DISTRICT PLAN REVIEW

DISCUSSION PAPER 8B – POLICY DIRECTION

LAND SUITABILITY AND SUBDIVISION

February 2010
The policy directions discussed in this paper was provided over four workshops;

- Workshop 1: Site suitability and general matters;
- Workshop 2: Engineering and servicing; and
- Workshops 3 and 4: Lot sizes.
DISCUSSION PAPER 8B
LAND SUITABILITY AND SUBDIVISION
POLICY DIRECTION

CONTENTS

1. INTRODUCTION 1
2. STATUTORY FRAMEWORK 2
3. EXISTING DISTRICT PLAN ADEQUACY (RAID ASSESSMENT) 6
4. ISSUE IDENTIFICATION 14
5. STRATEGIES FOR RESPONSE – POLICY OPTIONS 16
6. RECOMMENDATIONS 20
7. POLICY DISCUSSION 22
8. POLICY DIRECTION 35

Doc No: RDC-184330
File No: 65-17-036

This document has been produced for discussion purposes to assist with the review of the Operative Rotorua District Plan.

The views expressed in this paper do not represent a policy decision of Council, nor do they represent the views of Planning Services.

None of the recommendation and resulting decisions hold any statutory weight.

This document remains a discussion paper only.
1. INTRODUCTION

The purpose of this paper is to review the major issues that need to be considered in the development of policies, objectives and rule framework for ensuring land is suitable for subdivision and subsequent use, serviceable, and identify appropriate lot sizes for use and development.

The purpose and principles of the Resource Management Act (the Act) make direct references to the effects of subdivision on matters of national importance (natural and cultural heritage). While subdivision and development can enable the social, economic and cultural well-being of communities, Council has a responsibility to ensure that it is not to the detriment of these values.

Section 31 of the Act states the functions of Councils. These functions include the control of any actual or potential effects of the use, development, or protection of land in relation to the risk associated with natural hazards through the control of subdivision and land use. Section 106 of the Act sets specific considerations for subdivision of land affected by natural hazards. Council ‘may’ refuse or grant consent to subdivision for this type of land, irrespective of the activity status of the consent.

Subdivision is often the first step in the development process and generally precedes a land use activity or change in land use. As well as assessing the environmental effect of allowing land to be subdivided, Council also needs to determine whether the land is physically able to be subdivided, and can be serviced to an acceptable standard.

From the consultation and community engagement undertaken as part of the ‘Fresh Ideas’ project, a broad range of issues around land suitability and subdivision were canvassed:

- Optimal use of land / future proofing
- Development cost thresholds
- Implications of cultural associations on risk management
- Expectations that Maori may have regarding the level of service desired for infrastructure.
- Subdivision to improve lake water quality
- Subdivision in the rural zone
- Subdivision in the lakeside communities
- Subdivision in the residential zone
- Subdivision in the Lakes A zone
- Technical matters

This discussion paper analyses these key issues and provides recommendations for members’ consideration.

The paper is structured so that the issues are approached through an understanding of the legislative context and how this has been interpreted at the national, regional, and local level. Following an analysis of the existing district plan, a discussion of key issues is provided, concluding with options for discussion.
2. **STATUTORY FRAMEWORK**

2.1 **Statutory assessment**

The following table overviews the key national, regional, and local government statutory frameworks that provide guidance for addressing any key issues that have been raised.

Table 2.1 Statutory Framework

<table>
<thead>
<tr>
<th>STATUTE/DOCUMENT</th>
<th>RELEVANT SECTION</th>
<th>COMMENTARY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NATIONAL LEVEL</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Resource Management Act 1991. (RMA) | **5 Purpose** | “To promote the sustainable management of natural and physical resources.  
(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.  
(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety” |
| | **6 Matters of national importance** | “...all persons... shall recognise and provide for  
(a) preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;  
(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers” |
| | **31 Functions of territorial authorities under this Act** | “Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:  
(b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—  
(i) the avoidance or mitigation of natural hazards;  
and  
(ii) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:  
(2) The methods used to carry out any functions under subsection (1) may include the control of subdivision.” |
| | **106 Consent authority may refuse subdivision consent in certain circumstances** | “...a consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that— |

The purpose of the Act is to enable people and communities to provide (through subdivision and development) for their social, economic wellbeing, and also their health and safety, while meeting environmental matters.

There are a number of matters identified in Part II as being sensitive to subdivision, use and development. This includes historic heritage, the natural character of waterways, and outstanding features and landscapes. These matters must be ‘recognised and provided for’.

Section 6 refers to the maintenance and enhancement of public access to waterways. Esplanade strips and reserves are the key mechanisms to achieve this and can be used for both development and subdivision.

Section 31 gives Council a policy function in the control of landuse and subdivision to manage the effects of natural hazards.

Council also has a regulatory role in Section 106 in the processing subdivision consents. Council ‘may’ decline or grant consent on land, subject to natural hazards, or without sufficient provision for access.
<table>
<thead>
<tr>
<th>STATUTE/ DOCUMENT</th>
<th>RELEVANT SECTION</th>
<th>COMMENTARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>NZS:4404 – New Zealand Standard - Land Development and subdivision Engineering</td>
<td>(a) the land in respect of which a consent is sought, or any structure on the land, is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source; or (b) any subsequent use that is likely to be made of the land is likely to accelerate, worsen, or result in material damage to the land, other land, or structure by erosion, falling debris, subsidence, slippage, or inundation from any source; or (c) sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.”</td>
<td>This document is often used by Councils as a default document to manage the engineering matters arising from development and subdivision. Much of the Rotorua Code is informed by the document. This standard is currently under review.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>REGIONAL LEVEL</th>
<th>Bay of Plenty RPS</th>
<th>The operative RPS requires Council to identify and provide information on LIMs regarding natural hazards. It also requires council to develop policy to avoid or mitigate the effects of natural hazards. Several selected policies rising from Plan Change 2 to the RPS have been included in the table. The protection of transport and utility infrastructure from the effects of inappropriate subdivision and development and efficient servicing are key directions coming from the RPS. The RPS is currently under review.</th>
</tr>
</thead>
<tbody>
<tr>
<td>EBOP RPS and Regional Plans</td>
<td>&quot;District Councils will: 11.3.1(c)(xiii) Draw on any information and commission any research required to better identify the extent of risk due to natural hazards within their district. 11.3.1(c)(xiv) Identify district and relevant regional natural hazards within natural hazards registers or district plans, and provide this information in project or land information memoranda. 11.3.1(c)(xv) Have responsibility for the development and implementation of objectives, policies, and methods of implementation including rules relating to the control of the use of land, and of any actual or potential effects of the use, development or protection of land for the avoidance or mitigation of natural hazards. 13.3.1(b)(iv) To protect transportation and utility networks, infrastructure and public works from the adverse effects of subdivision and land use. 13.3.1(b)(v) To promote the efficient use and development of existing and future infrastructure and utility networks. 13.3.1(b)(viii) To discourage uses of land, for example for urban development or settlement growth, which would: (a) Reduce the ability of communities to have access to potable water; (e) Expose people and capital investment in infrastructure and buildings to an unnecessary risk from natural hazards; 13.3.1(b)(ix) To encourage development that minimises the need for new infrastructure and reduces the requirement for extensions to existing infrastructure.”</td>
<td></td>
</tr>
</tbody>
</table>
**2.2 Subdivision approaches by other Councils**

The assessment of the subdivision provisions of other Councils in the Bay of Plenty and Waikato regions identified a broad range of approaches. They are briefly summarised below.

