Appendix AC

Consenting Tables

1. National Environmental Standards

1.1. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

Clause	Subclauses	Activity Status
10 – Restricted Discretionary Activities	(1) This regulation applies to an activity described in any of regulation 5(2) to (6) on a piece of land described in regulation 5(7) or (8) that is not a permitted activity or a controlled activity. (2) The activity is a restricted discretionary activity while the following requirements are met: (a) a detailed site investigation of the piece of land must exist: (b) the report on the detailed site investigation must state that the soil contamination exceeds the applicable standard in regulation 7: (c) the consent authority must have the report: (d) conditions arising from the application of subclause (3), if there are any, must be complied with.	As assessed in the ENGEO Detailed Site Investigation (Appendix S), the site has been identified as land subject to a HAIL activity, consent is required under Regulation 10 of the NESCS to support the land use change, subdivision and bulk earthworks activities. As the results of testing report exceedances above the NES for applicable land use criteria, a restricted discretionary consent is required under the NES. A Contaminated Site Management Plan (CSMP) has been provided by ENGEO (Appendix AK) to support the contaminated land assessment and to manage and guide any contamination removal as part of the project.

1.2. National Environmental Standards for Air Quality 2004

Bay of Plenty Region Natural Resources Plan Chapter 21 – AQ Air Quality applies.

1.3. National Environmental Standards for Freshwater 2020

No resource consents are required under this NES, as:

- No wetlands (as per clause 3 of the NES) have been identified either on or within 100m of the application site; and
- No culverts are proposed in the Kopuaroa Canal (refer Appendix D – Drawing C470). While culverts and flap gates are proposed in the Bell Road Drain, this drain is classified as an artificial watercourse or farm drain (refer Ecological Impact Assessment at Appendix L). It therefore does not come within the definition of "river" for the purposes of clause 3 of the NES and section 2 of the RMA.

2. National Policy Statements

2.1. National Policy Statement on Urban Development 2020

Objective/Policy	Requirement	Assessment
Objective 1	New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.	The application highlights a well-functioning urban environment providing housing, jobs, services, natural and open space.
Objective 3	Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply: a) the area is in or near a centre zone or other area with many employment opportunities b) the area is well-serviced by existing or planned public transport c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.	The project adjoins Wairakei/Te Tumu, and connects directly to The Sands Town Centre and SH2 interchange, providing both housing and business land.
Objective 4	New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations	The application recognises change in amenity values and increased/varied housing densities as consistent with the Objective.
Objective 8	New Zealand's urban environments: a) Support reductions in greenhouse gas emissions; and b) Are resilient to the current and future effects of climate change.	The project has been specifically designed to support a reduction in greenhouse gas emissions (including from the covering and preventing of emissions from what is currently a large peat area) and ensure the resulting development will be resilient to current and future climate change effects (including, for example, both flooding as a result of more frequent and severe storm events and sea level rise).
Policy 1 (b)	Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum: have or enable a variety of sites that are suitable for different business sectors in terms of location and site size;	The application provides a mix of industrial and employment land and for a range of residential typologies.
Policy 1 (d)	Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum: support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets;	The project increases business and housing supply, easing current constraints and the potential for market forces to increase house prices.

Objective/Policy	Requirement	Assessment
Policy 2	Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term	The project delivers further development capacity in terms of homes and business land directly tackling identified HBL deficits identified in the Smartgrowth Strategy.
Policy 6	When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters: a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement	The application recognises density and housing mix changes are consistent with planned outcomes.

2.2. National Policy Statement on Natural Hazards 2025

Objective/Policy	Requirement	Assessment
Objective 2.1	Natural hazard risk to people and property associated with subdivision, use and development is managed using a risk-based proportionate approach.	Wairākei South is supported by a detailed Natural Hazard Assessment (NHA) prepared by ENGEO (Appendix Q) which applies a risk-based methodology aligned with the Bay of Plenty RPS Appendix L framework, assessing likelihood, consequence and residual risk for relevant natural hazards. The assessment considers post-development conditions and identifies mitigation measures to reduce risk to acceptable levels.
Policy 1	Natural hazard risk associated with subdivision, use or development must be assessed using the risk matrix.	The NHA (Appendix Q) explicitly undertakes a structured risk assessment in accordance with the Bay of Plenty RPS Appendix L framework, incorporating hazard likelihood, consequence and annual individual fatality risk (AIFR), consistent with the NPS-NH risk-based approach. Flooding, liquefaction, coastal inundation, tsunami, volcanic activity and slope instability have been assessed for post-development conditions.
Policy 2	Natural hazard risk must be managed using an approach proportionate to the level of risk.	The application adopts mitigation measures proportionate to identified risks. For flooding, landform design, flood storage, overland flow paths, pump system resilience and minimum freeboard requirements are incorporated. For liquefaction and seismic land instability, engineered fill platforms, ground improvements and future foundation requirements are proposed. These measures are scaled to the assessed level of risk.
Policy 3	Development with very high natural hazard risk must be avoided.	The NHA (Appendix Q) concludes that while some hazards (notably liquefaction and earthquake-induced slope instability) initially present medium or high secondary risks, proposed mitigation measures reduce residual risk to low. No areas are proposed for development where unmanaged very high natural hazard risk remains.

Objective/Policy	Requirement	Assessment
Policy 4	Development must not create or increase significant natural hazard risk on other sites, unless avoided or mitigated proportionately.	Flood modelling (Appendix H) has been undertaken for pre and post development scenarios, including extreme rainfall and climate change conditions. The proposed stormwater and flood management approach incorporates overland flow paths and designated flood-compatible areas to manage flows and avoid adverse downstream flooding effects. The design intent is to reduce risk to both the site and surrounding catchment.
Policy 5	Natural hazard risk assessment and decisions must be based on the best available information, including where information is uncertain or incomplete.	The application draws on extensive technical assessments including geotechnical investigations, flood modelling, hazard mapping, geomorphological analysis and previous site investigations. ENGEO's assessment specifically references regional hazard mapping, scientific reports, prior investigations and post-development modelling to inform conclusions.
Policy 6	Potential impacts of climate change to at least 100 years into the future must be considered.	Climate change impacts have been explicitly considered in flood modelling and adaptation planning. Flood assessments incorporate a 2130 climate change scenario including 3.68°C warming and 1.59 m sea level rise, with developed areas designed to maintain freeboard under future extreme rainfall conditions (Appendix H). Climate resilience is embedded through landform design, wetlands and flood-compatible open space.

2.3. National Policy Statement on Freshwater Management 2020

Objective/Policy	Requirement	Assessment
Objective	The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises: a) first, the health and well-being of water bodies and freshwater ecosystems b) second, the health needs of people (such as drinking water) c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.	The application confirms no defined wetlands or rivers (Appendix L), and proposes 163ha of new wetlands for stormwater/recreation outcomes. Thus, it will result in neutral, if not positive, outcomes for water quality and will not have any water quantity/allocation issues.
Policy 1	Freshwater is managed in a way that gives effect to Te Mana o te Wai.	The application notes creation of wetlands aligns with appropriate management and Te Mana o te Wai principles.
Policy 6	There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.	The application notes no natural wetlands are present, and 163ha of new constructed wetlands to restore ecological values are proposed.

2.4. National Policy Statement for Indigenous Biodiversity 2023

Objective/Policy	Requirement	Assessment
Objective 2.1	Maintain indigenous biodiversity with at least no overall loss, recognising tangata whenua as kaitiaki while enabling social, economic and cultural wellbeing.	The Ecological Empact Assessment (EcIA) (Appendix L) concludes that the site has predominantly negligible to moderate terrestrial ecological values, with no wetlands on-site, and is not considered significant under s6(c) RMA / BOP RPS criteria. After application of the effects management hierarchy and mitigation measures, no residual adverse ecological effects are anticipated, with positive residual effects expected through water quality improvements and constructed wetland and ecological corridors providing habitat creation, connectivity and ecological enhancement. The proposal balances biodiversity outcomes with the delivery of housing, employment land and supporting infrastructure.
Policy 1	Indigenous biodiversity is managed in a way that gives effect to decision-making principles and Treaty principles.	The proposal has been informed by engagement with Mana Whenua including Te Kapu ō Waitaha through the Cultural Impact Assessment (Appendix V)), which supports the development in principle subject to ongoing partnership, cultural monitoring, indigenous planting and restoration. The development incorporates cultural and ecological restoration outcomes aligned with kaitiakitanga and environmental stewardship principles.
Policy 3 / Clause 3.7	Apply a precautionary approach where ecological effects are uncertain and may cause significant or irreversible damage.	Detailed terrestrial, freshwater, wetland, avifauna, bat and lizard assessments have been undertaken by suitably qualified ecologists. Species-specific Ecological Management Plans (EMPs; (Appendices AH-AJ), vegetation clearance controls, Wildlife Act Authorisations and bat/lizard protocols are proposed to avoid uncertainty related to ecological risks during construction.
Policy 4 / Clause 3.6	Promote resilience of indigenous biodiversity to climate change, including connectivity and habitat movement.	The proposal includes wetland creation, ecological corridors and greenway networks which improve ecological connectivity and habitat availability. The masterplanned stormwater wetlands and indigenous planting strengthen ecological resilience, improve habitat function and support long-term adaptation to changing climatic conditions.
Policy 5 / Clause 3.4	Indigenous biodiversity is managed in an integrated way, recognising connections between land, freshwater and wider ecosystems.	The development integrates terrestrial ecology, freshwater ecology, stormwater treatment and wetland creation into a single landscape system. The proposal moves away from intensive agricultural land use toward an integrated floodplain and wetland network designed to improve downstream water quality and ecological function within the lower Kaituna catchment.
Policy 7 / Clauses 3.10–3.11	Protect SNAs through avoiding or managing adverse effects.	The EcIA concludes the Site does not contain areas considered significant indigenous vegetation or significant indigenous fauna habitat under relevant BOP RPS criteria, and no wetlands occur within the Site. While mapped wetlands occur nearby and are recognised as high value, the proposal includes buffers, stormwater treatment and ecological management measures to avoid or minimise indirect effects.

Objective/Policy	Requirement	Assessment
Policy 8 / Clause 3.16	Recognise and provide for maintaining indigenous biodiversity outside SNAs, managing significant adverse effects using the effects management hierarchy.	The proposal explicitly applies the effects management hierarchy through avoidance, minimisation and remediation measures, supported by management plans for birds, bats, lizards and freshwater species (Appendices AH-AJ). Post-mitigation ecological effects are assessed as very low to low, with no residual adverse ecological effects anticipated.
Policy 13 / Clause 3.21	Promote restoration of indigenous biodiversity, particularly degraded systems and ecological connections.	A key feature of the proposal is the restoration and creation of ecological function through wetland establishment, indigenous planting, greenways and ecological corridors, improving biodiversity outcomes relative to the current intensive pastoral baseline. The CIA (Appendix V) also supports indigenous revegetation and Waitaha-led restoration initiatives.
Policy 14 / Clause 3.22	Promote increased indigenous vegetation cover.	Native-dominated landscape planting, wetland margins, greenways and ecological corridors are proposed across the development (Appendix E), increasing indigenous vegetation cover relative to the current predominantly pastoral land use. The EcIA (Appendix L) identifies likely positive biodiversity outcomes associated with these interventions.
Clause 3.24	Applications with more than minor ecological effects should be informed by a suitably qualified ecologist and assess ecological values, effects and management.	The application is supported by a comprehensive EcIA (Appendix L) prepared by suitably qualified terrestrial and freshwater ecologists, including vegetation, avifauna, bats, lizards, freshwater ecology, wetland assessment and ecological management measures proportionate to effects.

2.5. National Policy Statement for Highly Productive Land 2022

Objective/Policy	Requirement	Assessment
Objective	Highly productive land is protected for use in land-based primary production, both now and for future generations.	The application notes land is Class 2 & 3 but with constraints (peat soils, low-lying, limited arable potential) which very much limit/preclude its use for ongoing productive activities. Thus, the application will not result in the loss of any land which is in practice “highly productive”.
Policy 2	The identification and management of highly productive land is undertaken in an integrated way that considers the interactions with freshwater management and urban development.	The application assesses the site as better suited to urban use with minimal productive potential, and wetlands proposed enhance freshwater outcomes.

Objective/Policy	Requirement	Assessment
Policy 5	The urban rezoning of highly productive land is avoided, except as provided in this National Policy Statement.	The application argues the proposed rezoning is justified given site constraints and urgent housing/business land demand. And a pathway for rezoning (as provided for within the NPS) is established via clause 3.10 of the NPS.
Policy 8	Highly productive land is protected from inappropriate use and development.	The application shows that the land is not highly versatile, development provides regional benefits, wetlands, and avoids inappropriate fragmentation.

3. Bay of Plenty Regional Policy Statement

3.1. Issues

Issue	Description	Assessment
Air Quality		
Issue 1 Impacts of odours, particulates and chemicals on amenity and wellbeing	Odours, dust, smoke or chemical emissions may degrade amenity and human health where inconsistent with the receiving environment.	The proposal involves staged earthworks, peat management, infrastructure installation and construction activities. Temporary dust generation may occur during earthworks and vehicle movements. These effects will be managed through site-specific Construction Environmental Management Plans (CEMPs) (see Appendix AC), including dust suppression, stabilisation of exposed surfaces, and management of haul roads. No ongoing industrial air discharges are proposed, and conditions are proposed to regulate this in the District Land Use consent (see Appendix AD). Long-term land use (residential and employment) is not expected to generate significant odour, particulate or chemical emissions inconsistent with the urban environment.
Issue 2 - Effects of fine particulate matter on human health	Fine particulate matter can adversely affect human health.	Construction activities have potential to generate particulate matter. However, emissions will be temporary and controlled through best-practice dust management measures (see Appendix U) in accordance with the Regional Air Plan and consent conditions.
Energy & Infrastructure		
Issue 1 Reverse sensitivity effects on infrastructure	Inappropriate subdivision or development can create reverse sensitivity effects on existing or planned infrastructure, constraining its operation or upgrade.	The Wairakei South Development has been master planned to integrate with existing and planned infrastructure, including transport connections via the Tauranga Eastern Link and servicing networks. Infrastructure corridors and network capacity have informed layout and staging. The proposal does not introduce sensitive land uses in a manner that would constrain regionally significant infrastructure.

