
From: RLC RMA Policy Services
Subject: Notification of Housing For Everyone: Plan Change 9 to the Rotorua District Plan
Attachments: Plan Change 9 PC Housing for Everyone Notification letter for mana whenua August 2022.pdf; PC9 Public Notice.pdf

Attention: Ngāti Tura Ngati Te Ngākau Hapu Trust, Ngāti Ngararanui Iwi Trust, Te Tahuhu o Tawakeheimoa Trust, Te Maru o Ngāti Rangiwewehi Iwi Authority, Raukawa Settlement Trust, Te Rūnanga o Ngāti Kea Ngāti Tuara, Tūhourangi Tribal Authority, Ngāti Roroooterangi Hapū Trust, Ngāti Uenukukopako Iwi Trust, Te Komiti Nui o Ngāti Whakauae, Ngāti Whakauae Tribal Lands Trust, Pukeroa Ōruawhata Trust, Tiki Te Kohu Ruamano Ahu Whenua Trust, Ōwhatiura 1B2C Ahu Whenua Trust, Ōwhatiura South 5 Inc, Ōwhata 2B Ahu Whenua Trust, Ōwhata 7 Ahu Whenua Trust, Tauhara North Trust, Ōhinemutu Committee, Te Papaïouru marae, Tunohopu marae, Te Kuīrau marae, Hurungaterangi marae, Hinemihi marae, Owhata Marae, Tumahaurangi Marae, Waikuta Marae, Te Komiro, Te Tatau Pounamu, Te Tatau o Te Arawa, Te Arawa River Iwi Trust, Te Arawa Lakes Trust, Te Maru o Ngāti Rangiwewehi, Te Tahuhu o Tawakeheimoa Trust, Ngāti Rangiteaorere Koromatua Council, Ngāti Pīkiao Iwi Trust, Ngāti Rongomai Iwi Trust, Ngāti Makino Iwi Authority; Ngāti Tarawhai Iwi Trust, Te Runanga o Ngāti Kea Ngāti Tuara Trust, Te Mana o Ngāti Rangitīhi, Ngāti Tahu Ngāti Whaoa Rūnanga Trust, Rotomā Inc, Tauhara North No 2, Rotoiti 15 Trust.

Please find attached a letter and public notice regarding the notification of Housing for Everyone: Plan Change 9 to the Rotorua District Plan.

Ngā mihi

Operations Group, Planning & Development Solutions

P: 07 348 4199

E: Policy.Planning@rotorualc.nz | W: rotorualakescouncil.nz

A: 1061 Haupapa St, Private Bag 3029, Rotorua Mail Centre, Rotorua 3046, New Zealand

ROTORUA
LAKES COUNCIL

19 August 2022

File Ref: 69-06-080-03

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Civic Centre
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Rotorua Mail Centre
Rotorua 3046
New Zealand

To whom it may concern:

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 or 'PC9') to the Rotorua District Plan, which is now open for submissions; and to provide you a copy of the public notice.

Housing for Everyone: Plan Change 9 is a change we are making to our District Plan to enable more housing development and greater housing choice in Rotorua city, as well as more efficient use of residential and commercial land in the city with increased development densities. Plan Change 9 also proposes supporting changes that impact the wider district, including changes to the provisions for managing flooding, financial contributions and Papakāinga.

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

Submissions close: 14 October 2022

How to find further information

Further information about Plan Change 9 is available in the following summary and attached public notice.

Full details of the plan change and 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 info@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) in 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.

The Council is also 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.

In addition, Council was able to propose changes to other specific parts of the District Plan, including changes to enable papakāinga housing in the district. Strong feedback from iwi and hapū during the development of the plan change was that the current district plan framework for papakāinga housing had not delivered the level of housing that was required for Rotorua district.

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 the following key proposals:

- *Papakāinga:*
 - Deleting the performance standard that requires papakāinga to locate on land that adjoins or is adjacent to a Marae;
 - Amending the density standards to enable a greater density of papakāinga development in urban and rural zones. In urban areas align density standards with those for residential units and in rural areas apply a density standard of one residential unit per 2,000m² of net site area (instead of having to comply with the underlying rural zone density standards); and
 - Introducing additional performance standards to clarify the activity status, and appropriate scale and intensity of non-residential activities that form part of a papakāinga development in rural zones.
- *Flooding and Geothermal*
 - Changes to the rules to manage flooding and geothermal hazards – please note that there have been amendments to the geothermal provisions since the draft PC9 was circulated to iwi.

A more detailed 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.

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, that the MDRS for residential zones are set out in the RMA and are not subject to a Council decision. Council will, however, make decisions 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 Wharenui	- 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 Wharenui 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.
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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 and community hub. 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