**Table 2.2 Summary of District Plan Provisions from other Councils**

<table>
<thead>
<tr>
<th>COUNCIL</th>
<th>TOPIC / COMMENT</th>
</tr>
</thead>
</table>
| Tauranga City Council (Proposed plan) | • Stand alone subdivision section; some land use suitability left in zone chapters  
  • Separate hazards section  
  • Traffic and parking stand alone section as a District wide activity (DWA)  
  • Lot sizes in subdivision section |
| Western Bay of Plenty District Council (Proposed plan) | • Subdivision and development section combined  
  • Separate hazards section  
  • Traffic and parking in separate section (DWA)  
  • Lot sizes in zones |
<table>
<thead>
<tr>
<th>COUNCIL</th>
<th>TOPIC / COMMENT</th>
</tr>
</thead>
</table>
| Whakatane District Council (Proposed plan) | - Hybrid effects/ activity based plan with combined subdivision and land use performance standards, but relevant parts of suitability and serviceability scattered throughout the plan.  
  - Separate hazards section  
  - Parking and traffic in Built environment section  
  - Lot sizes in performance standards section of plan |
| Opotiki District Council               | - Stand alone subdivision section, development suitability in zone and hazard  
  - Separate hazards section, but site suitability and serviceability contained within Subdivision section  
  - Lot sizes in the zone sections |
| Kawerau District Council (Proposed plan) | - Subdivision and Development section combined  
  - Separate Natural Hazards DWA's  
  - Separate traffic and parking section  
  - Lots sizes in Subdivision and Development section (no minimums). |
| Taupo District Council                 | - Subdivision and development in DWA and zones  
  - Hazards in DWA subdivision section (including hot ground and geothermal)  
  - Traffic and parking in separate section and in zones rules  
  - Lot sizes determined by ability to comply with performance standards in Zones (rule in sub section) |
| South Waikato District Council         | - Subdivision and development section combined  
  - Separate hazards section, but site suitability and serviceability contained within Subdivision section  
  - Traffic and parking within Subdivision section  
  - Lot sizes in the zone sections |
3. EXISTING DISTRICT PLAN ADEQUACY (RAID ASSESSMENT)

Section 16 of the operative district plan manages subdivision and development. Combined with a consideration of the issues raised by the community, the next district plan is being based on an assessment of the strengths and perceived weaknesses of the existing district plan.

To streamline the assessment of the existing plan, a RAID technique was applied (detail in table below).

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>What it Means</th>
</tr>
</thead>
<tbody>
<tr>
<td>R  REMAIN</td>
<td>The wording and intent of the issue, objective or policy is still relevant and should be included in the next district plan, as it appears in the existing plan</td>
</tr>
<tr>
<td>A  AMEND</td>
<td>The intent or purpose of the issue, objective or policy is still valid, but the wording requires amendment to align it with current best practice</td>
</tr>
<tr>
<td>I  INCLUDE</td>
<td>The issue, objective or policy does not currently exist in the district plan and needs to be incorporated</td>
</tr>
<tr>
<td>D  DELETE</td>
<td>The issue, objective or policy no longer has relevance and should not be reflected in the next district plan.</td>
</tr>
</tbody>
</table>

There is a large number of issues, objectives and policies relating to subdivision. For ease of reference in the following tables, they have been grouped according to whether they relate to:

- Environmental effect of subdivision
- Land suitability considerations pre-subdivision
- Serviceability considerations

3.1 Issues

There are nine directly relevant issues in the plan, some of which have been raised as part of previous workshops. The issues are current and accurately reflect many of the issues surrounding land suitability and subdivision.

Table 3.1 Assessment of issues relevant to Part 16 – Land suitability and subdivision

<table>
<thead>
<tr>
<th>Issues</th>
<th>Plan part</th>
<th>RAID Assess</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effects</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activities, changes in land use, and subdivision can adversely affect amenity.</td>
<td>4</td>
<td>Remain</td>
<td>This issue is still current.</td>
</tr>
<tr>
<td>The natural and cultural heritage of the district (including outstanding natural features and landscapes, natural character of wetlands, lakes and rivers and their margins, significant indigenous vegetation and fauna, habitats and heritage sites, buildings and areas) may be threatened by some activities (e.g. Earthworks, buildings, vegetation removal, poor land use, management practices, subdivision and development).</td>
<td>4</td>
<td>Amend</td>
<td>This issue is still current, but contains several issues and needs re-wording and clarification in parts.</td>
</tr>
<tr>
<td>Rural subdivision and development has the potential to generate adverse environmental effects such as</td>
<td>4</td>
<td>Amend</td>
<td>The issue is still current, but is better located</td>
</tr>
</tbody>
</table>
### Issues

<table>
<thead>
<tr>
<th>Issues</th>
<th>Plan part</th>
<th>RAID Assess</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>deterioration of water quality, depletion of water resources, degradation of rural character, generation of dust from roads, and loss of the productive potential of soil.</td>
<td></td>
<td></td>
<td>within the rural section of the plan.</td>
</tr>
<tr>
<td>Activities such as subdivision and development may have adverse effects on amenity and heritage values in the district.</td>
<td>4</td>
<td>Remain</td>
<td>This issue is still current.</td>
</tr>
<tr>
<td>Subdivision and development in rural areas may lead to intensification of uses on marginal land and may reduce the potential of rural land to provide for the needs of future generations.</td>
<td>16</td>
<td>Remain</td>
<td>This issue is current, but is more appropriately located in the rural section of the plan.</td>
</tr>
<tr>
<td>Activities such as subdivision and development may adversely affect water quality and natural values of water bodies in the district.</td>
<td>16</td>
<td>Remain</td>
<td>This issue is still current.</td>
</tr>
</tbody>
</table>

### Suitability

| Subdivision and development subject to natural or human generated hazards may endanger public safety and/or risk damage to other property, structures and/or works. | 16        | Remain      | This issue is still current.                                                                     |
| Natural hazards threaten natural and physical resources and people’s well-being and safety.                                                                                                                | 16        | Remain      | This issue is still current.                                                                     |

### Serviceability

| Subdivision and development require infrastructure and services appropriate to anticipated land uses, and which can be integrated with existing infrastructure and services | 16        | Remain      | This issue is still current, but would benefit from re-wording.                                  |

### 3.2 Objectives

There are eight directly relevant objectives in the existing plan. The objectives are generally relevant, but require rewriting and clarification.