Issue	Description	Assessment
Issue 2 Ineffective integration of land use, infrastructure and transport networks	Poor integration can increase congestion, emissions, inefficient infrastructure investment and reliance on private vehicles.	The development integrates residential areas with employment land, reducing commuting demand and supporting a live–work urban form. Transport assessment and staging ensure alignment between land use, road hierarchy and infrastructure upgrades. The compact master planned form, supports efficient infrastructure servicing and reduces dispersed rural growth.
Issue 3 Improving security of electricity supply	Growth increases electricity demand and may require upgrades to transmission and substations.	The proposal responds to projected Western Bay population growth and is located within an established growth corridor where infrastructure planning anticipates expansion. The Sustainability assessment recognises future electricity demand and identifies opportunities for distributed renewable generation (e.g. rooftop solar and neighbourhood-scale battery storage) to support resilience and reduce grid pressure over time.
Issue 4 Increasing use of renewable energy and improving energy efficiency	Increasing renewable energy use and improving efficiency reduces greenhouse gas emissions and improves security of supply.	The Sustainability assessment identifies opportunities for rooftop solar, EV-ready infrastructure and distributed energy solutions. Transition from peat-based intensive agriculture (a significant greenhouse gas source) to an urban form with integrated wetlands and potential low-carbon energy measures represents a long-term emissions reduction relative to baseline agricultural use. While specific energy infrastructure is not proposed at this stage, the master planned design enables renewable integration.
Issue 5 -Effects of infrastructure	Infrastructure can generate adverse effects on land uses and environmental values if not appropriately managed.	Infrastructure requirements (stormwater, transport, wastewater, water supply) have been assessed through technical reports including the Maven Flood Modelling Report and infrastructure planning inputs. The integrated wetland stormwater network functions as both infrastructure and ecological enhancement, reducing downstream flood risk and improving water quality. Construction impacts will be managed through Construction Environmental Management Plans.
Integrated Resource Management		
Issue 1 -Inefficient use and wasted resources	Inefficiencies and duplication between councils or agencies may result in wasted resources and adverse environmental effects.	The proposal has been supported by technical assessments addressing ecology, stormwater, flooding, geotechnical and planning matters. The application integrates Regional and District planning requirements, avoiding duplication and ensuring efficient allocation of responsibilities between Western Bay of Plenty District Council and Bay of Plenty Regional Council.
Issue 2 - Inappropriate responses due to poor information and late involvement	Poor understanding of issues and late stakeholder involvement can result in inappropriate management responses.	The proposal is supported by detailed technical investigations and consultation. Early assessment of ecological, hydrological and hazard constraints has informed site layout and mitigation design, ensuring appropriate management responses.

Issue	Description	Assessment
Issue 3 - Understanding the changing environment and community concerns	Effective resource management requires maintaining understanding of environmental change, including climate change.	Flood modelling and stormwater design account for current and projected hydrological conditions. The proposal adopts an adaptive and precautionary approach consistent with Regional direction.
Issue 4 -Certainty about roles and responsibilities	Users and communities require certainty about resource management roles and responsibilities.	The application clearly identifies regulatory triggers and allocates responsibilities between Regional and Territorial Authorities in accordance with statutory functions.
Iwi Resource Management		
Issue 2 - Insufficient protection of tangata whenua environmental values	Planning and resource consent decisions can provide insufficient protection of tangata whenua environmental values	The application responds through direct engagement, consideration of Iwi Management Plans, and Cultural Impact Assessment. Cultural values are addressed through design responses, mitigation measures, proposed consent conditions, cultural monitoring, discovery processes and ongoing engagement.
Issue 4 - Degradation of Mauri	The mauri of water, land, air and geothermal resources has been degraded and needs to be protected and restored.	The proposal directly addresses Mauri through a shift away from intensive rural land use, improved stormwater management, wetland creation, water quality treatment, ecological enhancement and peat protection. The project provides an opportunity to restore degraded environmental systems over time.
Issue 8 - Inappropriate responses due to poor information and late involvement of affected parties	When issues are poorly understood, and key users, developers and protectors are involved late in resource management decision making, inappropriate responses result	The project has involved early engagement with Mana Whenua and preparation of a Cultural Impact Assessment to inform the application. The proposed approach includes continued information sharing, cultural monitoring, and ongoing involvement through detailed design, construction and implementation.
Urban and Rural Growth Management		
Issue 1 -Uncoordinated growth and development	Sporadic or poorly coordinated growth can adversely affect amenity, infrastructure efficiency,	The Wairakei South Development is a comprehensively master planned project supported by a Framework Plan, infrastructure strategy (Appendix F), flood modelling (Appendix C) and transport assessment (Appendix I). Development is proposed in staged sequencing over 10+ years and integrates land use,

Issue	Description	Assessment
	transport networks and productive land.	stormwater, transport and open space planning. The proposal avoids ad hoc rural fragmentation and provides a coordinated urban expansion consistent with structure planning principles.
Issue 2 - Land supply and inefficient land use patterns	Insufficient land supply or inefficient urban form can increase housing costs, greenhouse gas emissions and infrastructure inefficiencies.	The proposal delivers a significant number of dwellings and employment land within the Western Bay growth corridor. The integrated urban form, proximity to the Tauranga Eastern Link and Rangiuru Business Park, and provision of employment land support a compact, connected settlement pattern and reduce reliance on dispersed rural lifestyle development.
Issue 3 - Fragmentation of rural land	Subdivision of rural land unrelated to rural production can reduce productive potential and create reverse sensitivity effects.	The Agricultural Assessment (Appendix T) confirms the site is constrained by poorly drained soils and peat, limiting long-term productive potential. Continued agricultural use contributes to peat oxidation and greenhouse gas emissions. Transition to urban use avoids further rural fragmentation and does not compromise regionally significant versatile land resources.
Issue 4 - Impacts of poor urban design and growth on communities	Poorly designed urban areas may reduce amenity, connectivity and community wellbeing.	The masterplanned layout integrates residential neighbourhoods, employment areas, wetlands and open space networks. The wetland system provides ecological, recreational and flood mitigation functions. Urban design principles incorporate connectivity, green infrastructure and staged infrastructure delivery, supporting long-term liveability and community cohesion.
Issue 8 - Integration of land use and infrastructure	Lack of integration between land use and infrastructure may result in inefficient investment and network constraints.	Detailed technical assessments (flood modelling, stormwater design, transport assessment and infrastructure planning) have informed the Framework Plan. Flood management systems are integrated into land use layout, and staging aligns with infrastructure capacity and funding mechanisms. The proposal therefore demonstrates integrated land use and infrastructure planning consistent with the RPS framework.
Issue 9 - Intensive urban development pressures	Intensification can overload infrastructure and create unintended social or transport effects if not planned appropriately.	Infrastructure capacity and flood resilience have been assessed at a masterplan scale (Appendices F & G). The development includes integrated stormwater wetlands, road hierarchy planning and staged infrastructure delivery. The proposal provides employment land within the development, reducing commuting pressures
Water Quality & Land Use		
Issue 1 -Decline in water quality from land use	Land use practices can result in nutrient discharge, erosion and degradation of freshwater	The Ecological Impact Assessment (Appendix L) confirms that existing dairy and maize cropping contributes to degraded water quality within farm drains forming part of the Kaituna Drainage Scheme (low dissolved oxygen, elevated nutrients, poor habitat condition). The Highly Productive Land Assessment (Appendix T) identifies nitrogen losses associated with urine patch leaching, fertiliser use and cultivation on peat soils.

Issue	Description	Assessment
	and downstream receiving environments.	The proposal permanently ceases intensive agriculture and introduces an integrated stormwater and wetland attenuation system designed to treat runoff prior to discharge. Relative to the current baseline, the development is expected to reduce diffuse nutrient inputs and improve water management outcomes.
Issue 3 - Soil health reduced by unsustainable land management	Land use incompatible with soil capability can degrade soil health and life-supporting capacity.	The site is extensively underlain by peat soils, which are highly constrained for intensive agriculture. The Highly Productive Land Assessment (Appendix T) confirms ongoing peat oxidation and subsidence under current drained farming practices. The proposal includes peat capping, groundwater management and staged earthworks to stabilise the soil profile and arrest further oxidation. Construction will be managed through CEMPs to minimise erosion and sediment discharge. The transition represents a more managed and stable long-term land use outcome relative to the existing agricultural regime.
Natural Hazards		
Issue 1 - Potential for natural hazard events to generate major or catastrophic consequences	Natural hazards in the region (including flooding, coastal inundation, tsunami and earthquake) have potential to cause significant harm to people and property.	The site is located within a low-lying floodplain associated with the Kaituna River catchment. Flood behaviour has been comprehensively assessed through detailed hydrological and hydraulic modelling in the Flood Modelling Report (Appendix H). The modelling incorporates climate change allowances and future 1% AEP scenarios. The proposal adopts a risk-based design response including raised building platforms, flood storage, stormwater attenuation wetlands, overland flow paths and managed discharge. The modelling demonstrates no increase in off-site flood levels, and a net positive flood management outcome within the Bell Road catchment. The proposal therefore manages flood risk in a manner consistent with the RPS risk reduction framework.
Issue 2 - Availability of natural hazard risk information	Sound hazard information is required to inform land use decisions.	The application is supported by detailed flood modelling, geotechnical investigations and accompanying peer review reports, and climate change analysis. Hazard information has directly informed the masterplan layout, platform levels, stormwater network and infrastructure design.
Issue 3 -Existing risks from natural hazards	Existing land uses and infrastructure may be exposed to hazard risk.	The site is currently used for intensive agriculture within a modified floodplain environment. The development replaces this with a planned urban layout designed to accommodate flood events through integrated attenuation wetlands and controlled discharge. Climate change projections have been incorporated into modelling assumptions. This represents a reduction in unmanaged exposure relative to the current baseline condition.
Issue 4 - Coordinating agencies' roles	Effective natural hazard management requires coordinated regional and district council functions.	The proposal has been prepared in consultation with both Bay of Plenty Regional Council and Western Bay of Plenty District Council. The application clearly identifies regional (flood management and discharges) and district (land use and subdivision) functions, consistent with the RPS's integrated hazard management framework.

3.2. Objectives and Policies

Provision	Description	Assessment
Air Quality		
Objective 1, Policies AQ1A, AQ2A and AQ3A	The adverse effects of odours, chemical emissions and particulates are avoided, remedied or mitigated so as to protect people and the environment.	The proposal avoids long-term adverse air discharge effects. Temporary construction-related dust and particulate emissions will be mitigated through CEMPs, erosion and sediment control measures, progressive stabilisation, and wetland integration. No geothermal air emissions are associated with the site.
Energy & Infrastructure		
Objective 7, Policies EI2B and EI3B	Provide for the appropriate management of adverse environmental effects of infrastructure and reverse sensitivity effects	Infrastructure effects are addressed through detailed technical assessments including flood modelling, stormwater design, peat management and transport assessment and construction management planning. The masterplanned layout separates incompatible uses, integrates wetlands and open space buffers, and manages infrastructure corridors through design. Reverse sensitivity effects are minimised through integrated land use planning and staged infrastructure provision consistent with regional and district planning frameworks.
Integrated Resource Management		
Objective 10, Policies IR1B and IR2B	Cumulative effects of existing and new activities are appropriately managed	The Flood Modelling Report (see Appendix H) assesses both pre- and post-development flood behaviour across a range of storm events. The modelling demonstrates that flood levels and flow rates beyond the site boundary are not increased under design storm events, including climate-adjusted scenarios. Flood storage displaced by development is offset through on-site swale and wetland attenuation systems and active mechanical pumping to the Kopuaroa Canal and Kaituna River. On this basis, cumulative downstream flood effects are appropriately managed.
Objective 11, Policies IR3B, IR4B, IR5B and IR6B	An integrated approach to resource management issues is adopted by resource users and decision makers	The proposal integrates landform design, building platform levels, road levels, drainage infrastructure and attenuation systems based on outputs from the flood modelling. Water surface elevations derived from modelling have directly informed the masterplan design. Hydrological mitigation is identified as a core driver of the stormwater strategy, demonstrating integration between land use planning and flood management.
Iwi Resource Management		
Objective 13, Policies IW2B and IW3B	Kaitiakitanga is recognised and the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) are systematically taken	The application recognises Kaitiakitanga through engagement with Mana Whenua, assessment of relevant Iwi Management Plans, and incorporation of cultural values into the design, mitigation and monitoring

Provision	Description	Assessment
	into account in the practice of resource management	framework. This includes cultural monitoring, accidental discovery protocols, wetland restoration, indigenous planting and opportunities for ongoing partnership
Objective 15, Policy IW4B	Water, land, coastal and geothermal resource management decisions have regard to iwi and hapū resource management planning documents	The relevant Iwi Management Plans have been reviewed and key matters have informed the project design and proposed mitigation. In particular, the proposal responds to issues relating to wai, mauri, wetlands, riparian restoration, cultural monitoring, early engagement and catchment-based management.
Objective 17, Policies IW5B and IW6B	The mauri of water, land, air and geothermal resources is safeguarded and where it is degraded, where appropriate, it is enhanced over time	The proposal seeks to safeguard and enhance Mauri through improved stormwater treatment, extensive wetland creation, ecological restoration, indigenous planting, peat management, reduction of intensive agricultural nutrient losses, and cultural monitoring. These measures support improved water quality, land stability and long-term environmental resilience.
Urban & Rural Growth Management		
Objective 23, Policy UG4A	A compact, well designed and sustainable urban form that effectively and efficiently accommodates the region's urban growth	Wairākei South provides a comprehensively masterplanned urban development delivering modern medium density housing outcomes, employment land, community facilities, open space, wetlands and infrastructure in an integrated form. The proposal supports a live-work-play urban structure rather than dispersed rural-residential fragmentation, while responding to regional housing and business land shortfalls.
Objective 24, Policies UG1A, UG2A and UG3A	An efficient, sustainable, safe and affordable transport network, integrated with the region's land use patterns	The site is strategically located adjacent to the Tauranga Eastern Link and has been planned with an internal movement network that supports connectivity, active transport, access to employment areas, and integration with the wider transport system. Further detail should cross-reference the Integrated Transport Assessment.
Objective 26, Policies UG16B, UG19B and 20B	The productive potential of the region's rural land resource is sustained and the growth and efficient operation of rural production activities are provided for	The proposal will remove land from rural production, however the Highly Productive Land Assessment (Appendix T) indicates the productive capacity of the site is constrained by drainage, soil and peat limitations. The development represents a coordinated urban response to sub-regional growth needs, while reducing ongoing nutrient loss, sediment risk and peat degradation associated with existing land uses.
Water Quality & Land Use		
Objective 27, Policy WL1B	The quality and mauri of water is maintained or enhanced where necessary.	The site currently contributes diffuse nutrient and sediment inputs associated with intensive agriculture on peat soils as noted in the Ecological Impact Assessment (see Appendix L). The proposal removes these land uses and implements an integrated stormwater and wetland attenuation network designed to manage, treat and control discharges to the Bell Road Drain and Kopuaroa Canal. Flood modelling confirms no increase in downstream flood levels. Compared to the existing environment, the development enables

