

1 Plan Overview

Section 1A

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Section 1A

1A Purpose of the Plan

The purpose of *the Plan* is to enable the *Council* to carry out its functions under the Resource Management Act 1991 (*RMA*); promoting the sustainable management of natural and physical resources. *The Plan* meets the Council's functions under the *RMA*. Set out in section 31 of the *RMA*, these functions are:

- a) The integrated management of the effects of the *subdivision*, use, development or protection of land and associated natural and physical resources;
- b) The control of any actual or potential effects of the *subdivision*, use, development or protection of land, including:
 - i) The avoidance or mitigation of *natural hazards*;
 - ii) Matters relating to *hazardous substances* and the use of *contaminated land*;
 - iii) The maintenance of *indigenous biodiversity*;
- c) The control of the emission and effects of noise;
- d) The control of any actual or potential effects of *activities* in relation to the surface of rivers and lakes.

1A.1 Responsible Authority

The Tauranga City Council is the responsible authority for implementing *the Plan*.

1A.2 Plan Area

The Plan applies to the whole of the Local Government Territorial Authority of the City of Tauranga, as shown on the Plan Maps (Part B).

1A.3 Plan Structure

The Plan comprises:

- a) Part A (The Plan Text);
- b) Part B (The Plan Maps).

The Plan is divided into Chapters that are explained in further detail below. These Chapters can be generally divided into three sections, detailed in *Table 1A.1: Plan Content Summary*.

- a) Chapters 1-3, which provide a general explanation and context to *the Plan* and describe the meaning of terms used in *the Plan*;
- b) Chapters 4-11, which apply in various locations throughout the *Plan Area* and may be identified as overlays termed 'Plan Areas' over the specific zones that follow in Chapters 12-20;
- c) Chapters 12-20, which are objectives, policies and rules for the *subdivision*, use and development of land in specific zones.

Table 1A.1: Plan Content Summary

Chapter	Role of Chapter
1. Plan Introduction	Explains the <i>structure</i> and purpose of <i>the Plan</i> , together with a description of how to use <i>the Plan</i> and an overview of the history to <i>the Plan</i> .
2. Issues Overview	Provides an overview of the context of <i>the Plan</i> and the relationship of <i>the Plan</i> to other resource management tools. Included is a description of the main issues facing <i>the City</i> and the direction <i>the Plan</i> takes in response.
3. Definitions	Provides an interpretation of standard expressions in <i>the Plan</i> . Defined terms are identified in <i>the Plan</i> in italics.

Chapter	Role of Chapter
4. General Rules	Covers City-wide issues for: a) Transportation (parking, access); b) Earthworks; c) <i>Signs</i> ; d) <i>Noise</i> ; e) Temporary Activities; f) Lighting; g) Permitted Intrusions (items permitted within <i>building</i> and overshadowing <i>setbacks</i>); h) Airport Slopes and Surfaces (the absolute <i>height</i> limitation imposed for airport safety).
5. Natural Environment	Describes areas of natural significance within <i>the City</i> and sets out the objectives, policies and rules for the management of identified areas.
6. Natural Features and Landscapes	Describes both the general elements of the <i>landscape character</i> of <i>the City</i> and identifies areas of national and local significance together with specific methods to protect these areas. Also identifies trees protected due to their significance in the landscape.
7. Heritage	Sets out the protection of places of historical significance, including Maori heritage, <i>buildings</i> , <i>archaeological sites</i> , and protected trees of heritage significance.
8. Natural Hazards	Sets out the methods to mitigate or avoid the risk of <i>natural hazards</i> , specifically the risk of harbour inundation, and coastal erosion.
9. Hazardous Substances & Contaminated Land	Deals with two distinct issues being the use of <i>hazardous substances</i> by setting acceptable thresholds, and <i>subdivision</i> , use and development of contaminated land.
10. Network Utilities and Designations	Sets out the objectives, policies and rules for the establishment of <i>network utilities</i> , and details the particulars of the designations identified on the Plan Maps (Part B).
11. Financial Contributions	Sets out the purpose and method for calculating the amount of land or money that may be required to mitigate the effects of <i>subdivision</i> , use or development.
12. Subdivision, Infrastructure & Services	Deals with <i>subdivision</i> for all zones, and also sets out standards for the development of <i>infrastructure</i> .
13. Open Space Zones	Covers areas for passive and active recreation, and areas set aside for conservation in <i>the City</i> .
14. Residential Zones	Sets out the methods for managing a range of residential living <i>environments</i> , ranging from the <i>low density</i> Large Lot Residential Zone, through the Suburban Residential Zone to High-Density Residential Zone.
15. Rural Residential Zones	Deals with semi-rural <i>sites</i> used for residential living.
16. Rural Zones	Covers areas set aside for rural production or urban expansion. Also includes extensive areas of Maori land held under the Te Ture Whenua Maori Land Act (1993) and provides specific methods for its development.
17. Commercial Zones	Sets out the methods for development of <i>commercial centres</i> in <i>the City</i> , from the City Centre to local shopping areas.
18. Industrial Zones	Covers areas set aside principally for industrial land use, and includes general industrial land and the <i>infrastructure</i> of the Port.