**Table 3.2 Assessment of objectives relevant to Part 16 – Land suitability and subdivision**

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Plan part</th>
<th>RAID Assess</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivision and development in the District which maintains or promotes the amenity value of existing neighbourhoods and localities</td>
<td>16</td>
<td>Remain</td>
<td>This objective is still relevant.</td>
</tr>
<tr>
<td>Objectives</td>
<td>Plan part</td>
<td>RAID Assess</td>
<td>Reason</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------</td>
<td>-----------</td>
<td>-------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Protection and enhancement of water quality and the natural character of water bodies and their margins from the adverse effects of subdivision and development</td>
<td>16</td>
<td>Amend</td>
<td>This objective is still relevant, but should include access. Policy options for water quality are being discussed through other papers.</td>
</tr>
<tr>
<td>Subdivision and development which avoids, remedies or mitigates the potential adverse effects from intensive uses of rural land</td>
<td>16</td>
<td>Amend</td>
<td>This objective is more appropriately located in the rural section.</td>
</tr>
<tr>
<td><strong>Suitability</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No subdivision and development in areas subject to significant natural or human generated hazards, unless these hazards can be adequately mitigated without causing further adverse effects on the environment</td>
<td>16</td>
<td>Remain</td>
<td>This objective is still relevant, but may be amended to reflect new policy direction. This objective could be consolidated with the objective below.</td>
</tr>
<tr>
<td>Subdivision and development which does not endanger public safety or subject other property, structures and/or works to risk from human generated hazards</td>
<td>16</td>
<td>Remain</td>
<td>This objective is still relevant, but will benefit from clarification and re-wording. This objective could be consolidated with the objective above.</td>
</tr>
<tr>
<td><strong>Serviceability</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Integrated management of subdivision and development to ensure that adverse effects on existing and future public infrastructure, services, and private property are avoided, remedied or mitigated</td>
<td>16</td>
<td>Amend</td>
<td>Integrated management is an administrative function and not required to be discussed in the plan. However, the second part of the objective regarding infrastructure is relevant and should be retained.</td>
</tr>
<tr>
<td>Provision of infrastructure and services in relation to subdivision and development in a safe and efficient manner and appropriate to anticipated land uses</td>
<td>16</td>
<td>Remain</td>
<td>This objective is still relevant, but will benefit from re-wording.</td>
</tr>
</tbody>
</table>

3.3 Policies

There are a total of 33 relevant policies in the plan. As with the issues and objectives above, many will benefit from consolidation and/or rewording for clarity and ease of use.

**Table 3.3 Assessment of Policies relevant to Part 16 – Land suitability and subdivision**
<table>
<thead>
<tr>
<th>Policies in the Operative District Plan</th>
<th>Plan Part</th>
<th>RAID Assess</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Effects</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>To avoid, remedy or mitigate the adverse effects of subdivision on the existing amenity values of existing neighbourhoods and localities.</td>
<td>16</td>
<td>Remain</td>
<td>This policy is still relevant.</td>
</tr>
<tr>
<td>To ensure that subdivision and development design maintains and promotes the amenity values of the existing neighbourhoods and localities.</td>
<td>16</td>
<td>Remain</td>
<td>This policy is still relevant.</td>
</tr>
<tr>
<td>To promote rural subdivision and development that does not lead to ribbon development along rural roads where this is not in keeping with the existing rural character of the locality.</td>
<td>16</td>
<td>Remain</td>
<td>This policy is still relevant, but is more appropriately located in the rural section of the plan.</td>
</tr>
<tr>
<td>To maintain and promote the rural character, landscape and amenity values of rural areas in the District.</td>
<td>16</td>
<td>Remain</td>
<td>This policy is still relevant, but is more appropriately located in the rural section of the plan.</td>
</tr>
<tr>
<td>To promote positive effects on the environment through the innovative design of subdivision and development.</td>
<td>16</td>
<td>Remain</td>
<td>This policy is still relevant, but will benefit from re-wording.</td>
</tr>
<tr>
<td>To protect trees, groups of trees and other natural values which are important to the natural and cultural heritage and amenity of the District, where subdivision and development takes place.</td>
<td>16</td>
<td>Remain</td>
<td>This policy is still relevant, but will benefit from some re-wording.</td>
</tr>
<tr>
<td>To maintain and enhance the existing natural character of the District's lakes, wetlands, rivers and streams and their margins.</td>
<td>16</td>
<td>Amend</td>
<td>This policy will benefit from some re-wording and the inclusion of access to these water bodies.</td>
</tr>
<tr>
<td>Within the Rural B1 Zone to promote subdivision and development that produces positive effects of a visual nature, including enhancement of both the landscape and the resulting built form, for both the adjoining rural and adjacent urban environments.</td>
<td>16</td>
<td>Remain</td>
<td>This policy is still relevant, but will benefit from rewording.</td>
</tr>
<tr>
<td>Within the Rural B1 Zone to promote the re-vegetation of areas where positive results can be achieved for the purpose of enhancing stormwater control, assist in improving the quality of stormwater by reducing nutrients that eventually enter the lakes, and for landscape and amenity purposes.</td>
<td>16</td>
<td>Remain</td>
<td>This policy is still relevant, but will benefit from rewording.</td>
</tr>
<tr>
<td>Policies in the Operative District Plan</td>
<td>Plan Part</td>
<td>RAID Assess</td>
<td>Reason</td>
</tr>
<tr>
<td>---------------------------------------</td>
<td>-----------</td>
<td>-------------</td>
<td>--------</td>
</tr>
<tr>
<td>To ensure that large lot subdivision in the Residential Zones does not prejudice the design of future subdivision and land uses anticipated under the Rules of the Plan.</td>
<td>16</td>
<td>Amend</td>
<td>The policy is still relevant, but will benefit from clarification and re-wording.</td>
</tr>
<tr>
<td>To preserve water quality and to protect the natural character of water bodies and their margins from inappropriate subdivision and development.</td>
<td>16</td>
<td>Remain</td>
<td>Policy direction for water quality is to be achieved through other papers</td>
</tr>
<tr>
<td>To meet the reasonably foreseeable needs of future generations by ensuring that the potential of rural land for sustainable agricultural production is not compromised by subdivision.</td>
<td>16</td>
<td>Amend</td>
<td>This policy is still relevant, but is more appropriately located in the rural section of the plan.</td>
</tr>
</tbody>
</table>

