

# citydirection

THE DISTRICT PLAN REVIEW

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## Review of the Tauranga District Plan – Chapter Updates

The Council is required to write and produce a District Plan. The District Plan provides the rules for how people can build or develop the land they own. This can be land that is residential, commercial or industrial. It also includes rules on other things that are covered by the Resource Management Act – including land use, hazards, signage, reserves, noise and heritage amongst other matters.

The District Plan deals with issues such as:

- Residential, commercial and industrial development – where this may go, requirements for establishing these forms of development, and the extent of these opportunities;
- The development of reserves and the management of the natural environment;
- The subdivision of land;
- The implications for land use of natural hazards and controls over hazardous substances and noise; and
- Many other issues including heritage matters, signage, Tauranga's landscape, future growth areas, and the protection of amenity.

The District Plan Review is the investigation of how these and other resource management issues are addressed. Once completed the District Plan will have a life of 10 years before needing to be revisited as required under the Resource Management Act. All chapters of the current District Plan are being reviewed.

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## Community Feedback

Staff have undertaken two workshops with consultants and others who use the District Plan in their day to day work. They have received over 1000 comments to the issues and options papers that were distributed in August 2008. Targeted feedback has been sought for specific topics, such as the possibility of increasing residential densities in the city centre. Elected Members have provided direction on how they want these issues dealt with.

## Tangata Whenua Liaison

Staff have conducted a series of hui with Tangata Whenua, held discussions with the Tauranga Moana Tangata Whenua Collective and liaised with the Papakainga Focus Group. A cultural advisor has been appointed to undertake a further series of hui with tangata whenua over the coming months. This liaison officer will aid Tangata Whenua with independent technical assistance.

## Next Steps

The next phase of the project is to prepare proposed District Plan provisions in response to this direction. This is called detailed plan content and will largely involve TCC staff considering the community feedback and Elected Member guidance.

It is intended to release a draft plan for public comment in March 2009 for a one month period. The purpose of this process is to enable the community to inform us of whether we are on the right track to managing subdivision and development within the environment.

Then, in August 2009, we intend to notify the proposed District Plan for public submission.



**Note**

– The following summarises the considerations for Chapters 7-22 so far.



## Chapter 7 General Rules

This chapter addresses activities that are common across the City.

Some of the key activities that this Chapter will cover are:

- Transportation and Parking;
- Noise;
- Earthworks;
- Signage;
- Temporary Activities ; and
- Sustainability.

Specific issues that have been identified around these topics include:

- The need for a more integrated approach between transport and land use planning;
- Providing for, and encouraging greater use of alternative transport;
- Safeguarding the efficiency of the strategic road network;
- The need to introduce more comprehensive earthwork controls;
- More effective management and certainty for temporary activity consent requirements;
- Better controls over the size and location of signs;
- Ensuring City-wide noise provisions continue to meet the expectations and demands of a growing City;
- Identifying how the District Plan can encourage a more sustainable approach to land use and subdivision activities.



To date an initial review of the District Plan noise provisions has identified some recommended technical amendments and some more challenging issues, such as managing noise associated with the future growth of the Port of Tauranga.

Work is currently underway to identify how parking requirements can best meet activity and commercial centre needs and how alternative transport modes can be encouraged.

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## Chapter 8

# Natural Environment & Biodiversity

The current District Plan objectives and policies seek to manage the pressures placed on ecologically sensitive coastal and harbour margins and the remaining indigenous habitats within the City in order to preserve the intrinsic values found within these natural areas.

Specifically, Council protects defined areas termed Special Ecological Sites through District Plan regulation. There are 18 identified sites, covering specific areas that range from sand dunes, to estuarine vegetation and wetlands (saltmarsh).

In 2000 and 2005, an assessment of the relative significance of natural areas was undertaken as part of the City's RMA monitoring requirements. This work was undertaken by Wildland Consultants. The Significant SES were selected based on criteria of representativeness, diversity and pattern, naturalness, size and shape, rarity and special features, buffering, connectivity and viability. This resulted in a two tier category system being developed, however this was never included in the District Plan.

