

28 April 2008

«Contact»
«Address1»
«Address2»

Dear Sir/Madam

REVIEW OF THE CITY OF TAURANGA DISTRICT PLAN – DESIGNATIONS
Call for Notices of Requirement

As you may be aware the Tauranga City Council is embarking on a review of the operative City of Tauranga District Plan. Council has notified its intent to review this document and intend to notify the reviewed District Plan in August 2009 for public submission.

A key component of this review is the statutory requirement of the Resource Management Act ('RMA') to inform Requiring Authorities of the processes Council will use for Notices of Requirements (Designations).

Background – What is a Designation?

A Designation in a District Plan identifies an area of land for use for public works or projects. These works and projects often involve large-scale activities that will have more than minor environmental effects, and may be contrary to the objectives and policies of the District Plan.

A District Plan can contain three types of designation: new designations, rollover designations, and modified designations. A rollover designation is an existing designation that is carried over into a reviewed plan without changes. A modified designation is an existing designation that is carried over into a reviewed plan with some changes. There are slightly different processes to be followed for each type of designation.

A designation has two main purposes, as set out in section 176 of the RMA.

Firstly, a designation gives the requiring authority rights to undertake activities on land it has designated. These rights essentially give primacy to the designation over the District Plan, meaning that for works within the scope of the designation, the requiring authority does not need to get resource consents.

Secondly, a designation 'protects' the designated land, in favour of the requiring authority. Any person who wishes to do anything on designated land, that may prevent or hinder the designated work, must first get written consent from the requiring authority. The inclusion of designations into the District Plan further 'protects' the designated land, as it is a form of explicit public notification of the requiring authority's interest in the land.

Designations – Specific to your Organisation

Your organisation has a designation(s) in the Tauranga District Plan. The schedule of designations can be viewed in Appendix 25A of the Tauranga District Plan or online at <http://content.tauranga.govt.nz/districtplan/CD/files/Appendix25A.pdf>.

In accordance with Clause 4(1) of the First Schedule of the RMA, you are required to give notice to Council if you wish that the designation (provided it has not lapsed) is rolled over in the Revised District Plan.

If modifications are required to the existing designation, notice must be given to Council in accordance with Clause 4(3) of the First Schedule of the RMA, setting out the details and reasons for the modification(s).

To enable Council to plan to process these, Council requires that each Requiring Authority inform it of their intentions regarding the particular designation(s) no later than 31st June 2008.

Then, to enable these to be processed and notified in conjunction with the reviewed Tauranga District Plan, Council requires confirmation (along with the supporting information required by the RMA) that the designation should be rolled over or modified no later than the 28th November 2008.

All modified Notices of Requirements received will be assessed by Council in accordance with the requirements of the RMA, further information will be requested if required. Once assessed (and all information required to notify the notice is obtained) Council will then proceed with the modification through the notification process.

Affected parties directly affected by any modification to a designation will be notified separately to the general District Plan notification in August 2008. It is however expected that the requiring authority will have carried out consultation prior to lodging their amended Notice of Requirement prior to the notification of the reviewed District Plan, and evidence of this consultation provide with that information required by 28th November 2008.

If Council does not receive notice of each requiring authorities intentions prior to the 31st June 2008, nor confirmation (and the required information to support the notification process by the 28th November 2008) the designation will not be included in the reviewed Tauranga District Plan for notification, and will therefore lapse.

If you have any queries regarding the designation process or matters contained in this letter please do not hesitate to contact me on (07) 577 –7257.

Yours faithfully

Planner: Environment
Environmental Policy
City Directions