**Suitability**

<p>| To ensure that adequate information is supplied with applications for subdivision and development to identify any natural or human generated hazard affecting the proposed subdivision or development. | 16 | Delete | This policy appears to be a procedural matter in part and a specific policy is not required. |
| To ensure that subdivision and development is not potentially affected or subject to inundation, flooding, water courses, or high water tables. | 16 | Amend | This policy is still relevant, but may be rationalised with other policies. |
| To ensure that subdivision and development is not potentially affected or subject to erosion, soil instability, falling debris, subsidence or slippage. | 16 | Amend | This policy is still relevant, but may be rationalised with other policies. |
| To ensure that subdivision and development is not potentially affected or subject to geothermal activity. | 16 | Remain | This policy is still relevant, but may be rationalised with other policies. |
| To ensure that subdivision and development is not potentially affected or subject to human generated hazards. | 16 | Remain | This policy is still relevant, but may be rationalised with other policies. |
| To ensure that new subdivision and development does not create the potential to materially damage other property and that all buildings on or near lot or lease area boundaries comply with the relevant requirements of the District Plan and Building Act 1991. | 16 | Amend | This policy has relevance, but may be rationalised with the policy above, and contains two differing subjects, the creation of hazards and the management of the location of buildings. This direction can be separated into two. The reference to the Building Act is out of date and should be removed altogether. |
| To ensure that any mitigation measures in relation to natural or human generated hazards do not in themselves cause inappropriate adverse effects on the environment. | 16 | Remain | This policy is still relevant, but will benefit from re-wording. |</p>
<table>
<thead>
<tr>
<th>Policies in the Operative District Plan</th>
<th>Plan Part</th>
<th>RAID Assess</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>To avoid, remedy or mitigate the potential adverse effects from intensification of farming uses, resulting from subdivision of land subject to erosion, instability or grazing restraint.</td>
<td>16</td>
<td>Amend</td>
<td>This policy is still relevant, but is more appropriately located in the rural section of the plan.</td>
</tr>
<tr>
<td>Serviceability</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>To acquire land for service lanes and road widening at the time of subdivision or development of lot or lease areas subject to identified service lane or road widening requirements.</td>
<td>16</td>
<td>Remain</td>
<td>The policy is still relevant, but requires rewording.</td>
</tr>
<tr>
<td>To require safe and effective vehicular access suitable for the anticipated land use on all lots and lease areas created by subdivision, and to all development.</td>
<td>16</td>
<td>Remain</td>
<td>The policy is still relevant but requires rewording.</td>
</tr>
<tr>
<td>To ensure that water supply of sufficient capacity and standard is available to lots and lease areas created by subdivision and development.</td>
<td>16</td>
<td>Amend</td>
<td>This policy is still relevant, and will be subject to policy direction.</td>
</tr>
<tr>
<td>To ensure that the disposal of sewage from lots and lease areas created by subdivision and from development is provided, which minimises adverse effects on the environment and public health.</td>
<td>16</td>
<td>Amend</td>
<td>This policy is still relevant, but will benefit from re-wording.</td>
</tr>
<tr>
<td>To ensure that every lot or lease area, road, private way, reserve or works created by subdivision and development provides a satisfactory system for the collection, treatment and disposal of stormwater.</td>
<td>16</td>
<td>Remain</td>
<td>This policy is still relevant.</td>
</tr>
<tr>
<td>To minimise any adverse effect from new infrastructure and services resulting from subdivision and development on the operation and efficiency of existing infrastructure and development.</td>
<td>16</td>
<td>Remain</td>
<td>This policy is still relevant but requires rewording.</td>
</tr>
<tr>
<td>To require the cost associated with upgrading of any existing road or utility infrastructure or services, necessary as a result of subdivision or development, to be met by the subdivider or developer.</td>
<td>16</td>
<td>Remain</td>
<td>This policy is still relevant but requires rewording.</td>
</tr>
<tr>
<td>To promote connections to public reticulated water supply and sanitary sewerage systems wherever a reticulated system is available.</td>
<td>16</td>
<td>Remain</td>
<td>This policy is still relevant.</td>
</tr>
</tbody>
</table>
To ensure that provision is made for electricity and telecommunications services to developments and lots and lease areas created by subdivision, in order to promote social and economic well-being and that are designed to minimise adverse visual effects on the environment.

To ensure that provision is made for natural gas to lots and lease areas created by subdivision and for development where existing gas reticulation is available to promote social and economic well-being.

To integrate new roading from subdivision and development with the existing roading network to adequately and safely serve the expected level of traffic and pedestrian flows.

To ensure that subdivision or development along State Highways and public roads do not adversely affect the operation and safety of the State Highway network or public roads.

That provision be made for trade waste discharges appropriate to anticipated land uses and development.

**3.4 Summary of district plan evaluation**

The existing district plan identifies a number of issues that are still current. Some require some clarification.

The objectives of the operative plan are generally current. However, most require redrafting and/or clarification. Several objectives are similar and could be consolidated.

While mostly relevant and current on the whole, there are a large number of policies in the plan, most of which need to be redrafted. There is room for considerable consolidation, particularly around policies discussing servicing and natural hazards.

**Table 3.4 Summary outcomes from district plan evaluation**

<table>
<thead>
<tr>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issues</td>
</tr>
<tr>
<td>Objectives</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Policies</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>▪ Large number of policies.</td>
</tr>
<tr>
<td>▪ Generally current, but most require redrafting.</td>
</tr>
<tr>
<td>▪ Policies that reference other legislation and state procedural matters are unnecessary.</td>
</tr>
<tr>
<td>▪ Consolidation required for a number of policies.</td>
</tr>
<tr>
<td>▪ Policies are required to manage the potential conflict between engineering standards and urban design.</td>
</tr>
<tr>
<td>▪ Suitability and serviceability policies are required, but not referring to technical detail.</td>
</tr>
</tbody>
</table>
4. ISSUE IDENTIFICATION

Consideration of the issues raised by the community and the review of the strengths and perceived weaknesses of the existing district plan, will lay the platform for the review of the issues in relation to urban design.

The ‘Towards a New District Plan Issues Paper’ consolidates all of the issues from the Fresh Ideas community engagement process, including issues from technical feedback, community meetings, elected members input, and from Iwi. The following section identifies five issues of particular relevance to this theme and provides focus on key issues in contention.

Table 4.1 Issues raised during consultation.

<table>
<thead>
<tr>
<th>ISSUES RAISED DURING CONSULTATION</th>
<th>TYPE/ORIGIN</th>
<th>SUMMARY NOTES FROM CONSULTATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Technical</td>
<td>Iwi</td>
</tr>
<tr>
<td>A Rotorua response to Section 106</td>
<td>X</td>
<td>The words of the Act state that Council ‘may’ refuse subdivision consent if the subject land is subject to a range of natural hazards. Rotorua has a particular range of hazards; therefore Councils approach to Section 106 should reflect this.</td>
</tr>
<tr>
<td>Optimal use of land / Future proofing</td>
<td>X</td>
<td>The incremental nature of some developments can lead to balance areas that are still subdividable but not able to be serviced. This is a major issue preventing quality urban infill.</td>
</tr>
<tr>
<td>The cost of subdivision and development on marginal land</td>
<td>X</td>
<td>There are areas of land zoned for development that are affected by hazards or servicing restrictions. These constraints make development a costly exercise. The district plan review needs to consider whether rezoning these areas is an appropriate mechanism to manage capital investment in difficult hazard-prone areas.</td>
</tr>
<tr>
<td>Subdivision to improve lake water quality</td>
<td>X X X X</td>
<td>One of the key issues in the district is lakes water quality. The way Council manages subdivision can have positive benefits to water quality, particularly in providing incentives to protect or change the use or management of the land.</td>
</tr>
<tr>
<td>Subdivision in the rural zone</td>
<td>X X X X</td>
<td>As well as lake water quality, other issues were raised in relation to the viability of lifestyle lots and their impact on productive agricultural land and rural character.</td>
</tr>
<tr>
<td>Subdivision in the residential zone</td>
<td>X X X</td>
<td>Subdivision in the residential zone features highly in both consultation and previous workshops. The management of infill and greenfield development, structure planning, and site sizes are particular matters raised.</td>
</tr>
<tr>
<td>Engineering Code and landscaping requirements</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Technical matters</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>
5. STRATEGIES FOR RESPONSE – POLICY OPTIONS

The major issues described in Sections 3 (district plan analysis) and 4 (community consultation) were consolidated into the following topics, some containing multiple issues. The topics are summarised below followed by a short discussion of salient points. Each workshop is addressed separately.

### Table 5.1 Strategies for response

<table>
<thead>
<tr>
<th>Action points</th>
<th>DP Evaluation (Section 3)</th>
<th>Consultation Theme (Section 4)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A Rotorua response to Section 106</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inclusion of a statement in the plan addressing the management of Rotorua’s natural hazards affecting subdivision and development</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td><strong>Optimal use of land / Future proofing</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Efficient subdivision and development of land that provides for the maximum level of development anticipated by the plan.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Servicing that anticipates and provides for future development.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>The cost of subdivision and development on marginal land</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Identifying land by zoning to indicate it is suitable for subdivision and development but is subject to significant hazards or servicing constraints.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td><strong>Subdivision to improve lake water quality</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Using subdivision as a tool to address lake water quality issues.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Balancing subdivision for lake water quality purposes with competing values.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subdivision in the rural zone</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural subdivision and lifestyle lots and their impacts on rural character, amenity and productive land.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td><strong>Subdivision in the residential zone</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guidance on minimum lots size permissible in residential areas.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Exploration of alternatives to minimum lot size.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Engineering code and landscaping requirements</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Removal of engineering detail from the plan.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Development of landscaping provisions for subdivision and development.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Technical matters</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Insertion of a definition for boundary adjustment.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Differentiate between boundary adjustments in rural and urban settings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Develop comprehensive and clear information requirements for making resource consent applications in the plan to reduce uncertainty and improve efficiency in timeframes.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5.1 A Rotorua response to Section 106

Inclusion of a statement in the plan addressing the management of Rotorua’s natural hazards affecting subdivision and development.