As part of the Review of the District Plan, Wildlands Consultants have been engaged to undertake a review of the 2005 outcomes. The main reason for this review is that TCC has up-to-date (2007) aerals which will provide TCC with accurate information to map these sites. This work is currently underway and will be completed in late December 2008.

In reviewing and developing a new Chapter on the Natural Environment and Biodiversity Council is considering:

- Whether the current research undertaken should be incorporated into the reviewed District Plan;
- How to protect and manage the network of SES, collectively and individually; including:
  - Linear management regimes (arbitrary buffer zone limiting activities adjacent and/or adjoining to the SES);
  - Activities/effects based regimes to consider what activities are appropriate adjacent and adjoining to the SES;
  - Provision for restoration in addition to the protection of existing areas including enhancing ecological corridors;
  - Non-regulatory approaches including incentives.
- The impacts that any proposed regime could have on private landowners, the community and Council itself; and
- How the above fits in with government and Regional Policy and Local Strategy.



## Chapter 9

# Landscape

As part of the review of the Tauranga District Plan, Council is undertaking a review of the Tauranga District Landscape Study which was developed in 1995. The 1995 Study is now out of date, with the review being undertaken to enable Council to:

- Meet its obligations under the Resource Management Act 1991;
- Deliver on Strategic Objectives;
- Align policy with current case law and associated assessment methodologies completed within the Region;
- Develop policy for the sustainable management of identified natural landscapes and features.

Landscape protection, management and enhancement has been discussed by Elected Members on two previous occasions through the initial period of Issues and Options development as part of the Review of the District Plan. The outcomes of these discussions were that Council staff, working with Boffa Miskell would review the landscape study with the intention to undertake the following for further discussion with those Members:

- Identify all Outstanding Natural Landscapes and Visual Amenity Landscapes;
- Develop a potential approach to protect cultural view shafts (sightlines from Marae to identified cultural landscapes);
- Identify key viewshafts to Mauao for potential protection, along with a series of methods to protect those significant view shafts;
- Identify viewshafts from key vantage points to the Wairoa River Valley, along with a series of methods to protect those significant view shafts.

This work is currently being undertaken and includes:

- Assessment of previous studies undertaken in the Bay of Plenty;
- Site assessments of outstanding landscapes and visual amenity landscapes (which also includes character area assessments);
- Mapping of these landscapes and development of report (including identifying threats and opportunities to these landscape areas).

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## Chapter 10

# Culture and Heritage

Historic heritage is identified as a matter of national importance under the Resource Management Act 1991. In terms of heritage protection the District Plan review will recognise and provide for the following heritage items:

- Historic Sites, Buildings and Objects;
- Historic Trees;
- Significant Maori Sites;
- Archaeological Sites.

The key questions for the District Plan Review are:

- To what extent should the District Plan continue to protect Tauranga's built heritage resource?
- To what extent should the District Plan continue to protect Tauranga's tree resource?
- To what extent should the District Plan provide for sites of significance to Maori?
- To what extent should the District Plan provide additional protection for registered and unregistered archaeological sites?

To date the review has identified that there is scope for the District Plan provisions to provide more effective protection of historic sites, buildings and objects; Maori sites and archaeological sites. This could be done through recognising different levels of importance of heritage sites and places, and through further discussions with owners of heritage sites and places.

With respect to trees, there is recognition that the existing District Plan tree register is extensive and contains trees of questionable merit. The intention is to review the 'special' status of all registered trees with an expectation that the register will be significantly reduced to focus on trees that are truly valuable.



## Chapter 11

# Reserves and Waterbodies

The Tauranga District Plan currently applies a two tier Recreation and Leisure Zone and a conservation zone for all public reserves (Open Space). This method reflects the values, qualities and potential of the land.

The Recreation A zone primarily applies to land identified in the Neighbourhood Reserve Management Plan with restrictions on the use and development of these open spaces. This zoning should also apply to passive and historic reserves.

The Recreation B zone primarily applies to land identified in the Active Reserves Management Plan. This zone also has restrictions on the use and development of these open spaces.

