dwellings, and potentially up to circa 300 dwellings depending on density and typology. This area has decreased from the original estimate of 11.4 hectares based on the initial high level concept plan, mainly due to the impacts of managing natural hazards present on-site.

20. The above outcomes (including analysis diagrams) are presented in the Refined Pōteriwhi Concept Plan, dated 17 April 2024 – refer **Attachment B**.

21. More detailed due diligence of the constraints and opportunities will be required to confirm the developable area and overall feasibility in relation to infrastructure and development costs. This due diligence will include geotechnical investigations, archaeological invasive investigations (if required), stormwater catchment plan, earthworks considerations, ecological assessment, landscape assessment, feasibility assessment and recreational facilities considerations. This due diligence will inform the preparation of a final structure plan for the site and future planning processes including application of approvals and/or plan change processes.

22. There are also other known developments planned around the Bethlehem town centre and adjacent to the subject site that will need to be taken into account and considered as part of the overall project. Working together with the other developers will assist in understanding future impacts on infrastructure such as three waters and transportation networks.

23. Ongoing development of the concept plan towards a structure plan, preparation of the divestment plan and any application for approvals and/or plan change process will include engagement with mana whenua and other key stakeholders as appropriate.

**FAST-TRACK APPROVALS BILL**

24. Central government is currently working through the process to introduce the Fast-track Approvals Bill. The purpose of this Bill is to provide a fast-track decision-making process that facilitates the delivery of infrastructure and development projects with significant regional or national benefits. The Bill would establish a separate process for several approvals under different legislation including (but not limited to) resource consents and archaeological authorities. Further details are provided in the Fast-track Approval Bill – Project Applications report on the Council agenda.

Application for Pōteriwhi to be included in Schedule 2 of the Bill

25. On 3 April 2024, the application to include projects in Schedule 2 of the Bill was opened. The application closes on 3 May 2024. The Fast-track Approvals Bill will include two Schedules of listed projects:

- (a) Schedule 2 Part A - Projects will be referred directly to an Expert Panel (when the applicant makes an application after the legislation is enacted), and will not go through the Ministerial referral process included in the legislation.
- (b) Schedule 2 Part B - Projects will still need to be referred by the Minister to the Expert Panel but have demonstrated that they are regionally or nationally significant.

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26. It is recommended that Council apply for the Pōteriwhi project be included within Schedule 2A of the Bill. The Fast-track Approvals Bill would provide an alternate tool for Council to consider moving forward the agreed future use of the Pōteriwhi site, in line with resolutions to date. In particular, it would have the following benefits:

- (a) Potential to significantly decrease consenting timeframes to enable housing to occur earlier over the site by integrating processes and moving straight to a resource consent and other approvals (as opposed to more drawn-out plan change prior to consenting). It is estimated that it could bring a housing outcome forward by up to 18 to 24 months.
- (b) Enable Council to move towards divestment earlier and speed up the process of providing housing, recreation space and associated infrastructure, making a significant contribution to housing needs in the next three to ten years.

27. Relevant eligibility criteria of the Fast-track Approvals Bill application process include the following matters, which Council meet:

| Relevant eligibility criteria   | Council Response  |
|---|---|
| Will the project deliver regionally or nationally significant infrastructure?   | The quantum of housing is considered to have regional significance given the criticality of housing shortfall and affordability for the city and sub-region.  |
| Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes? | Yes, the process has the potential to decrease consenting timeframes to enable housing to occur earlier over the site by integrating processes and moving straight to a resource consent, as opposed to needing to undertake an initial plan change.  |
| Will the project increase the supply of housing, address housing needs and contribute to a well-functioning urban environment                 | Yes, the project will provide for between 200 and 300 dwellings, making a much needed to the overall estimated housing needs in the next ten years. The location is well placed within context to Bethlehem town centre and potential to connect with existing walking, cycling and bus links. The proposal includes citywide, local and neighbourhood recreation outcomes. |
| Will the project deliver significant economic benefits?   | It is anticipated that the project could deliver more than 70 construction related jobs (based on developments of a similar size), as well as wider employment related to design and delivery.  |
| Is the project consistent with local or regional planning documents, including spatial strategies?  | The project forms part of the overall Future Development Strategy residential growth allocations within the SmartGrowth Strategy 2023 and support the sub-region's connected centres programme. The site has been identified through Council resolutions as providing for housing to respond to citywide needs.   |

28. Importantly, the process does not over-ride the need for engagement with mana whenua, partners and other key stakeholders, which Council remains committed to undertaking through any process to deliver appropriate outcomes over the site.