**Response**

Section 106 of the Act states that Council ‘may’ grant or decline subdivision consent where the land being subdivided is affected by a range or natural hazards. The operative plan also contains a statement on these matters that enables subdivision and development where the effects of natural hazards can be avoided, remedied or mitigated. Not all the matters present in Section 106 applies in Rotorua’s context. Similarly,
there are hazards that arise in Rotorua that do not appear elsewhere to the same degree. Policy managing the matters in the Act needs to address the issues that are present locally.

There are areas where the management of hazards may differ. There is a long history of Maori settlement in locations subject to significant geothermal hazards. Current approaches to the management of geothermal hazards would most likely require the avoidance of any risk and potentially a progressive retreat where existing buildings are removed and prevented from being relocated. However, this approach may be unreasonable given the close cultural associations with the resource, the past and present history of settlement of these areas, and the acceptance of and the ability to adapt to living with geothermal hazards.

5.2 Optimal use of land / Future proofing
- Efficient Subdivision and development of land that provides for the maximum level of development anticipated by the plan.
- Servicing that anticipates and provides for future development.

Response
While the ownership and use of general title land passes from owner to owner in terms of occupiers, Council is charged with looking after the long term ‘bigger picture’ in terms of managing the resources of the district.

The placement and design capacity of servicing infrastructure during subdivision and development can restrict the future development options of a site or area. As a result, when further development or subdivision proposals come before Council, the servicing solutions proposed are often sub-optimal, or do not have regard to the future capacity of the site. Common examples are under-width right of ways and buildings placed too close to existing access ways.

Poorly laid out subdivision can constrain the maximum potential yield for residential or commercial purposes. One outcome is additional pressure being placed on the development of greenfield sites, increasing sprawl.

5.3 The cost of subdivision and development on marginal land
- Identifying land by zoning to indicate it is suitable for subdivision and development but is subject to significant hazards or servicing constraints.

Response
The district contains a number of areas subject to natural hazards and significant servicing restrictions. Investment decisions are often influenced by the signals the district plan sends. Not identifying known hazards or areas that are not currently able to be serviced, may send the wrong message to the market. Clear identification of these hazards is required to highlight which land is suitable for development and which is not.

Given New Zealand’s tectonic location, it is arguable whether all natural hazards can be avoided in New Zealand. However, it is possible to avoid a significant number of hazards. The Act’s approach of ‘avoid, remedy, or mitigate’ has lent itself to try to mitigate potential effects rather than avoid or remedy. This means that development is still subject to at least some level of risk. This risk may in fact change over time. For example the design of flood mitigation 15 years ago would be much lower than the ‘climate change informed’ flood models of today.

While there is a perception that ‘you can engineer anything’, the more easily developable land in the district has been used. While additional land is available, there are some sites zoned for development that will cost a significant amount of money to design around the constraints. Where the long term outlook for these sites does not reflect practical and commercial reality, Council needs to consider what message it sends the market as the zoning implies it is suitable for development. It may be that these areas are more appropriately rezoned for some other purpose.

5.4 Subdivision to improve lake water quality
- Using subdivision as a tool to address lake water quality issues.
- Balancing subdivision for lake water quality purposes with competing values.
Response
A broad range of stakeholders stated that subdivision could be used as a method of retiring stock from land to improve lake water quality. There was also a general awareness that it may not be the ‘silver bullet’. This is one of the major issues being discussed by Council and will be developed through specific lake water quality and rural zone workshops.

5.5 Subdivision in the rural zone
- Rural subdivision and lifestyle lots and their impacts on rural character, amenity and productive land.

Response
This issue affects all rural areas of the district, not just the possible measures that could be brought in to address the land around lakes. Many community responses raised concerns about the cumulative effects of lifestyle lots on a range of values, including the loss of productive agricultural land, the loss of rural vistas around the caldera rim, and the loss of rural character through increasing population and hosing densities in these areas.

The appropriateness of the size of rural and lifestyle lots were questioned during consultation. In particular, the appropriateness of lifestyle lot sizes in relation to maintenance of the productive capacity and fragmentation of the land resource, as lifestyle uses is perceived as less productive economically.

Council also has concerns from a servicing perspective in rural areas. The structure plan integration work is being undertaken to assess major issues such as this and will be dealt with in a specific paper.

5.6 Subdivision in the residential zone
- Guidance on minimum lots size permissible in residential areas.
- Exploration of alternatives to minimum lot size.

Response
As discussed at earlier workshops, urban infill has a role to play in building sustainable communities and consolidating infrastructure and services around existing nodes. Further discussion is required on the starts made at earlier workshops around minimum lot size provisions for greenfield and existing residential areas.

5.7 Engineering code and landscaping requirements
- Removal of engineering detail from the plan.
- Development of landscaping provisions for subdivision and development.

Response
The primary document that deals with the engineering of subdivision and development is the Rotorua Civil Engineering Industry Standard (RCIEIS). The document contains a range of engineering requirements and construction detail. The operative plan refers to the document contains a significant amount of engineering matters itself.

This need not be included in the plan as this detail is often required for an asset management reasons by Council and not for resource management purposes. Further to the above, as the code is referred to in the plan, a plan change is required when changes are made to it. This adds time and money to changes that can often relate to matters of asset management only.

There is the perception that landscaping is often viewed as being less important than servicing infrastructure. However, landscaping can have a significant impact on the quality, look and feel of the environment. Other qualities such as crime prevention and safety are less widely recognised. Often landscaping is designed after subdivision and roading layout. However, this may reduce its effectiveness. Without compromising safety, landscaping should be designed simultaneously with development, subdivision and servicing.
5.8 Technical matters

- Insertion of a definition for boundary adjustment.
- Differentiate between boundary adjustments in rural and urban settings.
- Develop comprehensive and clear information requirements for making resource consent applications in the plan to reduce uncertainty and improve efficiency in timeframes.

Response

The current plan does not contain a definition regarding boundary adjustment. Council has relied on a common usage dictionary definition to differentiate between minor adjustments of existing boundary lines and substantial alterations to the layout and therefore development options on the relevant site/s.

Comprehensive, clear, and concise information requirements assist in ensuring that consent applicants are aware of what Council expects in terms of what information needs to be supplied with consent applications. Effective information requirements can improve consent processing timeframes in that fewer requests for additional information are required. This may have the added benefit of improved Council – applicant relationships.

These matters are technical in nature and do not require policy direction. Therefore, no policy options are provided.
6. RECOMMENDATIONS

The following are recommendation and options that will provide the basis for discussion, and subsequent direction from Members. The recommendations draw together information presented in the paper and propose a way forward for the district plan.

In some instances there may only be one option, but most will have a number of options. Members may wish some of the options to be reported on in more detail, and this will be done once initial reaction and direction has been gauged.

6.1 A Rotorua response to Section 106

- Inclusion of a statement in the plan addressing the management of Rotorua’s natural hazards affecting subdivision and development.