The Conservation Zone primarily applies to reserve areas that border on the harbour or coastal margins of the City and generally apply to esplanade reserve areas or key conservation sites.

Council transferred its responsibility to Environment Bay of Plenty for the management of the surface waters of Kaituna, Wairoa and Waimapu a number of years ago, and as such there are no proposed changes to this management regime.

Currently there are some minor issues/anomalies inherent within the District Plan which limits Council's ability to realise its objectives/goals/actions within the Open Space Strategy and Reserve Management Plans. Furthermore, key objectives of Strategies such as the Open Space Strategy need to be incorporated in the District Plan through the review process.

As part of the review of this Chapter, Elected Members are considering issues around:

- Enabling large sports facilities to be developed (greater than 1000m<sup>2</sup> gross floor area) on specific reserves (as identified in the Active Reserve Management Plan);
- Signage within Reserves;
- Development of new threshold tests for reserve development including the current rule requirements for:
  - Fencing;
  - Development new private property boundaries (in relation to playgrounds);
  - Carparking requirements for reserves.



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## Chapter 12

# Natural Hazards

The council's functions as outlined in section 31 of the RMA include the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of the avoidance or mitigation of natural hazards. Section 7 of the RMA also requires the council to have regard to the effects of climate change.

The significant resource management issues which need to be addressed in the Plan is how to manage irregular or periodic exposure to naturally occurring events such as earthquakes, landslides, floods, erosion, slope instability, subsidence and sea storm surge.

Previous direction from Elected Members included:

- Review of the Coastal Hazard Erosion Protection Area;
- Incorporation of Rules to manage Natural Hazards (other than Coastal Hazards) in the District Plan.

Council staff are continuing to work on the above issues, however it is more than likely that no new rules to manage natural hazards will be included within the reviewed District Plan rather reliance will be placed into the existing Objectives and Policies within the Plan along with improving in-house business rules in the Environmental Planning, Building Services and the City Development activity areas work.

Studies currently underway (or planned to be completed as part of the review process include:

- Inundation - Re-assessment of extreme inundation levels within the Tauranga Harbour. This re-assessment is to be used to assist in considering any possible changes to the existing levels of harbour inundation risk for the planning horizons of 50 and 100 years relative to several design storm events.
- Incursion - This is a study to look at the potential incursion distances that may occur inland when considering the harbour inundation design storms defined in the above work.
- Review of the Erosion Trend on Tauranga's Open Coast (CHEPA lines) - The District Plan identifies that TCC will review every 5 years, using all available information, the physical extent of the CHEPA. This work is currently underway and will utilise the data from the monitoring work that Council has undertaken since its last review and refinement.

## Chapter 13

# Hazardous Substances

Hazardous substances are considered to be those substances that may negatively impact on human health or the environment through toxicity, explosiveness and flammability. These risks of hazardous substances are required to be addressed by the Council as section 31 of the RMA provides that the Council shall...control the actual or potential effects of the use, development, or protection of land, including for the purpose of...the prevention or mitigation of any adverse effects of the storage, use, disposal or transportation of hazardous substances". The District Plan currently addresses this issue through what is known as the 'Hazardous Facilities Screening Procedure', which is a technical assessment providing a figure for any proposed use of a hazardous substance, this figure leading to the identification of whether resource consent is required for the use of a hazardous substance.

Specific legislation in the Hazardous Substances and New Organisms Act (HSNO) controls certain aspects of the use of hazardous substances. The HSNO is a nationwide control over containment, packaging, identification/labelling, competency of handling, emergency procedures and disposal. The RMA is intended to perform a complimentary function, addressing site specific issues with the particular location or land use involving hazardous substance use (ie. site design and separation from sensitive uses).

Since the preparation of the operative District Plan, the RMA has been amended (2005) to introduce an additional matter of relevance; the requirement in section 31 for the functions of the Council to include "...the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land." The issue of contaminated land is not currently addressed within the operative District Plan, and consideration through the Review will need to be given to an appropriate means of addressing contaminated land issues.