Provision	Description	Assessment
		managed and treated discharges, supporting maintenance and potential improvement of water quality outcomes.
Objective 29, Policy WL1B	Land use activities are within land capability, integrated with environmental values, and within receiving water capacity.	Continued agricultural use of drained peat soils results in subsidence, nutrient loss and greenhouse gas emissions. The proposal stabilises peat, and integrates stormwater treatment, flood management and erosion controls through CEMPs and consent conditions. Discharges will be regionally regulated and managed within receiving environment limits, aligning land use with environmental capacity.
Natural Hazards		
Objective 31, Policies NH7A, NH1B, NH2B, NH3B, NH4B. NH9B, NH10B and NH11B	Avoidance or mitigation of natural hazards by managing risk for people's safety and protection of property and lifeline utilities.	The proposal adopts a risk-based natural hazard management approach consistent with Policies NH 1B and NH 4B. Flood modelling incorporates climate change allowances and future rainfall intensification scenarios. Building platforms, road levels, attenuation wetlands and discharge infrastructure are designed to manage extreme events while protecting people, property and infrastructure.
Kaituna River		
Objective 40, Policy KR1B	Iwi/hapū relationships with the Kaituna River are recognised, enhanced and provided for.	The proposal recognises the relationship of iwi and hapū with the Kaituna River through engagement with mana whenua, review of relevant Iwi Management Plans, and incorporation of the CIA into the design and mitigation framework. The project responds through wetland creation, stormwater treatment, water quality improvement, ecological restoration, cultural monitoring, and ongoing engagement.
Objective 41, Policies KR2B and KR3B	Water quality and mauri (including groundwater) maintained/restored to support ecosystem health, safe drinking water sources, human contact, threatened species and mahinga kai.	Baseline water quality conditions within the site and receiving environment are assessed. The proposal incorporates a large-scale wetland and stormwater network and flood-managed discharge regime, designed to avoid increasing off-site flood levels or flows and to provide water quality treatment prior to discharge.
Objective 42, Policy KR1B	Sufficient water quantity to support mauri and tangata whenua/ecological/recreational values.	Hydrological modelling demonstrates that post-development conditions do not increase flood levels or flows beyond the site boundary, including under climate-adjusted design events (Appendix H). Stormwater management is integrated at the masterplan level to manage water quantity effects.
Objective 43, Policies KR5B and KR6B	Environmental wellbeing enhanced through best management practices.	Construction and operational activities will be governed by site-specific management plans, including erosion and sediment controls and waste minimisation measures. These measures are designed to avoid adverse effects on the Kaituna River receiving environment.

Provision	Description	Assessment
Objective 44, Policy KR7B	Wetlands, aquatic and riparian ecosystems restored/protected/enhanced to support indigenous species.	No RMA-defined wetlands occur on-site. However, the proposal includes approximately 62 ha of stormwater attenuation reserve incorporating constructed wetland systems capable of supporting wetland vegetation and habitat, representing a net increase in wetland function within a highly modified landscape.
Objective 45, Policies KR3B and KR10B	Te Maru o Kaituna, iwi and community enable aspirations for restoration/protection/enhancement of the Kaituna River.	The transition from intensive drained peat agriculture to an integrated urban form with wetland restoration, flood mitigation, and improved water management represents a shift toward long-term catchment resilience. Ongoing collaboration with iwi and relevant authorities will inform implementation.

4. Western Bay of Plenty District Plan

4.1. Significant Issues

Provision	Assessment
Section 4B – Transportation, Access & Parking	
4B.1(1) Vehicle access points from property to roads (including State Highways) may conflict with the safe and efficient operation of the transport network.	The proposal consolidates access via Bell Road and the future Pāpāmoa East Interchange and does not create new direct access points to SH2. Access design, intersection upgrades and staging are addressed through the Integrated Transport Assessment (Appendix I), ensuring safe and efficient network operation consistent with the road hierarchy.
4B.1(2) Changing land use adjacent to roads may conflict with network safety and efficiency.	The transition from a rural to an urban land use has been assessed at both local and network-wide levels. The transport modelling considers cumulative growth effects (including Te Tumu and Wairakei) and incorporates mitigation measures to maintain level of service and safety outcomes (Appendix I).
4B.1(3) An integrated approach to land use and infrastructure planning is required.	The masterplan integrates land use intensity, staging and infrastructure delivery. Residential, commercial and employment areas are aligned with collector and arterial road functions and strategic transport connections, reflecting an integrated land use and infrastructure approach.
4B.1(4) Poorly located growth can affect the function and efficiency of the transport network and create reverse sensitivity.	The site is strategically located adjacent to existing and planned urban areas and key infrastructure (SH2/TEL and PEI). Development is consolidated rather than dispersed, supporting network efficiency and avoiding isolated growth patterns.

Provision	Assessment
4B.1(6) Walking, cycling and non-vehicular transport are important elements of the transport network.	The masterplan integrates pedestrian and cycling corridors, green links and connections to adjacent growth areas. The layout supports future public transport integration and promotes multi-modal transport options through the masterplanning completed (Appendix C).
Section 5 – Natural Environment	
5.1(1) Significant remaining indigenous native forest, wetlands, riparian and coastal habitats are under threat from human-induced activities including pests.	The Ecological Impact Assessment (Appendix L) confirms the site is predominantly modified pastoral land and does not contain mapped significant ecological features or significant indigenous vegetation. The proposal does not result in the loss of significant indigenous habitat.
5.1(2) Areas outside those listed as significant may still have ecological value and be under threat.	Ecological investigations have assessed the site comprehensively. While modified drains and low-value vegetation occur, these are not identified as significant habitats. The proposal incorporates ecological enhancement through wetland creation and riparian planting, improving overall ecological condition relative to the existing baseline as set out in the Ecological Impact Assessment (Appendix L).
5.1(3) Ecosystem services (freshwater, soils, riparian protection and flood control) should be recognised.	The proposal integrates stormwater attenuation, treatment wetlands and riparian buffers. These measures improve water quality and flood management outcomes compared to the existing agricultural baseline, supporting ecosystem service functions.
5.1(4) Indigenous habitats are diminishing and protection is inadequate, especially lowland and coastal habitats.	The site is not a remnant indigenous habitat area. The proposal provides restoration planting and wetland establishment, increasing indigenous cover and contributing positively to lowland ecological representation over time.
5.1(5) Inappropriate land management practices often occur on or adjacent to important habitats (e.g., stormwater pollution, rubbish disposal, stock grazing).	The proposal transitions the site from agricultural use to a planned urban environment with structured stormwater treatment, erosion and sediment controls, and ecological management. This reduces diffuse sediment and nutrient inputs compared to the current pastoral baseline.
5.1(11) Wetland habitat: loss of wetlands and damage caused by drainage and infilling.	The proposal involves reconfiguration of drains and landform, however, it includes the creation of constructed wetlands and enhancement planting as integral infrastructure and mitigation measures, with early delivery of stormwater and wetland areas to establish function in advance of later stages as set out in the Stormwater Management Plan (Appendix AI) and the Ecological Impact Assessment (Appendix L).
Section 8 – Natural Hazards	
8.1.1 District subject to a range of natural hazards (coastal erosion, inundation, flooding,	The proposal is supported by an integrated suite of hazard assessments (Natural Hazards Assessment; Flood Modelling Report; Geotechnical Interpretive and Assessment Reports (Appendices Q, H and P). The masterplan (Appendix C) has been developed to address the hazard response: raised building platforms ,flood management, stop

Provision	Assessment
land instability, earthquake, liquefaction, tsunami, volcanic eruption).	banks and pump station upgrades, defined overland flow paths, and geotechnical/earthworks methods suited to peat soils and liquefaction susceptibility.
8.1.2 Some hazard areas can be identified in advance; others are difficult to control through Plan rules.	The application uses current hazard modelling and site-specific technical evidence (including tsunami inundation modelling and flood/stormwater modelling) to characterise risk and embed mitigation at a masterplan level. This responds to the Plan's acknowledgement that mapped hazards may be incomplete and that evidence-based assessment is necessary to understand susceptibility and risk for site-specific decision-making.
8.1.3 Some land at risk has already been developed for urban purposes.	While the site is currently rural, it adjoins existing and planned urban areas and key infrastructure. The proposal represents a planned urban extension where hazard risk is addressed up front (platform levels, evacuation options, stormwater/flood resilience, and geotechnical design) rather than enabling incremental development without an integrated hazard response.
8.1.4 Hazard mitigation can adversely affect natural character and significant ecological values.	The flood management framework and stormwater treatment approach integrates wetlands and riparian planting as functional infrastructure, aligning flood resilience with ecological enhancement and amenity outcomes. Where structural measures are required (stop banks and pump infrastructure), design is integrated with the broader green-blue network so that hazard management does not rely solely on hard protection works and avoids unnecessary adverse effects on natural character.
Section 10 – Infrastructure, Network Utilities & Designations	
10.1(1) Infrastructure and network utilities are essential to community wellbeing.	The proposal provides comprehensive stormwater, flood mitigation, transport and utility infrastructure required to support residential and employment land. Infrastructure is integrated with land use staging and long-term servicing requirements as set out in the Infrastructure Report (Appendix F).
10.1(2) Servicing piecemeal growth can be problematic and costly.	The proposal avoids ad hoc servicing by delivering infrastructure across the full masterplanned area, aligning with sub-regional growth planning and funding frameworks.
10.1(3) Cross-boundary infrastructure integration is important.	The development integrates with Tauranga City growth areas and regional transport and drainage systems, supporting coordinated sub-regional infrastructure outcomes.
10.1(4) Infrastructure may positively or adversely affect amenity.	Stormwater infrastructure is delivered as integrated wetland corridors and green-blue networks that enhance amenity and ecological outcomes. Where hard infrastructure is required (e.g. pump stations, stopbanks), design mitigation measures are incorporated.
10.1(6) Reverse sensitivity effects near infrastructure and network utilities.	The proposal recognises and protects the function of flood control stopbanks, canals and drainage infrastructure. Development platforms and servicing layouts avoid compromising infrastructure operation.

Provision	Assessment
10.1(11) The functionality of flood control stopbanks, canals and drains may be compromised by other activities.	Flood modelling confirms post-development flood levels and flows are managed so that the performance of flood control devices is maintained or improved. Pumping capacity is increased and infrastructure is vested to the appropriate authority (Appendix H).
Section 12 – Subdivision & Development	
12.1(1) Population growth is expected to continue; growth should be directed to recoup infrastructure investment and ensure efficient use of services.	The proposal responds to anticipated sub-regional growth and directs development to a planned growth location adjacent to major transport infrastructure and existing servicing networks, supporting efficient use of infrastructure investment as set out in the Economic Assessment (Appendix Z).
12.1(2) Long-term infrastructure needs and principal transport corridors require coordinated planning and staging.	The development integrates with the strategic transport network including the Tauranga Eastern Link and Pāpāmoa East Interchange and is staged to enable coordinated delivery of infrastructure without compromising corridor function as identified in the Integrated Transport Assessment (Appendix I).
12.1(3) Poorly designed subdivision and development can adversely affect amenity and the safe and efficient operation of the transport network.	The proposal is comprehensively masterplanned to create a coherent urban extension. Layout, open space networks, wetland corridors and staging are designed to manage amenity effects and support transport safety and efficiency in accordance with the sites masterplan (Appendix C).
12.1(4) Development needs to comply with agreed levels of service and standards in the Development Code.	Subdivision infrastructure is designed to comply with the Development Code or demonstrate equivalent performance through alternative solutions. Detailed engineering design will be confirmed through engineering approval processes and certification as per the Infrastructure Report (Appendix F).
12.1(5) Quality design outcomes are important for safe, efficient and vibrant communities.	The proposal provides a masterplanned neighbourhood with open space networks, stormwater wetlands, active transport connections and proximity to employment areas, supporting community wellbeing outcomes.
12.1(6) Provision should be made for innovation where performance standards are met and desired outcomes achieved.	The proposal applies site-responsive design solutions including water sensitive urban design, integrated wetlands, and staged landform engineering to address peat soils, floodplain constraints and long-term servicing requirements.
12.1(8) Subdivision increases intensity; sufficient information is needed to assess whether land can accommodate development.	The application is supported by extensive technical reporting addressing geotechnical stability, liquefaction, flooding, stormwater, ecology, cultural values and contamination, enabling a comprehensive assessment of effects.