29. It is noted that approval to make an application to be included in either Schedule 2 of the Bill does not preclude Council from choosing to use a Plan Change process if this is deemed more appropriate following further due diligence on the project.

30. Should the project become listed, and Council makes a detailed application for approvals after the Bill is enacted, it will be referred to an expert consenting panel with powers to draft conditions and provide recommendations and, thereafter, a decision to approve or decline is made by Joint Ministers.

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**ENGAGEMENT, INCLUDING TANGATA WHENUA**

31. Communication with Ngāti Kahu hapu has been ongoing to continue to keep mana whenua up to date with project progress. Following on from the 19 June 2023 Council resolution and subsequent communications, Council requested Ngāti Kahu provide two nominated hapu representatives to be involved in the project team; to date no response nominating representatives has been received.
32. Ngāti Kahu were involved in hui in 2022 and 2023 where history and principles were discussed, and inputs into the initial concept plan development were received.
33. Staff have kept Ngāti Kahu informed of progress with updates of planning work completed and upcoming. With specific regard to the proposed Fast-track Approvals Bill application and updated concept plan attached to this report, a letter was sent to Ngāti Kahu on 19 April 2024 inviting their feedback and opportunity to meet on any aspect of the process.
34. The aspirations of Ngāti Kahu to deliver housing outcomes for the hapu are acknowledged and ways to deliver this outcome are being considered through project planning.
35. There are other known developments planned around the Bethlehem town centre and adjacent to the site that are being considered by the project team and future feasibility. Working together with the other developers assists in understanding future impacts on infrastructure such as three waters and transportation networks.
36. Engagement with adjoining landowners will be undertaken through the due diligence process as the concept plan is tested and refined.

**APPLICATION OF COUNCIL'S PROPERTY ACQUISITIONS AND DISPOSAL POLICY****Classification Steps**

37. Should Pōteriwhi be sold, Council will need to follow the Property Acquisitions and Disposals Policy (Policy), which requires the property to be classified for the purposes of disposal and sets out three steps for assessing and classifying land for disposal. These are below but discussed in latter sections.

Step 1: Assess

Step 2: Engagement with Mana Whenua on cultural matters

Step 3: Confirm Classification

**Step 1**

38. In accordance with **Step 1**, the following considerations apply.
  - (a) Statutory obligations under Section 40 of the Public Works Act 1981 (*Offer Back*) do not apply. The relevant area of Pōteriwhi was purchased from Parau Farms Limited (**PFL**). In the further terms of this Agreement, PFL (now removed from the Companies Register) waived its right, and the right of any successor, to the offer-back provisions in section 40 of the Public Works Act.
  - (b) Council is yet to resolve if there are any strategic objectives which could be achieved by the divestment of the Pōteriwhi. The considerations for Council are:
    - (i) Whether or not there is a preference to mandate specific strategic outcomes to be achieved on the site by a purchaser or joint venture.
    - (ii) Whether Pōteriwhi is suitable for disposal via an open market process “*if strategic objectives cannot be met through disposal*”.

**Steps 2 and 3**

39. *Step 2: Engagement with Mana Whenua on cultural matters* is yet to be completed. Therefore, Council is unable to confirm classification in accordance with *Step 3: Confirm Classification* currently.

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40. Notwithstanding, this report seeks a preliminary view from Council on classification, to inform future engagement and process. Staff will return to Council with a further report once engagement has been progressed.

#### Classification Options

41. The classification types under the Policy include Atypical, Strategic Disposal or Surplus Property. The definitions are non-prescriptive and to a degree allow a case-by-case assessment to be made.

42. It is considered that the objectives of the potential divestment would be closely aligned with a Strategic Disposal classification, due to the alignment with Council's strategic objectives including delivery of increased housing density, range and supply of housing type and choice. There are further objectives that could be considered, including maximising the financial return from the market housing to enable reinvestment into affordable housing and other outcomes. For this reason, the divestment is not considered appropriate to be classified as Surplus Property.

43. Council may however reach an alternative position if it considers that the divestment objectives are not sufficient to differentiate between Strategic Disposal and Surplus Property classifications.