Options
A. Retain the current statements in the plan on development and subdivision on land subject to natural hazards.
B. Review the current statement in the operative district plan to reflect the hazards present in the Rotorua district.
C. Require that consent shall be declined for subdivision and land use consents so all hazards are avoided.
D. Remove the statement from the plan.
E. Recognise the different and special relationship between Ohinemutu and Whakarewarewa and geothermal hazards.

6.2 Optimal use of land / Future proofing

- Efficient Subdivision and development of land that provides for the maximum level of development anticipated by the plan.
- Servicing that anticipates and provides for future development.

Options
A. Retain the current situation.
B. Require up front the most efficient yield in the subdivision and development of land to be designed for in terms of servicing.
C. Require subdivision and land use consents to indicate and protect possible servicing corridors.
D. Require the location of servicing for subdivision and development to consider and enable the long term potential of the land.

6.3 The cost of subdivision and development on marginal land

- Identifying land by zoning to indicate it is suitable for subdivision and development but is subject to significant hazards or servicing constraints.
- Subdivision and development avoiding land subject to natural hazards.
- Rezoning of land subject to natural hazards.

Options
A. Retain the current situation.
B. Identify areas in the planning maps subject to hazards and servicing restrictions.
C. Avoid all subdivision and development subject to natural hazards.
D. Rezone areas that development is suitable, that are subject to cost prohibitive servicing restraints and hazard mitigation requirements.
E. Encourage a managed retreat of areas significantly affected by natural hazards.
6.4 Lake water quality

**Options**
The options will be explored in more detail in a separate discussion paper.

6.5 Rural subdivision

**Options**
The options will be explored in more detail in a separate discussion paper.

6.6 Residential subdivision

**Options**
The options will be explored in more detail in a separate discussion paper.

6.7 Engineering code and landscaping requirements

- **Removal of engineering detail from the plan.**
- **Development of landscaping provisions for subdivision and development.**

**Options**
A. Retain the current situation with engineering detail in the plan.
B. Remove all engineering detail from the plan.
C. Remove construction detail from the plan, but retain basic standards for access and servicing requirements.
D. Staff to review landscaping standards.
E. Staff to review standard road cross-sections.
7. POLICY DISCUSSION

This section of the paper records Member’s feedback from the four Workshops being 18, 19, 20, and 21, held on 17 September, 28 September, 15 October, and 4 November 2009 respectively.

7.1 A Rotorua response to Section 106

**Issue:**

- Inclusion of a statement in the plan addressing the management of Rotorua’s natural hazards affecting subdivision and development.

**Recommended policy direction**

**Combined options B and E**

B. Review the current statement in the operative district plan to reflect the hazards present in the Rotorua district.

E. Recognise the different and special relationship between Ohinemutu and Whakarewarewa and geothermal hazards.

**Key discussion points**

7.1.1 The primary discussion around these options was had at Workshop 18, with discussions around inundation carried through to Workshop 19.

7.1.2 Supportive of the proposed approach to manage hazards in Ohinemutu and Whakarewarewa, noting that Maori had lived with these hazards for generations, and that these needed to be reflected in district plan provisions.

7.1.3 Section 106 was discussed as it relates to information requirements. Concern was expressed at the ability to refuse consent, but it was accepted that this may need to be done in certain circumstances.

7.1.4 The issue of the building up of building platforms to create a suitable site and thereby creating ponding elsewhere was discussed. More guidance was required on the issue, noting that commonly this needs to be undertaken on a case by case basis.
7.2 Optimal use of land / Future proofing

**Issues:**
- Efficient Subdivision and development of land that provides for the maximum level of development anticipated by the plan.
- Servicing that anticipates and provides for future development.

**Recommended policy direction**

**Options B, C and D and new option E**

B. Require up front the most efficient yield in the subdivision and development of land to be designed for in terms of servicing.
C. Require subdivision and land use consents to indicate and protect possible servicing corridors.
D. Require the location of servicing for subdivision and development to consider and enable the long term potential of the land.
E. That the policy direction in B, C, and D only apply to sub-dividable vacant land in the urban area, new lots that have further subdivision potential, and urban renewal where existing structures or buildings are removed.

**Key discussion points**

7.2.1 Issues around existing zoned areas that would be constrained were discussed. It was noted that there are a number of areas already zoned that perhaps should be revisited.
7.2.2 Resolution of challenging site characteristics were discussed, where officers stated that long and laborious discussions often occurred on a consent by consent basis. Council is often forced to accept substandard servicing arrangements. Members believed that Council should not compromise on servicing standards.
7.2.3 Increased stringency in the plan was favoured for the more challenging areas for development.
7.2.4 Stringency needed to be balanced against heavy handedness, sensible risk management needed to be applied.
7.2.5 Clarification provided where applicability of Option B related to vacant subdivideable land in the urban area, new lots with further subdivision potential, and urban renewal where existing structures or buildings are removed. These changes were generally accepted with little further debate.
7.3 The cost of subdivision and development on marginal land

Issues:
- Identifying land by zoning to indicate it is suitable for subdivision and development but is subject to significant hazards or servicing constraints.
- Subdivision and development, avoiding land subject to natural hazards.
- Rezoning of land subject to natural hazards

Recommended policy direction:
Combined Options B and D.
B. Identify areas in the planning maps subject to hazards and servicing restrictions, in particular inundation.
D. Rezone areas that development is suitable, that are subject to cost prohibitive servicing restraints and hazard mitigation requirements.

Key discussion points
7.3.1 Members queried where the hazard areas were in relating to existing developed areas.
7.3.2 Marketability and attractiveness of sites identified as having hazards was discussed.
7.3.3 Land constrained either by servicing or natural hazards were not obvious to the public when purchasing this land, and that this is something that Council as a whole can do better.
7.4 Lake water quality

Policy direction for lake water quality are presented in Discussion Paper 10 B– The District plan and lake water quality.
7.5 Rural subdivision

Options for lake rural subdivision are presented in Technical Paper 6.
7.6 Residential and urban subdivision

Detailed discussions around residential and urban subdivision options are contained in Version 2 of Technical Paper 5 tabled at Workshop 21.

7.6.1 The future of urban infill

**Issues:**
- Consolidation of residential areas is preferred to urban sprawl
- Modifying lot size may not be the solution
- What is the right residential lot size for infill development in Rotorua
- Quality of design in paramount

**Recommended policy direction:**

*Lot size*

**Modified Options B and C**
- B. Use minimum lot size as the determinant of site size
- C. Use shape factors and performance standards to determine residential lot sizes for infill development, so make lots that go smaller in size non complying activities in order to send a clear signal.

*Infill*

**Modified Option A**
- A. Retain the current situation – minimum lot size of 350 m$^2$, with a minimum average of all lots 450 m$^2$, with a consideration of a minimum lot size of 600 m$^2$ for infill developments. Officers to do work on 450, 500, 600 scenarios.

*Quality design outcome*

**Modified Options B and D**
- B. Make provisions for building and intruding into side yards more stringent than is at the moment
- D. Tighten up side yard provisions and include design criteria in the district plan, and make it a stricter activity if deviated from.