Provision	Assessment
Section 18 – Rural	
18.1(1) Rural primary production is important and the rural land resource is important for sustaining this production.	The site has been assessed under the NPS-HPL and the supporting Highly Productive Land Assessment (Appendix T). While mapped as LUC 2 and 3, the land is subject to permanent and long-term constraints including high water tables, peat soils, drainage limitations and economic viability challenges.
18.1(2) The District's rural land resource (including versatile land) is finite and productive capacity has been diminishing as a result of fragmentation into smaller lots through subdivision and the establishment of additional dwellings for non-rural production purposes.	The proposal avoids the fragmented "pepper-pot" pattern of rural subdivision and does not create dispersed lifestyle lots. Instead, it provides a comprehensive, master planned urban form delivered through staged development and coordinated infrastructure. This responds directly to the Plan's concern about ongoing fragmentation of the rural land resource through incremental rural residential development.
18.1(3) The character and associated amenity of the rural environment are what makes the District a sought after place in which to live.	The proposal acknowledges that rural character and amenity will change over time as the site transitions to urban use. However, the site is located adjacent to existing urban areas and major strategic infrastructure (including the Tauranga Eastern Link and the Pāpāmoa East Interchange), and the development is consolidated and staged rather than sporadic. Landscape mitigation and interface treatments are integrated into the masterplan to manage effects on rural amenity values at the site edges as set out in the Landscape Assessment (Appendix K).
18.1(6) The cumulative effect of fragmented rural subdivision and additional dwellings has led to inefficient use of physical resources and gradual loss of rural character and degradation in rural amenity values.	The proposal avoids further cumulative rural residential effects by consolidating growth in a single comprehensively planned development area, rather than contributing to dispersed rural lifestyle subdivision across the District. The approach supports coordinated servicing, avoids inefficient infrastructure outcomes, and manages amenity effects through master planning and staging.
18.1(11) Rural land can be sought to establish industrial or commercial activities because it is less expensive than urban zoned land, which can detract from rural character and undermine efficient land use patterns.	The proposed employment land is not opportunistic rural industrialisation. It forms part of an integrated urban expansion supported by strategic transport connections and planned servicing. The masterplan and associated assessments include interface controls and landscape mitigation to manage potential effects on rural character and amenity as set out in the Landscape Assessment (Appendix K) and Infrastructure Report (Appendix F).

4.2 Objectives & Policies

Provision	Assessment
Section 4B – Transportation, Access & Parking	
Objective 4B.2.1.1 To provide an integrated, efficient, safe and sustainable transportation network that supports the land use pattern of the sub-region. Policy 4B.2.21. To recognise and provide for the existing and future transport network including the linkages to other districts and regions.	The Integrated Transport Assessment confirms the network can accommodate development with identified mitigation measures. Strategic linkages to SH2, Tauranga and employment areas are reinforced.
Objective 4B.2.1.2. To provide for efficient land use recognising the function of different road types and transport modes. Policy 4B.2.2.2 2. To avoid, remedy or mitigate the adverse effects of land use, development and subdivision on the safety, efficiency, sustainability and capacity of the transportation network.	Land uses are arranged in accordance with the road hierarchy, with employment land located near higher-order routes and residential areas served by collector and local roads. A variety of different road types are employed and effects on the transportation network can be mitigated in accordance with a staged approach.
Objective 4B.2.1.3. To encourage alternative modes of transport including walking and cycling. Policy 4.B.2.2.8. To ensure land use, development and subdivision planning provides for the implementation of multi-modal transport activities including public transport, walking and cycling facilities that address the identified need for new facilities/networks or enhance existing facilities/networks.	The proposal embeds active transport infrastructure and connectivity within the structure plan, supporting modal shift and reduced vehicle dependency over time.
Objective 4B.2.1.4. To provide safe and efficient public carparks in town centres. Policy 4B.2.2.1.11. Activities should be established and operate in a manner which ensures safe and effective on-site and off-site vehicle parking, manoeuvring and access and pedestrian access.	While not a town centre proposal, the development provides for integrated parking manoeuvring and access within employment and residential areas in accordance with future detailed design and code compliance.
Section 5 – Natural Environment	
Objective 5.2.1.1. Protection of all significant native plant and animal habitats within the District. Policy 5.2.2.1. Ecological sites that have been scientifically identified as significant should be protected.	No mapped Significant Ecological Features are directly affected. Effects on ecological values are managed through mitigation and enhancement measures as identified in the Ecological Assessment (Appendix L).

Provision	Assessment
Objective 5.2.1.2 Support and encourage protection and enhancement of ecosystems of importance, including connectivity and buffering. Policy 5.2.2.2 2. Support and encourage the protection and enhancement of ecological corridors, networks and connections between significant native habitats and ecosystems.	The proposal introduces riparian corridors and connected wetland systems, improving ecological connectivity and buffering compared to the current baseline.
Objective 5.2.1.3 Preservation of the natural character of the District's coastal environment, rivers, lakes and their margins. Policy 5.2.2.5. Likely changes in sea level should be provided for in ways that allow for the natural inland migration of the coast and associated identified native habitats and ecosystems.	The proposal's stormwater and riparian margins are designed to protect and enhance waterbody margins and natural processes through treatment wetlands, setbacks and planting as identified in the Ecological Assessment (Appendix L).
Objective 5.2.1.4 Preservation of wetland and riparian areas and, where practicable, enhancement or restoration of degraded wetland and riparian values and function. Policy 5.2.2.11. To protect and maintain wetlands and riparian areas and enhance and restore wetlands and riparian areas in appropriate locations.	Wetland creation and riparian restoration are core elements of the masterplan and stormwater design, enhancing ecological function relative to the existing modified environment.
Section 8 – Natural Hazards	
Objective 8.2.1.1. Minimisation of the risk of natural hazards to human life and the natural and built environment. Policy 8.2.2.3. Enable the development or redevelopment of land already subdivided or otherwise developed for urban purposes in areas now known to be at risk from natural hazards only where any likely adverse effects can be avoided or appropriately mitigated. Policy 8.2.2.5 Ensure that where hazard protection works are necessary their form, location and design are such as to avoid or mitigate potential adverse environmental effects.	The proposal minimises risk through landform and infrastructure-led hazard mitigation. Tsunami: development platforms (3.6–-5.1 m RL) exceed modelled inundation for a 5 m tsunami wave (0-1.0 m above existing ground levels), meaning building platforms are expected to remain above inundation as set out in the Natural Hazards Assessment (Appendix Q). The site is within the tsunami evacuation zone, and two evacuation routes are identified (Papamoa East Interchange south; Bell Road west/inland). A "shelter in place" option is also available given platform elevations and expected inundation behaviour. The flooding/stormwater dual system (primary piped network + secondary overland flow paths) is designed to safely convey storms up to the 1% AEP via roads/corridors, supported by attenuation, stop banks and significant pumping capacity increases (including augmentation near Bell Road and a new southern pump station). Flood modelling indicates post-development flood levels/flows beyond the site are not increased across assessed events including climate change scenarios as identified in the Flood Modelling Report (Appendix H). Liquefaction susceptibility is acknowledged, with engineered fill creating a non-liquefiable crust (generally 4-7 m across much of the platform) reducing surface manifestation risk;

Provision	Assessment
	targeted mitigation is identified for localised higher-risk areas (dune margin, swales, corridors) as identified in the Geotechnical Report (Appendix P).
Objective 8.2.1.2 Protection of existing natural character of the coastal environment and other natural features with recognised values. Policy 8.2.2.7 7. Encourage the conservation and enhancement of natural features such as sand dunes and wetlands which have the capacity to protect existing developed land.	Hazard mitigation is delivered in a way that supports, rather than erodes, natural character values. The stormwater/flood network is designed around constructed wetland swales, attenuation and riparian corridors that provide treatment, flood storage and conveyance while enhancing landscape structure and ecological function. This reduces reliance on extensive hard protection works and aligns hazard management with restoration and amenity outcomes across waterways and margins.
Section 10 – Infrastructure, Network Utilities & Designations	
Objective 10.2.1.1 Development, operation and upgrading of infrastructure to meet current and foreseeable needs. Policy 10.2.2.1 Provision of infrastructure and network utility development should be sequenced in a way that integrates with the long-term planning and funding mechanisms of local authorities and central government policies, directions and strategies.	Infrastructure delivery is staged and designed to meet long-term population and employment growth demands.
Objective 10.2.1.2 Recognise the local, sub-regional and national benefits of infrastructure. Policy 10.2.2.8. The local, national and regional benefits of small-scale renewable energy use and development shall be recognised and provided for along with the efficiency of the end use of energy.	The proposal supports regional housing supply, employment growth and transport connectivity consistent with sub-regional planning strategies.
Objective 10.2.1.4 Effective and efficient provision of infrastructure across territorial boundaries. Policy 10.2.2.4. Assessment of resource consent applications should have regard to the functional, locational, technical and operational requirements of infrastructure and network utilities. Recognition shall be afforded to the requirements of, and constraints on, the efficient and effective development, operation, maintenance, and upgrading of infrastructure and network utilities.	The proposal integrates with Tauranga City and regional infrastructure networks, particularly transport and drainage systems. The availability and supply of infrastructure has been assessed by a range of technical assessments.
Objective 10.2.1.5 Fulfil functional and operational requirements while mitigating adverse environmental effects.	Stormwater, flood and transport infrastructure are designed to meet technical requirements while incorporating ecological enhancement and landscape mitigation measures.

Provision	Assessment
Objective 10.2.1.6 Avoid reverse sensitivity effects on infrastructure.	Development staging, setbacks and servicing layouts ensure infrastructure operation is not compromised by adjacent land use.
Objective 10.2.1.10 Efficient and effective functioning of flood protection devices.	The flood management framework, including attenuation, stopbanks and pump upgrades, ensures continued and enhanced functioning of flood protection infrastructure.
Section 12 – Subdivision & Development	
Objective 12.2.1. Subdivision and development that provides for and reinforces the existing built form and local character of an area. Policy 12.2.2.1. All urban subdivision is to have regard to subdivision guidelines contained in the Development Code, Built Environment Strategy and urban design protocols and guidelines which provide urban design outcomes.	The proposal adjoins existing and planned urban development and integrates with the SH2/TEL interchange. While it transitions land from rural to urban, this is delivered as a coherent extension of urban form rather than fragmented rural subdivision. Guidance has been taken from Guidelines including the NZ Urban Design Protocol and the Infrastructure Development Code.
Objective 12.2.1.2. Subdivision and development planned in an integrated manner and provided with necessary infrastructure and services. Policy 12.2.2.2 The design of subdivision is in accordance with structure plans	The proposal is comprehensively masterplanned and supported by technical assessments addressing stormwater, transport, hazard mitigation, and geotechnical matters. Infrastructure is staged and integrated with existing and planned networks.
Objective 12.2.1.3. Infrastructure and services designed and constructed to minimum standards resulting in improved environmental outcomes without significant additional cost to the community. Policy 12.2.2.3 Require subdivision to be undertaken in accordance with any staging requirements to ensure the effective and efficient servicing of land within the catchment.	Infrastructure will be designed in accordance with the Development Code or approved alternatives providing equivalent or improved performance. Wetland-based stormwater treatment provides improved environmental outcomes relative to the existing pastoral baseline. A staged approach is proposed to the subdivision which will enable efficient servicing.
Objective 12.2.1.4. Sufficient infrastructure capacity provided to ensure efficient and equitable provision of services to all land in the catchment. Policy 12.2.2.4. Require subdivision and development to provide infrastructure and services to meet the reasonably foreseeable needs of other land in the vicinity of the development.	Infrastructure modelling and staging confirm servicing can be delivered in a coordinated manner, aligned with long-term growth and transport planning.
Objective 12.2.1.5 Comprehensive assessment of development proposals so the full effects can be determined.	The application is supported by a comprehensive suite of technical assessments addressing natural hazards, freshwater, ecology, transport, geotechnical stability, contamination, archaeology and cultural matters.

Provision	Assessment
Policy 12.2.2.6. Require all subdivision and development proposals submitted to Council to include a comprehensive assessment prepared in accordance with the information requirements of the Development Code.	
Objective 12.2.1.6. Subdivision and development that minimises the effects from stormwater run-off. Policy 12.2.2.7. 7. Subdivision and development practices that take existing topography, drainage and soil conditions into consideration with the aim of minimising the effects of stormwater run-off.	The proposal incorporates stormwater treatment principles and constructed wetlands to manage both stormwater quantity and quality. Flood risk and downstream effects are assessed in supporting technical reports including the Flood Modelling Assessment (Appendix H).
Objective 12.2.1.7. Subdivision design and development that takes into account optimum energy efficiency and benefits of renewable energy. Policy 12.2.2. 8. Require the design and development of subdivision to reflect the principles of optimum energy efficiency and solar energy gain (in relation to the size and shape of each proposed lot, and the design and orientation of the subdivision as a whole) and generation of renewable energy such as solar water heating.	The masterplan supports solar orientation opportunities, active transport connectivity and a compact urban form that can reduce vehicle dependency. Building-specific energy measures will be addressed at later design and consenting stages.
Objective 12.2.1.8. Subdivision and development within Ōmokoroa and Te Puke Structure Plan Areas that minimise stormwater discharge effects and protect receiving environments. Policy 12.2.2.10. Subdivision and development practices within the Ōmokoroa and Te Puke Structure Plan Areas should take existing topography, drainage and soil conditions into consideration with the aim of minimising the effects of stormwater discharge and should: • Avoid increased flooding effects and risk on the receiving environment including people, property and buildings; • Incorporate water sensitive urban design and water quality; • Avoid, remedy or mitigate further erosion and scour effects; • Demonstrate consistency with, or achieve better outcomes than, the objectives, methods and options of the relevant Catchment Management Plan.	While not within those specific Structure Plan Areas, the proposal adopts the same principles through integrated stormwater attenuation, erosion control and wetland treatment to protect downstream environments including the Kaituna River system as set out in the Stormwater Management Plan (Appendix G).