Chapter	Role of Chapter
19. Education Centre Zones	Sets out specific methods for the use and development of identified <i>school sites</i> that accommodate schools not wholly funded by the Government.
20. Special Use Zones - Baypark	Sets out a framework for the management of the Baypark <i>site</i> , including <i>noise</i> and land-use controls.

1A.4 How to Use the Plan

The *RMA* provides some flexibility for the *Council* in determining the content of this Plan, although it must contain three core elements: Objectives, Policies, and Rules. This Plan does not include optional explanatory information, which is included in the background reports to *the Plan* prepared under section 32 of the *RMA*. When interpreting *the Plan*, guidance is provided by objectives and policies and the rules set out the actual requirements for *subdivision*, use and development. In this Plan:

- Objectives – describe the desired outcome for a particular resource management issue;
- Policies – describe the direction to be taken to achieve the objective, and outline the considerations specific to the achievement of a particular objective;
- Rules – implement the direction of the policies.

When using *the Plan*, the starting point is the identification on the Plan Maps (Part B) of the *site* or area in which the *activity* is being considered. Here, it can be determined what zone or zones the proposed *activity* falls within, and whether any special sections of *the Plan* apply.

The next step is to determine what status an *activity* has in the relevant zone. *Activities* are described in the Tables of Activity Status at the beginning of each zone-based Chapters. Often defined terms are used in these tables that are further described in the *Chapter 3 - Definitions*. In most circumstances an *activity* that is not classified in the Table of Activity Status is identified as a Discretionary Activity by default (which reverses the 'permissive presumption' of the *RMA*). In the Tables of Activity Status outlined in each Chapter, the symbols have the following meanings:

Table 1A.2: Activity Status

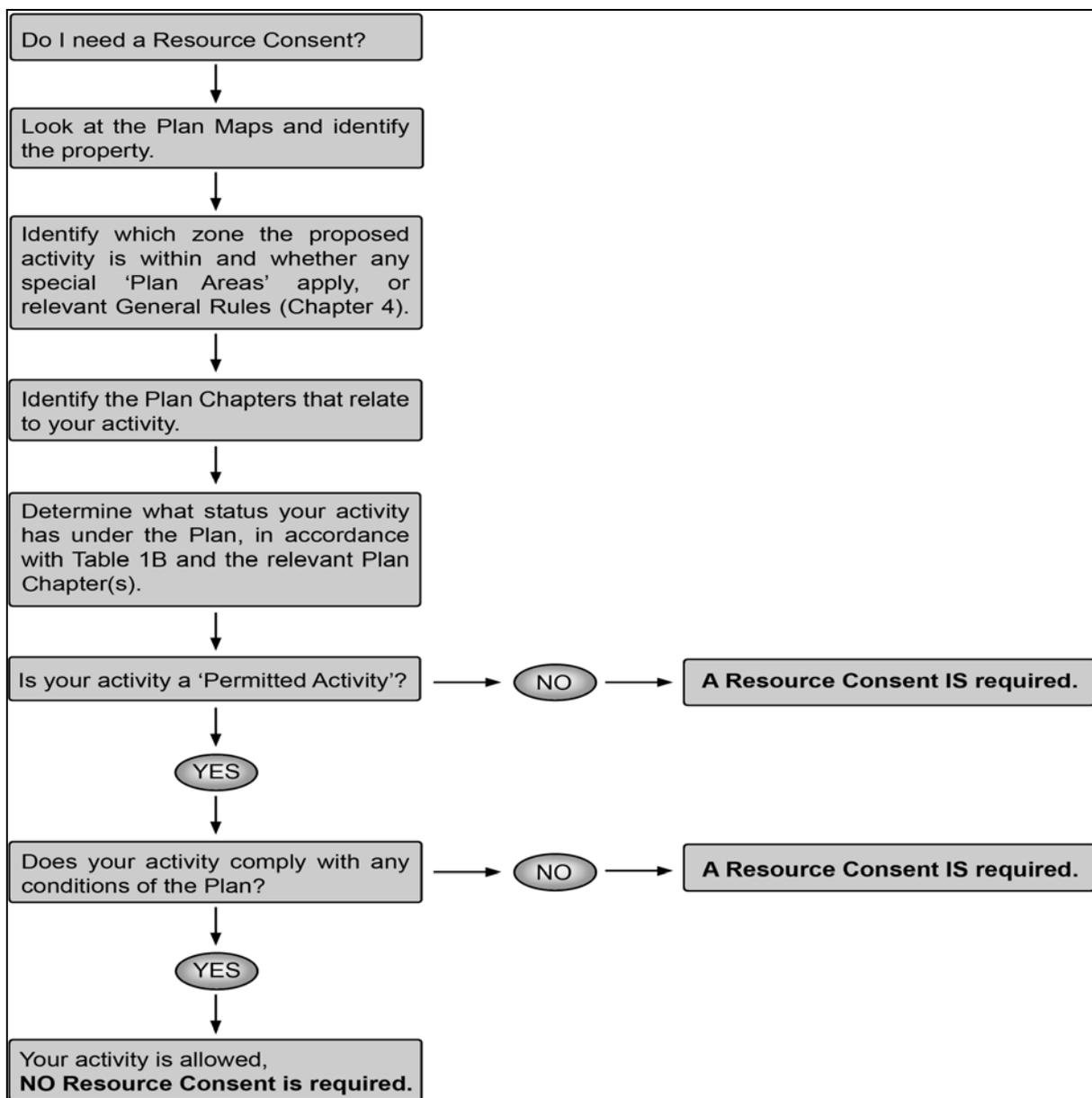
	Status	Implication
P –	Permitted	Does not require a resource consent provided the <i>activity</i> complies with any relevant standards, terms and conditions specified in <i>the Plan</i> .
C –	Controlled	Requires a resource consent, but must be granted by the <i>Council</i> with or without conditions unless the information provided is insufficient to determine if the <i>activity</i> is a Controlled Activity. Matters over which the <i>Council</i> reserves control and conditions that can be applied are specified in <i>the Plan</i> . In addition, the <i>activity</i> must comply with any relevant standards, terms or conditions specified in <i>the Plan</i> .
RD –	Restricted Discretionary	Requires a resource consent that may be granted with or without conditions or declined by the <i>Council</i> , subject only to consideration of the matters to which discretion is restricted, as outlined in <i>the Plan</i> . Any conditions of consent are also limited to the matters to which discretion is restricted. The <i>activity</i> must also comply with any standards, terms or conditions that apply to the <i>activity</i> .
D –	Discretionary	Requires a resource consent. The <i>activity</i> may be granted consent with or without conditions or declined at <i>Council's</i> discretion. The <i>activity</i> must comply with any standards, terms or conditions specified in <i>the Plan</i> .
NC –	Non-Complying	The <i>activity</i> may be granted a resource consent with or without conditions and is generally not anticipated within the zone.
Pr –	Prohibited	The <i>activity</i> is prohibited within the zone. No application may be made for such an <i>activity</i> and a resource consent cannot be granted for the <i>activity</i> .

	Status	Implication
n/a	Non-Applicable	This term is used when the <i>activity</i> described in the Table of Activity status is not relevant to the particular zone in which this symbol appears.

Once the level of *activity* status is determined, reference can then be made to the relevant rules that apply. These rules are detailed in sections in each Chapter. These rules will, where relevant, also direct consideration to other relevant sections of *the Plan*, such as requirements for parking or access.

Reference must also be made to any *Plan Areas* identified on the Plan Maps (Part B). These include areas such as the *Flood Hazard Plan Area*, Special Ecological Areas, and *Outstanding Natural Features and Landscapes*. If an *activity* is within or adjacent to one of these *Plan Areas*, there may also be a requirement to obtain resource consent for an *activity*, or rules of *the Plan* that must be met to avoid the need for resource consent. This process is summarised in *Figure 1A.1 How to Use the Plan* below.

