

Appendix 2

Plan Change 2: Pukehāngi Heights –~~Notified Version~~

Track Changed Provisions Recommended by Hearing Panel

Amendments to plan change as notified are denoted as follows:

- Underlined text identifies proposed additional text to the District Plan;
- ~~Strike through text~~ identifies proposed deletions to the District Plan.

Amendments to the notified plan change

- Double underlined text identifies Hearing Panel recommended additional text to the Notified PC2;
- ~~Double strike through text~~ identifies Hearing Panel recommended deletions to the Notified PC2.

Commented [KD1]: Show all changes to District Plan (ie all changes proposed by PC2).

APPENDIX 5

DEVELOPMENT PLANS, DEVELOPMENT AREAS, AND STRUCTURE PLANS

A5.1

INTRODUCTION

~~There are eleven development plan areas, these being~~

This Appendix includes Development Plans, Development Areas, and Structure Plans, along with the supporting provisions (where relevant), for the following areas:

A5.2 Parklands Estate Pukehāngi Road Development Plan

A5.2A Pukehāngi Heights Development Area

A5.3 Wharenui Road Area Development Plan

A5.4 Scion Innovation Park Development Plan

A5.5 Waipa Business Park Development Plan

A5.6 Whangamoa Trust – Ōtaramarae Development Plan

A5.7 Lakefront East Development Plan

~~A5.8 Twin Oaks Development Plan~~

A5.9 Taheke 8C Development Plan

A5.10 Ōturoa Vista Development Plan

A5.11 Ōwhatiura Development Plan

A5.12 Kāingaroa Papakāinga Development Plan

A5.2A PUKEHĀNGI HEIGHTS DEVELOPMENT AREA

A5.2A.1 Introduction

RLC Comments on Commissioners Draft Provisions

The Pukehāngi Heights Development Area adjoins the existing urban area to the south west of Pukehāngi Road. The area has been identified for future growth given it is close to central Rotorua, has good aspect and views that create an opportunity for high amenity residential development, and is contiguous with existing urban development giving ease of access to infrastructure.

Area wide assessments of landscape, natural hazards, transport, stormwater and archaeological and cultural values have been undertaken to ensure the suitability of the area for a mix of development types including low and medium density residential development and rural residential development.

Pukehāngi Heights Development Area provides potential for comprehensive, integrated development with associated landscape, cultural, ecological, water quality and public access benefits.

The Pukehāngi Heights Development Area is located on the lower slopes of the Caldera Rim. The Caldera Rim landscape has been recognised as being highly valued by the Rotorua community. The landscape values of the Caldera Rim have been assessed in the 'Rotorua Caldera Rim – Caldera Rim Rural Character Design Guideline' (October 2012), which also provides guidance on how to integrate growth and land use change into the landscape.

The Design Guideline identifies the Pukehāngi Heights Development Area as being within the 'less sensitive rural landscape' situated below the RL385 contour. Above this contour, the areas rural or natural character should be maintained. The less sensitive rural landscape still contains important rural character and amenity values but is less sensitive to land use change.

The main land form broadly comprises two terraces with an escarpment between. The Lower Terrace adjoins Pukehāngi Road and slowly rises to meet the Mid-site Escarpment that rises to a broad Upper Terrace extending northwest/southeast with intervening valleys. The Upper Terrace has an escarpment backdrop.

The urban design approach seeks to enable development while maintaining and enhancing identified environmental values. This is guided by the Pukehāngi Heights Development Area Structure Plan that applies both general and place-specific principles.

While few archaeological features remain, ~~the Cultural Impact Assessment prepared by Ngāti Kea Ngāti Tuara~~ cultural assessments prepared identifies the area's cultural and historical significance, with settlement occurring over 500 years ago. The whole area is significant for Ngāti Kea Ngāti Tuara as a meeting point between their ancestors' traditional homes of Horohoro, Tihi-o-Tonga, Tārewa and Patetere. Key cultural features include the old pā sites - Pukehāngi and Puketapu and the north-facing slopes from the kāinga at Paparata towards the north-west (along what is now Pukehāngi Road) that were used extensively by tangata whenua as mahinga kai.

The area is also significant for other iwi and hapū with associations with the cultural landscape including downstream sites and values.

Principles

The general principles for the Pukehāngi Heights Development Area are:

- Development that responds to the landscape values of the Caldera Rim and the topography of the area;
- Development that recognises, protects and provides for the expression of the cultural and archaeological values of the area;

RLC Comments on Commissioners Draft Provisions

- Roads, walkways and cycleway connections throughout the area and connecting with adjoining sites;
- Comprehensively designed low impact stormwater management integrated with development;
- Enhancement of ecological values by including indigenous vegetation plantings; and
- Excellent urban design outcomes including for solar access and passive surveillance of public spaces.
- Development that is designed within nutrient management limits and contributes to the reduction in nitrogen entering Lake Rotorua.

The place-specific principles are:

Lower Terrace

- Low density residential development;
- Medium density residential development located on land of easy contour adjacent to local services and open space, and sleeved with lower density residential development, commercial development or open space to provide a harmonious transition with existing low density residential development along Pukehāngi Road;
- Small commercial areas for local convenience retail, a cafe and or childcare located near to intersections with Pukehāngi Road; and
- A transitional area along the base of the Mid-site Escarpment where additional landscape and building controls apply (Escarpment Transition Area 1).

Mid-site Escarpment

- Partially re-vegetated native bush and specimen tree network to form a backdrop to the development on the Lower Terrace;
- A visual character that is dominated by areas of re-vegetation near the Parklands Estate development transitioning through to an open space character close to Matipo Avenue and Paradise Valley Road;
- Rural residential large lot development;
- Landscape design that integrates development with the surrounding environment including the 'Parklands Estate' Development; and
- Design controls on buildings.

Upper Terrace

- Low density residential development; and
- A transitional area along the front of the Upper Terrace where additional landscape and building controls apply (Escarpment Transition Area 2).

Upper Escarpment

- No development on the upper escarpment; and
- Partial re-vegetation to form a coherent transition from the Parklands Estate development and to create a backdrop to development on the Upper Terrace.

Pukehāngi Southern Slopes

- Rural 2 Zone provisions apply.

The specific objectives, policies and rules for the Pukehāngi Heights Development Area identify outcomes that are additional to those sought by the general provisions of the Residential 1 and Rural 2 Zoning of the land. Where there is any conflict, the specific provisions shall take precedence.

A5.2A.2 Objectives and Policies

Plan Change 2: Pukehāngi Heights: Provisions recommended by Hearing Panel

RLC Comments on Commissioners Draft Provisions

The objectives and policies shall be read in conjunction with the provisions for the Residential 1 and Rural 2 zoning.

Objective 1: Pukehāngi Heights Development Area – Landscape Values

Maintain the valued landscape character and amenity values associated with the wider caldera rim while enabling development that is consistent with the principles of the Pukehāngi Heights Development Area Structure Plan and visually integrates with surrounding land uses.

Policy 1.1 Lower Terrace – Low Density Residential Development

Enable development on the Lower Terrace that is consistent with Residential 1 Objectives and Policies.

Policy 1.2 Lower Terrace – Medium Density Residential Development

Enable medium density residential development within defined locations where the development is designed to provide diversity and choice in housing and to integrate with the character of the surrounding area.

Policy 1.3 Lower Terrace – Maintenance of Landscape Values

Manage the landscape and visual sensitivity at the base of the Mid-site Escarpment by defining an area (Escarpment Transition Area 1) within which:

- a. recessive colours are used on structures and buildings, and controls on building height to mitigate visual effects;
- b. landscape planting is used to mitigate visual effects of development and to provide a coherent transition between the landscape character of the Lower Terrace and the Mid-site Escarpment;
- c. changes to land form that require visually obtrusive retaining structures are avoided; and
- d. other measures mitigate the visual impact of development.

Policy 1.4 Mid-site Escarpment – ~~Rural Residential Large Lot~~ Development

Enable ~~rural residential large lot~~ development on the Mid-site Escarpment that allows for view shafts from all identified building platforms whilst providing a partially re-vegetated native bush and a specimen tree network.

Policy 1.5 Mid-site Escarpment – Maintenance and Enhancement of Landscape Values

Maintain and enhance the landscape values of the Mid-site Escarpment by:

- a. Providing a visual character that is dominated by areas of re-vegetation near the Parklands Estate development transitioning through to an open space character close to Matipo Avenue and Paradise Valley Road;
- b. Reducing the visibility of development on the Mid-site Escarpment;
- c. Providing an open space and integrated vegetated backdrop to development on the Lower Terrace that retains the natural landform integrity;

RLC Comments on Commissioners Draft Provisions

- d. Ensuring that development achieves the intended landscape outcomes through a design process that takes into account the landscape values and attributes of the site; and
- e. Controlling the landscape and visual effects of buildings, structures and earthworks following the completion of development by:
 - clustering built development to enhance the dominance of open space and re-vegetation and to minimise the visibility of roads and accessways;
 - avoiding urbanised boundary lot fencing dominating the pattern of development along the Mid-site Escarpment.
 - locating buildings away from the escarpment edges; and
 - locating building platforms to minimise the need for extensive earthworks.

Policy 1.6 Upper Terrace – Low Density Residential Development

Enable development on the Upper Terrace that is consistent with Residential 1 Objectives and Policies.

Policy 1.7 Upper Terrace and Upper Escarpment – Maintenance and Enhancement of Landscape Values

Maintain and enhance the landscape and visual values of the Upper Terrace and Upper Escarpment by:

- a. Avoiding development above RL 385m on the Upper Escarpment;
- b. Managing the landscape and visual sensitivity at the top of the Mid-site Escarpment by:
 - defining an area (Escarpment Transition Area 2) within which additional measures will apply;
 - ensuring buildings are well set back from the top of the Mid-site escarpment;
 - ensuring that there is good separation between buildings to create a low-density character when viewed from the central Rotorua urban area;
 - avoiding a uniform pattern of development;
 - using recessive colours on structures and buildings, and controls on building height to mitigate visual effects;
 - using landscape planting to mitigate visual effects of development and to provide a coherent transition between the landscape character of the Mid-site Escarpment and the Upper Terrace while providing for view shafts from all identified building platforms near the edge; and
 - other measures that mitigate the visual impact of development.

Policy 1.8 Pukehāngi Southern Slopes

Enable development and land use activity that is consistent with Rural 2 objectives and policies.

Policy 1.9 Integration with surrounding areas

RLC Comments on Commissioners Draft Provisions

Provide a visual transition from the indigenous bush character of the Parklands Estate Development to the landscape character of the surrounding area.

Objective 2: Pukehāngi Heights Development Area – Integrated Urban Design

The environmental quality, character, amenity and cultural values of the Pukehāngi Heights Development Area are developed and then maintained and enhanced through appropriate urban planning and design, including through integrated management of land use and stormwater.

Policy 2.1 Lower Terrace – Medium Density Residential Development

Enable medium density development that delivers the following qualities and characteristics:

- a. Buildings with design qualities appropriate to higher density living;
- b. Visual and aural privacy;
- c. Diversity of built form;
- d. Smaller household units and apartment style living;
- e. Outdoor space of a high quality; and
- f. Amenity planting to reduce the dominance of the built environment.