Provision	Assessment
Section 18 – Rural	
Objective 18.2.1.1 The rural land resource and versatile land capability is maintained to enable its use for rural production activities. Policy 18.2.2.1 Subdivision, use and development of versatile land should occur in a way which retains its potential to be used for a range of productive rural purposes**,** and which maximises the likelihood of it actually being used for such purposes.	The proposal transitions the site from rural production to urban use. The agricultural assessment identifies long-term constraints on productive viability associated with peat soils, high groundwater and drainage limitations (Appendix T). In this context, the proposal does not remove a high-performing rural production area from ongoing use; rather, it transitions land with constrained long-term production potential in order to deliver regionally significant urban outcomes.
Objective 18.2.1.2. Primary productive activities should be able to operate in the Rural Zone without unreasonable constraints being imposed on them by other activities. Policy 18.2.2.4 4. Subdivision, use and development which has the potential to inhibit the efficient use and development of rural land for primary production or to inhibit the efficient use and development of existing mineral extraction sites (including vehicle access routes to such resources) should be avoided or minimised.	The proposal is located adjacent to existing and planned urban areas and strategic transport infrastructure and does not introduce reverse sensitivity effects that would unreasonably constrain established intensive rural production activities. Where rural activities remain nearby during staging, effects are managed through consolidated development, setbacks, and landscape mitigation at boundaries.
Objective 18.2.1.4 The efficient use and development of the rural land resource for primary production.	The proposal replaces rural land use with an integrated urban form. While it does not retain the land for primary production, the proposal supports efficient land use outcomes at the urban edge through coordinated infrastructure, staging, and masterplanning, consistent with the site's planned transition over time.
Objective 18.2.1.5. Maintain the rural character and amenity values associated with the low density rural environment.	Rural character will transition to urban character over time as an inherent consequence of the project. The proposal manages the effects of this change through staging and an integrated landscape framework, including buffers, wetland areas and mitigation planting established early where practicable as set out in the Landscape Assessment (Appendix K).
Objective 18.2.1.6 . Protection and enhancement of ecological, landscape, cultural, heritage and other features located in the rural environment which are of value to the wider community. Policy 18.2.2.	The proposal integrates stormwater wetlands, riparian restoration, cultural landscape recognition and ecological enhancement measures. Technical assessments confirm effects can be appropriately managed and that ecological values are enhanced relative to the existing modified pastoral baseline as set out in the Ecological Impact Assessment (Appendix L) and the Landscape Assessment (Appendix K).
Objective 18.2.1.7. The efficient and cost effective provision, management and further development of roading, water supplies and	The proposal is infrastructure-led and supported by integrated servicing design (including bulk water connection, looped reticulation and staged delivery of utilities and transport infrastructure) to ensure efficient long-term provision and management as identified in the

Provision	Assessment
other infrastructure required to meet the needs of rural activities and communities. Policy 18.2.2.12. Subdivision and development should not occur in rural areas which have inadequate roading or other infrastructural capacity to cater for such development.	Infrastructure Report (Appendix F) and the WBOPDC response on infrastructure (Appendix N).
Objective 18.2.1.11. Preservation of the options for the future use of land identified in the Bay of Plenty Regional Policy Statement as being required for future urban development. Policy 18.2.2. 19. The release of land for urban development will be staged in a manner which ensures the continued availability of rural land for productive rural purposes and the retention of rural character until urban development occurs.	The proposal implements long-term urban development potential through a comprehensive, masterplanned form, rather than foreclosing future options through fragmented rural subdivision or capital-intensive rural land uses that would constrain future urban outcomes. The development will progress in a staged approach.

4.3. Rules

Activity	Plan Rule	Activity Status
Land use consent to establish and operate residential and business activities and associated infrastructure	4A.1.4 Rule – Activities Not Specifically Provided For With the exception of those activities that are provided for in the general provision of the District Plan, any activity that is not listed in the activity lists in the District Plan shall require a resource consent for a Non-Complying Activity.	Non-complying activity
Subdivision consent to create separate records of title to accommodate future residential and business activities and associated infrastructure	4A.1.4 Rule – Activities Not Specifically Provided For With the exception of those activities that are provided for in the general provision of the District Plan, any activity that is not listed in the activity lists in the District Plan shall require a resource consent for a Non-Complying Activity.	Non-complying activity
	8.3.4.c.i. Floodable Areas and Coastal Inundation Areas: Subdivision	Discretionary activity
Earthworks consent to establish required landform for the subdivision	4A.5 Earthworks With the exception of the following, all Earthworks shall be permitted: a. Earthworks which are listed as requiring resource consent elsewhere in the District Plan.	Earthworks undertaken in association with a non-complying

Activity	Plan Rule	Activity Status
	b. Earthworks which are undertaken in association with an activity for which a resource consent for a Discretionary or Non-Complying Activity is required. c. Where Earthworks are listed as a matter of control or discretion.	activity are non-complying
Earthworks in a Floodable Area	8.3.3.c.ii. Earthworks over 5m3 except for: • Maintenance, operation, upgrade and development of above ground lineal network utility structures and underground network utilities where the ground is reinstated to the same contour as existed immediately prior to the works being undertaken • Public trails where the finished surface is not more than 200mm above the pre-existing ground level/contour and where any other ground within the surrounding area that has been disturbed is reinstated to the same contour as existed immediately prior to the works being undertaken • Maintenance of existing stopbanks and drains (including the clearing of drains) carried out by or on behalf of the Council, Regional Council or the Waihi Drainage Society provided that the clearing of a drain only involves removal of excess material required to maintain the function of the drain and does not deepen, widen, realign or otherwise modify the drain	Restricted Discretionary activity
Depositing cleanfill to establish required landform for the subdivision	4C.2.3.1.b.ii. Cleanfill material originating from off the disposal site where the total volume of material exceeds 5,000m3 within any 12 month period.	Restricted Discretionary activity
Cancellation of easements	Applications relating to easements and profits à prendre can be under the following sections of the Land Transfer Act 2017, depending on the grounds for the application: • Merger s113 and r18; • Extinguishment through lapse of time s113; • Extinguishment on occurrence of event s114; or • Redundancy s115 (relates to easements only).	
Cancellation of consent notices	Application under s221(3) of the RMA 1991	Discretionary activity
Buildings in Floodable Areas	8.3.1.c.i. Buildings/Structures where evidence establishes: • A building/structure will be located clear of the floodable area irrespective of the extent of the floodable area shown by the Planning Maps; or • A building/structure will not be affected by the floodable area.	Permitted activity (following completion of subdivision)

Activity	Plan Rule	Activity Status
	8.3.3.c.i. Buildings/Structures not within an Approved Building Site – Natural Hazards	Restricted Discretionary activity
Protection of stopbanks	10.3(ba) Activities for the protection of identified Regional Council flood control stopbanks and drains, including the use of stock proof fences, farming of grazing animals, flood control measures by territorial or regional councils.	Permitted activity
Drainage work near stopbanks	10.3(bb) The excavation or the digging of any drain within 20m of any flood control stopbank.	Discretionary activity
Lots for Network Utilities, Electricity Generating Infrastructure, Reserves and Public Open Space – All Zones	12.3.2.1 As a controlled activity, in any zone, lots can be created for the purposes listed in a. – c. below without having to comply with the minimum lot sizes and other minimum standards for lots which would otherwise apply within the zone where the subdivision is being undertaken. a. Where land is for a purpose required by a network utility operator or electricity generator. b. Where land is to be set aside or vested as a reserve. c. Where land is to become public open space owned by Council. Provided that: The balance area of any subdivision for the foregoing purposes shall comply with the relevant standards of 12.4	Controlled activity
Boundary Adjustments – All Zones	12.3.3	Controlled or Restricted Discretionary
Existing infrastructure & network utilities	10.3(a) Activities relating to the operation, maintenance (including vegetation trimming/removal as prescribed in the Electricity (Hazards from Trees) Regulations 2003, or other superseding legislation), removal or replacement of existing infrastructure and network utilities.	Permitted activity
Upgrading electricity transmission	10.3(b) Minor upgrading of existing electricity transmission infrastructure, including existing transmission lines forming part of the local distribution network but excluding existing transmission lines forming part of the national grid	Permitted activity
Below-ground infrastructure	10.3(e) New below ground infrastructure and in Network utilities lines in compliance with Rule 10.4.a.	Permitted activity
Temporary electrical and comms for construction	10.3(f) Temporary above ground electrical and telecommunication lines to construction sites or short term recreational venues subject to Council being formally notified of the route, voltage/type of telecommunications link and date by which it will be removed.	Permitted activity

Activity	Plan Rule	Activity Status
New transformers, substations, switching stations	10.3(h) New transformers, substations and switching stations conveying electricity at a voltage up to and including 66kV and ancillary buildings not exceeding 30m2 gross floor area. 10.3(i) New substations and switching stations conveying electricity at a voltage including and in excess of 110kv and ancillary buildings not exceeding 50m2 gross floor area.	Discretionary activity
On-site electricity generation	10.3(m) The establishment of new electricity generating schemes/plants/facilities (hydro, solar, wind, geothermal, natural gas, biomass, coal-fired) for onsite domestic use in compliance with the relevant general and underlying zone Performance Standards.	Permitted activity
Underground three waters pipes	10.3(ab) New underground pipelines conveying water, stormwater, wastewater and associated pump stations (with above ground dimensions less than 50m2 gross floor area).	Permitted activity
Open drains	10.3(ac) Water and irrigation races, open drains, channels and necessary incidental equipment. Stormwater drains and drainage channels and necessary incidental equipment.	Permitted activity
Groundwater bores	10.3(ag) Groundwater Bores and ancillary equipment (including maintenance and upgrading of these).	Permitted activity
Temporary offices, storage sheds, storage yards, builder's workshops and other similar buildings/structures and activities incidental to a building or construction project	4A.2.3.1.a. In any zone temporary offices, storage sheds, storage yards, builder's workshops and other similar buildings/structures and activities incidental to a building or construction project, including the relocation, removal and demolition of buildings/structures, but only for the duration of that project or a period not exceeding 12 months whichever is the lesser.	Permitted activity
New District Roads	4A.4.1 As well as being able to be designated, roads are provided for as activities within zones. Existing District roads are Permitted Activities and new District roads are Restricted Discretionary Activities in all zones but exclusive of Identified Significant Ecological, Landscape and Historic Heritage Features and public reserves (see 10.3.aj.).	Restricted Discretionary activity
Crossings onto Strategic Roads	4B.3.1.b. Activities that require new crossings, or activities other than Permitted Activities that increase the use of existing crossings, onto Strategic Roads subject to performance standard 4B.4.2.	Controlled activity
Non-compliance with Transport, Access & Parking Activity Standards	4B.3.2.a. Non-compliance with rules contained in Section 4B.4, Activity Performance Standards, shall be Restricted Discretionary, unless otherwise stated.	Restricted Discretionary activity

Activity	Plan Rule	Activity Status
New roads and transport	10.3(ak) New roads, parking areas and service lanes to be established in conjunction with an approved Land Use and/or Subdivision Resource Consent, or identified on a Council adopted structure plan or reserve management plan, or identified on a Council adopted reserve concept plan in the case of the Natural Open Space Zone.	Permitted activity
Road furniture	10.3(al) Traffic-control signals, devices and structures (including speed camera equipment), road and traffic signs, light-poles and associated structures and fittings, post boxes, road furniture, landscaped gardens.	Controlled activity
Temporary Signs	4D.1.1.1.c. Signs advertising sale of land or buildings. Signs advertising the sale of land and/or buildings provided such signs are located on the property to which they relate.	Permitted activity

5. Tauranga City Plan

5.1. Purpose

Provision	Assessment
Purpose of the Rural Zones	
One key purpose of the Rural Zones in the southern edge of the City (adjoining the Western Bay of Plenty District) is to manage the cumulative effects of any fragmentation of productive rural land through subdivision and development in the interim period until such land may be needed for urban development. This approach supports the continued use of these areas for rural activity, prior to effective and efficient development of land for urban purposes and the associated provision and funding of essential infrastructure in the long term. A similar policy approach applies to the Te Tumu Future Urban Zone.	The project does not involve any interim fragmentation of rural land but rather is a comprehensive development for urban purposes which will have appropriate provision for and funding of essential infrastructure.
The purpose of the Rural Zone is to provide for the continued productive use of rural land resource and provide for the widest range of primary production activities to be undertaken of all the Rural Zones. The open, vegetated landscape of this Zone with its very low density of development contributes greatly as a backdrop to the City's intensive urban and suburban areas and to Tauranga Harbour.	The proposal acknowledges that rural character and amenity will change over time as the site transitions to urban uses. However, the site is located adjacent to existing urban areas including major infrastructure being the Tauranga Eastern Link and the Papamoa East Interchange. Landscape mitigation and interface treatments to address the change are integrated into the masterplan to manage effects on rural amenity values are as set out in the Landscape Assessment (Appendix K).

5.2. Significant Issues

	Assessment
12D Subdivision in the Rural Zones The subdivision provisions in the Rural Zone provide for rural activities while maintaining the productivity of rural land. These provisions also recognise that this zone forms a rural backdrop to the City which adds to its landscape character. There is particular emphasis on subdivision not compromising the production capability and capacity of this land.	The site has been assessed under the NPS-HPL and the supporting Highly Productive Land Assessment (Appendix T). While mapped as LUC 2 and 3, the land is subject to permanent and long-term constraints including high water tables, peat soils, drainage limitations and economic viability challenges. Rural character will transition to urban character over time as an inherent consequence of the project. The proposal manages the effects of this change through staging and an integrated landscape framework, including buffers, wetland areas and mitigation planting established early where practicable as set out in the Landscape Assessment (Appendix K).

5.3. Objectives

	Assessment
16A.3.3 Objective - Maintenance of Rural Character and Amenity A rural backdrop to the City's urban areas characterised by a low density of buildings and development; a predominance of primary production activities and open space and vegetative cover	The wider development itself will still maintain rural backdrop to urban areas. Primary production will no longer predominate however vegetative cover associated with open space is a positive outcome of the project, particularly through the creation of large wetland and open space areas.
16A.4.1 Objective — Bulk and Scale of Buildings in the Rural, Future Urban and Greenbelt Zones Buildings that are of a bulk and scale compatible with the existing and anticipated rural character of low height of building, and separation of buildings.	Building height will be managed to ensure that the bulk and scale is compatible. The treatment of larger buildings has been addressed through urban design guidance including for industrial, residential and commercial areas through design guidelines (Appendix AE, AF, AG). An integrated landscape framework is proposed which includes buffers, mitigation planting, wetland areas and the establishment of these early where practicable as identified din the Landscape Assessment (Appendix K).
12D.1.1 Objective – Subdivision in Rural Zones Subdivision of rural land protects the productive potential of this finite land resource whilst recognising the existing rural landscape character and stormwater management function of this land.	The stormwater management functions of the land will be enhanced as a result of the proposal including the reduction of flooding on adjacent land as set out in the Flood Modelling Report (Appendix H). The Highly Productive Land Assessment identifies long term constraints on productive viability associated with peat soils, high ground water, and drainage limitations of the existing land use (Appendix T). The proposal does not remove high performing rural production areas from ongoing use but rather it transitions land with constrained long term production potential in order to deliver regional significant urban outcomes.