Following initial discussions with Elected Members, there has been further refinement on how this Chapter will be developed which includes:

- Retaining the Hazardous Facilities Screening Procedure (HFSP) but including a quantity based consent assessment that overrides the HFSP for certain hazardous facilities in sensitive zones (such as the Residential Zone);
- The development of new controls and revised thresholds for some hazardous facility activities and substances to form control over hazardous substances not addressed by the HFSP;
- Continuing with the status quo in managing the risks of 'out of zone' uses; and
- Identify the specific requirements for the treatment of land known to be or identified to be contaminated or potentially contaminated through the subdivision, development or land-use process.

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## Chapter 14

# Designations, Network Utilities and Infrastructure

### Network Utilities

Currently, network utilities are managed in a variety of ways through Chapter 24 of the Tauranga District Plan (Transportation and other Network Utilities). The current District Plans objectives and policies state that there are adverse effects associated with network utilities and that these need to be managed. There are no Objectives or Policies that state the importance of network utilities for the effective functioning of the City. The District Plan employs a variety of approaches with dealing with the effects of network utilities from establishing permitted through to discretionary activities.

Infrastructure requirements are distributed throughout the plan at present. A consolidated located for infrastructure standards, and a relationship between the District Plan and the Code that allows for the code to be updated as necessary, is being considered.

The main thrust behind the review of this current chapter is to minimise these issues whilst ensuring that this does not compromise the utility companies' ability to provide a high level of service to our city. In addition, an appropriate statutory relationship between the code of practice and District Plan is being considered. The key issues that are being considered are:

- Implementation of adopted and Proposed National Policy Statements (NPS) and National Environmental Standards and the implications of both (being the NPS on Electricity Transmission and the Proposed NPS on Renewable Electricity Generation);
- Installation of Network Utilities within the City (and proposed principles to develop associated Objectives and Policies);
- Installation of Telecommunications Facilities within the City;
- Installation of Network Utilities within Reserves;
- Providing for both flexibility in infrastructure options and certainty in the quality of assets under the care and control of the Council.

Elected Members have discussed the above issues and have concluded that:

- The best way to address network utility services is through a separate network utility services section in the proposed plan;
- The Network Utilities Chapter should provide for a range of utility services;
- The Network Utilities Chapter should ensure that adverse effects associated with utility services are avoided, remedied or mitigated through environmental standards;
- Further work with Transpower needs to be undertaken to manage subdivision and development when in close proximity to high voltage electricity transmission lines;
- Further work with the Telecommunications agencies needs to be undertaken to consider the differing approaches to ensure the telecommunications network can be delivered whole minimising the amenity effects on the community;

- The establishment of network utility services should not detract from the visual amenity of the environment or any landscape or heritage values;
- Further work will also be considered for developing decision making criteria for network utilities that will help achieve better outcomes for the environment;
- Infrastructure requirements can be addressed through objectives, policies and rules in the District Plan, and design requirements and technical specifications in the Code of Practice.

## Chapter 14

# Designations, Network Utilities and Infrastructure

### Designations

The First Schedule of the RMA contains the provisions for designations in plans. In May 2008, all Requiring Authorities who hold a designation within Tauranga City were contacted regarding their existing designations. Staff have continued to work with those authorities to identify which designations need to be rolled over, modified or whether new designations need to be established. Roll over's, modifications to designations and/or new proposed designations will follow the process as outlined in the RMA.

Elected Members and the community will be informed through the process of potential modifications to existing designations or new ones proposed to be created.

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## Chapter 15

# Financial Contributions

Financial Contributions are the provision of land, money or a combination of the two under the RMA. Financial Contributions have a similar purpose to Development Contributions taken under the Local Government Act 2002 (LGA). The typical focus of Financial Contributions is as a funding mechanism for infrastructure (roading, drainage, water supply, community facilities etc). Financial Contributions and Development Contributions have similar purpose and implication under the RMA and LGA respectively.