Policy 2.2 Environmental Enhancement

Reduce nutrient losses, restore and enhance indigenous biodiversity and ecological functioning through partial re-vegetation of the Mid-site Escarpment.

Policy 2.3 Integration of Land Use and Stormwater Management

Provide for integrated management of land use and stormwater by:

- a. Management of water quality and quantity through the application of low impact design principles with the development of a “treatment train” using measures that distribute stormwater management across the site including:
 - Source Control - individual lot level stormwater management approaches such as soak holes for capturing roof runoff, rain gardens, rainwater harvesting;
 - Site Control – collecting and conveying runoff from a collection of lots through to smaller stormwater management facilities such as dry attenuation zones, swales, through to;
 - Regional Control - larger dedicated catchment facilities, such as detention basins, ponds and wetlands.
- b. Designing stormwater infiltration measures based on a geotechnical assessment to achieve and maintain a low level of risk of landslip or liquefaction within the Development Area without increasing risk elsewhere;
- c. Minimising the formed width of roads to reduce stormwater run-off while ensuring that road function and safety is maintained;
- d. Integrating the use of open space for stormwater management and recreation including the provision and protection of adequate space to safely accommodate detention ponds and overland flow paths; and
- e. Ensuring that appropriate stormwater infrastructure is provided at the right time and that costs are shared on an equitable basis.

RLC Comments on Commissioners Draft Provisions

Policy 2.4	Traffic and Access	<p>Ensuring that construction and development traffic is accommodated in a manner that maintains connectivity, safety, and amenity within the capacity of the road network by:</p> <ol style="list-style-type: none">Identifying an indicative primary road network on the Structure Plan with connections to the existing road network to optimise traffic management;Identifying additional primary road connections on the Structure Plan that may be provided to improve connectivity;Identifying appropriate construction traffic routes where necessary; andEnsuring efficient and safe walkways are provided to existing and planned potential future public transport facilities <u>along Pukehāngi Road.</u><u>Avoiding lots that access Pukehāngi Road to ensure the safety of any future cycleway along Pukehāngi Road is protected; and to minimise demand for on street parking and the need to upgrade the carriageway width.</u><u>Designing and locating road intersections with Pukehāngi Road to reduce the effects of vehicle light spill into houses located opposite the new roads.</u>
Policy 2.5	Street Character and Amenity	<p>Develop a local street character that:</p> <ol style="list-style-type: none">Minimises the formed width of roads to create a low speed road environment, while ensuring that road capacity, function and safety is maintained;Provides a wide vegetated berm incorporating street planting on the Upper and Lower Terraces to create an attractive street environment and to break up the mass of buildings and development;Reduces building setbacks to promote the use of streets as safe social spaces;Promotes passive surveillance of the street through visually permeable street boundary fencing; and<u>Avoids negative impacts on amenity values from high fences on rear yards along Pukehāngi Road through the use of permeable fencing and optional screening planting behind.</u> Minimises vehicle crossings onto Pukehāngi Road to ensure the safety of any future cycleway along Pukehāngi Road is protected.
Policy 2.6	Local Reserves and Open Space	<p>Ensure the design of reserves and open space incorporates best practice, including the application of Crime Prevention through Environmental Design principles.</p>
Policy 2.7	Public Walking and Cycling Access	<p>Provide high levels of connectivity within and around the site for walking and cycling.</p>
Policy 2.8	Local Services	

RLC Comments on Commissioners Draft Provisions

Enable small scale retail, cafe and childcare activities to provide convenient and highly accessible local services to the Development Area and surrounding residential area.

Policy
2.9 Cultural: Identity, landscapes and Values

Ensuring that subdivision, use and development expresses the cultural history and identity of Tangata Whenua, recognises the cultural landscape, and recognises and protects the values of archaeological and cultural sites and areas within the Development Area by:

- a. Consulting with Tangata Whenua through the design and planning stages of development;
- b. Expressing cultural identity through measures such as the inclusion of structures or art in public spaces, interpretation plaques, a cultural trail, place naming;
- c. Recognising that the Development Area forms part of a wider cultural landscape for Ngāti Kea Ngāti Tuarā;
- d. Recognising the interests of other Te Arawa iwi and hapū with associations with the cultural landscape including downstream sites and values;
- e. Identifying archaeological and cultural sites and areas, and providing legal and practical access for Tangata Whenua;
- f. Assessing the values and associations of identified archaeological and cultural sites and areas, and the wider cultural landscape; and
- g. Mitigating adverse effects on the values and associations of identified sites and areas, and other sites and areas that may be discovered during development.

~~Information on the cultural history of the area is provided in the Ngāti Kea Ngāti Tuarā Cultural Impact Assessment: An Assessment of the Cultural Impact of the Proposed Pukehāngi Heights Development (Te Rūnanga o Ngāti Kea o Ngāti Tuarā, (May 2010).~~

Policy
2.10 Reverse sensitivity associated with the Rotorua Speedway

Ensure that noise emissions from the speedway are considered for subdivision in Area C on the Pukehāngi Heights Structure Plan and that measures are taken by those subdividing and developing land in the Pukehāngi Heights Development Area to reduce the potential for reverse sensitivity to the speedway and achieve an appropriate noise environment for residents.

Objective 2a: Pukehāngi Heights Development Area - Stormwater Effects

Cumulative stormwater effects are managed in an integrated manner solely within the Pukehāngi Heights Development Area without the need to rely on upstream or downstream ~~mitigation~~ detention options.

Policy
2a.1 Stormwater Effects

Plan Change 2: Pukehāngi Heights: Provisions recommended by Hearing Panel

RLC Comments on Commissioners Draft Provisions

Manage the cumulative stormwater effects within the Pukehāngi Heights Development Area and on the downstream environment through a Stormwater Management Plan (SMP) for the entire Pukehāngi Heights Development Area that is prepared by Rotorua Lakes Council in collaboration with land owners prior to Council obtaining a discharge permit for the catchment and prior to any subdivision occurring.

The SMP prepared by RLC must include:

- (i) A Natural Hazard Risk Assessment that complies with Regional Policy Statement Appendix L – Methodology for Risk Assessment which shall demonstrate that a low level of risk will be achieved within the Pukehāngi Heights Development Area without increasing the flooding risk downstream;
- (ii) The same range of criteria which must be at least as conservative as those used in the stormwater modelling report titled “Rotorua Lakes Council, PC2 - Pukehāngi Heights Stormwater Report, WSP, 14 September 2020”;
- (iii) Verification that if model platforms other than those used in the report titled “Rotorua Lakes Council, PC2 - Pukehāngi Heights Stormwater Report, WSP, 14 September 2020” are used for the SMP to predict downstream flooding effects, that the alternative model platforms have been either calibrated against the BOPRC’s Greater Utuhina Catchment Model or produce results that are consistent with the empirical data for the catchment at the appropriate gauged location;
- (iv) Information and Assessment Requirements for stormwater management solutions for individual subdivisions;
- (v) The intended scale, nature and form (including ground levels) of development and subdivision in the Development Area;
- (vi) An assessment of potential effects of storm-water stormwater (velocity, flood depth, flood extent) as well as related erosion effects on the downstream catchment that includes the Lower Utuhina catchment;
- (vii) The assessment shall consider the potential for effects related to flood duration including:
 - a. holding up stormwater discharges to the streams due to elevated and longer duration backwater;
 - b. increased stream bank erosion and channel instabilities from extended periods of elevated flows;
 - c. increased length of time buildings, roads, footpath, and structures might be flooded above the key flood hazard threshold for depth and velocity ($DxV > 0.3$);
- (viii) An assessment of the potential effects on water quality;
- (ix) Details of mitigation measures for the entire Development Area. Details shall include:
 - a. The size of ponds, location, configuration of the outlet structures, discharge locations, and hydraulic performance of the ponds for on-site storm-water stormwater management; and
 - b. The size of channels and the related erosion protection measures for primary, secondary and overland flow paths (on-site and off-site) including for the receiving waterways immediately downstream;
- (x) Consideration of the sensitivity of proposed storm-water stormwater management measures to the staging of development in the Development Area;
- (xi) An assessment of potential effects of storm-water stormwater management measures on land stability and liquefaction;
- (xii) The condition of existing infrastructural assets;

RLC Comments on Commissioners Draft Provisions

- (xiii) The intended staging and timing for the provision and vesting and/or upgrading and replacement of infrastructural assets;
- (xiv) Detail of ongoing operational procedures and maintenance requirements for any water quantity and/or quality control structures or formed features such as ponds/dams;
- (xv) The outcomes of consultation with the Bay of Plenty Regional Council, Te Rūnanga o Ngāti Kearoa Ngāti Tuarā Trust, Ngāti Whakaue (as represented by Te Komiro o te Utuhina or its successor), and Te Arawa Lakes Trust and other affected stakeholders.

Objective 3: Pukehāngi Heights Development Area – Flood Hazard Risk Management

Ensure that development within the Pukehāngi Heights Development Area ~~the SMP prepared by Rotorua Lakes Council under Policy 2a.1~~ achieves and maintains a low level of flood hazard risk within the Pukehāngi Heights Development Area, and that flood risk is (including from flood flow velocity, flooding depth and flooding extent) ~~is~~ are not increased ~~for~~ within urban areas in the downstream Otamatea, Mangakakahi and Utuhina Stream catchments¹.

Policy 3.1
3.1 Flooding and Stormwater

Ensure that risk from flooding is managed by:

- ~~• Prior to subdivision and development, undertaking a flood risk assessment using a detailed catchment wide model (which may include detailed hydrological and hydraulic modelling and hazard mitigation) to show how low flood risk will be achieved and maintained within the Development Area without increasing flood risk to downstream urban areas;~~
- ~~• Providing overland flow paths for events that are greater than that designed for; and~~
- ~~• Providing for other treatment measures that may arise because of site specific assessments.~~

Policy 3.1
3.1 Flood Hazard Risk Management

- a. The SMP prepared under Policy 2a.1 shall: In addition to achieving the outcomes required by Objective 3, Rotorua Lakes Council will
 - demonstrate that Objective 3 can be achieved; and
 - identify and protect primary and secondary overland flow paths downstream of the Pukehāngi Heights Development Area for extreme rainfall events (0.2% AEP) any storm event that exceeds the capacity of the stormwater solution provided within the Development Area

Policy 3.2
3.2 Refusing Resource Consent where Objective 3 Not Met

Rotorua Lakes Council will refuse applications for resource consent where the proposed subdivision, use or development will not achieve the downstream flooding risk outcomes listed in Objective 3.

Objective 4: Pukehāngi Heights Development Area – Landslide and Liquefaction Hazard Risk Management

¹ As defined by the BOP Regional Policy Statement

RLC Comments on Commissioners Draft Provisions

Ensure that development within the Pukehāngi Heights Development Area achieves and maintains a low level of landslide and liquefaction hazard risk² within the Development Area, without increasing risk in surrounding areas.

Policy 4.1

Landslide and Liquefaction Risk Management

Ensure that a low level of risk from landslide or liquefaction is achieved and maintained within the Development Area without increasing the risk to surrounding areas following subdivision and development by:

- a. Undertaking a landslide assessment in accordance with AGS 2007 Landslide Risk Management Framework as part of any application for subdivision;
- b. Undertaking a liquefaction assessment in accordance with Planning and engineering guidance for potentially liquefaction-prone land Resource Management Act and Building Act aspects Rev 0.1 Issue date September 2017 Ministry of Business, Innovation and Employment (MBIE) as part of any application for subdivision; and
- c. Implementing any necessary risk treatment measures to ensure that low landslide and liquefaction risk is achieved within the Development Area without increasing risk in surrounding areas.