Figure 1A.1: How to Use the Plan.



1A.5 Plan Background

The Plan has been developed through an extensive process of identifying the significant resource management issues in *the City*. Also relevant to the development of *the Plan* is the historical planning framework that has guided *subdivision*, use and development within *the City*, and within which *subdivision*, use and development has been undertaken.

The ability to create a Planning Scheme existed from 1926, however there appears to have been no planning controls in place prior to the introduction of the Mt Borough Scheme No. 1, in 1954, with the exception of requirements for approval of *subdivision* for lots over 10 acres in central government legislation, usually done by the County engineer, and associated surveying/title law. The Town and Country Planning Act 1953 required local authorities to have Planning Schemes and the local authorities prepared their schemes after this time. Prior to these Plans (Schemes) coming into effect a range of standards and *building* by-laws existed, the first central government legislation being a standard for earthquake construction in 1932. *Building* legislation was then further introduced systematically by the central government through various legislation. The ability to create local *building* by-laws has existed since 1867, and appears to have been used in *the City* with *building* consents in Tauranga being issued under by-laws as far back as 1927.

The jurisdictions of the Mount Borough, Tauranga County, Tauranga Borough/District/City, and Western Bay of Plenty District evolved from Town and Highway Boards. The Tauranga County was formed in 1876 and the Borough of Tauranga in 1882. The Mt Maunganui Town District was established in 1931 but remained part of the County until 1 April 1937. Various *boundary* adjustments were undertaken to these jurisdictions through time, with the reorganisation of local government in 1989 the Tauranga District (now City) and Western Bay District were formed from the Tauranga City (previously Tauranga Borough), Tauranga County and Mt Borough. The three plans applied and were known collectively as the 'Transitional Plan'. A portion of the Western Bay District at Tauriko/Pyes Pa and a small section at Ohauiti and Papamoa were brought into *the City* on 1 January 2010.

The following is an approximate summary of those documents:

Authority	Date	Plan	Jurisdiction
Tauranga Borough	1954-1971	Provisional Undisclosed Scheme District Scheme	Tauranga Borough
	Operative 1 October 1969	Tauranga City Town Plan – Section 1	Tauranga CBD to 23 rd Ave and Otumoetai. Changes 1-73 from 1968-1977
	Operative 1 January 1971	Tauranga City Town Plan – Section 2	Maungatapu and Gate Pa from Faulkner St, 23 rd Ave, Courtney Rd, to between Baycroft and Oxford streets to include Greerton and Glenlyon Ave. Excludes Racecourse and Maleme St areas
	Operative 1 November 1977	Tauranga City Town Plan – Section 3	Covers Poike, Welcome Bay, Racecourse and part of Maleme St
	Operative 1 October 1981	1st Reviewed Scheme	Consolidated above three sections
	Operative 10 June 1982	2nd Reviewed Scheme	Incorporated Sulphur Point (previously under County Scheme)

Authority	Date	Plan	Jurisdiction
Tauranga County	November 1973	1st Reviewed District Scheme	Tauranga County
	November 1979	2nd Reviewed District Scheme	Tauranga County
	Notified September 1988, Operative 23 September 1991	3rd Reviewed District Scheme	Tauranga County
Mount Borough	September 25 1953	Scheme No. 1	Mt Borough
	18 May 1954	Scheme No. 1 reviewed to include part of Tauranga County	Mt Borough and portion of Tauranga County
	Operative December 1964	1st Reviewed Scheme	Mt Borough and portion of Tauranga County
	Approved September 1971	2nd Reviewed Scheme	Mt Borough and portion of Tauranga County
	Approved December 1982	3rd Reviewed Scheme	Mt Borough and portion of Tauranga County
	Operative August 1990	4th Reviewed Scheme	Mt Borough and portion of Tauranga County
Tauranga District Council	October 1991	Tauranga District Transitional Plan (3 Schemes amalgamated)	Tauranga District Council
Tauranga District Council	Notified 18 January 1997, Operative 18 August 2003, excluding coastal hazard provisions which became Operative 19 February 2005.	Tauranga District Plan	Tauranga District Council
Western Bay of Plenty	20 July 2002	Western Bay of Plenty District Plan	Areas at Tauriko and Pyes Pa

The operative plans replaced by this Plan are the Tauranga District Plan and portions of the Western Bay of Plenty District Plan at Tauriko and Pyes Pa.