The method for taking Financial Contributions must be set out in a District Plan, and the method for calculating these contributions must be consistent with the purpose of the RMA – to promote the sustainable management of natural and physical resources. The method for taking Development Contributions must be set out in Council's Ten Year Plan and be consistent with the purpose of the LGA – the promotion of the 'four well beings'. It is open to the Council to take either Financial or Development Contributions, or both in a complimentary manner. Contributions cannot be taken twice for the same development, however a Financial Contributions regime may sit alongside the Development Contributions regime in a complimentary manner.

Whilst the provision is made for the taking of Financial Contributions under the Operative District Plan, the Council has stated a position of opting to take Development Contributions under the LGA except where Development Contributions cannot be legally required. As required by the LGA (s102), this position is set out in the current Development Contributions policy.

In the initial stages of the District Plan review it was intended to remove Financial Contributions through the review process and continue to rely on the Development Contributions regime as the mechanism to effect the policy that 'growth pays for growth'. Recent events have highlighted the exemption of the Crown from the provisions of the LGA and the consequential implication that the Crown is exempt from Development Contributions. Consideration can be given to binding the Crown to payment of Financial Contributions through specific provisions of the District Plan.

In light of this the Council has decided to proceed with the following options:

- Undertake discussions with Crown entities to reach an agreement for the payment of contributions relevant to development undertaken by those entities;
- Use a methodology or formula based approach within the District Plan, without figures or reference to the Development Contributions Policy, but consistent with the Development Contributions Policy;
- Undertake further work with Crown entities prior to proceeding with a formal plan change.

## Chapter 16

# Residential Zone

The SmartGrowth strategy has significant implications for the review of the residential zone provisions. This strategy has partly been anchored in Plan Change 2 to the Regional Policy Statement (RPS). Council is required by the RMA to 'give effect to' the RPS through the District Plan review, however change 2 has not been completely resolved and remains the subject of appeals to the Environment Court. The strategic direction set by SmartGrowth is to address the limited supply of residential land, create infrastructure and transportation efficiencies, and provide for the provision of services to the most people possible through a compact urban form. To do so SmartGrowth identifies a component of future residential development to be accommodated through residential intensification (greater residential densities in identified residential nodes) and infill development (additional dwellings on individual residential sites).

At present the residential zone is comprised principally of the 'Residential A' zone, within which the density is one dwelling per 325m<sup>2</sup>. This density has in the past been subject to 'averaging' resulting in many lots much smaller than the 1 per 325m<sup>2</sup> intent. There are also very few controls in the residential zone compared to other major cities. Previous feedback on these densities and standards within the Residential A zone has highlighted some concerns with the current form of development under the Residential A zone.

The residential zone also includes small areas of the 'Residential H' zone, which is a higher density residential zone providing for up to 1 dwelling per 100m<sup>2</sup> of site area, or up to 1 dwelling per 30m<sup>2</sup> of site area in the High Rise sites in the Residential H zone.

The council has recently undertaken Plan Change 48 which has introduced stricter requirements for non-residential uses (eg. offices) in the residential zones.

Toward initial consultation the following will be incorporated into draft plan content for the further consideration of Elected Members:

- Residential intensification work is being considered through the 'City Living' project. This project is looking at increasing residential densities about the City Centre. Further residential intensification work is continuing however is unlikely to develop to a point for inclusion in the plan prior to the March consultation period;
- Further consideration is being given to the 'suburban building envelope' within the Residential A zone, including the requirement for the provision of a net minimum site area rather than averaging of site areas, maximum site coverage, outdoor living requirements, treatments to long blank walls, setbacks between buildings, more detailed consideration for activities not meeting density standards, and the removal of the 'variation criteria' for boundary setback variations;
- Infill opportunities are being further considered through the potential for secondary dwellings within the footprint of dwellings and their accessory buildings (ie. small dwellings on the same site as an existing dwelling and above garages, as basement flats and the like). The secondary dwelling would be restricted from subdivision from the parent lot. In addition, provisions for comprehensive multi-unit developments will also be considered, through the ability to gain a density bonus for the amalgamation of sites and comprehensive development of dwellings. Some concessions in terms of density and setbacks between these dwellings could be provided.