**Key questions/discussion points:**
- 7.6.1.1 In providing for lot sizes within the district plan, the key issue is certainty for plan users
- 7.6.1.2 Further research is required to confirm whether lot sizes should remain as is, or be increased.
- 7.6.1.3 Special character areas have validity, but the difficulty comes in the definition of the area. Further, what justification would there be in terms of who decides which suburbs are permitted for infill, and why these are favoured over others.
- 7.6.1.4 Important to get best quality residential environments for a wide range of community.
- 7.6.1.5 Low cost housing is the problem; just because it is low cost should not mean low quality.
- 7.6.1.6 Infill at 450 m$^2$ may in fact be too small.
- 7.6.1.7 Residential C seen as appropriate for smaller size lots.
- 7.6.1.8 Increased cars on street and increase in noise needs to be considered as a byproduct of increase in density.
- 7.6.1.9 Should be stricter requirements for yard intrusions in infill developments.
7.6.2 New residential areas
Issue:
- Set the minimum lot size for new residential areas at 600m\(^2\)
- Make it more difficult for future subdivisions of this size lot, and for side yard encroachments
- Still provide for flexibility of and reduction of lot sizes if the design outcomes are positive

Recommended policy direction:

*Increase minimum lot size*

**Modified Option A**
A. Retain the current situation for new residential developments, as it is with infill – minimum lot size of 350m\(^2\), with a minimum average of all lots 450m\(^2\).

Staff to provide further information on feasibility of a minimum lot size of 600m\(^2\) for new residential areas.

**Yard intrusions**

**Combined options B and D**
B. Make provisions for building and intruding into side and rear yards more stringent than is at the moment
D. Review the front yard requirement to provide for more flexibility of design

*Decrease minimum lot size*

**Option A**
A. Maintain provisions of the existing district plan where applications wish to subdivide under the permissible minimum

**Key questions/discussion points:**
7.6.2.1 There remains a lack of consensus on whether the residential B provisions should stay, or be increased to 600m\(^2\) for new areas. Officers to undertake further investigation into optimal lot size.
7.6.2.2 General consensus that it is important to get design of new residential areas right.
7.6.2.3 Mindful new developments now generally mean two to three cars per new lot. Trucks parking in areas are a problem that needs managing and should be addressed in plan review.

7.6.3 High density zones
Issue:
- Retained use of the residential c higher density zone
- Removal of Residential C zone in Fairy Springs and Lake road
- Increased reliance on design criteria to obtain quality design outcomes
- Offer incentives for redevelopment of the site

Recommended policy direction:

**Plan permissive for high density subdivision**

**Option A**
A. Retain the use of Residential C (High density zoning) in the district plan

**Extent of Residential C zone**

**Option B**
B. Focus the Residential C zoned land within close proximity to the CBD and remove Residential C zoning for Lake Road and Fairy Springs
Design criteria for high density residential zone
Option B
B. Have specific design criteria focused on quality outcomes for high density developments

Site redevelopment incentives
Option B and C
B. Provide incentives to site redevelopment in terms of a combined consent process
C. Provide for incentives by way of waiving compliance with standards where development proposed quality design outcomes

Key questions/discussion points:
7.6.3.1 Acknowledged further work required, but supportive of the incentivised approach.
7.6.3.2 Good design should guide outcome, in conjunction with minimum lot size.
7.6.3.3 Discussion around use of minimum lot size. General consensus that it is the simplest and easiest to understand tool used, for both practitioners and the public.
7.6.3.4 Important for the new plan to have good design guidelines for quality residential development. Also mindful that interpretation differs from person to person, therefore good district plan crafting essential.
7.6.3.5 For Residential C, investigate use of “size of apartment”, as opposed to land size requirement.

7.6.4 The reticulation of lakeside settlements
Issue:
- Subdivision provisions of new plan need to be cognisant of the planned infrastructure upgrades for lakeside settlements
- Whilst recognising opportunities afforded by infrastructure, the character and feel of lakeside settlements need to be retained
- Attention needs to be paid to the lakeside margins

Recommended policy direction
Modified Option B
B. Provide for further subdivision of lakeside settlement areas where reticulation is provided for and growth factored into the network. Capacity and lakeside character to determine lot size.

Key questions/discussion points:
7.6.4.1 Officers asked to investigate options for lakeside settlement that recognise special nature of these areas.
7.6.4.2 May also be demand for development land, and subdividable land at Mamaku.
7.6.4.3 Need to be aware of issues around pressure of development, married against reality of servicing.

7.6.5 The need for minimum lot sizes in commercial or industrial zones
Issues:
- Remove the need for minimum lot sizes in commercial and industrial zones
- Demand for subdivision in these zones is low, and is generally driven by land use activity undertaken on site
- These provisions of the plan work well at the moment, and do not require extensive attention as part of the review process

Recommended policy direction:
New Option D
D. Do not require a minimum size to subdivide in industrial and CBD commercial zones (including Ngongotaha) – let the market decide, but retain amenity and performance standard provisions. Retain minimum lot sizes for commercial areas beyond the CBD.

Key questions/discussion points:
7.6.5.1 Incentivised approach supported. The activity tables will need to have clarity for the differential approach to work effectively.
7.6.5.2 Agreement that if there is an opportunity to incentivise CBD development through controls in commercial/industrial areas, then this should be investigated.
7.6.5.3 Need to be mindful of the need to let the market decide where commercial development will occur.
7.6.5.4 Must manage stormwater run-off in industrial areas and make sure parking occurs on-site.

7.6.6 Land suitability to determine lot size/density provisions

Issues:
- Matching appropriate zoning with the most appropriate use of land, given the suitability of land
- Plan recognising that there are areas unsuitable for development in the urban area
- Provide a signal in the plan, at the time of subdivision, for those areas of the district that present a heightened site suitability challenge
- Adopt a commonsense approach, applying sound principles of risk management

Recommended policy direction:
Combined Option B and C

B. Consider increasing lot sizes where there is known land suitability issues and reflecting this in the zoning of the urban area

C. Restrict subdivision on land subject to severe natural hazards and or servicing constraints.
7.7 Engineering code and landscaping requirements

The option was initially discussed in Workshop 18, but the terms of reference for this section were expanded into Workshop 19 to address the top 3 servicing issues being water supply issues, stormwater issues, and roading/streetscape issues.

7.7.1 Engineering code and landscaping requirements

Issues:
- Removal of engineering detail from the plan.
- Development of landscaping provisions for subdivision and development.

Recommended policy direction:
Options C, D, and E
C. Remove construction detail from the plan, but retain basic standards for access and servicing requirements.
D. Staff to review landscaping standards.
E. Staff to review standard road cross sections.

Key questions/discussion points:
7.7.1.1 Separation of engineering construction detail from the plan supported.
7.7.1.2 Discussion centred around general landscaping and road cross sections. Elected members were supportive of reviewing the general standards.

7.7.2 Water supply

Recommended policy direction:
- Use the term ‘potable’ water within the plan and provide a clear definition
- Staff to investigate the most appropriate time in the subdivision process to demonstrate availability of ‘potable’ water.
- Differentiate between ‘potable’ water for stock and human consumption

Key questions/discussion points:
7.7.2.1 The terms potability, suitability, and satisfactory were a key focus of discussions regarding water. Potability for stock was recognised as a different issue to human potable water supply. It was explained the current thinking about differential quality for water for stock vs. quality for building site.
7.7.2.2 Responsibilities for provisions of water, and at what stage of development should the water be provided, are in need of definition and clarity.

7.7.3 Stormwater

Recommended policy direction:
- Stormwater management is to take into account the predicted effects of climate change.
- Local purpose reserves required for drainage should not be offset against reserves contributions.
- Provide for low impact storm water management where technically feasible and the on-going costs of maintenance to the community are not excessive.
- Require the location of service for subdivision and development to consider and enable the long term potential of the land.
- Staff to investigate the management and ownership of overland flow paths.