Objective 5: Pukehāngi Heights Development Area – Nutrient Management

Development within the Pukehāngi Heights Development Area results in a decrease in nutrient losses thereby contributing to water quality improvements in Lake Rotorua.

Policy 5.1 Subdivision and land use shall be designed to achieve nutrient losses within the limits of the Nitrogen Discharge Allocation to the land, subject to Policy 5.2 below.

Policy 5.2 Any nutrient losses from subdivision and land use that exceed the limits of the Nitrogen Discharge Allocation to the land must be accounted for and offset otherwise subdivision consent will not be granted.

Policy 5.3 The assessment of nutrient losses shall follow best practice and be in accordance with any Council approved policy or guidelines, including any Nitrogen Allocation Transfer Plan (or equivalent) certified under the discharge consent for the Rotorua Wastewater Treatment Plant

A5.2.3 Rules - Pukehāngi Heights Development Area - Residential 1

A5.2.3.1 Activities

Table 5.2.3.1 a Pukehāngi Heights Development Area Residential 1

Rules	Activity Status
Land Use	
1. Any of the activities listed in the Residential 1 Zone but located in this Development Area other than those activities listed below.	As for Residential 1 Zone

² As defined by the BOP Regional Policy Statement

RLC Comments on Commissioners Draft Provisions

2. Any activity stated as a permitted activity that does not meet the performance standards in A5.2.3.3.	RD
3. An activity listed above as a Restricted Discretionary Activity (RD) that does not meet the performance standards in A5.2.3.3.	D
4. Infrastructure as shown on the Pukehāngi Heights Development Area Structure Plan	RD
5. Development within the 'Medium Density Residential Development Area' that meets Performance Standard A5.2.3.3 - 9.	RD
6. Child Care Centre within the Community, Retail and Commercial Area shown on the Structure Plan.	RD
7. Convenience Retail and Offices within the Community, Retail and Commercial Area shown on the Structure Plan.	RD
8. Café within the Community, Retail and Commercial Area shown on the Structure Plan.	RD
Subdivision	
9. Subdivision that is consistent with the principles of the Structure Plan for the Pukehāngi Heights Development Area and that complies with the Pukehāngi Heights Development Area - Residential 1 Subdivision Performance Standards A5.2.3.4.	RD
10. Subdivision within the 'Medium Density Residential Development Area' that meets Performance Standard A5.2.3.4	RD
11. Subdivision where the site includes an site of archaeological or cultural site importance.	RD
12. Subdivision within the Stormwater / Recreation Areas.	RD
13. Subdivision that is not consistent with the principles of the Structure Plan for the Pukehāngi Heights Development Area.	D
14. Subdivision that would otherwise be a Restricted Discretionary Activity and that does not comply with one or more of the Pukehāngi Heights Development Area - Residential 1 Subdivision Performance Standards A5.2.3.4.	D
15. Subdivision that would otherwise be a Restricted Discretionary Activity and that does not comply with A5.2.3.4.7 Stormwater Management and A5.2.3.4.8 Natural Hazard Risk Management	NC

RLC Comments on Commissioners Draft Provisions

<p>Exceptions:</p> <p>The following rules do not apply to the Pukehāngi Heights Development Area:</p> <p>Infrastructure: 15.5.25</p> <p>Subdivision 13.5.1.10</p>	
---	--

A5.2.3.2 Non-Notification

Any application for resource consent for the activities listed in Table A5.2.3.1 a 4 - 11 shall be considered without public or limited notification ~~or the need to obtain the written approval from affected parties~~ if the Land Use and/or Subdivision are consistent with the ~~principles of the Pukehāngi Development Area Structure Plan~~ Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:

- a. Applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy 2a-1 Applications that relate to culturally significant sites, downstream water quantity, downstream water quality or Lake Rotorua water quality will require the written approval of Te Rūnanga o Ngāti Kearoa Ngāti Tuarā Trust, Ngāti Whakaue (as represented by Te Komiro o te Utuhina or its successor), and Te Arawa Lakes Trust in order to proceed without limited notification.
- b. Subdivision applications that do not meet the subdivision performance standards in A5.2.3.4.7, A5.2.3.4.7a and A5.2.3.4.8 and A5.2.3.4.8a will require the written approval of the Bay of Plenty Regional Council in order to proceed without limited notification.

A5.2.3.3 Performance Standards - Land Use

- 1 The Residential 1 Zone provisions along with any other specific provisions apply in this Development Area unless otherwise specified below.
- 2 Yards
 - a. The minimum yard for buildings shall be as follows:
 - i. Front yards: 3.0m
 - ii. A garage door or carport shall be located at least 4.5m from the road boundary
 - iii. Side and rear yards: 1.5m
 - iv. Rear sites - south yard: 1.5m
 - v. Rear sites - all other yards: 2.5m
 - vi. Rural 1 Zone boundary 5m
 - vii. Yards from boundary adjacent to forestry where indicated in the Structure Plan 30m
 - b. Except on side boundaries where there is an existing common wall between two semi-detached units on adjacent sites, or where a common wall is proposed, no yard setback is required along that part of the boundary covered by such a wall.
- 3 Outdoor Recreation and Amenity Space

RLC Comments on Commissioners Draft Provisions

- a. The outdoor recreation and amenity space (including decks) for dwellings shall be:
 - i. a minimum of 40m² of the net site area excluding any areas used for parking and turning vehicles;
 - ii. directly accessible from the principal living room, dining room or kitchen; and
 - iii. capable of containing a 4.5m diameter circle.
 - b. Where the outdoor recreation and amenity space is located on the southern side of the dwelling it must be located at least 4m from the southern end of building.
- 4 Impervious Area
- The maximum site coverage for impermeable surfaces shall be 55%, except that the maximum site coverage for impermeable surfaces shall be 80% on sites with:
- i. Semi-detached dwellings; or
 - ii. Medium Density Residential Development located within the Medium Density Residential Development Area.
- 5 ~~Fencing~~ ~~Passive Surveillance of Streets~~
- a. The maximum height of any fence, wall or combination of these structures located between the dwelling and the front boundary of a site or adjoining any public open space:
 - i. shall not exceed 1.6m in height; and
 - ii. any fencing above 1.2m in height shall be visually permeable (that being that where any fencing is above 1.2m in height at least 50% of that area can be seen through).
 - b. Fences on rear boundaries adjoining Pukehāngi Road shall be visually permeable (that being at least 50% of the fencing can be seen through) but may incorporate screen planting behind.
- 6 Household Unit Density
- a. Semi Detached Unit
- In addition to the Residential Zone Performance Standard (4.6.4.a), the minimum net site area for a semi-detached unit shall be 500m² (250m² per unit).
- b. Smaller sites
- Where a site is less than 450m², the maximum density shall be one dwelling per site.
- 7 Protection of Landscape Values in Escarpment Transition Area 1
- a. Reflectivity:
 - i. The reflectivity value of external walls ~~roofs~~ and joinery shall not exceed 37%.
 - ii. The reflectivity value of roofs shall not exceed 25%
 - b. Fences and retaining walls:
 - a. Retaining walls shall not exceed 2m in height; and

RLC Comments on Commissioners Draft Provisions

- b. Retaining walls shall be screened with planting or constructed of low visibility materials such as, natural materials including stone and timber that weather naturally, or if painted, colours with a reflectivity value that shall not exceed 25%.

Note: Other conditions on site development may be identified in a Consent Notice registered on the relevant Certificate of Title.

8 Protection of Landscape Values in Escarpment Transition Area 2

- a. Height: The maximum height of a building or structure shall be 6m;
- b. Yards:
 - i. The minimum side yard for buildings shall be 5m and one side yard may be reduced to 2m; and
 - ii. The minimum rear yards for buildings shall be 7m.
- c. Modulation: Maximum continuous building length shall be 15m.
- d. Household Unit Density: One dwelling per lot.
- e. Reflectivity:
 - i. The reflectivity value of external walls ~~roofs~~ and joinery shall not exceed 37%.
 - ii. The reflectivity value of roofs shall not exceed 25%.
- f. Fences and retaining walls: Fencing or retaining walls (excluding front boundary fences) shall be screened with planting or constructed of low visibility materials such as, natural materials including stone and timber that weather naturally, or if painted, colours with a reflectivity value that shall not exceed 25%.

Note: Other conditions on site development may be identified in a Consent Notice registered on the Certificate of Title of the site.

9 Medium Density Residential Development

- a. Location: Within the areas as indicated on the Pukehāngi Heights Development Area Structure Plan.
- b. Urban Design Assessment: An Urban Design Assessment shall be provided with any resource consent application. The assessment shall be prepared by a suitably qualified urban design professional and shall set out the development objectives and design principles and address all matters of discretion in A5.2.6.2.
- c. Minimum parent ~~net~~ site area: 1500m².
- d. Minimum net site area per dwelling: 200m².
- e. Maximum height: 9m.
- f. Private outdoor living space:
 - i. Ground floor unit: A minimum of 25m² being able to accommodate a 4m diameter circle situated adjacent to one of the main living areas of the dwelling on the northern, eastern, or western side of the property;
 - ii. Upper floor unit: A minimum of 10m² being able to accommodate a 2.5m diameter circle situated adjacent to one of the main living areas; and

RLC Comments on Commissioners Draft Provisions

- iii. Any outdoor living space provided shall be exclusive of any access space.
 - g. Storage and service space: A minimum of 5m² of open space per dwelling that can accommodate a 2m diameter circle.
- 10 Community, Retail and Commercial Activities
- a. Location: Within each of the areas indicated on the Pukehāngi Heights Development Area Structure Plan the following activities may occur.
 - i. Convenience retail activities not exceeding 600m² in total gross floor area within each centre provided that any one tenancy shall be limited to a maximum of 300m²;
 - ii. Offices;
 - iii. Café: Up to 200m² net floor area; and
 - iv. Early Childhood Centre: Up to 50 Children.
- 11 The performance standards in A5.2.3.4 Performance Standards – Subdivision shall apply, where relevant, to any proposed land use that occurs prior to subdivision.