44. The classification options which are assessed as being available to Council are contained as follows in Table 1.

**Table 1: Pōteriwhi - Classification Options**

|          |   |
|----------|---|
| Option 1 | <i>Option 1: Classify the potential disposal of Pōteriwhi as a Strategic Disposal, based on strategic objective of providing housing and seeking a range of housing outcomes (including density, affordability, tenure and ownership outcomes).</i> |
| Option 2 | <i>Option 2: Classify the disposal of Pōteriwhi as Surplus Property, on the basis that the sole objective is for realisation of financial return and removal of the asset from the property portfolio</i>   |

45. The application of the policy to the divestment is only to the land shown as housing on the concept plan at Attachment B. The residual land is to remain in Tauranga City Council ownership.

#### **POTENTIAL DIVESTMENT STRATEGY**

46. Council approved and undertook a divestment strategy for Smiths Farm which was similar to Pōteriwhi in that it was land no longer required for recreation purposes which could deliver on strategic housing outcomes. The Smiths Farm divestment process was an effective way to attract proposals which delivered on Council's strategic outcomes and secured competitive market pricing.

47. Subject to the residential land at Pōteriwhi being classified as strategic and also being included in Schedule 2 of the Fast Track Approvals Act, is it recommended that a similar divestment strategy be followed.

#### **FINANCIAL IMPLICATIONS**

48. The internal team has provided high level estimates based on knowledge to date on the subject site (refer confidential attachment A). Through the due diligence process the costing of the infrastructure will be refined and phasing of the project confirmed.

49. The current 2024-34 Long Term Plan contains funding for various components for the project. Revenue from the proceeds of divestment will also assist to fund project outcomes. Notwithstanding, there is a portion of the infrastructure required that will remain unfunded.

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50. A future report will be presented to Council with the actual costs after the due diligence is complete. Once actual costs are known the current budgets and any excluded budgets will be considered.

**LEGAL IMPLICATIONS**

51. Local Government Act consultation has been undertaken for the land use change from recreation (open space) to residential housing on a portion of the site.
52. As outlined above, the Fast-track Approvals Bill has potential to decrease timeframes to enable housing over the site by integrating processes and moving straight to a resource consent and other approvals. Legal consideration of any applications will be in accordance with the Fast-track Approvals legislation once enacted.

**SIGNIFICANCE**

53. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
54. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
  - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
  - (b) any persons who are likely to be particularly affected by, or interested in, the decision.
  - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
55. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of medium significance. However, the decision proposed in this report is of low significance as it is a project update to consider next steps and potential parallel pathways to development. There will be further Council decision points, subject to conditions being met as outlined in this report, on whether the land is a strategic disposal and the entity which will be the preferred purchaser of the development land.

**NEXT STEPS**

56. Submit an application to include the Pōteriwhi Project (Parau Farms) as a Schedule 2A listed project within the Fast-track Approvals Bill.
57. Undertake further due diligence and refinement of the concept plan based on the attached concept plan and development outcomes reported to date.
58. Assess and classify the land under the Property Acquisitions and Disposals Policy. Including completing the three-step process, assess, engage with mana whenua on cultural matters and confirm the classification.
59. Develop a divestment strategy (including an approach to seek expressions of interest from developers to partner on the residential components of Fast-track Approvals consent process). Undertake divestment action if land classified as a Strategic Disposal and Fast Track Consenting pathway able to be utilised. Recommendations on preferred purchaser for the development to be reported back to Council for decision making.
60. Continuing engagement with mana whenua on project.

**ATTACHMENTS**

1. 2024 04 12 - Memo - Poteriwhi Costings - A15814502 - Public Excluded
2. 2024 04 17 - Poteriwhi Concept Plan A3 - A15837537

**10      DISCUSSION OF LATE ITEMS**

## 11 PUBLIC EXCLUDED SESSION

### Resolution to exclude the public

#### RECOMMENDATIONS

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

| General subject of each matter to be considered   | Reason for passing this resolution in relation to each matter   | Ground(s) under section 48 for the passing of this resolution   |
|---|---|---|
| <b>11.1 - Public Excluded Minutes of the City Future Committee meeting held on 25 November 2025</b>   | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons<br><br>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information | s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| <b>11.2 - Public Excluded Attachments 3, 4 and 5 to Item 9.5 - Pōteriwhi Use as an Active Reserve</b> | s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information   | s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |

**12 CLOSING KARAKIA**