5.4. Policies

	Assessment
16A.3.3.1 Policy - Maintenance of Rural Character and Amenity To ensure the rural character of the Rural Zones will be maintained by: a. Identifying, through zoning, a less intensive development pattern than in Rural Residential Zone and Residential Zones; b. Ensuring buildings and activities on site are of a scale and character compatible with existing and anticipated rural character and amenity of the zone in which the development is proposed;	There are no outstanding natural features or landscapes, or important amenity landscapes on the site. The potential impacts on natural character, indigenous vegetation and ecological resources have been fully addressed as part of the application. The transition of rural character to an urban character over time is an inherent consequence and outcome of the project. The proposal will manage the effects of this change through staging and an integrated landscape framework including buffers, wetland areas, and mitigation planting established early where practicable as set out in the Landscape Assessment (Appendix K).

	Assessment
c. By ensuring that potential adverse impacts on natural character, indigenous vegetation and ecological resources within Rural Zones are fully addressed as part of any consent process; d. By ensuring that potential adverse visual impacts of development and activities on the maintenance of rural character and amenity, particularly in areas identified as outstanding natural features and landscapes and important amenity landscapes, are fully addressed as part of any consent process	
16A.4.1.1 Policy - Bulk and Scale of Buildings in the Rural, Future Urban and Greenbelt Zones - Building Height and Overshadowing By ensuring buildings are restricted to a height and building envelope that: a. Provides flexibility for a range of rural and residential building forms in the varied topographical conditions of the zone;	There is limited varied topographical change across the site however there will be a range of residential building forms proposed both in terms of the adoption of medium density residential standards and specific building controls for commercial and industrial uses.
12D.1.1.1 Policy – Subdivision in Rural Zones Ensuring that subdivision design and allotment sizes: a. Are consistent with the open rural landscape character of these zones; b. Avoids the fragmentation of productive rural land in a way that could restrict the operation of primary production activities; Provide for the stormwater management function of catchments within these zones.	The proposal provides for the stormwater management functions of the catchment as set out in the Flood Modelling Report (Appendix H). and will not restrict the operation of primary production activities as the masterplanning completed for this site have considered edge effects and appropriate separation from rural uses. The landscape character will change from rural to urban over time and the subdivision design and allotment size is not consistent with the open rural landscape character of the rural zone which currently exists.

5.5. Rules

	Assessment
16A.7.1 Activities in Rural, Future Urban and Greenbelt Zones Business activities not listed elsewhere in this Activity Table	Non-complying activity
16A.8.1 Development Density and Scale The maximum development density for independent dwelling units shall be: b. Independent dwelling units — Rural Zone and Future Urban Zones — general title 1 independent dwelling unit per site	Discretionary activity
16A.11 Discretionary Activity Rules The following are Discretionary Activities: a. Activities not complying with Rule 16A.8.1 a. or b. Development Density and Scale — Independent Dwelling Units;	Discretionary activity

6. Bay of Plenty Regional Natural Resources Plan

6.1. Issues

Provision	Assessment
Chapter 5 – Land Management	
LM I1 (Issue 10) Land use and management practices that are inappropriate to the specific characteristics of the site, (including soil type) may cause adverse effects on the environment.	The proposal involves substantial landform modification on low-lying peat soils. Site-specific geotechnical, flood and stormwater assessments have informed the platform design and staging methodology to address peat instability, drainage sensitivity and erosion risk. Earthworks will be staged and managed through erosion and sediment control measures to avoid sediment discharges and instability. The integrated stormwater network (attenuation, wetlands, defined flow paths) addresses downstream sediment and nutrient effects. Peat soil constraints are explicitly recognised in the engineering design response (refer Geotechnical, Flood and Stormwater reports (Appendices G, H & P).
LM I2 (Issue 13) There is a lack of suitable riparian vegetation in some areas of the region that is necessary to stabilise the margins of surface water bodies and filter surface runoff.	The proposal transitions the site from modified pastoral drainage channels to an integrated green-blue network incorporating stormwater wetlands and planted corridors. While not all drains are natural waterbodies, the design introduces riparian-style margins and treatment systems that stabilise banks, filter runoff and enhance habitat values compared with the existing baseline. Riparian management is embedded as part of the stormwater and landscape framework as set out in the Stormwater and Landscape assessments (Appendices G & K).
Chapter 6 – Discharges to Water and Land & OSET	
DW I6 (Issue 22) The lack of integrated and comprehensive management of stormwater may increase adverse effects on the environment.	The proposal adopts a comprehensive, catchment-based stormwater management framework. Hydrological modelling informs network sizing, attenuation design and overland flow paths. Stormwater infrastructure is integrated with landform design, avoiding fragmented or reactive systems.
DW I7 (Issue 23) Stormwater can transport contaminants (sediment, nutrients, metals, hydrocarbons), particularly from urban and land disturbance activities.	Construction-phase sediment is the primary short-term contaminant risk and will be managed via erosion and sediment control plans. Operational stormwater is treated through wetlands and attenuation systems prior to discharge. The proposal does not involve industrial contaminant discharges.
DW I8 (Issue 24) Excessive stormwater discharge rates and volumes may cause erosion and scour.	Post-development flows are attenuated to manage peak discharge rates. Discharge structures are designed to prevent scour and erosion of receiving environments. Flood modelling confirms downstream capacity is maintained.
DW I9 (Issue 25) Increased impervious surfaces increase runoff volumes and concentrate flows, causing flooding and erosion.	The proposal increases impervious surfaces relative to rural baseline; however, attenuation basins, wetlands and defined flow paths manage runoff volumes and velocity. The design mitigates adverse downstream flooding effects through hydraulic modelling and controlled discharge.

Provision	Assessment
DW I10 (Issue 26) Streams can be degraded if used as stormwater treatment systems or subject to increased discharge volumes.	The design incorporates treatment prior to discharge and avoids using streams as primary treatment systems. Wetland treatment areas provide pre-discharge water quality improvement.
DW I11 (Issue 27) Piping/diversion of small streams can damage fish habitat and increase flooding.	The proposal retains natural drainage patterns where practicable and integrates green-blue corridors. It does not rely on wholesale piping as a stormwater solution. Flow paths are maintained within the overall framework design.
DW I12 (Issue 28) Contaminated land and remediation activities may cause adverse environmental and public health effects.	Site investigations have been undertaken to identify contamination risks. The proposal does not involve known high-risk contaminated land activities. If contaminated material is encountered, management will occur in accordance with regulatory requirements and environmental management plans.
Chapter 8 – Beds of Waterbodies	
BW I1 - Activities in, on, under or over the beds of streams, rivers and lakes may cause adverse effects on erosion, water quality, flood flows, ecological values, fish passage, natural character, wetlands, existing users and public access.	The proposal includes works affecting modified watercourses, drains and constructed stormwater swales within the Kaituna River catchment. Activities include culvert installations, stop banks, pump stations, attenuation basins, stormwater outfalls, and potential modifications to existing farm drains. Without mitigation, such works could increase erosion, sediment discharge, alter flood conveyance, and affect aquatic habitat. The proposal responds through detailed flood modelling, hydraulic assessment, engineered embankment stability design, erosion and sediment controls, and constructed wetland swales designed in accordance with Bay of Plenty guidelines. Stormwater discharge is attenuated and treated prior to release, and flood storage is replaced through engineered attenuation and pumping infrastructure. The modelling confirms no increase in downstream flood levels or flows. Ecological mitigation measures and lizard management are addressed separately, and stormwater corridors incorporate vegetated treatment systems.
BW I2 - Structures in lakes may be adversely affected by lake level fluctuation.	The proposal does not include structures within lake beds, and the site is not located within a lake margin environment. This issue is not directly applicable to the proposal.
BW I3 -Poorly designed structures in rivers and streams may fail during flood events, increasing downstream debris and flood damage.	The proposal includes engineered structures such as culverts, pump stations, stop banks and outfall structures. These have been designed to recognised engineering standards and are supported by geotechnical assessment, flood modelling, and hydraulic design. Structures are designed to accommodate flood events up to the 1% AEP (including climate change allowances), and embankment stability assessments identify required mitigation measures for seismic and static stability. Stop banks and pump infrastructure are to be vested to BOPRC and WBOPDC and maintained accordingly. As such, structural failure risk is minimised through design and ongoing management.
BW I4 -Derelict or unauthorised structures may cause adverse environmental effects.	The proposal replaces informal agricultural drainage modifications with formally engineered infrastructure. No derelict or unauthorised instream structures are proposed to remain where they cause adverse effects. The

Provision	Assessment
	development provides an opportunity to rationalise and upgrade existing drainage infrastructure into a comprehensively managed system.
BW I5- Instream activities (including culverts, dams, diversions and structures) may prevent fish passage.	The proposal includes culverts, swales, attenuation areas and pump infrastructure within modified drainage channels. While the site currently consists largely of modified agricultural drains with limited ecological function, fish passage remains a relevant consideration. Detailed design will need to ensure that culverts and outfall structures are designed in accordance with fish passage standards where connection to natural watercourses occurs. Constructed wetland swales are shallow, vegetated systems that may provide low-velocity habitat opportunities.
Chapter 9 – Wetlands	
WL I1 -The vast majority of freshwater wetlands in the Bay of Plenty have been lost due to land development.	The proposal does not result in the drainage or removal of identified natural freshwater wetlands. The site comprises modified pastoral land with artificial drainage channels. While urbanisation replaces rural land use, the development incorporates constructed wetland systems as part of the stormwater management framework. These systems increase wetland-type habitat relative to the existing drained pastoral baseline and contribute to the regional objective of wetland enhancement rather than further loss.
WL I2 - Wetland values can be damaged or destroyed as a result of inappropriate use and development activities.	No natural inland wetlands are proposed to be filled, drained or modified. The proposal includes attenuation basins and vegetated swales designed to improve water quality, provide detention storage and create ecological habitat. Indirect effects (e.g. altered hydrology, sediment discharge) are addressed through flood modelling, staged earthworks and erosion and sediment controls to ensure no degradation of downstream wetland values.
WL I3 - Lack of community understanding of wetland scarcity and vulnerability.	The proposal recognises wetland functions in water quality treatment and flood mitigation by integrating constructed wetland systems into the masterplan. These areas are designed as visible landscape features, reinforcing ecological and amenity values rather than obscuring or removing wetland function.
WL I4 - Wetlands remain under threat from inappropriate land use and development.	The proposal does not involve the drainage of natural wetlands. Hydrological impacts are assessed through groundwater modelling and flood modelling. Stormwater is attenuated and treated prior to discharge, reducing nutrient and sediment inputs relative to the existing pastoral baseline. Constructed wetland systems improve filtration and denitrification capacity compared to current agricultural drainage.
WL I5 - Artificial maintenance of water levels may conflict with adjacent landowners.	The proposal includes engineered attenuation areas and pumping infrastructure to manage water levels within the site. These systems are designed to avoid adverse effects on adjacent properties. Flood modelling confirms no increase in downstream flood levels. There is no proposal to artificially maintain water levels within natural wetlands that would adversely affect adjoining landowners.

Provision	Assessment
Chapter 20 – Natural Hazards	
NH I1 - Human life, property and ecosystems can be adversely affected by flood hazards, and development may occur without recognition of hazard.	The site is low-lying peat land historically modified through drainage. The proposal recognises flood hazard constraints through detailed hydraulic modelling, finished floor level controls, raised development platforms (3.6m-5.1m RL), and integrated detention systems. Flood conveyance pathways are maintained and downstream flood levels are not increased. The development therefore explicitly recognises and mitigates flood risk rather than ignoring it.
NH I2- Flood mitigation works can be damaged by inappropriate land use and development.	The proposal has been designed to integrate and use existing land drainage infrastructure where possible (including canals). Earthworks and development are staged to avoid compromising scheme integrity. Floodways are preserved within open space corridors and stormwater reserves. There is no encroachment that would reduce conveyance capacity or threaten existing mitigation works.
NH I3 - The operation and maintenance of river schemes and land drainage schemes is necessary to maintain the integrity of the schemes, but can also have adverse effects on the environment, including heritage values and ecosystems.	The proposal incorporates stormwater pumps and drainage channels that will require ongoing maintenance. Maintenance requirements are acknowledged and will be managed under operational management plans. These activities are necessary to protect property and infrastructure from flooding and will be undertaken in a manner that avoids unnecessary environmental degradation.

6.2. Objectives

Provision	Assessment
Chapter 5 – Land Management	
LM O1 (Objective 9) Land use and management practices are appropriate to site characteristics and avoid, remedy or mitigate adverse effects on soil resources, receiving environments and heritage values. LM P3 (Policy 27) To use a range of mechanisms, including education, and regulation where necessary and appropriate, to avoid, remedy or mitigate the adverse effects of land use activities on water quality, or for soil conservation purposes, in order to achieve stated environmental objectives. Areas of particular concern in the Bay of Plenty are riparian	The proposal responds directly to site characteristics (peat soils, high groundwater, low gradients) through engineered platforms, staged earthworks and integrated stormwater design to mitigate effects. Effects on receiving environments are managed through attenuation and treatment systems, and cultural/heritage inputs are addressed through technical assessments and engagement processes.