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## Chapter 17

# Rural Residential

The existing rural-residential zones have been identified for the purpose of semi-rural living on sites generally over 3000m<sup>2</sup> largely due to their unsuitability for residential development, and their acceptability for increased development beyond that permitted in the rural zone. In many instances rural residential areas have been deemed unsuitable for residential development due to landscape, servicing or cultural constraints. Conversely, these areas have in some instances been converted from rural land due to more limited capacity of the land for productive agricultural purposes.

Both SmartGrowth and change 2 to the RPS highlight the importance of the considerations noted above. Through the review an assessment has been undertaken of any obvious additional opportunities for rural-residential development, or for the resubdivision of rural-residential land for residential purposes.

At this stage no changes are proposed to the extent of rural residential opportunities, or to provide for the resubdivision of any existing rural-residential land.



## Chapter 18

# Rural Zone

Consideration of the Urban Limits Line in Plan Change No 2, versatile soil and geotechnical information has been assessed to identify what rural lands will be rezoned now or in the future for urban uses and what will remain zoned rural. Land being investigated for residential uses in this Plan Review includes North West Bethlehem, and Hastings Road. The Kennedy Road area which has recently come within the jurisdiction of TCC will be further discussed with landowners in that area. Urban rezoning at Papamoa East is already underway through Plan Change 44 and final outcomes of the plan change will be incorporated into the review document.

Land at Upper Kaitemako and Ohauiti which is indicated for urban development post 2021 will remain rural with strong policies and objectives around maintaining rural land uses as the interim use. Rural land in the Wairoa River Valley, Waimapu, Welcome Bay, Kairua Road, Mangatawa vicinity, Waikite, Waitaha and Tara Roads is recommended to remain rural.

The removal of 2 dwellings as a permitted activity is recommended with a discretionary activity status for such applications in the Review.

Rural subdivisions not meeting the current permitted activity standards are recommended to become discretionary activities.

Reverse sensitivity issues will continue to be addressed through a mixture of separation distances and industry codes of practice.

It is recommended that provision for papakianga be made through a comprehensive consent process, and the Council is working with the Papakainga Focus Group and other stakeholders prior to developing plan content for preliminary consultation.

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## Chapter 19

# Commercial Zones

This Chapter addresses issues relevant to the current commercial business zone under the Operative Plan, and future commercial areas.

Work undertaken for the Council has identified a number of issues with the current commercial environment, including the significant amount of retail floorspace with planned and consented additions, a changing focus of the CBD, 'out of centre' commercial development and decentralisation of retail development.

In considering what role the District Plan might play in the future of commercial land use in the future, the following is being considered:

- How much land we need for commercial purposes and in what locations;
- Whether we need specific rules for certain commercial areas, including whether landscape and frontage treatments are relevant. Some modifications to the streetscene rule (landscape planting requirements where the commercial zone fronts a more sensitive zone). Active frontage requirements will also be considered where pedestrian environment streets are warranted. This would be locations where there is a pedestrian focus to commercial development;
- What policies the plan should have for commercial development outside of commercial zones. More specific policy guidance is proposed for these circumstances;
- Detailed parking studies for the number of car spaces that developments are required to provide, and whether alternatives might be appropriate in certain areas is being investigated;
- A land use study for Cameron Road will be undertaken following clarification of the long-term transportation function of this corridor.

To date the review has identified some technical issues with the implementation of the Plan, and some strategic issues with going forward for the future. These issues will be further considered by Elected Members in early December. Supporting work underway includes an assessment of the long term function of the Cameron Road corridor, detailed parking studies, and the identification of gaps in the provision of commercial conveniences.

The CBD has been identified as having a number of specific considerations as distinct from the balance of the commercial areas. Strategic direction from the City Centre Strategy (CCS) and SmartGrowth identify a number of these considerations and preliminary consultation with key stakeholders in this area has been undertaken regarding the issues fronting the future development of the CBD. Further analysis is being undertaken of the economic costs and benefits of various approaches. At this stage plan content will be developed for consultation that identifies:

- A specific zone for the CBD;
- Development of a structure plan for the city centre that identifies public linkages and other features of the CCS;
- Content to reflect the outcomes of a 'Local Parking Management Plan' study being undertaken for the CBD;
- Complimentary (non-district plan) design guides for the City Centre; and
- A review of building heights and controls at the City Centre fringe.