A5.2.3.4 Performance Standards – Subdivision

- 1 The provisions of Part 13: Subdivision for the Residential 1 Zone, along with any other relevant provisions of the District Plan, apply in the Pukehāngi Heights Development Area unless otherwise specified below.
- 2 Minimum Lot Width for Solar Access
The minimum width of any property where the front boundary faces north, and access is from the north, or is within 25 degrees of north, shall be 18m.
- 3 Semi-detached Units (i.e. one unit per 250m²)
Minimum lot area: 500m².
- 4 Protection of Landscape Values in Escarpment Transition Areas 1 and 2
A Landscape and Visual Assessment shall be provided for subdivision in Escarpment Transition Areas 1 and 2 as shown on the Pukehāngi Heights Structure Plan, prepared by a suitably qualified landscape architect and shall address:
 - i. Finished land contours and retaining structures;
 - ii. Layout of roads, access, buildings, and other structures;
 - iii. Landscape mitigation planting; and
 - iv. Design controls.
- 5 Protection of Landscape Values by Re-vegetation of Upper Escarpment
 - i. A subdivision consent application for all or part of the Upper Terrace shall include any part of the Upper Escarpment adjoining that part of the Upper Terrace as shown on the Pukehāngi Heights Structure Plan.
- 6 Medium Density Residential Development
Subdivision for Medium Density Residential Development assessed under Rule A5.2.3.1.5

RLC Comments on Commissioners Draft Provisions

7 Stormwater Management

~~A Stormwater Management Plan shall be provided which shall address;~~

- ~~• The scale and form of foreseeable urban development in the applicable catchment;~~
- ~~• An assessment of effects on stormwater water quality and quantity, including erosion and flooding hazards, in the applicable catchment Utuhina Catchment for the full reach downstream to Lake Rotorua;~~
- ~~• Proposals for management of stormwater water quality and quantity, including protection of overland flowpaths from inappropriate development;~~
- ~~• The sensitivity of proposed stormwater management measures to the staging of development in the Development Area;~~
- ~~• The potential effects of stormwater management measures on land stability and liquefaction;~~
- ~~• Infrastructural assets to be vested in the council; and~~
- ~~• Staging and timing for the vesting of infrastructural assets.~~

(a) Stormwater Management Plan (SMP) Compliance

- i. Stormwater management solutions for subdivisions must be consistent with the SMP prepared by Rotorua Lakes Council under Policy 2a.1 for the Pukehāngi Heights Development Area to ensure an integrated approach is taken to stormwater management.
- ii. Stormwater management solutions for subdivisions must be prepared by a suitably qualified and experienced practitioner.

(b) Information and Assessment Requirements for Stormwater management solutions for subdivisions

Stormwater management solutions for subdivisions must include the following information:

- i. The intended scale, nature and form (including ground levels) of development in the Development Area;
- ii. An assessment of the potential effects on water quality;
- iii. Details of mitigation measures including:
 - a. The size of ponds, location, configuration of the outlet structures, discharge locations, and hydraulic performance of the ponds for on-site ~~storm water~~ stormwater management; and
 - b. The size of channels and the related erosion protection measures for primary, secondary and overland flow paths (on-site and off-site) including for the receiving waterways immediately downstream.

The mitigation measures shall be designed to:

 - manage the potential adverse effects identified in A5.2.3.4.7(b)(ii) and ~~(iii)~~ (iv).
- iv. An assessment of potential effects of ~~storm water~~ stormwater management measures on land stability and liquefaction;
- v. The intended staging and timing for the provision and vesting and/or upgrading and replacement of infrastructural assets.

RLC Comments on Commissioners Draft Provisions

- vi. Detail of ongoing operational procedures and maintenance requirements for any water quantity and/or quality control structures or formed features such as ponds/dams.

7a Compliance with Rotorua Lakes Council Stormwater Discharge Consent

Any subdivision application must demonstrate that stormwater discharges can comply with the conditions of the Stormwater Discharge Consent held by Rotorua Lakes Council for the Pukehāngi Heights Development Area

8 Land Instability and Liquefaction Natural Hazard Risk Management

A Natural Hazard Risk Assessment that complies with Regional Policy Statement Appendix L – Methodology for Risk Assessment shall be provided which shall demonstrate that a low level of risk will be achieved within the Development Area without increasing risk elsewhere.

- ~~i. Flooding; and~~
- ~~ii. Land instability and liquefaction.~~

9 The location of the following features shall, where relevant to the subdivision, be delineated on the plan of subdivision and identified in a Consent Notice by an appropriate legal instrument on ~~the~~ the relevant Certificate of Title:

- a. Escarpment Transition Areas as shown on the Pukehāngi Heights Structure Plan; and
- b. All Lots to be used for Community, Retail and Commercial Activities in accordance with Rule A5.2.3.3 – 9.

10 Protection of Cultural Identity and Sites of Archaeological or Cultural Importance

The application shall:

- a. Report on the outcomes of consultation with Ngāti Kea Ngāti Tuarā and, where relevant, with other Te Arawa iwi and hapū with associations with the cultural landscape including downstream sites and values;
- b. Report on the outcomes of consultation with Heritage NZ if the subdivision includes an archaeological or cultural site;
- c. Identify measures that express the cultural identity of Ngāti Kea Ngāti Tuarā with the land, including:
 - i. Incorporate landmark features such as traditional or contemporary art works, into the street network that reflect the history of the area;
 - ii. Identify names of streets that reflect cultural associations of Tangata Whenua with the area;

RLC Comments on Commissioners Draft Provisions

- d. Identify measures that recognise and protect the interests of other Te Arawa iwi and hapū with associations with the cultural landscape including downstream sites and values;
- e. Identify measures to recognise the wider cultural landscape;
- f. Identify the location, extent and scale of the proposal in relation to any identified cultural and archaeological sites and areas;
- g. Identify the process and protocols that will be applied if other cultural and archaeological sites and areas are discovered prior to or during site works or development;
- h. Identify how cultural and archaeological sites and areas as shown on the Pukehāngi Heights Structure Plan heritage values will be protected, including:
 - i. How ~~archaeological~~ archaeological sites and areas will be integrated into the development;
 - ii. How sites and areas will be separated or buffered from urban activities; and
 - iii. Monitoring of the effects of development on ~~archaeological~~ archaeological sites and areas;
- i. Include proposals for the provision of access by Tangata Whenua to any cultural and archaeological sites and the on-going management of these sites; and
- j. Include mechanisms, for example, cultural awareness training or pre-start meetings, to ensure contractors are aware of the potential for archaeological discoveries, and the protocols to be followed should evidence be discovered.

Advice Notes:

1. Ngāti Kearoa Ngāti Tuarā Environmental Management Plan provides policies and protocols relating to wāhi tapu, wāhi whakahirahira and the discovery of koiwi tangata (remains) or taonga tuturu (traditional artefacts).
2. An Archaeological Authority is required from Heritage NZ for the modification or damage of an archaeological site, either recorded or unrecorded.

11 Development Traffic

- a. If no road connection is available between Area A and Area B, any road intersection connecting with Matipo Avenue from Area A may provide access for no more than 60 residential dwellings.
- b. If a road connection is available between Area A and Area B, the subdivision and development of Area A shall be designed such that any road intersection connecting with Matipo Avenue from Area A provides access for no more than 35 residential dwellings, or the equivalent number of vehicle trips during the evening peak hour established through traffic modelling methodology by a Suitably Qualified and Experienced Traffic or Transportation Engineer.
- c. Standard b above shall be deemed to be met where:
 - I. A road intersection at Pukehāngi Road/Malfroy Avenue is located generally as shown on the Pukehāngi Heights Development Area Structure Plan; and

RLC Comments on Commissioners Draft Provisions

II. The Indicative Primary Road in Area B up the Mid-site Escarpment is located generally as shown on the Pukehāngi Heights Development Area Structure Plan.

- d. Where a total of 500 or more residential lots, or the equivalent number of vehicle trips during the evening peak hour, are proposed within the Pukehāngi Heights Development Area a traffic assessment shall be provided to confirm that the level of service at the intersection of Malfroy Road and State Highway 5 is unlikely to exceed delays of 80 seconds after the development is complete.

12 Construction Traffic

For the subdivision and development of Area A, a Construction Traffic Management Plan shall be submitted that includes measures such that:

- a. All construction traffic is restricted from gaining access from Matipo Avenue, other than for the purpose of constructing an intersection with Matipo Avenue unless, at the time of intended construction and to Council's satisfaction, there is no ability it is not practicable to construct road access between Area A and Area B – in which case access from lower Matipo Avenue may be permitted;
- b. Unless the exception in a. above applies;
- All construction traffic gains access from ~~a temporary access road from the Great West Road boundary of Area B from Pukehāngi Road,~~ other than for the purpose of constructing an intersection with Matipo Avenue;
 - If, Prior to commencing construction, road access between Area A and Area B is practicable, signage shall be erected and displayed and maintained on and near the entrance of Matipo Avenue during construction of the development advising of the restrictions on construction traffic using Matipo Avenue for access and directing such traffic to the approved site access;
- c. The Construction Management Plan shall include (but not be limited to):
- Pavement rehabilitation, condition and monitoring;
 - Number of heavy vehicle movements;
 - Temporary speed limits;
 - Parking restrictions;
 - Hours and duration of operation;
 - Details of truck washing facilities;
 - Application of turning restrictions and truck routes.

To avoid doubt, “construction traffic” means heavy and light vehicles associated with subdivision and development, including but not limited to earthworks and the construction of infrastructure, but does not include traffic associated with construction of residential buildings and structures in the Development Area.

13 Construction Noise and Vibration

RLC Comments on Commissioners Draft Provisions

A Noise and Vibration Management Plan shall be submitted that includes:

- a. Construction methodology: timeframe, hours of operation, location plan;
- b. Appropriate noise and vibration limits based on recognised standards;
- c. An assessment of the receiving environment including sensitive activities;
- d. Noise and vibration sources and proposed mitigation; and
- e. Monitoring and complaints procedures.

14 Nutrient Management

A Nutrient Management Plan for the parent site, including any balance area, shall be submitted that includes:

- a. Confirmation of the Nitrogen Discharge Allocation for the parent site;
- b. Calculation of the nitrogen losses from the proposed development of the land in accordance with any Council approved policy or guidelines;
- c. Proposals to address any nitrogen shortfall, where the nitrogen losses from the proposed development of the land exceed the Nitrogen Discharge Allocation for the site. This may include transfer from other land, nitrogen trading or the application of a Council-operated offset regime;
- d. Nutrient management requirements to be met at full development and, where staged, at each stage of development.

A5.2.4 Rules - Pukehāngi Heights Development Area Mid Site Escarpment - Rural 2 Zone

The Rural 2 Zone provisions along with any other specific provisions apply in this Development Area unless otherwise specified below.

A5.2.4.1 Activities

Table 5.2.4.1 a Pukehāngi Heights Development Area - Rural 2

Rules	Activity Status
Land Use	
1. Any of the activities listed in the Rural 2 Zone but located in this Development Area other than those activities listed below.	As for Rural 2 Zone
2. Any activity stated as a permitted or controlled activity that does not meet all of the relevant performance standards listed in A5.2.4.3.	RD
3. Household unit.	P
4. Additional or subsidiary household unit.	RD
5. Infrastructure as shown on the Pukehāngi Heights Development Area Structure Plan	RD
Subdivision	

RLC Comments on Commissioners Draft Provisions

6. Subdivision within the Pukehāngi Heights Development Area that is consistent with the principles of the Pukehāngi Heights Development Area Structure Plan and that complies with the Pukehāngi Heights Development Area – Rural 2 Subdivision Performance Standards A5.2.4.4.	RD
7. Subdivision where the site includes an an site of archaeological or cultural site importance .	RD
8. Subdivision within the Pukehāngi Heights Development Area that is not consistent with the principles of the Pukehāngi Heights Development Area Structure Plan.	D
9. Subdivision that would otherwise be a Restricted Discretionary Activity and that does not comply with one or more of the Pukehāngi Heights Development Area – Rural 2 Subdivision Performance Standards.	D
10. <u>Subdivision that would otherwise be a Restricted Discretionary Activity and that does not comply with A5.2.4.4.5 Stormwater Management and A5.2.4.4.6 Natural Hazard Risk Management</u>	<u>NC</u>

A5.2.4.2 Non-Notification

Any application for resource consent for the activities listed in Table 5.2.4.1 a 5-7 shall be considered without public or limited notification ~~or the need to obtain the written approval from affected parties~~ if the Land Use and/or Subdivision are consistent with the ~~principles of the Pukehāngi Development Area Structure Plan~~ Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:

- a. applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy 2a.1 applications that relate to culturally significant sites, downstream water quantity, downstream water quality or Lake Rotorua water quality will require the written approval of Te Rūnanga o Ngāti Kēaroa Ngāti Tuarā Trust, Ngāti Whakāue (as represented by Te Komiro o te Utuhina or its successor), and Te Arawa Lakes Trust in order to proceed without limited notification.
- b. Subdivision applications that do not meet the subdivision performance standards in A5.2.4.4.4, and A5.2.4.4.5 and A5.2.4.4.5a will require the written approval of the Bay of Plenty Regional Council in order to proceed without limited notification.