Provision	Assessment
margins, steep slopes, erosion-prone soils, the recharge areas of potable groundwater supplies, and the catchments of the Rotorua lakes.	
LM O2 (Objective 17) Riparian margins are appropriately managed to protect and enhance soil conservation, water quality and heritage values.	Although much of the site contains modified drains, the development integrates wetland corridors and planted margins that function as riparian buffers. These measures provide bank stability, runoff filtering and ecological enhancement compared to the current pastoral baseline.
LM O3 (Objective 19) Protect vulnerable areas from erosion.	Vulnerable peat soils and low-lying areas are addressed through engineered fill platforms, defined overland flow paths and erosion and sediment controls during construction. Flood modelling confirms erosion and scour risks are managed within the overall hydrological framework (Appendix R).
LM O4 (Objective 20) Maintain the intactness and health of the region's soils.	The proposal transitions rural soils to urban land use. However, soil stability and function are addressed through engineered solutions designed specifically for peat conditions. Topsoil management and staged construction will be implemented to avoid uncontrolled degradation.
LM O5 (Objective 21) Maintain and improve the protective function of coastal sand dunes.	The site is not located within coastal sand dune systems. This objective is therefore not directly relevant to the proposal.
Chapter 6 – Discharges to Water and Land & OSET	
DW O8 (Objective 30) Integrated and comprehensive stormwater management.	The development utilises an integrated catchment approach supported by modelling and coordinated infrastructure design.
DW O9 (Objective 31 Improvement of stormwater quality where necessary. DW P14 (Policy 50) To encourage city and district councils and roading authorities to plan, design, construct and maintain urban stormwater management systems within an integrated and comprehensive framework that: (a) Avoids or mitigates adverse effects on rivers, streams, wetlands and aquatic ecosystems. (b) Considers the total stormwater catchment, or sub-catchment as appropriate, including the interaction between different land uses in	Stormwater wetlands and treatment devices improve runoff quality relative to the existing pastoral baseline and the applicants system achieves the outcomes sought by the policy. .

Provision	Assessment
the catchment, and the effects of the discharge flow rate and volume on the existing hydrological system. (c) Retains or establishes appropriate vegetation adjacent to natural water bodies, riparian margins and wetlands wherever practicable. (d) Avoids the use of natural waterways as treatment systems for contaminated stormwater. (e) Where necessary, improves the quality of stormwater discharged to the environment. (f) Minimises the quantity of urban stormwater discharged to streams, rivers and lakes. (g) Avoids, and where practicable and achievable remedies, the adverse effects on aquatic habitats from the piping of small streams Discharges to Water and Land and modified watercourses	
DW O10 (Objective 32) Avoid, remedy or mitigate erosion and scour from stormwater DW P18 (Policy 54) To require stormwater discharge rates and volumes, and stormwater discharge outlet structures, to be designed and managed to avoid or mitigate erosion and scour.	Discharge structures and attenuation systems manage velocities and minimise scour risk.
DW O11 (Objective 33) Minimise volume of stormwater from urban areas. DW P19 (Policy 55) To encourage the minimisation of the volume of stormwater runoff discharged to the environment from urban areas.	While urbanisation increases runoff, attenuation and infiltration measures manage effective discharge volumes.
DW O12 (Objective 34) Streams not used as treatment systems.	Treatment occurs within purpose-built wetlands and infrastructure prior to discharge.
DW O13 (Objective 35) Stormwater discharged to land where appropriate.	The design incorporates land-based treatment and attenuation systems before controlled discharge.
DW O14 (Objective 36) No net increase of nitrogen or phosphorus to lake catchments. DW P15 (Policy 51) To require the appropriate management of stormwater quality, including: (a) The use of source controls to avoid the contamination of stormwater. (b) The use of best practicable options.	Treatment wetlands and controlled discharge systems are designed to avoid net nutrient increases relative to baseline conditions.

Provision	Assessment
(c) Treatment of stormwater to prevent the contamination of receiving environments	
DW O15 (Objective 37) Avoid, remedy or mitigate adverse effects on ecological, natural character, landscape and cultural values.	The stormwater framework integrates ecological enhancement and landscape design to manage adverse effects and improve environmental outcomes.
DW O16 (Objective 38) Significant adverse effects of existing contaminated land are remedied or mitigated.	There is no evidence of significant contaminated land requiring remediation. Any unexpected contamination encountered during works will be managed in accordance with statutory requirements to avoid adverse effects.
Chapter 8 – Beds of Waterbodies	
BW O1 (Objective 55) Aquatic ecosystems, aquatic habitats of indigenous species, spawning areas and migratory pathways of fish, and significant aquatic vegetation are maintained and enhanced.	The site currently comprises modified farm drains with limited ecological function. The proposal introduces constructed wetland swales, attenuation basins and vegetated stormwater corridors that provide improved habitat structure compared to the pastoral baseline. While development alters the existing rural landscape, ecological enhancement measures are incorporated through stormwater design and landscape mitigation planting. Detailed design must ensure that hydraulic structures maintain ecological connectivity where required. Overall, ecological function is enhanced relative to the current modified condition.
BW O2 (Objective 56) Trout habitats are protected.	The site is not identified as a significant trout habitat area. Stormwater is treated prior to discharge and flood modelling confirms no adverse downstream hydrological effects. No significant adverse effects on trout habitat are anticipated.
BW O3 & BW O3A (Objective 57) - Adverse effects on fish passage are avoided, remedied or mitigated, and fish passage is maintained or improved. BW P3 (Policy 100) To avoid, remedy or mitigate adverse effects on aquatic ecosystems, the aquatic habitats of indigenous fauna, important trout habitats, and fish migration. This is to be achieved by designing, planning, constructing or undertaking, and maintaining activities to: (a) Avoid undertaking significant instream bed disturbance activities at spawning sites during relevant spawning periods of fish species present in the water body. (b) Avoid, remedy or mitigate the adverse effects of instream works on:	Culverts and outfall structures will require detailed design to ensure fish passage is maintained where hydrological connection to natural watercourses exists. The proposal does not include large instream barriers such as dams or weirs across natural rivers. With appropriate fish passage design standards applied at engineering approval stage, the objective can be achieved.

Provision	Assessment
(i) The aquatic habitats of indigenous aquatic fauna and flora, including spawning sites. (ii) The important aquatic habitats of trout, including spawning sites. (c) Provide for fish passage for migration, recruitment, and habitat range in areas where there are no natural barriers to fish passage. Where fish passage is necessary it is not to be impeded by new structures, or beyond the duration of any instream works. Manual transference will be considered to be the provision of fish passage for existing structures. (d) Remediate aquatic habitat characteristics at the activity site that have been degraded by the activity, except where restoration or enhancement of aquatic habitats at other locations is more appropriate.	
BW O4 (Objective 58) - Activities in beds do not significantly impede flood flows, provide for downstream water flow, avoid accelerated erosion, maintain public access, avoid sediment contamination and protect natural character and ecological values. BW P4 (Policy 101) New structures in, on, under or over the beds of rivers, streams and lakes, and the reconstruction of existing structures, are to be designed, constructed and maintained to comply with the requirements of BW P2 and BW P3, and the following environmental standards: (a) Designed to flood design standards that are appropriate to the Bay of Plenty region (refer to BW M6), and to the site of the structure. This does not apply to flood control structures (refer to WQ R15 and BW R1). (b) Designed, constructed and maintained to appropriate standards to: (i) Withstand flood events. (ii) Ensure the integrity of the structure is maintained for its specified use. (c) Located, designed, constructed and used a manner that accounts for the effect of natural lake water level fluctuations. For the purpose of this regional plan, gabion baskets and rock riprap are considered to be structures.	Flood modelling demonstrates no increase in downstream flood levels or flows under post-development conditions, including climate change scenarios. Attenuation and pumping systems offset displaced flood storage. Erosion is managed through staged earthworks and long-term vegetated swales. Sediment is controlled during construction and stormwater is treated prior to discharge. Public access along water bodies is not reduced, and new open space corridors increase public accessibility within the site. Natural character is modified through urbanisation; however, landscape mitigation planting and wetland creation are relied upon to soften visual effects and enhance ecological values.

Provision	Assessment
BW O5 - Structures are designed to recognised standards and withstand flood events.	All proposed structures are supported by engineering design, hydraulic modelling, geotechnical assessment and independent review. Design accounts for 1% AEP events and includes climate change allowances. Pump stations, culverts and stop banks are designed to appropriate standards and subject to vesting and maintenance by relevant authorities.
BW O6 - Derelict and unauthorised structures causing adverse effects are removed.	Existing informal agricultural drainage infrastructure will be replaced or upgraded through formal engineered systems as development proceeds. No new derelict or unauthorised structures are proposed.
BW O7 - Avoid introduction of inappropriate plants into beds, except for indigenous planting or river control works.	Constructed wetland swales and stormwater corridors will be planted with appropriate species in accordance with regional guidelines. Planting is intended to enhance water quality, stabilise banks and improve ecological values. Indigenous and appropriate species will be specified through detailed design and landscape/ecological management planning.
Chapter 9 – Wetlands	
WL O1 (Objective 73)- Preservation of remaining wetlands in the Bay of Plenty.	No identified natural inland wetlands are proposed to be drained, filled or modified. The development avoids direct adverse effects on remaining wetlands and incorporates hydrological controls to prevent indirect degradation.
WL O2 (Objective 74) - Enhancement of degraded wetlands where viable.	While no existing natural wetlands are present on site, the proposal enhances ecological function through constructed wetland swales and stormwater treatment basins. These provide improved water filtration, sediment capture and potential habitat relative to the current drained pastoral environment.
WL O3 (Objective 75) - Creation of new wetland habitats where appropriate and practicable. WL P7 (Policy 139) To encourage and promote the creation of new wetland habitats in appropriate locations.	The proposal actively creates wetland-type environments as part of its stormwater design. Constructed wetlands are integral to the attenuation network and contribute to biodiversity, landscape integration and water quality improvement.
WL O4 (Objective 76) - Adverse effects of necessary maintenance or sustainable use of wetlands are avoided, remedied or mitigated. WL P10 (Policy 142) To recognise and provide for the sustainable use of wetlands, including the use of wetlands for customary practices by tangata whenua. Sustainable use means the use of resources within a wetland at a rate or in a manner that does not damage or destroy the water quality, water quantity, soil conservation, natural character,	Ongoing maintenance of constructed wetland systems will be required to maintain treatment performance. Such maintenance will be undertaken in accordance with management plans and will not result in degradation of ecological values or water quality. No maintenance of natural wetlands is proposed.

Provision	Assessment
habitat values of indigenous flora and fauna, or cultural values of the wetland	
Chapter 20 – Natural Hazards	
NH O1 (Objective 49) - Effects of flood hazards on people, communities and natural and physical resources are avoided or mitigated. NH P1 (Policy 87) To adopt and promote an integrated, catchment-based approach to flood hazard mitigation.	Flood modelling demonstrates that development platforms remain above design flood levels. Stormwater detention and conveyance infrastructure prevents increased downstream flooding. The proposal avoids placing vulnerable development within unmanaged flood pathways and mitigates residual risk through engineered design.
NH O2 (Objective 50)- Adverse environmental effects of flood mitigation works are avoided, remedied or mitigated. NH P4 (Policy 90) To require river schemes and land drainage schemes to be constructed, operated and maintained to: (a) Avoid adverse effects on significant heritage values. Where existing works are having adverse effects on such values, the effects are to be remedied or mitigated. (b) Avoid, remedy or mitigate adverse effects on the environment while maintaining the integrity of the scheme. (c) Remedy adverse effects on natural character, and terrestrial and aquatic habitats, where practicable.	Flood mitigation infrastructure is designed to integrate ecological considerations, including vegetated detention basins and controlled discharge rates. Earthworks and drainage modifications are supported by erosion and sediment controls. Environmental effects are minimised relative to the existing drained pastoral baseline.
NH O3 (Objective 51) - Necessary flood hazard mitigation works are not threatened by inappropriate land use activities. NH P2 (Policy 88) To co-operate with the city council and district councils to ensure that flood hazard mitigation works and flood paths are protected from inappropriate land use activities	The proposal protects floodways, incorporates appropriate setbacks, and ensures structures are not located within primary conveyance corridors. Drainage infrastructure is formalised and upgraded rather than compromised. The development therefore supports, rather than undermines, flood hazard mitigation works.

6.4. Rules

Activity	Plan Rule	Activity Status
Large scale earthworks	LM R4 (Rule 1C) The disturbance of land and soil as a result of earthworks or a quarry, where the activity: 1. Is not permitted by a rule in this regional plan, and 2. Is not a controlled activity under a rule in this regional plan, and 3. Is not a restricted discretionary activity under a rule in this regional plan, Is a discretionary activity.	Discretionary activity
Permanent stormwater discharge consent	DW R20 (Rule 30) – Discharge of Stormwater to Surface Water The discharge of stormwater to surface water, or to land where the discharge enters surface water (less than 125 litres per second for a 10 minute duration 10% AEP storm event), is a permitted activity, subject to conditions:	Permitted activity
	DW R21 (Rule 30A) – Discharge of Stormwater to Surface Water The discharge of stormwater to surface water, or to land where the discharge enters surface water, where the rate of discharge is greater than 125 litres per second for a 10 minute duration 10% AEP storm event (10 year return period storm) is a restricted discretionary activity subject to conditions	Restricted Discretionary activity
	DW R22 (Rule 31) – Discharge of Stormwater to Land Soakage The discharge of contaminated stormwater to land soakage is a permitted activity, subject to conditions	Permitted activity
	DW R23 (Rule 31A) – Discharge of Stormwater to Land Soakage The discharge of contaminated stormwater to land soakage, where the rate of discharge is greater than 125 litres per second for a 10 minute duration 10% AEP storm event (10 year return period storm) is a restricted discretionary activity subject to conditions:	Restricted Discretionary activity
Works in the bed of a stream	BW R36 (Rule 71) – Activity in the Beds of Streams, Rivers and Lakes Unless provided for by another rule in this regional plan, the: (a) Use, erection, reconstruction, placement, alteration, extension, removal, or demolition of any structure or part of any structure in, on, under, or over the bed of a stream, river or lake, (b) Excavation, drilling, tunnelling or other disturbances to the bed of a stream, river or lake, (c) Introduction of planting of any plant or any part of any plant in, on, or under the bed of a stream, river or lake, (d) Disturbance, removal, damage or destruction of any plant or any part of any plant in, on, or under the bed of a stream, river or lake,	Discretionary activity

