

1 September 2022

File Ref: 69-06-080-03

Civic Centre
1061 Haupapa Street
Private Bag 3029
Rotorua Mail Centre
Rotorua 3046
New Zealand

«contactname»
«AddrLine1»
«AddrLine2»
«AddrLine3»
«AddrLine4»
«AddrLine5»

Dear Ratepayer/Owner

Notification of Housing for Everyone: Plan Change 9 to the Rotorua District Plan

We are writing to let you know about a plan change (Housing for Everyone: Plan Change 9) to the Rotorua District Plan and provide you a copy of the public notice.

If you would like to make a submission on Plan Change 9 the process for making a submission is set out within the public notice attached to this letter.

Submissions close: 14 October 2022

How to find further information

A summary of information about the plan change is attached.

Full details of the plan change, supporting technical reports and FAQs are available on our website <http://letstalk.rotorualakescouncil.nz>. If you cannot get access to this electronic information or have any questions, please contact the Rotorua Lakes Council at Policy.Planning@rotorualc.nz or on (07) 348 4199.

Yours faithfully

Rotorua Lakes Council, Planning and Development Solutions

Plan Change 9

Further information about the proposal

Reasons for developing Plan Change 9 – requirements to enable housing and increased urban density

Plan Change 9 to the Rotorua District Plan was developed in response to changes to the Resource Management Act 1991 (RMA) (following the enactment of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021) and the National Policy Statement on Urban Development 2020 (NPS-UD), which collectively aim to encourage greater housing supply and choice in New Zealand's cities experiencing high levels of growth.

Rotorua has been identified as an area of acute housing need and therefore is required to apply new Medium Density Residential Standards (MDRS) to relevant residential zones in Rotorua City. These standards set out the rules that residential units must meet (with respect to matters such as the maximum number of residential units per site, maximum building height and minimum yards) to be permitted without resource consent. The new standards would essentially enable landowners to build up to three houses of up to three storeys on their site as of right (that is, without resource consent) on most sites, unless resource consent is required for another reason.

Additionally, the Council is required to amend the District Plan across all urban zones so that heights and densities of development enabled by the plan are consistent with the NPS-UD. This essentially requires that the heights and densities enabled reflect how close the area is to services and the demand for housing and business in that location.

Amendments to the Rotorua District Plan

Plan Change 9 responds to these requirements to enable housing and increased density with the following key proposals:

- *Residential Zones*
 - Amending the extents of the Residential 1 Zone and Residential 2 Zone and renaming these 'Medium Density Residential Zone' and 'High Density Residential Zone' respectively.
 - Incorporating the new MDRS into the Residential 1 Zone and Residential 2 Zones, but with some changes to enable higher density residential development in the Residential 2 Zone (for example an increased maximum height standard).
 - Retaining the existing provisions and not extending the MDRS to the Residential 3 Zone villages of Ngāpuna, Ōhinemutu and Whakarewarewa on the basis that cultural matters constitute a 'qualifying matter' that enable exclusion of the MDRS from these areas.
- *City Centre and Commercial Zones*
 - Amending the city centre and commercial zone provisions to increase the opportunity for permitted residential units.
 - Increasing height limits for buildings and amending other standards to enable increased density.
 - Amending provisions to support quality development through assessment of building design.

Plan Change 9 also includes changes to provisions that:

- Set the standards for papakāinga development throughout the district.
- Manage flooding and geothermal hazards.
- Protect heritage structures.
- Set financial contributions from development for reserves.

An overview of the key amendments proposed as part of Plan Change 9 by plan section is provided within the public notice attached to this letter.

Immediate Implications of the Plan Change

Rules permitting residential units that comply with the MDRS within the Residential 1 Zone and Residential 2 Zone have immediate legal effect from notification of the plan change on 20 August 2022 (unless a qualifying matter applies). This means that there is immediately greater opportunity for constructing housing without the need to apply for a resource consent on many residential zoned sites throughout Rotorua. (Refer to the supporting technical reports and FAQs on the Council's website for more detail on the qualifying matters that limit where the MDRS has immediate legal effect).

Other parts of Plan Change 9 will only have legal effect once decisions have been made and notified by Council, after the submission and hearings process.

Plan Change Process

Plan Change 9 is an intensification planning instrument under the RMA and will follow a process called the Intensification Streamlined Planning Process (ISPP), introduced in recent RMA changes. Key steps in this process involve notifying the plan change for submissions and a hearing of submissions by independent commissioners, as outlined below.



Please note, the MDRS for residential zones are set out in the RMA and are not subject to a decision. Decisions will, however, be made on other parts of Plan Change 9.

Public notice of Proposed Plan Change 9 – ‘Housing for Everyone’, using the intensification streamlined planning process

Rotorua Lakes Council (“Council”) has prepared Plan Change 9 to the Rotorua District Plan (“PC9”). PC9 is an Intensification Planning Instrument (“IPI”) under section 80E of the Resource Management Act 1991 (“RMA”). Council is required to prepare and notify an IPI in accordance with section 77G of the RMA.

PC9 is a proposal that seeks to:

- Give effect to Policy 5 of the National Policy Statement for Urban Development 2020 (“NPS-UD”) and incorporate the Medium Density Residential Standards (“MDRS”) as required under the RMA following its amendment by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021;
- Increase housing supply;
- Enable a greater variety of homes that meet Rotorua’s needs;
- Achieve a well-functioning urban environment;
- Enable more efficient use of urban land, including by amending height limits;
- Enable Māori to express their cultural traditions and norms with particular reference to papakāinga development;
- Ensure development is integrated with infrastructure planning and funding for reserves; and
- Ensure that significant risks from natural hazards are appropriately managed.