Key questions/discussion points:
7.7.3.1 The importance of Rotorua as a basin.
7.7.3.2 Investigate applicability of Low Impact Design for stormwater and whether it can work in the Rotorua context.
7.7.3.2 Recognition of the occasional disjoint between Environment BOP and RDC functions when managing stormwater.
7.7.3.4 Consensus that large gullies vested in Council for stormwater flow paths does not mean reserve contributions should be offset.
7.7.3.5 Climate change a real issue for Rotorua from a stormwater perspective.

7.7.4 Roading/ Streetscape

Recommended policy direction:
- Internal roading layouts of unit title subdivisions to comply with Council standards.
- Staff to review the standard roading construction cross sections.
- Staff to work towards a combined approach between roading and landscaping provisions
- Provide for alternative road design subject to safety and CPTED considerations.

Key discussion points:
7.7.4.1 ROW and driveway widths link back to future proofing / optimisation issue.
7.7.4.2 Gated communities pose problems and challenges for servicing.
7.7.4.3 CPTED matters were considered as important criteria to insert into the district plan to assist in quality outcomes.
7.8 Technical matters

Members will be advised of the outcomes of staff discussions on these matters.

Key discussion points:
7.8.1 Officers highlighted that the operative plan did not have a definition of boundary adjustment, and that this required rectification.
### 8. POLICY DIRECTION

The policy directions provided by Members at the workshop at which policy options were discussed are summarised below, and will provide the platform for development of the issues, objectives and policies in relation to commercial activities in the district plan.

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>POLICY DIRECTION</th>
</tr>
</thead>
</table>
| A Rotorua response to Section 106               | 1. Review the current statement in the operative district plan to reflect the hazards present in the Rotorua district.  
2. Recognise the different and special relationship between Ohinemutu and Whakarewarewa and geothermal hazards.                                                                                                                          |
| Optimal use of land / Future proofing           | 3. Require up front the most efficient yield in the subdivision and development of land to be designed for in terms of servicing.  
4. Require subdivision and land use consents to indicate and protect possible servicing corridors.  
5. Require the location of servicing for subdivision and development to consider and enable the long term potential of the land.  
6. That the above policy direction only apply to sub-dividable vacant land in the urban area, new lots that have further subdivision potential, and urban renewal where existing structures or buildings are removed. |
| The cost of subdivision and development on marginal land | 7. Identify areas in the planning maps subject to hazards and servicing restrictions.  
8. Rezone areas that development is suitable that are subject to cost prohibitive servicing restraints and hazard mitigation requirements.                                                                                                                                            |
| Residential and urban subdivision               | The future of urban infill  
9. Use minimum lot size as the determinant of site size.  
10. Use shape factors and performance standards to determine residential lot sizes for infill development; so make lots that go smaller in size, non complying activities, in order to send a clear signal.                                                                 |
|                                                 | New Residential Lots  
11. Retain the current situation – minimum lot size of 350m² with a minimum average of all lots 450m², with a consideration of a minimum lot size of 600 m² for infill developments. Offices to do work on 450, 500, 600 scenarios. |
|                                                 | 12. Make provisions for building and intruding into side yards more stringent than is at the moment.  
13. Tighten up side yard provisions and include design criteria in the district plan, and make it a stricter activity if deviated from.  
14. Retain the current situation for new residential developments, as it is with infill – minimum lot size of 350m², with a minimum average of all lots 450m². |
|                                                 | 15. Make provisions for building and intruding into side and rear yards more stringent than is at the moment.                                                                                                                             |
16. Review the front yard requirement to provide for more flexibility of design.
17. Maintain provisions of the existing district plan where applications wish to subdivide under the permissible minimum.

**High density zones**
18. Retain the use of Residential C (High density zoning) in the district plan.
19. Focus the Residential C zoned land within close proximity to the CBD and remove Residential C zoning for Lake Road and Fairy Springs.
20. Have specific design criteria focused on quality outcomes for high density developments.
21. Provide incentives to site redevelopment, in terms of a combined consent process.
22. Provide for incentives by way of waiving compliance with standards where development proposed quality design outcomes.

**The reticulation of lakeside settlements**
23. Provide for further subdivision of lakeside settlement areas where reticulation is provided for and growth factored into the network. Capacity and lakeside character to determine lot size.

**The need for minimum lot sizes on commercial or industrial zones**
24. Do not require a minimum size to subdivide in industrial and CBD commercial zones (including Ngongotaha) – let the market decide, but retain amenity and performance standard provisions. Retain minimum lot sizes for commercial areas beyond the CBD.

**Land suitability to determine lot size/density provisions**
26. Consider increasing lot sizes where there is known land suitability issues and reflecting this in the zoning of the urban area.
28. Restrict subdivision on land subject to severe natural hazards and or servicing constraints.
<table>
<thead>
<tr>
<th><strong>Engineering code and landscaping requirements</strong></th>
<th><strong>Engineering code and landscaping requirements</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>29. Remove construction detail from the plan, but retain basic standards for access and servicing requirements.</td>
<td></td>
</tr>
<tr>
<td>30. Staff to review landscaping standards.</td>
<td></td>
</tr>
<tr>
<td>31. Staff to review standard road cross-sections.</td>
<td></td>
</tr>
<tr>
<td><strong>Water supply</strong></td>
<td><strong>Water supply</strong></td>
</tr>
<tr>
<td>32. Use the term ‘potable’ water within the plan and provide a clear definition.</td>
<td></td>
</tr>
<tr>
<td>33. Staff to investigate the most appropriate time in the subdivision process to demonstrate availability of ‘potable’ water.</td>
<td></td>
</tr>
<tr>
<td>34. Differentiate between ‘potable’ water for stock and human consumption.</td>
<td></td>
</tr>
<tr>
<td><strong>Stormwater</strong></td>
<td><strong>Stormwater</strong></td>
</tr>
<tr>
<td>35. Stormwater management is to take into account the predicted effects of climate change.</td>
<td></td>
</tr>
<tr>
<td>36. Local purpose reserves required for drainage should not be offset against reserves contributions.</td>
<td></td>
</tr>
<tr>
<td>37. Provide for low impact storm water management where technically feasible and the on-going costs of maintenance to the community are not excessive.</td>
<td></td>
</tr>
<tr>
<td>38. Require the location of service for subdivision and development to consider and enable the long term potential of the land.</td>
<td></td>
</tr>
<tr>
<td>39. Staff to investigate the management and ownership of overland flow paths.</td>
<td></td>
</tr>
<tr>
<td><strong>Roading/ streetscape</strong></td>
<td><strong>Roading/ streetscape</strong></td>
</tr>
<tr>
<td>40. Internal roading layouts of unit title subdivisions to comply with Council standards.</td>
<td></td>
</tr>
<tr>
<td>41. Staff to review the standard roading construction cross sections.</td>
<td></td>
</tr>
<tr>
<td>42. Staff to work towards a combined approach between roading and landscaping provisions</td>
<td></td>
</tr>
<tr>
<td>43. Provide for alternative road design subject to safety and CPTED considerations.</td>
<td></td>
</tr>
<tr>
<td><strong>Technical Matters</strong></td>
<td><strong>Technical Matters</strong></td>
</tr>
<tr>
<td>44. Members will be advised of the outcomes of staff discussions on these matters.</td>
<td></td>
</tr>
</tbody>
</table>