

Appendix E: Legal and Statutory Considerations

- Report on Designations and Engineering Provisions in Proposed Rotorua District Plan (June 2000, Harrison Grierson).
- Review of Harrison Grierson Report (August 2000; Cooney, Lees & Morgan).

Report on Designations and Engineering Provisions in Proposed Rotorua District Plan – Harrison Grierson (Draft) June 2000

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| Purpose of Document: | <ul style="list-style-type: none"> • Review how provision is made in DP for existing and new roads, widening, utility service sites, service pipelines. • Prepare requirement schedule and identify designation strategy for RDC utility sites. |
| Content: | <ul style="list-style-type: none"> • Review of provisions for above. • Designation strategy. • Review of utility provisions for development. • Review of processes, legal basis for S224 applications. • Recommendations for changes to COP. • Recommendations for changes to DP. |
| Conclusions: | <ul style="list-style-type: none"> • Modify DP to remove road zone and designate (same rules as other utilities). • Designation strategy. • Engineering Division should be treated as another utility operator. • Modify Engineering Code of Practice. • Modify DP in relation to Engineering Standards. • Commission a legal review. |

Review of Harrison Grierson Report – Cooney Lees and Morgan – August 2000

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| Purpose of Document: | <ul style="list-style-type: none"> • Review Harrison Grierson draft report from a legal perspective |
| Content: | <ul style="list-style-type: none"> • General legal principles • Engineering provisions in proposed District Plan • Report recommendations • Conclusion |
| Conclusions: | <ul style="list-style-type: none"> • Important to have appropriately worded performance criteria in the District Plan as a limitation on the arbitrary setting of engineering standards for Council services • Generally support the recommendations in the Harrison Grierson report |