A5.2.4.3 Performance Standards – Land Use

- 1 The Rural 2 Zone provisions along with any other specific provisions apply in this Development Area unless otherwise specified below.
- 2 Height
The maximum height of any building or structure shall be 6m.

2A Yards

RLC Comments on Commissioners Draft Provisions

The minimum yard for buildings shall be as provided for in the Rural 2 Zone provisions except as follows:

Yards from the boundary adjacent to forestry where indicated in the structure plan: 30m

3 Building Location

All buildings shall be located within the buildable area/s identified on each allotment.

4 Site Coverage

Site coverage of all buildings shall not exceed 400m².

5 Density

One household unit per site.

6 Reflectivity

- i. The reflectivity value of external walls, ~~roofs~~ and joinery shall not exceed 37%.
- ii. The reflectivity value of roofs shall not exceed 25%

7 Fencing or Retaining Walls

Fencing or retaining walls adjacent to the escarpment shall be screened with planting or constructed of low visibility materials such as, natural materials including stone and timber that weather naturally, or if painted, colours with a reflectivity value that shall not exceed 25%.

Note: Fencing shall be low key in design and avoid urbanised post and panel boundary lot fencing that will dominate the pattern of development along the mid-site escarpment. Post and 3 – 5 rail and wire fencing is appropriate.

8 Forestry

No forestry activity except:

- a. re-vegetation that is consistent with the principles of the Pukehāngi Heights Structure Plan; or
- b. forestry activity within the Pukehāngi Southern Slopes.

9 Farming

No agricultural production activity shall be undertaken except within the Pukehāngi Southern Slopes.

10 The performance standards in A5.2.4.4 Performance Standards – Subdivision shall apply, where relevant, to any proposed land use that occurs prior to subdivision.

A5.2.4.4 Performance Standards – Subdivision

- 1 The provisions of Part 13: Subdivision for the Rural 2 Zone, along with any other relevant provisions of the District Plan, apply in the Pukehāngi Heights Development Area unless otherwise specified below.

1a Minimum Lot Area

The minimum average area of lots in the Mid-site Escarpment shall be 4,000 m². For the avoidance of doubt the calculation of the minimum average area shall include all land in the Mid-site Escarpment that is open space, reserves and roads, regardless of any such land being vested in Council.

RLC Comments on Commissioners Draft Provisions

2 Building Platform and Access

Each new lot shall show the location of a suitable building platform of at least 200m² and the alignment of future access.

3 Landscape Concept Plan and Visual Assessment

A landscape concept plan and visual assessment shall be provided with the subdivision consent application. The landscape concept plan and visual assessment shall be prepared by a suitably qualified landscape architect and shall demonstrate how the objectives and policies for the maintenance and enhancement of landscape values will be met, including but not limited to the consideration of building locations, built form, ancillary structures, earthworks, vegetation, access and lighting.

The following detail shall be required as a condition of consent:

- a. A planting schedule;
- b. A planting programme;
- c. A post-planting maintenance regime including a pest plant and pest animal management programme; and
- d. Ownership and management systems to enable the planting programme and maintenance regime to be undertaken in an on-going manner.

4 Stormwater Management

The performance standards contained in A5.2.3.4 Performance Standards – Subdivision, sub-section 7: Stormwater Management and 7a: Compliance with Rotorua Lakes Council Stormwater Discharge Consent.

~~A Stormwater Management Plan shall be provided which shall address;~~

- ~~• The scale and form of foreseeable urban development in the applicable catchment;~~
- ~~• An assessment of effects on stormwater water quality and quantity, including erosion and flooding hazards in the applicable catchment for the full reach downstream to Lake Rotorua;~~
- ~~• Proposals for management of stormwater water quality and quantity, including protection of overland flowpaths from inappropriate development;~~
- ~~• The sensitivity of proposed stormwater management measures to the staging of development in the Development Area;~~
- ~~• The potential effects of stormwater management measures on land stability and liquefaction;~~
- ~~• Infrastructural assets to be vested in the council; and~~
- ~~• Staging and timing for the vesting of infrastructural assets.~~

5 Land Instability and Liquefaction Natural Hazard Risk Management

A Natural Hazard Risk Assessment that complies with Regional Policy Statement Appendix L – Methodology for Risk Assessment shall be provided which shall confirm that a low level of level of risk will be achieved within the Development Area without increasing risk elsewhere:

- ~~a. Flooding; and~~

RLC Comments on Commissioners Draft Provisions

- b. ~~Land instability and liquefaction.~~

6 Protection of Cultural Identity and Sites of Archaeological or Cultural Importance

Where the subdivision includes an archaeological or cultural site identified on the Structure Plan the application shall:

- a. Report on the outcomes of consultation with Ngāti Kea Ngāti Tuarā and, where relevant, with other Te Arawa iwi and hapū with associations with the cultural landscape including downstream sites and values;
- b. Report on the outcomes of consultation with Heritage NZ if the subdivision includes an archaeological or cultural site;
- c. Identify measures that express the cultural identity of Ngāti Kea Ngāti Tuarā with the land, including:
 - i. Incorporate landmark features such as traditional or contemporary art works, into the street network that reflect the history of the area;
 - ii. Identify names of streets that reflect cultural associations of Tangata Whenua with the area;
- d. Identify measures that recognise and protect the interests of other Te Arawa iwi and hapū with associations with the cultural landscape including downstream sites and values;
- e. Identify measures to recognise the wider cultural landscape;
- f. Identify the location, extent and scale of the proposal in relation to any identified cultural and archaeological sites and areas;
- g. Identify the process and protocols that will be applied if other cultural and archaeological sites and areas are discovered prior to or during site works or development;
- h. Identify how cultural and archaeological sites and areas ~~heritage values~~ will be protected, including:
 - i. How ~~archaeological sites and areas~~ will be integrated into the development;
 - ii. How sites and areas will be separated or buffered from urban activities; and
 - iii. Monitoring of the effects of development on ~~archaeological sites and areas;~~
- i. Include proposals for the provision of access by Tangata Whenua to any cultural and archaeological sites and the on-going management of these sites; and
- j. Include mechanisms, for example, cultural awareness training or pre-start meetings, to ensure contractors are aware of the potential for archaeological discoveries, and the protocols to be followed should evidence be discovered.

Advice Notes:

1. Ngāti Kearoa Ngāti Tuarā Environmental Management Plan provides policies and protocols relating to wāhi tapu, wāhi whakahirahira and the discovery of koiwi tangata (remains) or taonga tuturu (traditional artefacts).

RLC Comments on Commissioners Draft Provisions

2. An Archaeological Authority is required from Heritage NZ for the modification or damage of an archaeological site, either recorded or unrecorded.

7 Development Traffic

- a. If no road connection is available between Area A and Area B, any road intersection connecting with Matipo Avenue from Area A may provide access for no more than 60 residential dwellings.
- b. If a road connection is available between Area A and Area B, the subdivision and development of Area A shall be designed such that any road intersection connecting with Matipo Avenue from Area A provides access for no more than 35 residential dwellings, or the equivalent number of vehicle trips during the evening peak hour established through a traffic modelling methodology approved by the Council.
- c. Standard b above shall be deemed to be met where:
 - I. A road intersection at Pukehāngi Road/Malfroy Avenue is located generally as shown on the Pukehāngi Heights Development Area Structure Plan; and
 - II. The Indicative Primary Road in Area B up the Mid-site Escarpment is located generally as shown on the Pukehāngi Heights Development Area Structure Plan.
- d. Where a total of 500 or more residential lots, or the equivalent number of vehicle trips during the evening peak hour, are proposed within the Pukehāngi Heights Development Area a traffic assessment shall be provided to confirm that the level of service at the intersection of Malfroy Road and State Highway 5 is unlikely to exceed delays of 80 seconds after the development is complete.

8 Construction Traffic

RLC Comments on Commissioners Draft Provisions

For the subdivision and development of Area A, a Construction Traffic Management Plan shall be submitted that includes measures such that:

- d. All construction traffic is restricted from gaining access from Matipo Avenue, other than for the purpose of constructing an intersection with Matipo Avenue unless, at the time of intended construction and to Council's satisfaction, there is no ability-it is not practicable to construct road access between Area A and Area B – in which case access from lower Matipo Avenue may be permitted;
- e. Unless the exception in a. above applies;
 - All construction traffic gains access from ~~a temporary access road from the Great West Road boundary of Area B from Pukehāngi Road,~~ other than for the purpose of constructing an intersection with Matipo Avenue;
 - If, Prior to commencing construction, road access between Area A and Area B is practicable, signage ~~is~~ shall be erected and displayed and maintained on and near the entrance of Matipo Avenue during construction of the development advising of the restrictions on construction traffic using Matipo Avenue for access and directing such traffic to the approved site access;
- f. The Construction Management Plan shall include (but not be limited to):
 - Pavement rehabilitation, condition and monitoring;
 - Number of heavy vehicle movements;
 - Temporary speed limits;
 - Parking restrictions;
 - Hours and duration of operation;
 - Details of truck washing facilities;
 - Application of turning restrictions and truck routes.

To avoid doubt, “construction traffic” means heavy and light vehicles associated with subdivision and development, including but not limited to earthworks and the construction of infrastructure, but does not include traffic associated with construction of residential buildings and structures in the Development Area.

9 Construction Noise and Vibration

A Noise and Vibration Management Plan shall be submitted that includes:

- a. Construction methodology: timeframe, hours of operation, location plan;
- b. Appropriate noise and vibration limits based on recognised standards;
- c. An assessment of the receiving environment including sensitive activities;
- d. Noise and vibration sources and proposed mitigation; and
- e. Monitoring and complaints procedures.

10 Nutrient Management

A Nutrient Management Plan for the parent site, including any balance area, shall be submitted that includes:

RLC Comments on Commissioners Draft Provisions

- a. Confirmation of the Nitrogen Discharge Allocation for the parent site.
- b. Calculation of the nitrogen losses from the proposed development of the land in accordance with any Council approved policy or guidelines.
- c. Proposals to address any nitrogen shortfall, where the nitrogen losses from the proposed development of the land exceed the Nitrogen Discharge Allocation for the site. This may include transfer from other land, nitrogen trading or the application of a Council-operated offset regime.
- c. Nutrient management requirements to be met at full development and, where staged, at each stage of development.