Key parts of PC9 are summarised below in terms of the District Plan chapters:

		Proposal
Part 1: Introduction and General	Interpretation	• Amend and insert various definitions.
Part 2: District Wide Matters	Strategic Direction	• Amend the strategic direction objectives and policies for urban development to align with the NPS-UD.
	Historical and Cultural Values	Historic Heritage: • Introduce a restricted discretionary rule applying to new buildings on the same site as a heritage structure listed in the Historic Structure Schedule, or on a specified adjacent site.
	Hazards and Risks	Flooding: • Introduce a restricted discretionary rule applying to building and additions in areas where there are significant flood depths. • Supporting changes to existing provisions to manage flooding: ○ Amend design flood used for minimum building levels to 1% AEP with an allowance for climate change and extend building level standards to new buildings; ○ Reduce the maximum impervious site coverage standards for Residential 1 and 2 Zones. Geothermal: • Insert a new permitted activity standard to ensure that any venting structures necessary for gas ingress mitigation shall be directed to vehicle accessways or the street.
	Subdivision	• Incorporate changes related to the MDRS. • Amend the minimum lot size for vacant lot subdivision in Residential 1 and 2 Zones. • Clarify rules and activity status for subdivision of sites affected by flooding.

	Financial Contributions	Financial Contributions for Reserves: - Align the purpose of contributions for reserves with the future reserve requirements by providing for the enhancement of existing reserves. - Reduce contribution rates to encourage more efficient land use. - Extend contributions to permitted residential units.
	Papakāinga	- Delete performance standard that requires papakāinga to locate on land that adjoins or is adjacent to a Marae. - Align the framework for papakāinga in residential zones with the MDRS and policy intent of the NPS-UD. - Enable a greater density of papakāinga development in rural zones. - Clarify the activity status, and appropriate scale and intensity of non-residential activities that form part of a papakāinga development in rural zones.
Part 3: Area Specific Matters	Residential Zones	- Align the objectives and policies with the intent of the NPS-UD. - Residential 1 Zone: Incorporate the MDRS, provisions for assessing proposals that do not comply with MDRS and other related changes. Rename the zone to Medium Density Residential Zone. - Residential 2 Zone: Incorporate the MDRS and related changes in Residential 2 Zone, but with some changes (for example to increase height) to enable higher density development. Rename the zone to High Density Residential Zone. - Residential 3 Zone: Retain the existing zone provisions to protect the relationship of Maori and their culture and traditions with ancestral lands, sites, etc).
	Commercial Zones and City Centre Zones	- Amend activity status of residential units some zones to increase the opportunity for permitted residential units. - Respond to the NPS-UD with increased height limits for buildings and amendments to yards, landscaping and site coverage standards. - Support quality design through assessment of buildings and additions.
	Development Areas – Pukehāngi Heights and Wharenuī	- Partially adopt the MDRS for Residential 1 Zone but retain existing provisions relating to natural hazards, infrastructure, cultural values and landscape values. - Amendments to standards and policies for Pukehāngi Heights to protect landscape values of the Caldera Rim. - Delete/amend performance standards for Wharenuī relating to the Eastern Arterial and road upgrades.
Appendices and Maps	Appendix 1 - Parking	Insert requirements for transport assessments for 20-100 residential units.
	Maps	- Amend the extents of the Residential 1 Zone and Residential 2 Zones. - Rename the Residential 1 Zone from Low Density Living to Medium Density Residential Zone. - Rename the Residential 2 Zone from Medium Density Living to High Density Residential Zone - Remove the Lake Rotorua and Lake Rotoiti 1 in 50 year (20% AEP) flood levels.

PC9 may be inspected at <http://letstalk.rotorualakescouncil.nz>. Printed copies of PC9 will be available to view at Council offices and at Te Aka Mauri library. If you have any questions about the application, please contact the RMA policy team at Policy.Planning@rotorualc.nz.

The following persons may make a submission on PC9:

- The Council may make a submission; and
- Any other person may make a submission but, if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that adversely affects the environment; and does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic submission to Rotorua Lakes Council at:

- Private Bag 3029, Rotorua Mail Centre, Rotorua 3046, or
- By using the electronic form on the Council website at: (<http://letstalk.rotorualakescouncil.nz>) or
- By email to: Policy.Planning@rotorualc.nz, or
- Lodging your submission in person at Council.

The submission must be in form 5 and must state whether or not you wish to be heard in relation to your submission. Copies of this form are available to download at <http://letstalk.rotorualakescouncil.nz> or can be collected from the library or Council office.

Submissions close on 14 October 2022.

The process for public participation in the consideration of PC9 under the RMA is as follows.

- After the closing date for submissions, Council must prepare a summary of decisions requested by submitters and give public notice of the availability of this summary and where the summary and submissions can be inspected.
- There must be an opportunity for the following persons to make a further submission in support of, or in opposition to, the submissions already made:
 - any person representing a relevant aspect of the public interest:
 - any person who has an interest in the proposal greater than the general public has:
 - the Council itself.
- If a person making a submission asks to be heard in support of his or her submission, a hearing must be held by an Independent Hearings Panel.
- Council must give its decision on the recommendations of the Independent Hearings Panel on the provisions and matters raised in the submissions (including its reasons for accepting or rejecting submissions) and give public notice of its decision by 31 March 2024.
- Where Council rejects the recommendation of the Independent Hearings Panel, the Minister for the Environment will make the final decision.
- There are no rights of appeal on the Council's or the Minister's decisions.

Notification date: 20 August 2022

Geoff Williams Chief Executive on behalf of Rotorua Lakes Council

Public notice is given pursuant to Clause 5 of Schedule 1.

Rotorua Lakes Council is the operating name of Rotorua District Council. www.rotorualakescouncil.nz