## Chapter 20

# Industrial Zones

This Chapter addresses issues relevant to the Industrial areas of the City. Some of the key issues are:

- Are the current tests for non-industrial uses in the Industrial zone sufficient;
- Is there sufficient evidence of an issue with the spread of uses within current Industrial zones that suggests these zones should be broken down into more specific zonings, or conversely, that zones should be consolidated;
- Is the provision for Industrial land sufficient and meeting the needs of Industry;
- Are reverse sensitivity issues in Industrial zones appropriately dealt with under the Operative Plan; and
- Are the bulk, location and amenity standards for development of our Industrial zones providing good resource management outcomes that appropriately address the effects of development in those zones.

Further investigation is being undertaken, including discussions with the Port of Tauranga over the controls for that zone and the future needs of the Port and the community. At present, District Plan content is being developed for further consideration by Elected Members that:

- Greater guidance will be given to the consideration of '-non-industrial' use within Industrial zones;
- Provision (in the Industrial rather than Port Business) zone for some forms of retail development unlikely to be found within commercial centres;
- The introduction of a total floorspace cap on 'ancillary retail';
- The potential to consolidate existing Industrial zone provisions for different areas;
- Extension of existing noise and disturbance requirements in the Commercial zone to sensitive uses that may establish within Industrial zones;
- No additional bulk, location or amenity controls;
- Refinement of the landscape planting development contribution requirement for Industrial development and requirements where the height limit is exceeded.

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## Chapter 21

# Subdivision and Infrastructure

Subdivision of land into new parcels gives rise to a certain expectations of how that land will be used and developed in the future. To date subdivision in Tauranga has generally proceeded in an ad hoc manner with little consideration to how the shape and form of the city is driven by the subdivision process.

This key challenges facing this Chapter are:

- Ensuring the subdivision of Tauranga's land resource minimises potential adverse character and amenity effects whilst continuing to meet the growth pressures;
- Ensuring subdivision design and layout improves linkages and accessibility and integrate with their surroundings;
- Ensuring the provision of infrastructure in a timely and financially sustainable way.

To address this there will need to be a focus on:

- Addressing lot size calculation methods (net versus gross lot size and the issue of averaging);
- Providing better pedestrian and cycling access and linkages;
- Removing technical loopholes to provide better built environment;
- Requirements to address basic urban design principles for significant subdivisions;
- Providing better integration between the Code of Practice and District Plan whilst offering more sustainable servicing options.

In terms of Rural-Residential and Rural zones it is unlikely that there will be any change to the existing lot size requirements due to the topography and servicing requirements associated with these areas.

## Chapter 22

# Education Centre Zones

Schools in Tauranga are currently managed under the Resource Management Act 1991 (the RMA) either by:

- Designation - for Ministry of Education owned and operated schools;
- Resource consent - for integrated and private schools;
- Education Centre zoning in the Operative Tauranga District Plan (the Plan) – currently applied to two education facilities (Bethlehem College and Faith Bible College).

Integrated and private schools are not owned by the Ministry of Education and as such are not able to be designated. Where these schools propose to go beyond their resource consent and/or the permitted activity conditions for that zone, a resource consent application is required. This often results in time delays and uncertainty, and may result in significant costs to schools.

In response to District Plan Review engagement, one integrated school has formally requested rezoning to Education Centre zoning, while four have informally indicated that this option may be preferable. One existing Education Centre zone education facility has indicated that it will seek to amend some of the existing controls and extend the Education Centre zoning to several adjacent sites.

A report has been prepared for the 24 November 2008 Strategy & Policy Committee recommending that all integrated and private schools have Education Centre zoning applied to them as a consistent resource management approach. This would encourage these schools to better plan for their long term development while providing them with a greater level of flexibility and certainty. This would signal future school intentions to infrastructure providers, neighbours and affected parties.

Council staff are now working with each individual School to aid them through the formal zoning change process.

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