Commented [KD2]: Numbering correction: should be a 'd'.

A5.2.5 Rules - Pukehāngi Heights Development Area Upper Escarpment - Rural 1 Zone

The Rural 1 Zone provisions along with any other specific provisions apply in this Development Area unless otherwise specified below.

A5.2.5.1 Activities

Table 5.2.5.1 a Pukehanghi Heights Development Area – Rural 1

Rules	Activity Status
Land Use	
1. Any of the activities listed in the Rural 1 Zone other than those activities listed below.	As for Rural 1 Zone
2. Buildings	NC
Subdivision	
3. Subdivision that is consistent with the principles of the Structure Plan for the Pukehāngi Heights Development Area and complies with the Pukehāngi Heights Development Area - Rural 1 Subdivision Performance Standards A5.2.5.4.1	RD
4. Subdivision that is not consistent with the principles of the Structure Plan for the Pukehāngi Heights Development Area or does not comply with the Pukehāngi Heights Development Area - Rural 1 Subdivision Performance Standards A5.2.5.4.1	D

A5.2.5.2 Non-Notification

Any application for resource consent for the activities listed ~~as 3 in~~ Table A5.2.5.1 Rule 3 shall be considered without public or limited notification ~~or the need to obtain the written approval from affected parties~~ if the Land Use and/or Subdivision are consistent with the ~~principles of the Pukehāngi Development Area Structure Plan~~ Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:

- a. applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy 2a.1 applications that relate to culturally significant sites, downstream water quantity, downstream water quality or Lake Rotorua water quality will require the written

RLC Comments on Commissioners Draft Provisions

approval of Te Rūnanga o Ngāti Kearoa Ngāti Tuarā Trust, Ngāti Whakaue (as represented by Te Komiro o te Utuhina or its successor), and Te Arawa Lakes Trust in order to proceed without limited notification.

- b. Subdivision applications that do not meet the subdivision performance standards in A5.2.3.4.7, A5.2.3.4.7a and A5.2.3.4.8, and A5.2.3.4.8a will require the written approval of the Bay of Plenty Regional Council in order to proceed without limited notification.

A5.2.5.3 Performance Standards – Land Use

- 1 The Rural 1 Zone provisions apply.

- 2 Yards

The minimum yard for buildings shall be as provided for in the Rural 1 Zone provisions except as follows:

Yards from the boundary adjacent to forestry where indicated in the structure plan: 30m

A5.2.5.4 Performance Standards – Subdivision

- 1 Protection of Landscape Values by Re-vegetation of Upper Escarpment
 - a. The Upper Escarpment shall be partially re-vegetated to provide a backdrop to development on the Upper Terrace.
 - b. A subdivision consent application for all or part of the Upper Terrace shall include any part of the Upper Escarpment adjoining that part of the Upper Terrace.
 - c. Upper Escarpment Planting Plan: A planting plan shall be provided with the subdivision consent application. This shall be prepared by a suitably qualified landscape architect and shall specify:
 - i. A planting schedule; and
 - ii. A planting programme.
 - d. A post-planting maintenance regime including a pest plant and pest animal management programme.

A5.2.6 RESTRICTED DISCRETIONARY ACTIVITIES: METHOD OF ASSESSMENT

Council shall restrict its discretion to the following matters.

A5.2.6.1 Land Use within the Pukehāngi Heights Development Area – Residential 1 Zone and Rural 2 Zone that does not meet the performance standards

- 1 The effects of non-compliance with the performance standards; and
- 2 The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the Residential 1 Zone and Rural 2 Zone will continue to be met.

A5.2.6.2 Land Use within the Pukehāngi Heights Development Area – Medium Density Residential Development on the Identified Sites

RLC Comments on Commissioners Draft Provisions

- 1 The extent to which the principles of the Pukehāngi Heights Development Area Structure Plan will be achieved;
- 2 The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the underlying zone will be met;
- 3 The compatibility between surrounding residences and the proposed development, having regard to the protection of visual and aural privacy and visual dominance of buildings; and
- 4 The quality of the environmental outcomes achieved for residents within the development having regard to:
 - a. Visual and aural privacy;
 - b. Access to open space;
 - c. On-site amenity planting;
 - d. Accessibility for all abilities;
 - e. Pedestrian and cycle connectivity;
 - f. Safe and convenient access and parking for vehicles (if provided); and
 - g. Solar access and passive heating and ventilation.

A5.2.6.3 Land Use within the Pukehāngi Heights Development Area - retail, cafe and early childhood centres

- 1 The extent to which the principles of the Pukehāngi Heights Development Area Structure Plan will be achieved;
- 2 The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the underlying zone will be met;
- 3 The compatibility between the proposed development and surrounding residential activities having regard to the protection of visual and aural privacy, and visual dominance of buildings;
- 4 The extent to which the development will promote walkable access to local services; and
- 5 The extent to which the development provides for safe and convenient access and parking for vehicles, and minimises traffic congestion within the surrounding streets.

A5.2.6.4 Land Use within the Pukehāngi Heights Development Area Additional or Subsidiary household unit - Rural 2 Zone

- 1 The extent to which the principles of the Pukehāngi Heights Development Area Structure Plan will be achieved; and
- 2 The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the underlying zone will be met.

A5.2.6.5 Subdivision within the Pukehāngi Heights Development Area – Residential 1 Zone, Rural 1 and 2 Zones and Passive Open Space Overlay

- 1 The extent to which the principles of the Pukehāngi Heights Development Area Structure Plan will be achieved;

RLC Comments on Commissioners Draft Provisions

- 2 The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the underlying zone will be met; and
- 3 The appropriateness of ownership and management measures to ensure the required re-vegetation is maintained in perpetuity.

A5.2.7

Methods

- 1 Applicants and Council shall support and facilitate tangata whenua participation in resource management processes.

PLAN CHANGE TEXT – PROPOSED CONSEQUENTIAL CHANGES

~~A5.8 TWIN OAKS DEVELOPMENT PLAN~~

~~A5.8.1 Introduction~~

~~The Twin Oaks Development Plan covers the land identified in A5.8.5 located at the top of Matipo Avenue, Pukehāngi, with the underlying zoning being Rural 2 and Residential 1. This adjoins existing residential-zoned land that provides high connectivity to the Rotorua urban environment and associated infrastructure.~~

~~The development plan provides for the establishment of a retirement facility consisting of residential units, village facilities and a hospital to service the retirement facility. A portion of the site will also be developed for residential land uses, these being separate to the retirement facility. The site's strategic location will provide the development with significant view shafts of Lake Rotorua, without reducing the character and values associated with the Rotorua caldera.~~

~~All development within the development area identified on the Twin Oaks Development Plan shown in A5.8.5 requires resource consent, except for activities permitted in the underlying zones.~~

~~A5.8.2 Activity Status~~

- ~~1. Development complying with the performance standards specified in A5.8.3 shall be considered as a restricted discretionary activity with the council's discretion limited to the matters reserved in A5.8.4.~~
- ~~2. Development not complying with the performance standards in A5.8.3 shall be a discretionary activity.~~

~~A5.8.3 Performance Standards~~

~~The following performance standards shall apply to all development under this Development Plan, regardless of the activity status.~~

~~1. Village Site and Building Development Units~~

~~a Village Units~~

- ~~i Maximum 120 units.~~
- ~~ii Licence to Occupy or similar tenure.~~
- ~~iii Anticipated occupancy 1.3 persons /unit.~~
- ~~iv Range of sizes 1, 2 and 3 bedroom.~~
- ~~v Generally single storey stand-alone units with some duplex (single storey) and terrace units (2 storeys).~~
- ~~vi Each unit with single garage, outdoor living space, service area.~~

- vii — Maximum height 7.5 metres.
- viii — Consistent architectural style and landscape/amenity planting.
- ix — Set back from north west boundary according to zone standards.
- x — Set back from south slope according to geotechnical requirements.

b. — Village Facilities

- i — 2 storey facilities building with a maximum, floor area of 500 m².
- ii — Maximum height 7.5 metres.
- iii — Provision for village administration, communal lounge, dining, recreation, pool, gymnasium, library, crafts.
- iv — Outdoor recreation — bowls, tennis, petanque.
- v — Visitor parking associated with facilities and at strategic locations throughout village.
- vi — Walkways.

c. — Village Hospital

- i — Aged care, assisted care, respite care.
- ii — 30 beds.
- iii — Single storey.
- iv — A maximum area of 6000 m² site.
- v — Independent operation.

d. — Village Infrastructure

- i — Subject to rule A5.8.3.1 d. vi., provide a single point entry from the new road to be vested.
- ii — All internal roads shall be constructed to provide a minimum 6 metre sealed carriageway.
- iii — A temporary access road shall be formed from the Great West Road boundary to the development site for construction traffic, and all construction traffic associated with the construction and establishment of the village units, facilities and hospital, and associated with the construction and establishment of the residential subdivision shall use that temporary access road.
- iv — There shall be no access for all construction traffic associated with the development over Matipo Avenue.
- v — Notwithstanding rules A5.8.3.1 d. iii. and iv, construction traffic associated with construction or residential buildings and structures in the Residential Development area may use Matipo Avenue for access.
- vi — The developer shall, as part of the development, provide an additional road access point to the boundary of the land to the north west of the Development Plan area with the intent that should the adjoining landowner and the owner of the retirement village in the future desire and agree additional access to the Development Area over the adjoining land, then such additional access point shall provide an option to do so.

2. Residential Subdivision and Development

- a. Access to the development shall be gained from the proposed road to be vested in Council.
- b. Lots shall not be less than 700 m² in area.
- c. A maximum of 20 residential lots containing up to a total of 20 household units may be developed. No further subdivision of these sites or increase in household density beyond this shall be allowed and this shall be recorded by way of a legal covenant.

3. Traffic

- a. Construction and Service Traffic
 - i. All construction traffic (heavy and light vehicles) associated with the development of the village units, facilities and hospital and the residential subdivision shall use the temporary access road from the Great West Road boundary.
 - ii. Prior to commencing construction, the developer shall cause to be erected and displayed and maintained on and near the entrance of Matipo Avenue during construction of the development, clearly visible signage advising of the prohibition of construction traffic using Matipo Avenue to access the development and directing such traffic to Great West Road.
 - iii. Service traffic associated with the village units, facilities and hospital shall not use Matipo Avenue for access outside the hours of 8am to 6pm Monday to Friday and outside of 10am to 2pm Saturday and Sunday and on Public Holidays.
- b. Traffic Safety Audit
 - i. Traffic safety audits shall be undertaken at the following two key stages of the Twin Oaks development and implementation:
 - (a) at the completion of the detailed design; and
 - (b) post construction.
 - ii. The audits shall be independent of council, the developer or their agents.
 - iii. The audits shall be undertaken by a suitably qualified traffic engineer.
 - iv. The study area shall extend from the Pukehāngi Road / Matipo Avenue intersection along Matipo Avenue approximately 550 metres and shall include the new intersection and link road into the Twin Oaks development. The road and street layout within the Twin Oaks development is outside of the scope of the audit.
 - v. The audit shall encompass the environs of the Pukehāngi / Matipo intersection and include intervisibility sight lines. To set the appropriate geometric parameters the audit should take cognisance of projected traffic volumes provided by the developer (reference: Urbis report 2013).