Activity	Plan Rule	Activity Status
	(e) Deposition of any substance in, on, or under the bed of a stream, river or lake, (f) Reclamation or drainage of the bed of a stream, river or lake, Is a discretionary activity.	
Maintenance of Kopuarua Canal	NH R3 (Rule 70B) – Maintenance of Land Drainage Canals Any disturbance of the bed of a modified watercourse that is a land drainage canal listed below in Table NH 2, and the activity: 1. Is for the purpose of maintaining the land drainage canal to its design standard as stated in a management plan or asset management plan and are part of land drainage works, and 2. Is not part of new capital works, Is a permitted activity subject to conditions	Permitted activity
Stormwater & stream diversion	WQ R14 (Rule 44A) – Diversion of Stormwater (Surface Runoff) The diversion of stormwater is a permitted activity subject to the following conditions: 1. The activity shall not cause or induce erosion to the bed or banks of any surface water body, or to land, where the erosion is persistent or requires active erosion control measures to bring it under control. Erosion includes: a. Instability of land or the banks of the surface water body. b. Scour to the bed of the surface water body. c. Damage to the margins or banks of the surface water body. 2. The activity shall not cause flooding or ponding on any land or property owned or occupied by another person, where that land would not naturally carry water during storm or flood events.	Permitted activity
	WQ R13 (Rule 44) – Temporary Damming of Water in a Land Drainage Canal or Drain The temporary damming of water in a Land Drainage Canal or drain, including the: 1. Damming of water, and 2. Use, erection, maintenance, reconstruction, placement, alteration or extension of a dam structure, and 3. Disturbance of the bed of the Land Drainage Canal associated with the construction of the dam, where: 4. The activity does not extend beyond a period of six (6) months, and 5. The dam is not located within an Urban Area or Settlement or within one (1) kilometre upstream of an Urban Area or Settlement.	Permitted activity

Activity	Plan Rule	Activity Status
	Is a permitted activity subject to conditions	
	WQ R21 (Rule 48) – Damming or Diversion of Water The damming or diversion of water that is: 1. Not permitted by a rule in this regional plan, and 2. Not restricted discretionary status under a rule in this regional plan, and 3. Not prohibited by EC R1, Is a discretionary activity.	Discretionary activity
Discharge of contaminants	DW R6 (Rule 33) – Discharge of Water to Water The discharge of water to water where: (a) The discharge is the discharge of water to the same surface water body; and (b) The water quality is the same as the receiving waters;	Permitted activity
	DW R8 (Rule 37) - Discharges to Water or Land Any: 1. Discharge of a contaminant to water. 2. Discharge of water to water. 3. Discharge of a contaminant onto or into land in circumstances which may result in the contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water. 4. Discharge of a contaminant from any industrial or trade premises onto or into land. That is not: (a) Permitted by a rule in this regional plan. (b) Permitted by a rule in any other Bay of Plenty regional plan. (c) Prohibited by a rule in this regional plan. (d) Restricted discretionary status by a rule in this regional plan. (e) Controlled status by a rule in this regional plan.	Discretionary activity. The proposed activity involves managing soils that have been identified as potentially contaminated and importing fill, which requires a consent under the plan.

Activity	Plan Rule	Activity Status
Ground water take	Rule 39 – Use, Maintenance, Decommissioning or Reconstruction of a Hole, Bore, Well or Water Infiltration Gallery The use of land to use, maintain, decommission or reconstruct a hole, bore, well or water infiltration gallery is a permitted activity subject to conditions	Permitted activity
	Rule 40B – Installation or Alteration of a Hole, Bore, Well or Water Infiltration Gallery The excavation, drilling or other disturbance of land, for the purpose of: 1. altering an existing hole, bore, well or water infiltration gallery; or, 2. constructing a hole, bore, well or water infiltration gallery; or, 3. constructing a hole, bore, well or water infiltration gallery and, taking groundwater for aquifer or pump testing purposes and, discharging drilling or test fluids to land. Is a controlled activity.	Controlled activity
	Rule 43 – Take and Use of Water The take and use of surface water or groundwater that: 1. Is not permitted by a rule in this regional plan, and 2. Is not a controlled activity under a rule in this regional plan, and, 3. Is not prohibited by Rule 49. Is a discretionary activity.	Discretionary activity
Surface water take	DW R3 (Rule 22) – Take, Diversion and Discharge of Water from Existing Farm Drains and Pumped Drainage Areas 1. Take or diversion of water for land drainage purposes resulting from farm drains and land drainage canals that existed as of 19 February 2002; and 2. Discharge of water to a surface water body, where the discharge is from: a. A pumped drainage area; or b. A farm drain that existed as of 19 February 2002, where the drain is for land drainage purposes and excludes drains that are part of stormwater systems for urban areas or roading,	Permitted activity
	Rule 43 – Take and Use of Water The take and use of surface water or groundwater that: 1. Is not permitted by a rule in this regional plan, and 2. Is not a controlled activity under a rule in this regional plan, and,	Discretionary activity

Activity	Plan Rule	Activity Status
	3. Is not prohibited by Rule 49. Is a discretionary activity.	
Dewatering	Rule 42 – Take of Water and Discharge of Sediment Contaminated Water from the Dewatering of Building and Construction Sites The: 1. Take of water, and 2. Temporary discharge of sediment contaminated water to water or to land where the contaminant may enter water, for the purposes of dewatering of building and construction sites is a permitted activity subject to conditions.	Permitted activity
Planting in a stream	BW R34 (Rule 68) – The Introduction or Planting of any Plant or Part of any Plant into the Bed of a River, Stream or Lake The introduction or planting of any plant or part of any plant into the bed of a river, stream or lake, including the associated disturbance of the bed, is a permitted activity subject to conditions.	Permitted activity
Drain crossings/bridges (not Kopuaroa Canal)	BW 20 (Rule 60) – Single Span Bridges, or Single Span Pipe Bridges The use, erection, reconstruction, placement, alteration or extension of a single span bridge or single span pipe bridge over the bed of a river, stream, or lake, where the structure: 1. Is not located where the adjacent land slope is greater than 35º, and 2. Is not located within any Urban Area or Settlement, or within one (1) kilometre upstream of any Urban Area or Settlement, and 3. Is not located in a wetland, and 4. Is a bridge that crosses a waterway with a contributing catchment of no greater than 100 hectares, and 5. Is not located in a Land Drainage Canal; and associated bed disturbance, is a permitted activity subject to conditions	Permitted activity
	BW R21 (Rule 60A) Single Span Bridges, or Single Span Pipe Bridges The use, erection, reconstruction, placement, alteration or extension of a single span bridge or single span pipe bridge, over the bed of a river, stream, or lake, where the structure: 1. Is not located where the adjacent land slope is greater than 35º, and 2. Is not located within any Urban Area or Settlement, or within one (1) kilometre upstream of any Urban Area or Settlement, and 3. Is not located in a wetland, and	Controlled activity

Activity	Plan Rule	Activity Status
	4. The bridge crosses a waterway with a contributing catchment of greater than 100 hectares and not greater than 5,000 hectares, and 5. Is not located in a Land Drainage canal; Is a controlled activity subject to conditions.	
Drain crossings/bridges in Kopuaroa Canal	BW R22 (Rule 60B) – Single Span Bridges, or Single Span Pipe Bridges in Land Drainage Canals The use, erection, reconstruction, placement, alteration or extension of a single span bridge or single span pipe bridge, over the bed of a river, stream, or lake, where the structure is located in Land Drainage Canal (refer to Definition of Terms); and associated bed disturbance, is a permitted activity subject to conditions.	Permitted activity
Wetland creation	Covered by earthworks, diversion, planting & discharge rules	
Structures in the bed of a stream	BW R2 (Rule 51A) - Maintenance of Structures In, On, Under or Over the Bed of a Stream, River or Lake The maintenance of any structure in, on, under or over the bed of a river, stream (including modified watercourse) or lake, is a permitted activity, subject to conditions	Permitted activity
	BW R4 (Rule 51C) – Extension and Upgrade of Existing Lawfully Authorised Structures The extension and upgrade of any existing lawfully authorised structure in, on, under or over the bed of a river, stream (including modified watercourse) or lake (excluding Rotorua Lakes) where: 1. The structure existed on the date on which this rule becomes operative; and 2. The structure is not a dam; and 3. The activity is not associated with the piping of a stream; and 4. The structure is not otherwise permitted by a rule in this regional plan; Is a restricted discretionary activity.	Restricted Discretionary activity
	BW R6 (Rule 53) – Discharge Structures The use, erection, reconstruction, placement, alteration and extension of a discharge structure in, on, under or over the bed of a river, stream, or lake, and associated bed disturbance, is a permitted activity subject to conditions.	Permitted activity
Removal of structures in drains (not Kopuaroa Canal)	BW R29 (Rule 65) Removal or Demolition of Structures in, on, under or over the Bed of a River, Stream, or Lake The demolition or removal of any structure or part of any structure in, on, under or over the bed of a river, stream, or lake, and associated bed disturbance, is a permitted activity subject to conditions.	Permitted activity

Activity	Plan Rule	Activity Status
Culverts 300-1200mm in drains (not Kopuaroa Canal)	BW R15 (Rule 59) – Culverts and Culvert Extensions The use, erection, reconstruction, placement, alteration or extension of a culvert (300-1200mm diameter) in, on or under the bed of a river, stream, or lake, and associated bed disturbance, where the culvert: 1. Is not located where the adjacent land slope is greater than 35º, and 2. Is not located within any Urban Area or Settlement, or within one (1) kilometre upstream of any Urban Area or Settlement, and 3. Is not located in a wetland, 4. Is not located in a Land Drainage Canal; Is a permitted activity subject to conditions	Permitted activity
Culverts 1200-1800mm in drains (not Kopuaroa Canal)	BW R16 (Rule 59A) – Culverts and Culvert Extensions The use, erection, reconstruction, placement, alteration or extension of a culvert in, on or under the bed of a river, stream, or lake, and associated bed disturbance, where the culvert: 1. Is not located where the adjacent land slope is greater than 35º, and 2. Is not located within any Urban Area or Settlement, or within one (1) kilometre upstream of any Urban Area or Settlement, and 3. Is not located in a wetland, and 4. The culvert diameter is no greater than 1800 mm, and 5. Is not located in a Land Drainage Canal, Is a controlled activity subject to conditions	Controlled activity
Contaminated Land	DW R25 (Rule 35) - Remediation or Disturbance of Contaminated Land The: 1. Discharge of contaminants to water, or to land, or to land in circumstances which may result in the contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water, resulting from the remediation or other disturbance of a contaminated site; Or 2. Disturbance of a contaminated site; that is not permitted by DW R24 is a restricted discretionary activity.	Discretionary activity
Services under Kopuaroa. Canal (if required)	BW R9 (Rule 56) - Lines, Cables or Pipelines Under the bed of a River, Stream or Lake The use, erection, reconstruction, placement, alteration or extension of any line, cable or pipeline, including any telecommunication line as defined in section 2(1A) of the Telecommunication Act 1987, under the bed of a river, stream, or	Permitted activity

Activity	Plan Rule	Activity Status
	lake, where the structure is installed by drilling or tunnelling (including any pipe thrusting), is a permitted activity subject to conditions.	
Services attached to bridges	BW R23 (Rule 61) – Service Crossings Attached to Bridges The use, erection, reconstruction, placement, alteration or extension of a service crossing, including any telecommunication line as defined in section 2(1A) of the Telecommunication Act 1987, over the bed of a river, stream, or lake, where the service crossing is attached to an existing bridge is a permitted activity subject to conditions.	Permitted activity
Monitoring & Sampling Structures	BW R11 (Rule 57) - Monitoring and Sampling Structures The use, erection, reconstruction, placement, alteration or extension of any equipment, measuring apparatus or similar device in, on, under or over the bed of a river, stream, or lake for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples, and associated bed disturbance, is a permitted activity subject to conditions.	Permitted activity
Dust (unsealed roads)	AIR-R3 Roads – The discharge of dust to air from vehicle movements on unsealed roads is a permitted activity	Permitted activity
Discharge of dust	AIR-R1 General activities – Any discharge of contaminants into air which is not subject to any other rule in this regional plan and excluding the discharge of dust to air associated with a plantation forestry activity, is a permitted activity provided the conditions are complied with	Permitted activity

7. Heritage New Zealand Pouhere Taonga Act 2014

Clause	Subclauses	Comment
44 – Application for authorities	(a) an application for an authority to undertake an activity that will or may modify or destroy the whole or any part of any archaeological site or sites within a specified area of land, whether or not a site is a recorded archaeological site or is entered on the New Zealand Heritage List/Rārangi Kōrero or on the Landmarks list:	A precautionary approach proposed. Archaeological investigations undertaken to date (Appendix X) have informed the assessment of cultural and archaeological values across the Site. While no confirmed archaeological constraints have been identified that would preclude development, the scale of earthworks and long-term staged development means there remains potential for previously unidentified archaeological material to be encountered. As a precautionary and risk-based approach, the project proposes to seek an archaeological authority. This will ensure that any archaeological material encountered during construction is appropriately managed in accordance with statutory requirements, including accidental discovery protocols, cultural engagement processes, and any conditions. This approach reflects the project's commitment to proactive heritage management and provides regulatory certainty for staged delivery of the development.

8. Wildlife Act 1953

Provision	Requirement	Comment
Protected indigenous fauna authorisation requirements	Activities that may disturb, injure, kill, capture, handle or relocate protected indigenous wildlife require appropriate authorisation from the Department of Conservation.	While no confirmed skink populations requiring translocation have been identified as a constraint to development, the Ecological Impact Assessment (Appendix L) identifies potential lizard habitat within parts of the Site and recommends a precautionary lizard management approach. The project proposes to obtain a Department of Conservation Wildlife Act Authorisation (WAA) prior to vegetation clearance where required, enabling the capture and relocation of any indigenous skinks encountered during works. This precautionary approach aligns with the effects management hierarchy and ensures adverse effects on protected indigenous fauna are appropriately managed through species-specific ecological management measures including recommendations from a Lizard Management Plan (Appendix AJ).