~~A5.8.4 — Restricted Discretionary Activities : Method of Assessment~~

~~A5.8.4.1 — Development in accordance with the Twin Oaks Development Plan contained within Appendix 5.8~~

~~The council will limit its discretion to the matters below:~~

- ~~1. — How noise, traffic and dust generated from construction will be managed to be contained within the site boundaries.~~
- ~~2. — The extent to which the proposed development will be adequately serviced by water, sewage and storm water in accordance with Council engineering standards.~~
- ~~3. — The extent to which the development is in accordance with the standards specified in A5.8.3 and located in accordance with the plan shown in A5.8.5.~~
- ~~4. — Any development shall comply with the performance standards specified within the Residential 1 zone for the proposed residential development or the Rural 2 zone for the village units, facilities, hospital and infrastructure, to the extent that those performance standards are not inconsistent with the standards in rule A5.8.3.~~
- ~~5. — Traffic matters covered by rule A5.8.3.3, including the ability to impose conditions regarding the frequency and timing of traffic safety audits and traffic surveys.~~
- ~~6. — Any residential subdivision shall comply with the relevant provisions of Part 13 Subdivision, to the extent that those are not inconsistent with the standards in rule A5.8.3.2.~~

A5.8.5 Twin Oaks Development Plan



PART 4 RESIDENTIAL

...

Table 4.5 : Activities in the Residential 1 - 5 Zones

Rules	Zones				
	RD1	RD2	RD3	RD4	RD5
General					
5. — Development in accordance with the Twin Oaks Development Plan contained within Appendix 5, Development Plans	RD	NA	NA	NA	NA

4. Household Unit Density

a. Residential 1

- iv — ~~Within the area covered by the Twin Oaks Development Plan only one household unit may be constructed for each 700m² net site area. See Appendix 5.8~~

4.8.2 Assessment Criteria for Specific Activities

Council will consider the relevant assessment criteria below for activities listed as restricted discretionary activities:

~~6. — Development in accordance with the Twin Oaks Development Plan~~

~~See Appendix 5.8.~~

PART 9

RURAL

...

Table 9.5: Activities in the Rural Zones

Rules	Zones		
	RR1	RR2	RR3
Community Facilities			
30. Development in accordance with the Twin Oaks Development Plan contained within Appendix 5.8	NA	RD	NA

9.8.2 Assessment Criteria for Specific Activities

The council will consider the relevant assessment criteria below for activities listed as restricted discretionary activities.

- ~~7. Development in accordance with the Twin Oaks Development plan
See Appendix 5—Development Plans.~~

PART 12

FUTURE GROWTH

12.1 INTRODUCTION

The Rotorua District Council has undertaken significant research to ensure that the district is well planned and serviced. Such research has included annual reviews of growth assumptions and the Rotorua Basin Structure Plan which integrates the eastern and western structure plans.

The zones in this plan are based on the mid-growth forecasts provided in the Growth Assumptions 2011 report and are able to support this level of population growth to 2021. The district plan sets the zoning pattern for the next 10 to 15 years. The structure plans and growth assumptions have longer planning horizons out to 2051. To provide a clearer link between these documents the district plan identifies a number of future growth areas for urban and employment opportunities. This part indicates a vision for where longer term growth is going to be directed.

The future growth areas include:

- Residential and rural-residential expansion through the provision of development zones that generally align with the Rotorua Basin Structure Plan and are within immediate proximity to existing infrastructure and the city centre.
- The integration of land use development with infrastructure, including existing and future transport corridors.

These actions recognise that the community should have some choice in how to enable social and economic well-being.

The council wants to ensure that the development of these areas occurs in an affordable, integrated and sustainable manner. To achieve this, direction on the nature and scale of development for each of the future growth areas is provided within this part.

12.1.1 Future Urban Growth Zones

In 2013 the population for Rotorua was 65,280. When the District Plan was reviewed [†]The population growth projections for Rotorua out to 2021 and 2051 are predicted to be within medium forecasts with Rotorua expected to grow by 0.37% per annum from 2011 to 2021, and 0.15% per annum from 2021 to 2051. Whilst there is enough capacity within existing suburbs to supply the medium forecast population growth through infill housing, there is still a steady and on-going demand for urban development and options in residential lifestyle. Appropriate opportunities for such growth to occur should be provided for, with regard to the duration of the district plan.

The district plan has identified areas of rural land that are suitable for future land conversion and are considered to be the city's future urban land bank. These are located in the southwest area of the district adjoining Pukehāngi Road. Much of this

land has now been rezoned to enable development. However, the future Community Assets Zone remains, and as such provisions remain within this Chapter to guide any future consenting of this area. At present these areas contain a mixture of rural activities and directly adjoin the Rotorua urban environment increasing ease of access to infrastructure, city amenities and services such as emergency services and the city centre increasing the suitability for urban development.

The Pukehāngi growth zone extends along Pukehāngi Road and will provide for a mixed number of future development zones including Residential 1, Rural 2 and Community Asset zone. The future residential zone covers the lower slopes of the site up to the 340 metre contour, covering an approximate area of 40 hectares. A future Community Asset reserve is also located within this area reflecting the future potential development of an educational facility.

The Policy framework has also been retained should subsequent Future Growth Areas be included in the District Plan in the future.

The future Rural 2 zone is then located between the 340 and 380m contours. The remaining area of land within the site will operate under the Rural 1 zone.

There is no trigger for the release of land within the future growth zones, however there are constraints on when each future zone is able to be developed. Given the large areas of land the future growth zone encompasses it is intended to stage the development. This will ensure the extension of residential and rural residential activities occurs in a structured manner and provides for the efficient development of infrastructure.

The future growth zone is divided by the existing Rural B1 zone. It is intended that the future growth zones on either side of Parklands is developed in stages. Only one of these stages can be developed at a time. The ability to submit a development plan covering the other development stages is still provided for. However construction cannot occur until at least 70% of each previously developed stage has been sold.

12.2 KEY ENVIRONMENTAL ISSUES

There are five key issues influencing the policy framework in the Future Growth area.

12.2.1 Economic and Social Well-being of the District

Restricting land for urban expansion reduces development options to infill housing which can increase localised areas of traffic congestion and reduce privacy and useable lot sizes in turn impacting residential amenity and housing affordability. Whilst Rotorua is forecast to have limited population growth within the life of this district plan, the provision of land for urban development will increase the level of lifestyle choices provided to Rotorua residents and the ability to complete innovative and flexible developments. This will enable well designed development and provide the ability for the community to contribute to the social and economic well-being of Rotorua.

12.2.2 Development of the Future Growth Areas and Infrastructure

Fragmented development can effectively make further land conversion uneconomic. This is particularly so if development affects or pre-empts the effective and efficient location of infrastructure services and other supporting land use activities. In addition fragmented development can reduce the efficient use of rural land for agricultural practices. Large-

scale development should occur in a planned and structured approach, taking into account the environmental qualities and features of the land, as well as the need to provide strong and efficient connections with the existing urban area. No development should occur within the identified development zones until a comprehensive design process has been undertaken for each development zone, providing the community with an opportunity to have an input.

12.2.3 The Provision of Infrastructure

Additional infrastructure such as water supply, roads, sewage, electricity and stormwater disposal is often necessary to service new development. Certain areas of development may have the potential to connect into existing infrastructure that has the capacity to meet the demand. In other instances an upgrade and/or extension will be required. There is a need to ensure any proposed infrastructure is capable of supporting the full development potential of the land, thus providing for the sustainable management and a reduction in economic cost of development in the future.

There is a need to co-ordinate subdivision and development with cost-effective infrastructure provision. Development that is inconsistent with the anticipated and planned settlement pattern carries a high risk of unforeseen effects on infrastructure, and in particular the transport network.

12.2.4 Subdivision and Development

The identified urban development areas are adjacent to the sensitive rural area in the Rotorua caldera which provides the valued rural backdrop to the Rotorua city and has been identified by the community as sensitive to urban growth. Within the future growth area there are components of the site which are less visible than others where development will maintain the amenity and character of the Rotorua district. In elevated areas that have higher visibility development will need to be designed in a manner to maintain these existing amenity and character values.

12.2.5 The Development of Rural Land

As urban activities, such as rural residential or low density residential development, occur within established rural areas, many of the effects associated with the operation of farms or other existing rural activities e.g. noise, dust, hours of operation, odour become less accepted by the community and as a consequence pressures are placed on existing operations to reduce their activities. These pressures are increased as the scale of urban activity increases particularly where it occurs in a fragmented manner. In contrast development of an industrial nature also has the ability to impact the existing amenity associated with residential activities located within the immediate vicinity. Reverse sensitivity effects associated with development within these growth areas will need to be avoided.

12.3 OBJECTIVES AND POLICIES

The specific Objectives and Policies for the future growth area are stated below.

The Objectives and Policies below shall be read in conjunction with the provisions in Parts 1-3 and the technical requirements in Parts 13-17.

Economic and Social Well-being of the District

Objective 12.3.1 Sufficient land area suited for future urban and economic development that provides the residents of Rotorua with a range of lifestyle and development choices.	
Policy 12.3.1.1	Identify areas within the district to meet future demand for residential development.
Policy 12.3.1.2	Ensure that development in the areas identified for new growth is carried out in a manner that meets the community's needs and avoids, remedies or mitigates adverse environmental effects.

Development of the Future Growth Areas and Infrastructure

Objective 12.3.2 Subdivision and development within growth areas completed in a structured and integrated pattern, with the environmental qualities of the land fully identified and sustainably managed.	
Policy 12.3.2.1	Identify the key infrastructural, community, cultural and environmental opportunities and constraints for each new growth area and ensure that these are reflected in the development of each area.
Policy 12.3.2.2	Ensure that the activities carried out in the future urban area do not generate adverse environmental effects and or compromise future land use.
Policy 12.3.2.3	Avoid fragmented development that results in inefficiencies in the provision of infrastructure.

The Provision of Infrastructure

Objective 12.3.3 Serviced development that safely connects to the existing road network, utility reticulation, provides a potable drinking water supply and sufficiently caters for the future development potential of the site.	
Policy 12.3.3.1	Manage urban subdivision and land development to connect with the existing infrastructure and transportation network, according to the capacity limitations of that network where available and the potential requirements for upgrading its capacity.
Policy 12.3.3.2	Require all subdivision and development to be coordinated with the planned provision of infrastructure, integrated with the transport network and the district's road hierarchy.
Policy 12.3.3.3	Provide for urban expansion where such growth does not adversely affect the safe and efficient use and development of land, roads and infrastructure.

Policy 12.3.3.4	Ensure a reasonable share of additional cost of infrastructure arising from subdivision and development is met by the applicant.
-----------------	--

Subdivision and Development

Objective 12.3.4	
The amenity values associated with the Rotorua caldera landscape and adjacent zones is maintained when subdivision and development occurs.	
Policy 12.3.4.1	Ensure that any development in the future development areas does not have an adverse impact on the caldera landscape.
Policy 12.3.4.2	Manage development to ensure it will not unduly conflict with existing activities on adjoining properties, compromise future urban development potential or give rise to adverse effects on the amenity of the caldera.
Policy 12.3.4.3	Ensure subdivision and development is designed in a manner that is cognisant of the amenity values associated with the Rotorua caldera and differences in amenity values within adjacent zones.

The Development of Rural Land

Objective 12.3.5	
Efficient and safe operation of the transport network and adjoining rural activities when development in future growth areas occurs.	
Policy 12.3.5.1	Restrict subdivision and development that compromise the safe, efficient and effective functioning of regionally significant infrastructure, including the transportation network.
Policy 12.3.5.2	Manage development to ensure it will not unduly conflict with existing activities on adjoining properties, compromise future urban development potential or give rise to adverse environmental effects.

12.4 ENVIRONMENTAL OUTCOMES

The efficiency and effectiveness of the policy framework of this part will be the focus of on-going monitoring and review. Effectiveness or achievement of the objectives will be assessed through performance indicators. The performance indicators will be developed to measure the following outcomes that the policy framework was put in place to achieve.

1. Increased economic and social well-being of the Rotorua residents by providing well planned subdivision and development.

2. Increased availability of well-designed lots that are connected to existing infrastructure that has the capacity to service the full development potential of the site or that can be upgraded to cater for the growth demands.
3. Structured and coherent subdivision and development that does not restrict future development potential and does not decrease the amenity and landscape characteristics of the surrounding area.
4. A range of different lifestyle and living options.

12.5 RULES

Table 12.5 identifies the status of activities which are provided for in this part of the plan.

The following abbreviations for the zones are used in activity Table 12.5:

FRD1 =	Future Residential 1
FRR2 =	Future Rural 2
FRV3 =	Future Reserve 3

The following abbreviations are used for classes of activities in activity Table 12.5:

P = Permitted	C = Controlled	RD = Restricted discretionary
D = Discretionary	NC = Non-complying	Pro = Prohibited

The 'NA' abbreviation in the activity table refers to where an activity is not applicable to the zone.

The activity classes in Table 12.5 are explained in the User Guide at the front of the plan.

Meanings for the terms in Table 12.5 can be found in Part 17 Definitions.

Permitted and controlled activities shall comply with the relevant performance standards in section 12.6.

The activity status may be altered if the site contains or is adjacent to an item identified in Appendix 1 or 2 of the plan.

Table 12.5 : Subdivision and Development within Future Growth Areas

Rules	Zones
1. Development Plans for each stage or combined stages	D
2. Subdivision in accordance with an approved development plan under Rule 12.5.1	C

Rules	Zones
3. Subdivision inconsistent with an approved development plan	NC
4. Subdivision in accordance with the provisions of the Rural 1 zone	Refer to Part 13
Development and Land Use Activities within the Future Urban Growth Zones	
5. Plantation forestry	NC
6. Educational facilities within the community asset zone	C
7. Buildings and activities located within lots subdivided in accordance with an approved development plan	P
8. Buildings and Rural activities in accordance with the Rural 1 zone outside of areas covered by an approved development plan unless otherwise specified	Refer to Part 9

12.5.1 Future Growth Staging and Minimum Yields

1. ~~Stages 1 to 4 as shown on planning maps 332 and 333~~
 - a. ~~Stage 1 shown on Planning Map 333 can initially be developed upon approval of a development plan.~~
 - b. ~~The subsequent stage may only commence development upon 70 percent of the subdivided allotments of the initial stage being sold.~~
2. ~~Stages 5, 6, 7~~
 - a. ~~The portions labelled as FRD1 of Stage 5 shown on Planning Map 332 can initially be developed upon approval of a development plan.~~
 - b. ~~Any subsequent stage may only commence development upon 70 percent of the subdivided lots being sold of the most recently developed stage.~~

12.6 PERFORMANCE STANDARDS

All activities/events within the future growth zones shall comply with the performance standards of the Rural 1 zone unless a development plan has been approved, in which case all activities shall comply with the standards of the approved development plan.

12.7 CONTROLLED ACTIVITIES: METHOD OF ASSESSMENT

Controlled activities are identified in Table 12.5 above and shall comply with the performance standards in the zone. The Council must grant consent but may impose conditions in relation to matters over which it has reserved its control. The matters over which council reserves its control are stated in this section.

For activities relating to Section 6 Matters listed in Appendices 1 and 2, the matters of control below shall be read in conjunction with the provisions in Appendix 9 – Section 6 Matters.

12.7.1 Matters of Control for Specific Activities

~~1 Subdivision and Development in Accordance With an Approved Comprehensive Development Plan~~

- ~~a. The subdivision and/or development is consistent with the approved development plan for the area.~~
- ~~b. Any proposed restrictions to be registered on any Computer Register (Certificate of Title) that relate to controls on development, subdivision and land use to ensure the development remains consistent with the development plan.~~
- ~~c. The extent to which the proposal complies with the subdivision criteria listed under Part 13 for either the Rural 2 or Residential 1 zone depending on the location of the proposed lots.~~

2 Educational Facilities within Future Community Asset Zone

- a. Building Design and Site Layout
 - i. The design and orientation of buildings and structures and location of outdoor activities to mitigate potential adverse cumulative effects on adjoining sites and the streetscape.
 - ii. How design conforms with the principles of CPTED such as providing for passive surveillance.
 - iii. How privacy and amenity of the adjoining properties is preserved by retaining separation distances and providing acoustic and privacy screening.
 - iv. Compliance with the performance standards of the Residential 1 zone.
- b. Parking, Turning and On-Site Circulation
 - i. The provision of adequate sight distances to prevent on-street congestion caused by the ingress and egress of vehicles to and from sites.
 - ii. The extent to which access, on-site parking and turning areas are designed and located to provide efficient circulation on-site and avoid potential adverse effects on adjoining sites or the public road, the safety of pedestrians and the safe and efficient functioning of the road network.
 - iii. If access is gained onto or within vicinity of a State Highway that the proposal is consistent with the standards of the State Highway Road Controlling Authority.
- c. Noise
 - i. The potential adverse effects generated from noise associated with the congregation of people and vehicles.

- ii. The location of buildings within the site.
- iii. The proposed methods to mitigate the adverse effects of noise.
- iv. The hours of operation of the activity.

12.8 DISCRETIONARY ACTIVITIES: METHOD OF ASSESSMENT

Council may grant or decline an application for a discretionary activity and may impose conditions:

In assessing the proposal, Council can consider all relevant objectives and policies within the district plan, all potential environmental effects, and any matters outlined in the Act without limitation as part of the decision making. Conditions may be imposed in relation to any of these matters:

Whilst not limiting the exercise of its discretion, Council may also consider the particular matters below for the activities listed as Discretionary in the activity table:

For activities relating to Section 6 matters listed in Appendices 1 and 2, the assessment criteria below shall be read in conjunction with the provisions in Appendix 9 – Section 6 Matters.

12.8.1 Comprehensive Subdivision and Development Plans

1. Development Plan

A development plan providing a detailed assessment of effects shall be provided to council for approval, including the following information:

- a. A site plan showing the location and proposed lot sizes for residential, reserve, rural residential or community asset lots depending on the purpose of the zone.
- b. A site plan showing the location of existing and proposed infrastructure to service the development including:
 - i. Water
 - ii. Stormwater
 - iii. Sewage
 - iv. Roading
 - v. Electricity
- c. Design specifications for the proposed infrastructure required.
- d. A site plan showing the location of landscaping proposed to reduce reverse sensitivity at rural zone interfaces and contribute to stormwater management.
- e. Details of any proposed staging of development in accordance with the rules.
- f. Integrated transport assessment.
- g. Geotechnical assessment.

2. Amenity

- a. Compatibility and connectivity of the proposed development with the surrounding environment.
- b. The location and extent of landscaping proposed to mitigate potential adverse effects of development on the view shafts gained of the caldera walls throughout the Rotorua urban environment.
- c. Any methods proposed to mitigate or reduce any potential reverse sensitivity effects that may occur at any rural zone interface.
- d. Proposed performance standards relating to building and site design.
- e. How the proposed lot sizes comply with the relevant zones lot size and assessment criteria as specified in Part 13.

3. Parking, Access and Turning

- a. Ensuring the proposal has been designed to be in accordance with the provisions of Appendix 4 – Parking Turning and Access.
- b. How the proposal will avoid street congestion and levels of traffic generation or pedestrian activity which are incompatible with the character of the surrounding environment.

4. Infrastructure

- a. The effects on infrastructure and its efficient use and development, including capacity, safety and the ability of the areas utility's services to function efficiently.
- b. Where reserve land is provided, including connections to existing and future reserves, to provide for the increased demand on the reserve network as a result of the subdivision.
- c. The ability for the infrastructure to be extended in the future to support development within the adjoining development stages.
- d. The ability for the proposed road network to connect and be extended to service areas of adjoining development stages.

5. Financial Contribution

All activities shall be assessed under Part 14 to determine if a financial contribution is required up to the maximum of the actual cost of the necessary works.

12.9 NON-COMPLYING ACTIVITIES: METHOD OF ASSESSMENT

Applications for resource consent must be assessed on their merits against requirements of the Act. Consent for a non-complying activity may be granted only if Council is satisfied that either:

- a. the adverse effects of the activity on the environment (other than any effect on a person who has given written approval to the application) will be minor; or
- b. the application is for an activity that will not be contrary to the objectives and policies of the District Plan.

If the proposal meets either of the two tests, Council can then consider all relevant matters and may grant or decline consent. If neither test is met, Council must decline the resource consent application.

PART 13 SUBDIVISION

13.5.2 Site Design Performance Standards: Residential Zones

Table 13.5.1 Subdivision in Residential Zones

Rules	Zones				
	RD1	RD2	RD3	RD4	RD5
General					
1. Subdivision in accordance with the Twin Oaks Development Plan contained in Appendix 5—Development Plans.	RD	NA	NA	NA	NA

~~9. Subdivision in accordance with the Twin Oaks Development Plan in the Residential 1 Zone~~

~~In addition to the provisions of this part, all subdivision of the Residential 1 zone within the Twin Oaks Development Plan area, as shown on planning map 342 shall be undertaken in accordance with any relevant requirements within Appendix 5.8.~~

PART 17

Definitions

Term	Definition
<u>Semi-detached unit</u>	<u>A household unit joined by a common wall to one other household unit. This includes household units with an attached garage where the garage also shares a common wall with a separate household unit or its attached garage. It does not include dwelling units with detached accessory buildings that share a common wall with separate dwelling units or their accessory buildings. It does not include dwelling units on separate floor levels of the same building (that is, attached vertically). It also does not include units that are in a group of three or more attached units.</u>
<u>Nitrogen Discharge Allocation</u>	<u>The maximum annual amount of nitrogen loss that is allowed to occur from a property/farming enterprise after 1 July 2032 in accordance with the Bay of Plenty Regional Natural Resources Regional Plan.</u>

APPENDIX I

CULTURAL HISTORIC HERITAGE INVENTORY

NZAA and Map Site Reference	Planning map	Site	Location
<u>U16/ 184</u>	<u>323</u>	<u>Midden</u>	<u>Pukehāngi</u>
<u>U16/ 185</u>	<u>342</u>	<u>Obsidian</u>	<u>Pukehāngi</u>
<u>U16/ 186</u>	<u>342</u>	<u>Midden</u>	<u>Pukehāngi</u>

PLANNING MAPS

Deletion of Twin Oaks Development Plan Area from Planning Maps

Deletion of Future Growth Area from Planning Maps, with the exception of the Community Assets Zone.